

DIVISION 1.2 ZONE LOTS

SECTION 1.2.1 INTENT AND PURPOSE

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

SECTION 1.2.2 ZONE LOT REQUIRED

1.2.2.1 Zone Lot Required Prior to Development

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

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

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

1.2.2.4 Zone Lot for Existing Structures and Uses

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

SECTION 1.2.3 GENERAL STANDARDS FOR ALL ZONE LOTS

1.2.3.1 Public Street Frontage Required

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

1.2.3.2 Contiguous Land Area Required

A. General Rule - Contiguity Required

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

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

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

allowed in the subject Zone District. Different minimum Zone Lot sizes may apply to different primary building forms allowed in the same Zone District.

For example, a Zone Lot is created in the G-MU-3 district after June 25, 2010, and it is 3,000 square feet in size. The Zone Lot is allowed because one of the primary building forms permitted in the G-MU-3, the Urban House form, allows a Zone Lot to be as small as 3,000 square foot. However, while an Urban House form may be developed on that new 3,000 square foot Zone Lot, an Apartment building form could not because, in the G-MU-3 Zone District, the Apartment building form requires a Zone Lot no smaller than 6,000 square feet.

B. Development of Primary Building Forms

Development of an allowed primary building form (e.g., a Row House or Duplex building form) shall occur only on a legally established Zone Lot that complies with the minimum Zone Lot size required for that specific building form. Zone lots that do not comply with the minimum size or width requirements for a specific building form are nonconforming Zone Lots; development on nonconforming Zone Lots shall comply with the standards according to Division 12.10, Nonconforming Zone Lots.

C. Development of Detached Accessory Structures

Development of an allowed detached accessory structure shall occur only on a legally established Zone Lot that complies with the minimum Zone Lot size required for the primary building on the same Zone Lot

D. Development on Nonconforming Zone Lots

An existing legally established Zone Lot that is nonconforming under this Code may be used and developed according to Division 12.10, Nonconforming Zone Lots.

1.2.3.5 Number of Uses and Structures Allowed Per Zone Lot

The following table establishes the number of structures and uses allowed per zone lot:

PRIMARY USES AND STRUCTURES			
Applicability	Maximum # Primary Uses per Zone Lot	Maximum # Primary Structures per Zone Lot	Specific Requirements
All SU and TU Zone Districts, <u>except as otherwise allowed in this table</u>	1	1	na
All SU and TU Zone Districts, Civic, <u>Public and Institutional</u> Uses	<p>† <u>No Limit on combining multiple permitted primary uses when all such uses are classified as "Civic, Public and Institutional Uses". In addition, one primary use categorized as a "Household Living" use and permitted in the zone district may be combined with one or more Civic, Public and Institutional Uses.</u></p> <p><u>For example: In the U-SU-C zone district, an elementary school, place for religious assembly (e.g., church), and a single-unit dwelling use may all be established as primary uses on the same Zone Lot.</u></p>	No Limit - <u>Subject to Specific Requirements in this table</u>	On a Zone Lot 18,000 square feet or larger in area, where <u>one of the permitted primary uses</u> is classified as a "Civic, Public and Institutional Use", <u>and where such use is permitted in the Zone District</u> , the Zone Lot may be occupied by one or more primary structures.
All SU and TU Zone Districts, Tandem House Building Form <u>Only</u>	2 - <u>Subject to Specific Requirements in this table</u>	2 - <u>Subject to Specific Requirements in this table</u>	Where permitted, <u>the Zone Lot</u> may be occupied by a Tandem house building form, which is comprised of two primary structures, each containing a primary single-unit dwelling use.

PRIMARY USES AND STRUCTURES			
Applicability	Maximum # Primary Uses per Zone Lot	Maximum # Primary Structures per Zone Lot	Specific Requirements
All SU and TU Zone Districts, Carriage House Exception	2 - <u>Subject to Specific Requirements in this table</u>	2 - <u>Subject to Specific Requirements in this table</u>	One additional <u>primary</u> structure containing more than one habitable story, and which structure was erected prior to November 8, 1956, as a carriage house, may be used in its entirety as a primary single unit dwelling unit. <u>See Article 13 for definition of "carriage house."</u>
All Other Zone Districts	No Limit	No Limit	na

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

SECTION 1.2.4 REFERENCE TO OTHER APPLICABLE PROVISIONS

1.2.4.1 Multiple Buildings on a Single Zone Lot

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

1.2.4.2 Zone Lot Amendment Procedures

See Section 12.4.4, Zone Lot Amendments.

1.2.4.3 Definition of "Zone Lot"

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

1.2.4.4 Nonconforming Zone Lots

See Division 12.10, Nonconforming Zone Lots.

DIVISION 1.3 OFFICIAL ZONING MAP

SECTION 1.3.1 ADOPTION OF OFFICIAL MAP

The digital maps created and maintained by the Department of Community Planning and Development and published by Technology Services' Geographic Information Systems Office delineating the boundaries of the various Zone Districts, together with all matters and things shown on such maps, are hereby adopted and approved, incorporated herein and made a part hereof and collectively shall constitute the official zoning map of the City and County of Denver ("Official Map"). The Official Map shall be marked pursuant to a system of identification established by Community Planning and Development consistent with this Code.

SECTION 1.3.2 AMENDMENTS TO OFFICIAL MAP

All amendments to the Official Map shall be maintained in and kept current by the Department of Community Planning and Development and made available to the public.

SECTION 1.3.3 INTERPRETATIONS

1.3.3.1 District Regulations to be Uniform

The regulations established in this Code shall apply uniformly to all geographical areas having the same Zone District classification and designation on the Official Map.

1.3.3.2 Determination of **Zone** District Boundaries **and Applicable Regulations**

A. **Zone Lots Less than or Equal to 6,000 Square Feet in Area**

If a **zone** district boundary line divides **a zone lot that is less than or equal to an area of land under 6,000 square feet in area as of and held in one ownership of record on** the date the **zone** district boundary line was established **such that the zone lot falls within two or more zone districts**, then **an applicant may select one of the following options to determine the applicable zoning regulations**:

1. **The entire site Each portion of the zone lot** may be used in conformity with the regulations **for each of the applicable to the zone districts that such portion falls within**; or
2. **If the area is divided into two or more parcels of land, T**he entire **zone lot area** may be used in conformity with the regulations for the **zone** district **applicable to more than 50% of the zone lot area in which one parcel is located**, if such parcel contains more than one-half of the entire area; or
3. If the **zone lot area** is divided **equally** into two **zone districts equal parcels of land**, **the applicant may choose to develop** the entire **zone lot area may be used** in conformity with the regulations **applicable to one of the two zone districts for the district in which either of such parcels of land is located**.

B. **Zone Lots Greater than 6,000 Square Feet in Area**

If a **zone** district boundary line divides **a zone lot that is greater than an area of land containing 6,000 square feet in area or more and resulting from the establishment of a district boundary line dividing an area of land held in one ownership of record on as of** the date the **zone** district boundary line was established **such that the zone lot falls within two or more zone districts**, **then** each **portion of the zone lot parcel of land in excess of 6,000 square feet** shall be **developed used** only in conformity with the regulations **for the applicable to the zone district that such portion falls within, in which such parcel of land is located** unless one of the following exceptions apply:

1. If a building containing a permitted use exists on the ~~zone lot area of land~~ on the date the ~~zone~~ district boundary line was established and the building ~~was is~~ divided by the ~~zone~~ district boundary line, ~~and provided the building is not voluntarily demolished, then an applicant may select one of the following options to determine the applicable zoning regulations: the provisions of this paragraph shall not apply and the use of such parcel of land shall be governed by the provisions stated in paragraph A. above:~~
 - a. ~~Each portion of the zone lot may be used in conformity with the regulations applicable to the zone district that such portion falls within; or~~
 - b. ~~The entire zone lot may be used in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area; or~~
 - c. ~~If the zone lot is divided equally into two zone districts, the applicant may choose to develop the entire zone lot in conformity with the regulations applicable to one of the two zone districts.~~

2. ~~If the parcel will contain only multi-family residential development and contains moderately priced dwelling units (MPDUs) pursuant to the mandatory or voluntary provisions of D.R.M.C. Article IV, Chapter 27 (Affordable Housing) and more than 50% of the parcel is located in a district where permitted building forms would allow more dwelling units to be constructed, then the entire parcel may be developed with the same building forms permitted in the district applicable to more than 50% of the parcel. The entire zone lot may be developed in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area if:~~
 - a. ~~The zone lot will only contain a multi-unit dwelling primary use with no other primary uses; and~~
 - b. ~~The multi-unit dwelling primary use includes moderately priced dwelling units (MPDUs) pursuant to the mandatory or voluntary provisions of DRMC Article IV, Chapter 27 (Affordable Housing); and~~
 - c. ~~The zone district applicable to more than 50% of the zone lot area allows more dwelling units to be constructed than in the other zone districts applicable to the zone lot.~~

This provision shall also apply to multi-family owner-occupied or rental residential developments that include a higher percentage of MPDUs than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing) and to multi-family residential development that includes housing affordable to households at a lower adjusted medium income than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing).

- C. If for any reason the location of any ~~zone~~ district boundary line is not readily determinable from the official map, the location of the ~~zone~~ district boundary line shall be fixed by the Department of Community Planning and Development in accordance with the following provisions. Where more than one of the following provisions are applicable in any given situation, the first enumerated applicable provision shall prevail over all other provisions:
 1. Where a ~~zone~~ district boundary line is located with reference to a fixture or monument, the location of such fixture or monument shall control;
 2. Where a ~~zone~~ district boundary line is given a position within a street or alley right-of-way or channelized waterway, the ~~zone~~ district boundary line shall be deemed to be in the center of such street or alley right-of-way or channelized waterway;

3. Where a zone district boundary line is shown as approximately following platted lot lines, the zone district boundary line shall be deemed to coincide with such platted lot lines;
4. Where a zone district boundary line is shown by a specific dimension, such specific dimension shall control;
5. Where a zone district boundary line extends in the direction of the length of a block, the zone district boundary line shall be deemed to coincide with the center line of such block;
6. Where a zone district boundary line divides a platted lot or crosses unsubdivided property, the location of the zone district boundary line shall be fixed from the scale of the official map.

1.3.3.3 Access Across Parcels With Different Districts

- A. Notwithstanding the provisions of ~~subsections 1.3.3.2.A and 1.3.3.2.B paragraphs A or B above~~, access across parcels of land with different ~~district classifications~~zone districts shall be governed by this Section 1.3.3.3 this paragraph. In order to promote appropriate development in all Zone Districts, access across a parcel of land to another parcel of land with a different district classification is permitted except that access to a parcel of land not located in a residential district across a parcel of land located in a residential district shall not be permitted unless the Zoning Administrator determines that:
 1. Such access is compatible or could be made compatible with any existing or allowed uses on the parcel of land in the residential district; and
 2. Traffic, noise, pollution and other impacts of such access are or can be mitigated.
- B. The Zoning Administrator may impose conditions on the approval of such access in order to ensure that the impacts of traffic, noise, pollution and other external effects of such access are mitigated so as to protect the residential character of the parcel of land located in a residential district. If the use of the parcel of land not located in a residential district changes so as to alter the access or otherwise impact the use of the parcel of land located in the residential district, the Zoning Administrator may terminate the right to access the parcel of land not located in a residential district across the parcel of land located in the residential district or may impose additional conditions on the continued access. All other provisions of the district in which each such parcel of land is located shall apply. An owner requesting such access shall file a request with the Zoning Administrator and the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice (ZPIN), shall be followed.

1.3.3.4 Necessity for District Designation

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

F. Single Unit I (S-SU-I)

S-SU-I is a single unit district allowing suburban houses with a minimum zone lot area of 12,000 square feet. This district requires the largest setbacks and lowest lot coverage (more unobstructed open space) in the Suburban Neighborhood Context.

G. Single Unit Ix (S-SU-Ix)

S-SU-Ix is a single unit district allowing suburban houses with a minimum zone lot area of 12,000 square feet. This district requires the largest setbacks and lowest lot coverage in the Suburban Neighborhood Context. The primary distinction between this Zone District and S-SU-I is there are more limitations on home occupations.

H. Town House 2.5 (S-TH-2.5)

S-TH-2.5 is a multi unit district and allows suburban house, duplex and town house building forms up to two and one half stories in height.

I. Multi Unit 3, 5, 8, 12, 20 (S-MU-3, 5, 8, 12, 20)

S-MU- is a multi unit district and allows suburban house, duplex, town house, garden court, apartment and ~~courtyard~~apartment building forms up to 3, 5, 8, 12, 20 stories in height.

SECTION 3.2.3 COMMERCIAL CORRIDOR DISTRICTS (S-CC-3, -3x, -5, -5x)

3.2.3.1 General Purpose

- A. The Commercial Corridor Zone Districts are intended to balance the need for safe, active, and pedestrian-scaled, diverse areas with the need for convenient automobile access.
- B. The Commercial Corridor Zone Districts address development opportunities ~~adjacent~~next to the city's most auto-dominated corridors.
- C. Commercial Corridor building form standards have minimum setbacks to allow flexibility in building, circulation and parking lot layout.
- D. The Commercial Corridor district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

3.2.3.2 Specific Intent

A. Commercial Corridor – 3 (S-CC-3)

S-CC-3 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired.

B. Commercial Corridor – 3x (S-CC-3x)

S-CC-3x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired with less intense uses than S-CC-3.

C. Commercial Corridor – 5 (S-CC-5)

S-CC-5 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 5 stories is desired.

D. Commercial Corridor – 5x (S-CC-5x)

S-CC-5x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 5 stories is desired with less intense uses than S-CC-5.

SECTION 3.2.4 MIXED USE DISTRICTS (S-MX-2, -2X -3, -5, -8, -12)

3.2.4.1 General Purpose

- A. The Mixed Use Zone Districts are intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods.
- B. The Mixed Use districts are appropriate along corridors, for larger sites and at major intersections.
- C. The building form standards of the Mixed Use Zone Districts balance the importance of street presence and provision of adequate parking through build-to requirements, ground-story Street Level activation and parking lot screening along the right-of-way. Standards offer predictable flexibility consistent with the variety of mixed use development found in the Suburban Neighborhood Context.
- D. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

3.2.4.2 Specific Intent

- A. **Mixed Use – 2 (S-MX-2)**
S-MX-2 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 2 stories is desired.
- B. **Mixed Use – 2x (S-MX-2x)**
S-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.
- C. **Mixed Use – 3 (S-MX-3)**
S-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.
- D. **Mixed Use – 5 (S-MX-5)**
S-MX-5 applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired.
- E. **Mixed Use – 8 (S-MX-8)**
S-MX-8 applies to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired.
- F. **Mixed Use – 12 (S-MX-12)**
S-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 1 to 12 stories is desired.

3.3.2.2 Siting

A. Required Build-To

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

B. Setbacks

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

C. Parking Location

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

3.3.2.3 Design Elements

A. Configuration

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

B. Transparency

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

C. Entrances

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

3.3.2.4 Specific Building Form Intent

A. Residential Zone Districts Building Form Intent

1. Suburban House

Establish standards for Single Unit Dwelling development. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

2. Duplex

Establish standards for Two Unit Dwelling development within a single primary structure, allowing side-by-side and up-down configurations. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

3. Tandem House

Establish standards for two dwelling units on a single zone lot, but occurring in two separate primary structures with a single unit in each structure.

4. Town House

Establish standards for Multi-Unit Dwelling development where each unit has a street-facing entrance.

5. Apartment

Establish standards for Multi-Unit Dwelling development in a variety of layouts. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts Building Form Intent

1. Drive Thru Services

To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane.

- a. MX: Eliminate the build-to requirement and require a garden wall along street frontages.
- b. MS: Allow a decrease in the percentage of build-to required along the Primary Street, allow a garden wall and canopy combination to meet a portion of the build-to and allow surface parking between a building and the Side Street.

2. Drive Thru Restaurant

To allow more flexible design standards to accommodate unique circumstances of eating/drinking establishments with an accessory drive-thru lane.

- a. CC and MX: No change to standards contained within the General building form.
- b. MS: Allow a reduced build-to requirement and a drive-thru lane to be located between the building and the Primary Street and Side Street.

3. General

Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

4. Shopfront

Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

SUBURBAN HOUSE

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

SITING		S-SU-A	S-SU-D	S-SU-Fx S-SU-F S-SU-F1	S-SU-Ix S-SU-I	S-TH-2.5	S-MU-3, -5, -8, -12, -20
ZONE LOT							
	Zone Lot Size (min)	3,000 ft ²	6,000 ft ²	8,500 ft ²	12,000 ft ²	6,000 ft ²	6,000 ft ²
C	Zone Lot Width (min)	25'	50'	62.5'	62.5'	50'	50'

SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All S-SU, -TH, -MU Districts		
		25' or Less	26' to 61' Greater than 25' and less than 62'	62' or Greater
D	Primary Street, block sensitive setback required	na	yes	yes
D	Primary Street, where block sensitive setback does not apply (min)	15'	20'	20'
E	Side Street (min)	3'	5'	5'
F	Side Interior (min)	3'	5'	7.5'
G	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%	50%

PARKING BY ZONE LOT WIDTH		All S-SU, -TH, -MU Districts		
		25' or Less	26' to 61' Greater than 25' and less than 62'	62' or Greater
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 ft ²	2 Spaces and 320 ft ²	33%
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec. 3.3.7.6)		

DETACHED ACCESSORY STRUCTURES		See Sec. 3.3.4					
DESIGN ELEMENTS		S-SU-A	S-SU-D	S-SU-Fx S-SU-F S-SU-F1	S-SU-Ix S-SU-I	S-TH-2.5	S-MU-3, -5, -8, -12, -20

BUILDING CONFIGURATION		See Section 3.3.5.1				
	Rooftop and/or Second Story Decks					
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.				
I	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater				

GROUND STORY STREET LEVEL ACTIVATION		Entry Feature				
J	Pedestrian Access, Primary Street					

USES		All S-SU, -TH, -MU Districts				
		Primary Uses shall be limited to Single Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking.				

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

DUPLEX

HEIGHT		S-TH-2.5	S-MU-3, -5, -8, -12, -20
A	Stories (max)	2.5	3
A	Feet (max)	30'	32'
	Feet, <u>allowable permitted</u> height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'	
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	na
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	na
SITING		S-TH-2.5	S-MU-3, -5, -8, -12, -20
ZONE LOT			
	Zone Lot Size (min)	4,500 ft ²	4,500 ft ²
C	Zone Lot Width (min)	37.5'	37.5'
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All S-TH and S-MU Districts	
		61' or Less	62' or Greater than 61'
D	Primary Street, block sensitive setback required	yes	yes
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'
E	Side Street (min)	5'	5'
F	Side Interior (min)	5'	5'
G	Rear, alley/no alley (min)	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	50%
PARKING BY ZONE LOT WIDTH			
	Parking and Drive Lot Coverage in Primary Street Setback (max %)	50%	50%
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec 3.3.7.6)	
H	DETACHED ACCESSORY STRUCTURES	see Sec. 3.3.4	
DESIGN ELEMENTS		S-TH-2.5	S-MU-3, -5, -8, -12, -20
BUILDING CONFIGURATION			
	Rooftop and/or Second Story Decks	See Section 3.3.5.1	
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.	
I	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater	
GROUND-STORY STREET LEVEL ACTIVATION			
J	Pedestrian Access, Primary Street	Entry Feature	
USES		All S-TH and S-MU Districts	
		Primary Uses shall be limited to Two Unit Dwelling and <u>allowable permitted</u> Group Living and Nonresidential uses. See Division 3.4 Uses and Parking	
See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions			

TANDEM HOUSE

HEIGHT		S-SU-F1
A	Stories (max)	2.5
A	Feet (max)	30'
	Feet, <u>allowable permitted</u> height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'
	Bulk Plane Slope from Side Interior/Side Street Zone Lot Line	45°
SITING		S-SU-F1
ZONE LOT		
	Zone Lot Size (min)	12,000 ft ²
C	Zone Lot Width (min)	62.5'
	Zone Lot Depth (min)	150'
	Number of Primary Structures per Zone Lot (max)	2
SETBACKS AND BUILDING COVERAGE		S-SU-F1
D	Primary Street, block sensitive setback required	yes
D	Primary Street (min)	20'
E	Side Street (min)	10'
F	Side Interior, for Primary Structure #1 (min one side/min combined)	5'/15'
G	Side Interior, for Primary Structure #2 (min one side/min combined)*	5'/15'
H	Rear, for Primary Structure #1, as a % of lot depth (min)	50%
I	Rear, for Primary Structure #2 (min)	5'
J	Minimum Spacing Between Primary Structures (min)	6'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%
PARKING BY ZONE LOT WIDTH		
	Parking and Drive Lot Coverage in Primary Street Setback (max %)	50%
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec. 3.3.7.6)
DETACHED ACCESSORY STRUCTURES		see Sec. 3.3.4
DESIGN ELEMENTS		S-SU-F1
BUILDING CONFIGURATION		
K	Overall Structure Width, Primary or Side Street (max)	36'
L	Overall Structure Length, Primary or Side Street (max)	42'
	Rooftop and/or Second Story Decks	See Section 3.3.5.1
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.
	Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater
GROUND-STORY STREET LEVEL ACTIVATION		
M	Pedestrian Access, Primary Street	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement
USES		S-SU-F1
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 3.4 Uses and Parking

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

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

TOWN HOUSE

HEIGHT		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
A	Stories (max)	2.5	3	5
A	Feet (max)	35'	40'	65'
B	Side Wall height	25'	na	na
SITING		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
ZONE LOT				
	Zone Lot Size (min)	6,000 ft ²	6,000 ft ²	6,000 ft ²
	Zone Lot Width (min)	50'	50'	50'
	Dwelling Units per Primary Residential Structure (max)	10	na	na
REQUIRED BUILD-TO				
C	Primary Street (min % within min/max)	na	50% 0'/80'	50% 0'/80'
SETBACKS				
D	Primary Street, block sensitive setback required	yes	na	na
D	Primary Street (min)	20'	10'	10'
E	Side Street (min)	5'	5'	5'
F	Side Interior (min)	5'	5'	5'
	Side Interior, adjacent to Protected District (min)	na	10'	10'
G	Rear, alley/no alley (min)	12'/20'	10'/20'	10'/20'
	Rear, adjacent to Protected District (min)	na	na	na
PARKING				
	Vehicle Access	From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)		
H	DETACHED ACCESSORY STRUCTURES	See Sec. 3.3.4		
DESIGN ELEMENTS		S-TH-2.5	S-MU-3	S-MU- 5, 8, 12, 20
BUILDING CONFIGURATION				
I	Primary Street-Facing Attached Garage Door Width (max per unit)	10'	10'	10'
	Upper Story Stepback, for Flat Roof, Above 25', Primary Street, Side Street and Side Interior	10'	na	na
J	Upper Story Setback Above 40', Side, interior	na	na	15'
J	Upper Story Setback above 51', Side, interior	na	na	15'
K	Upper Story Setback Above 27', adjacent to Protected District: Side Interior	na	25'	25'
	Upper Story Setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	20'/25'
	Upper Story Setback above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)	na	na	30'/40'
L	Upper Story Setback above 51', adjacent to Protected District: Side Interior (min)	na	na	40'
	Rooftop and/or Second Story Decks	See Section 3.3.5.1		
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		
GROUND STORY STREET LEVEL ACTIVATION				
M	Transparency, Primary Street (min)	30%	30%	30%
N	Transparency, Side Street (min)	25%	25%	25%
O	Pedestrian Access	Each unit shall have a street-facing Entrance		
USES		All S-TH and S-MU Districts		
Primary Uses shall be limited to Multi Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking				

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

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

APARTMENT

HEIGHT		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
A	Stories (max)	3	5	8	12	20
A	Feet (max)	40'	65'	100'	140'	230'
	Feet, within 175' of Protected District (max)	na	na	75'	75'	75'

SITING		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
ZONE LOT						
	Zone Lot Size (min)	6,000 ft ²				
	Zone Lot Width (min)	50'	50'	50'	50'	50'
	Building Coverage per Zone Lot, including all accessory structures (max)	na	na	na	70%	70%

REQUIRED BUILD-TO		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
B	Primary Street (min% within min/max)	50%	50%	50%	50%	50%
		0'/80'	0'/80'	0'/80'	0'/80'	0'/80'

SETBACKS		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
C	Primary Street (min)	10'	10'	10'	10'	10'
D	Side Street (min)	5'	5'	5'	5'	5'
E	Side Interior (min)	7.5'	7.5'	7.5'	7.5'	7.5'
	Side Interior adjacent to Protected District (min)	10'	10'	10'	10'	10'
F	Rear, alley/no alley (min)	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'

PARKING		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed				
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)</u>				
	<u>Vehicle Access, all other permitted uses</u>	Access determined at Site Development Plan Review				

DESIGN ELEMENTS		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
BUILDING CONFIGURATION						
	Primary Street-Facing Attached Garage Door Width (max per structure)	20'	20'	20'	20'	20'
H	Upper Story Setback Above 40', Side Interior	na	15'	na	na	na
	Upper Story Setback Above 51', Side Interior	na	na	15'	15'	15'
I	Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior	na	na	20'/30'	20'/30'	20'/30'
J	Upper Story Setback above 27', adjacent to Protected District: Side Interior (min)	25'	25'	25'	25'	25'
K	Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/no alley	na	30'/40'	30'/40'	30'/40'	30'/40'
	Upper Story Setback above 51', adjacent to Protected District: Side Interior (min)	na	40'	40'	40'	40'

GROUND STORY STREET LEVEL ACTIVATION		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
L	Transparency, Primary Street (min)	30%	30%	30%	30%	30%
M	Transparency, Side Street (min)	25%	25%	25%	25%	25%
N	Pedestrian Access, Primary Street	Pedestrian Connection				

USES		S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
All S-MU						
Primary Uses shall be limited to Multi Unit Dwelling and <u>allowable permitted</u> Group Living and Nonresidential uses. See Division 3.4 Uses and Parking						

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

DRIVE THRU SERVICES

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

SITING		S-CC-3, -3x, -5, -5x	S-MS-3, -5	S-MX-2, -3, -5, -8, -12
REQUIRED BUILD-TO				
B	Primary Street (min % within min/max)*	na	50% 0'/15'	na
C	Side Street (min % within min/max)*	na	50% 0'/15'	na
SETBACKS				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
PARKING				
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Not Allowed/Allowed	Allowed/Allowed

DESIGN ELEMENTS		S-CC-3, -3x, -5, -5x	S-MS-3, -5	S-MX-2, -3, -5, -8, -12
BUILDING CONFIGURATION				
H	*Canopy	na	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To.	na
I	Screening Required	See Article 10	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15', following the standards of Article 10, Section 10.5.4.4	
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'	15'/25' S-MX-2: na
GROUND-STORY STREET LEVEL ACTIVATION				
J	Transparency, Primary Street (min)	40%*	60%	40%*
K	Transparency, Side Street (min)	25%*	25%	25%*
L	Pedestrian Access, Primary Street	Pedestrian Connection	Entrance	Pedestrian Connection
USES		All S-CC, S-MX, and S-MS		
Primary Uses shall be limited to Automobile Services, Light and/or Primary Use with Accessory Drive Thru Uses, excluding Eating/Drinking Establishments				

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

DRIVE THRU RESTAURANT

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

SITING		S-CC-3, -3x, -5, -5x	S-MX-2, 3, -5, -8, -12	S-MS-3, -5
REQUIRED BUILD-TO				
B	Primary Street (min % within min/max)	na	50% 0'/80	50% 0'/35'
C	Side Street (min % within min/max)	na	na	50% 0'/18'
SETBACKS				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
PARKING				
	Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed	Not allowed/Not Allowed
	Drive Thru Lane between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed	Allowed/Allowed
H	Drive Thru Lane Width (max)	na	na	12'
I	Drive Thru Lane Screening	na	na	Garden Wall, following the standards of Article 10, Section 10.5.4.4

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

USES		All S-CC, S-MX, and S-MS		
Primary Uses shall be limited to an Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only				

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

GENERAL (1 OF 2)

HEIGHT	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
Stories (max)	3	5
Feet (max)	45'	70'
Feet, within 175' of Protected District (max)	na	na
Height Exceptions	See Section 3.3.7.1	
SITING	S-CC-3, -3x, -5, -5x	
SETBACKS		
Primary Street (min)	0'	
Side Street (min)	0'	
Side Interior (min)	5'	
A Side Interior, adjacent to Protected District (min)	10'	
Rear (min)	0'	
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4	
PARKING		
B Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed	
C Surface Parking Screening	See Article 10, Division 10.5	
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)</u>	
<u>Vehicle Access, all other permitted uses</u>	Access determined at Site Development Plan Review	
DESIGN ELEMENTS	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
BUILDING CONFIGURATION		
D Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'
E Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'
GROUND STORY STREET LEVEL ACTIVATION		
F Transparency, Primary Street (min)	40%* Residential Only Buildings: 30%*	
G Transparency, Side Street (min)	25%*	
Transparency Alternatives	See Section 3.3.6.2	
H Pedestrian Access, Primary Street	Pedestrian Connection	
USES	All S-CC	

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

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

GENERAL (2 OF 2)

HEIGHT		S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12
Stories (max)		2	2	3	5	8	12
Feet (max)		35'	35'	45'	70'	110'	150'
Feet, within 175' of Protected District (max)		na	na	na	na	75'	75'
Height Exceptions		See Section 3.3.7.1					
SITING		All S-MX Option A			All S-MX Option B		
RESTRICTION		na			Allowed only if ground story is equal or greater than 20,000 square feet		
REQUIRED BUILD-TO							
A	Primary Street (min build-to % within min/max range)	50% 0'/80'			50% 0'/150'		
	Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1			See Sections 3.3.7.2 and 3.3.6.1		
SETBACKS							
	Primary Street (min)	0'			0'		
	Side Street (min)	0'			0'		
	Side Interior (min)	0'			0'		
B	Side Interior, adjacent to Protected District (min)	10'			10'		
	Rear (min)	0'			0'		
	Rear, adjacent to Protected District, alley/no alley (min)	S-MX-2x: 0'/5' 0'/10'			S-MX-2x: 0'/5' 0'/10'		
	Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4			See Sections 3.3.7.3 and 3.3.7.4		
PARKING							
C	Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed			Allowed, limited to two double loaded aisles within the Build-To range/Allowed		
D	Surface Parking Screening	See Article 10, Division 10.5			Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and por- tions of building within 0'/15'; following the standards of Article 10, Section 10.5.4.4		
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>				<u>From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)</u>		
	<u>Vehicle Access, all other permitted uses</u>	Access determined at Site Development Plan Review					
DESIGN ELEMENTS		S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12
BUILDING CONFIGURATION							
E	Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	15'/25'	20'/25'	20'/25'	20'/25'
F	Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	na	35'/40'	35'/40'	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION							
G	Transparency, Primary Street (min)				40%* Residential Only Buildings: 30%*		
H	Transparency, Side Street (min)				25%*		
	Transparency Alternatives	See Section 3.3.6.2					
I	Pedestrian Access, Primary Street	Pedestrian Connection					
USES		All S-MX					
All <u>allowable permitted</u> Primary Uses shall be allowed within this building form See Division 3.4 Uses and Parking							

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

SHOPFRONT

HEIGHT		S-MS-3	S-MS-5
	Stories (max)	3	5
A	Feet (min/max)	na/45'	24'/70'
	Height Exceptions	See Section 3.3.7.1	

SITING		S-MS-3	S-MS-5
REQUIRED BUILD TO			
			75%
B	Primary Street (min build-to % within min/max range)	0'/5'	Residential Only Buildings: 0'/10'
			25%
C	Side Street (min build-to % within min/max range)	0'/5'	Residential Only Buildings: 0'/10'
	Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1	

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

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

DESIGN ELEMENTS		S-MS-3	S-MS-5
BUILDING CONFIGURATION			
F	Upper Story Setback above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'
G	Upper story setback above 51' adjacent to Protected District: Rear, alley/no alley and Side Interior (min)	na	35'/40'

GROUND-STORY STREET LEVEL ACTIVATION			
			60%
H	Transparency, Primary Street (min)		Residential Only Buildings: 40%
			25%
I	Transparency, Side Street (min)		25%
	Transparency Alternatives	See Section 3.3.6.2	
J	Pedestrian Access, Primary Street	Entrance	

USES		All S-MS Zone Districts	
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(1) All allowable permitted Primary Uses shall be allowed within this building form. See Division 3.4 Uses and Parking; and (2) 100% of the portion of the ground-story Street Level building frontage within the required that meets the minimum Primary Street and Side Street build-to requirements portion must have at least one primary use, other than parking of vehicles shall be occupied by ground-story Street Level active uses as described in Section 3.3.5.2.

DETACHED ACCESSORY DWELLING UNIT

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

SITING		S-SU-F1	S-TH-2.5	S-MU-3, -5, -8, -12, -20
ZONE LOT				
	Zone Lot Size (min)	8,500 ft ²	6,000 ft ²	6,000 ft ²
	Zone Lot Depth (min)	150'	na	na
	Additional Standards	See Section 3.3.4.3		
SETBACKS				
	Location	Located in the rear 35% of the zone lot depth		
C	Side Interior and Side Street (min)	5'	5'	5'
D	Rear (min)	5'	5'	5'
PARKING				
	Vehicle Access	From <u>Alley</u> ; or Street access allowed when no <u>Alley</u> present see Sec. 3.3.7.6 for exceptions		

DESIGN ELEMENTS		S-SU-F1 Only By Zone Lot Size		S-TH-2.5, S-MU-3, -5, -8, -12, -20
		6,000 ft ² or Less	<u>Greater than</u> 6,000 ft ² <u>and</u> <u>up to 7,000 ft²</u>	<u>Greater than</u> 7,000 ft ² <u>or Greater</u>
BUILDING CONFIGURATION				
	Building Footprint (max)	650 ft ²	864 ft ²	1,000 ft ²
	Habitable Space (max)	650 ft ²	864 ft ²	1,000 ft ²
E	Horizontal Dimension (max)	36'	36'	36'
	Rooftop and/or Second Story Decks	Not allowed - See Section 3.3.5.1		
USES				
		S-SU-F1; S-TH-2.5; All S-MU		
		Accessory Uses Only, including accessory dwelling unit where permitted. See Division 3.4 for permitted Accessory Uses		

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

DETACHED GARAGE

HEIGHT		S-SU-A	S-SU-D	S-SU-Fx S-SU-F S-SU-F1	S-SU-lx S-SU-I	S-TH-2.5	S-MU-3, 5, -8, -12, -20
A	Stories (max)	1	1	1	1	1	1
A	Feet (max)	17'	17'	17'	17'	17'	17'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	na
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	na

SITING		S-SU-A	S-SU-D	S-SU-Fx S-SU-F S-SU-F1	S-SU-lx S-SU-I	S-TH-2.5	S-MU-3, 5, -8, -12, -20
Additional Standards		See Section 3.3.4.3					
SETBACKS							
C	Setback from Primary Street Facing Facade of Primary Structure (min)	10'	10'	10'	10'	10'	10'
D	Side Street (min)	5'	5'	5'	5'	5'	5'
D	Side Interior (min), for structure entirely in rear 35% of zone lot**	0'	0'	0'	0'	0'	0'
	Side Interior (min), for structure not entirely in rear 35% of zone lot	5'	5'	5'	5'	5'	5'
	Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less	3'	3'	3'	3'	3'	3'
E	Rear, no alley (min)	5'	5'	5'	5'	5'	5'
	Rear, alley, where garage doors face alley (min)	5'	5'	5'	5'	5'	5'
	Rear, alley, where garage doors do not face alley (min)	0'	0'	0'	0'	0'	0'
Vehicle Access		From Alley; or Street access allowed when no Alley present see Sec. 3.3.7.6 for exceptions					

DESIGN ELEMENTS		S-SU-A	S-SU-D	S-SU-Fx S-SU-F S-SU-F1	S-SU-lx S-SU-I	S-TH-2.5	S-MU-3, 5, -8, -12, -20
BUILDING CONFIGURATION							
	Building Footprint (max)	1,000 ft ²	1,000 ft ²	1,000 ft ²	1,000 ft ²	864 ft ² per unit*	864 ft ² per unit*
F	Horizontal Dimension (max)	36'	36'	36'	36'	no max	no max
	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	3	3	3	no max	no max
G	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	28'	28'	28'	no max	no max

USES		All S-SU; S-TH-2.5; All S-MU					
Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 3.4 for permitted Accessory Uses							
See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions							

*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 ft²

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

3.3.5.2 Street Level Active Uses in the S-MS Zone Districts

A. Intent

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

B. Applicability

This Section 3.3.5.2 applies to the Shopfront building form in all S-MS zone districts.

C. Street Level Active Uses

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

SECTION 3.3.6 DESIGN STANDARD ALTERNATIVES

3.3.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

~~If used in combination, the alternatives may count toward no more than 25% of the requirement.~~

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

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

**If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than ~~25%~~ 30% of required build-to.

C. Outdoor Patio Seating

In all S-MX Zone Districts, the Required Build-To Range may be increased from 80' to 90' when Outdoor Patio Seating is provided between the building and the Primary Street. Ground Story Activation requirements shall still apply.

D. Garden Walls

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

1. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - a. Decorative and/or structural piers may exceed the permitted height range
 - b. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division
 - c. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84"
2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping
3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12
4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Article 10.

E. Pergola

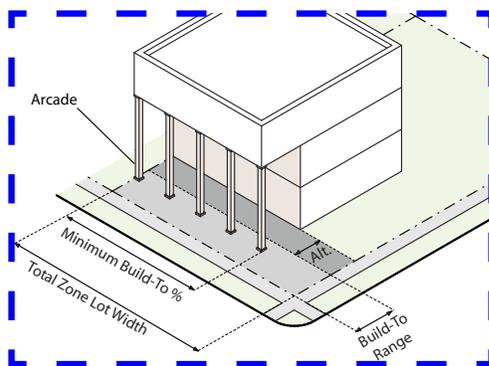
In all Suburban Neighborhood Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:

1. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.
2. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
4. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
5. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
6. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

F. Arcades

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

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



Graphic above moved to Article 13

3.3.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 3.3.6.2.B 13.1.6.2.A.4:

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

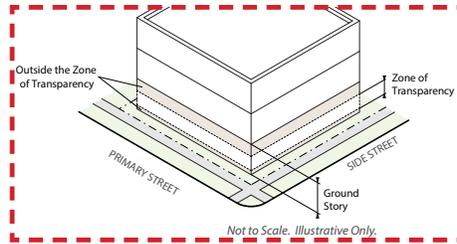
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

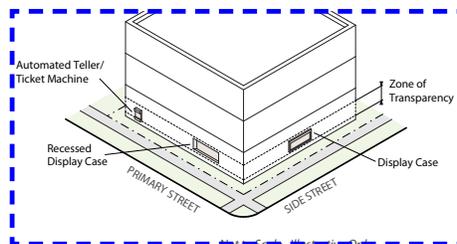


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2. Display Cases and Automated Teller/Ticket Machines

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

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

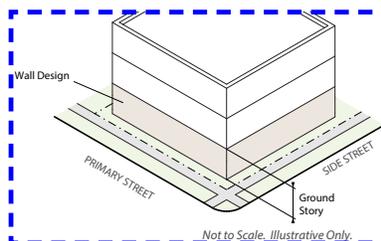


Graphic above moved to Article 13 and revised

3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

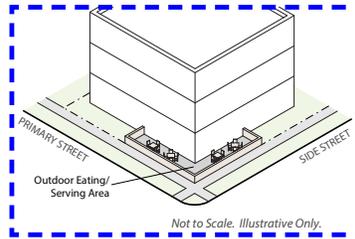
- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations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



Graphic above moved to Article 13 and revised/expanded

4. Outdoor Eating/Serving Areas

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. Permanent Art

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

3.3.6.3 Attached Garage Alternative

A. Intent

To allow for an attached garage, designed as an integral part of the building's facade, to project forward of a primary street facing facade when the design of the entire building de-emphasizes the garage entrance and function.

B. Applicability

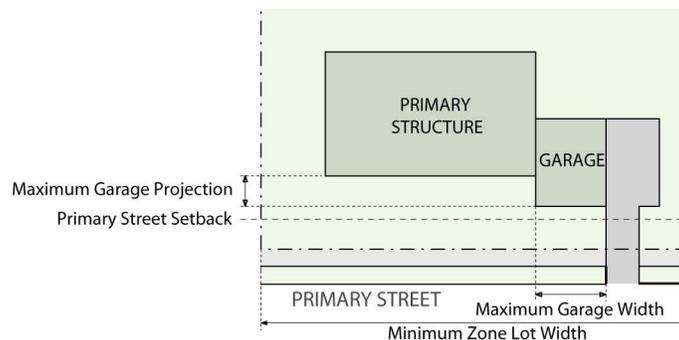
Zone lots that meet both of the following may utilize this alternative:

1. Zoned S-SU, S-TH, or S-MU; and
2. Zone Lot Width along Primary Street is at least 100'

C. Alternative Allowance

An attached garage may be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) enclosing the primary use, if the attached garage complies with all of the following standards:

1. Garage doors shall not face the Primary Street (See Section 13.1.6.1.I);
2. Maximum 30' width and maximum 12' depth dimension for the portion of the attached garage projecting forward of the Primary Street facing facade;
3. The attached garage facade facing the Primary Street has similar architectural and material treatment as the other portions of the Primary Street facing facade.



SECTION 3.3.7 DESIGN STANDARD EXCEPTIONS

3.3.7.1 Height Exceptions

A. Intent

To allow ~~unoccupied 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:

- The following ~~unoccupied~~ 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 3.3.7.1.B.
- 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.
- 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.
- Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

UNOCCUPIED 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:	<u>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</u>	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All S- Zone Districts	No	No	<u>Not allowed Any distance when attached to a feature that meets the definition of a Story</u>	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied s</u> pires, towers, flagpoles, antennas, chimneys, flues and vents	All S- Zone Districts	No	No	28'	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied c</u> ooling towers and enclosures for tanks	All 5-Story or greater S-MU, S-CC, S-MX, S-MS Zone Districts	No	Yes	28'	<u>Not applicable</u>	Not allowed	Not allowed
<u>Unoccupied e</u> levator penthouses, unoccupied shade structures ; stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	All 3-Story or lower S-MU, S-CC, S-MX, S-MS Zone Districts	Yes	Yes	12'	<u>1 story</u>	Not allowed	Not allowed

UNOCCUPIED 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
<u>Unoccupied</u> elevator penthouses, unoccupied shade structures , stair enclosures, and <u>enclosed or unenclosed</u> mechanical equipment including any vertical or sloped screen walls <u>for such equipment</u>	All 5-Story or greater S-MU, S-CC, S-MX, S-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All 3-Story or lower S-MU, S-CC, S-MX, S-MS Zone Districts</u>	Yes	Yes	12'	1 story	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All 5-Story or greater S-MU, S-CC, S-MX, S-MS Zone Districts</u>	Yes	Yes	28'	1 story	Not allowed	Not allowed
<u>Open Structures</u>	<u>All 3-Story or lower S-MU, S-CC, S-MX, S-MS Zone Districts</u>	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
<u>Open Structures</u>	<u>All 5-Story or greater S-MU, S-CC, S-MX, S-MS Zone Districts</u>	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All 5-Story or greater S- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All S- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All S- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All S-CC, S-MX, S-MS Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

3.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

1. Intent

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

2. Standard

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

B. Parkways

1. Intent

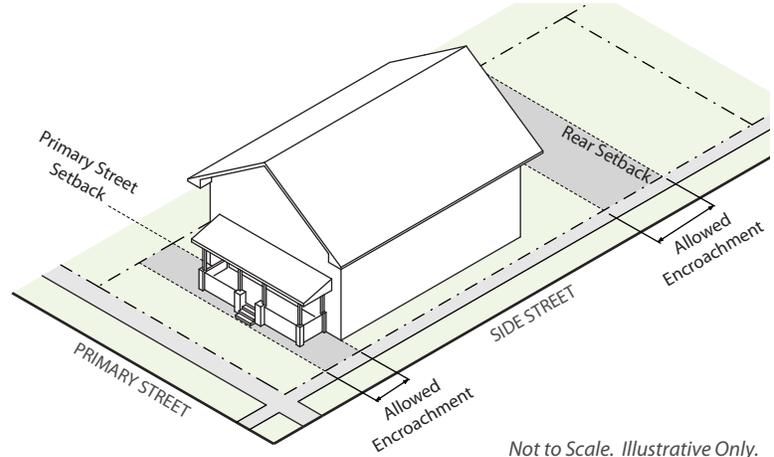
To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open except for any side abutting a building facade.</p>	All S- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'

Intent: To promote elements which provide for street activation.



Illustrative only



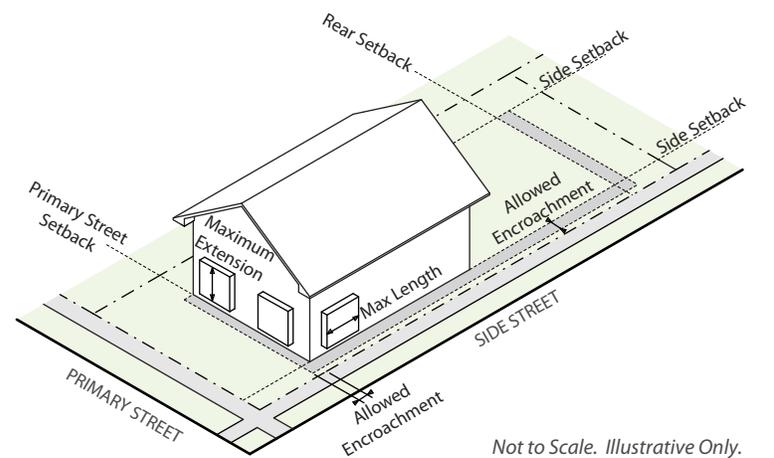
Not to Scale. Illustrative Only.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All S- Zone Districts	1.5'	1.5'	Not allowed	1.5'

Intent: To allow for improved interior daylighting.



Illustrative only



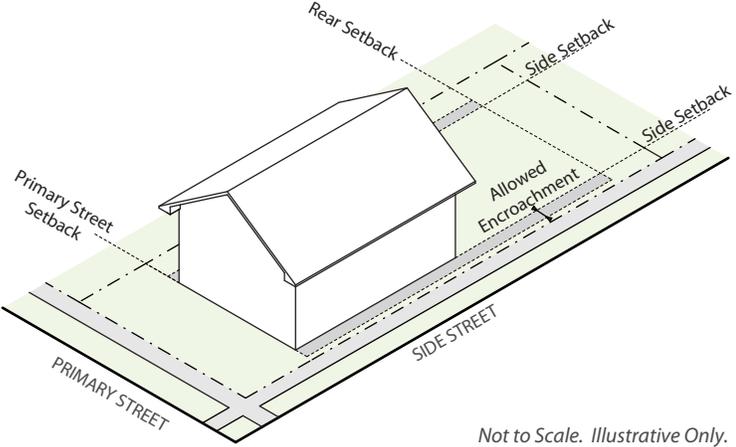
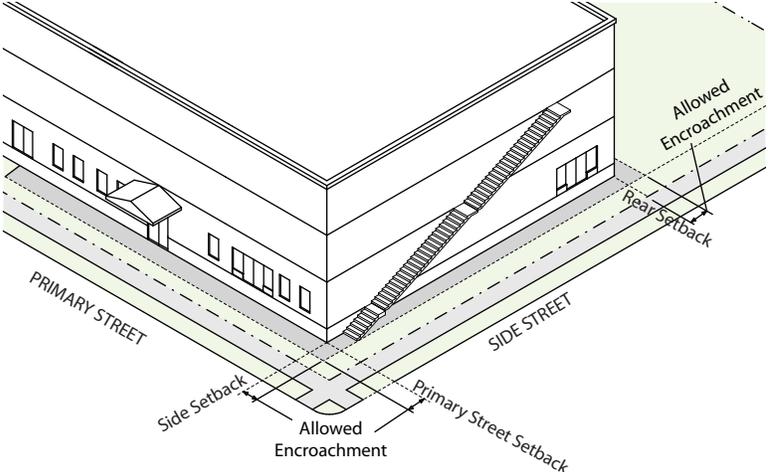
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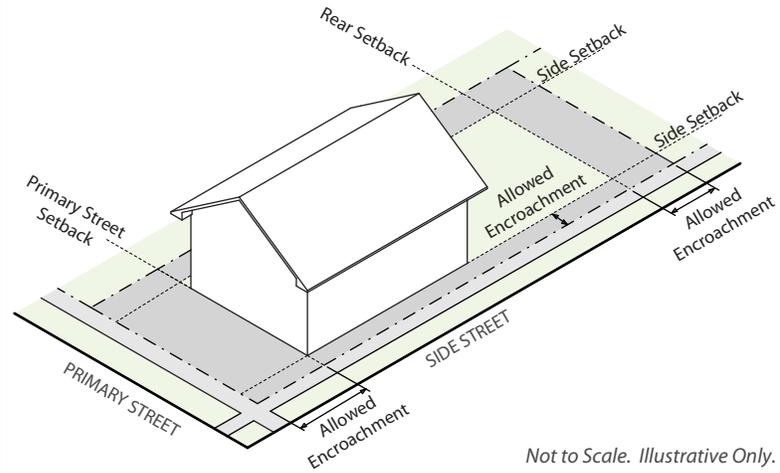
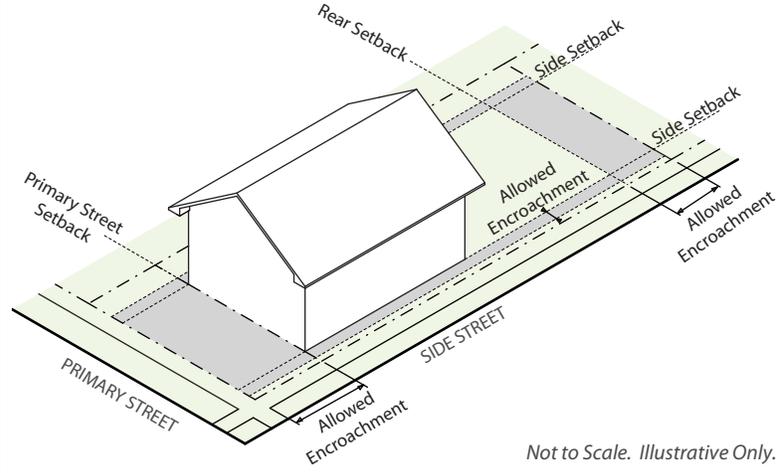
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Townhouse and Apartment building forms	All S-TH and S-MU Zone Districts	Not allowed	Not allowed	Allowed within the rear 35% of the Zone Lot only	Any distance
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.					

3. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of required barrier-free access to buildings.					
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers located behind the front of the primary structure and screened from adjacent properties and public rights-of-way, and not to exceed the noise standards of D.R.M.C. Section 36-6	All S- Zone Districts	Not allowed	3'	3'	Not allowed
Intent: To allow for functional siting.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside</u> 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 S- Zone Districts	5'	3'	3'	10'
Intent: To provide for emergency egress from a building <u>only for emergency purposes</u>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: Shall not exceed 3' in height.	All S- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All S- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress					
 <i>Illustrative only</i>					

3.3.7.5 Building Coverage Exception

A. Applicability

All S-SU, S-TH, and S-MU Zone Districts where a building coverage standard applies.

B. Front Porch

1. Intent

To promote street activation.

2. Standard

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

C. Detached ADU or Detached Garage

1. Intent

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

2. Standard

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

3.3.7.6 Vehicle Access From Alley Required - Exceptions

A. No Alley

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

B. Alley

Where a building form specifies vehicle access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

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

SECTION 3.3.8 REFERENCE TO OTHER DESIGN STANDARDS

3.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

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

DIVISION 3.4 USES AND REQUIRED MINIMUM PARKING

SECTION 3.4.1 APPLICABILITY

- 3.4.1.1 This Division 3.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Suburban Neighborhood Context Zone Districts.
- 3.4.1.2 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.
- 3.4.1.3 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

SECTION 3.4.2 ORGANIZATION

3.4.2.1 Organized by Primary, Accessory and Temporary Uses

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

3.4.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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~~ permitted by this Code.

SECTION 3.4.3 EXPLANATION OF TABLE ABBREVIATIONS

3.4.3.1 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.

SECTION 3.4.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	S-SU-A S-SU-D S-SU-F S-SU-Fx S-SU-Ix	S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5	APPLICABLE USE LIMITATIONS
RESIDENTIAL PRIMARY USE CLASSIFICATION												
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1.25/unit • MS only: 1/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.2.1
	Dwelling, Multi-Unit • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/5 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.2.2
	Dwelling, Live / Work • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/5 units (80/20)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.3
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	NP	NP	P-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	NP	NP	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.2.5
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.2.6
	Rooming and Boarding House • Vehicle - MS only: 2 / 1,000 ft ² GFA • Vehicle: 5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP-L	NP-L	NP-L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	NP-L	NP-L	L-ZPIN/L	L-ZPIN/L	§11.2.79
	Student Housing • Vehicle - MS only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/5 units (80/20)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION												
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.2

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)											APPLICABLE USE LIMITATIONS	
		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5		
Community/ Public Ser- vices	Community Center •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement <u>1 / 10,000 ft² GFA (0/100)</u>	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.3
	Day Care Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	§11.3.4
	Postal Facility, Neighborhood •Vehicle - MS only: 2/1,000 ft ² GFA •Vehicle: 2.5/ 1,000 ft ² GFA •Bicycle: 1/ 20,000 ft ² GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 20,000 ft ² GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP		
	Public Safety Facility •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/Spe- cial Purpose/ Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Library •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Museum •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Open Space - Recreation* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	SPECIFIC USE TYPE										APPLICABLE USE LIMITATIONS	
		S-SU-Fx S-SU-lx	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5			
Education	Elementary or Secondary School • Vehicle- High School: 2/1,000 ft ² GFA • Bicycle - High School: 1/20,000 ft ² GFA (0/100) • Vehicle- All Others: 1/1,000 ft ² GFA • Bicycle-All Others: 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6
	University or College • Vehicle: 1/1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6; §11.3.7
	Vocational or Professional School • Vehicle: 1/1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (0/100)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6
Public and Religious Assembly	All Types • Vehicle: .5/1,000 ft ² GFA • Bicycle: No requirement 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.8	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION													
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others - MS only: 2/1,000 ft ² GFA • Vehicle - All Others: 2.5/1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	L-ZPIN	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - MS only: 2/1,000 ft ² GFA • Vehicle: 2.5/1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZPSE	L-ZP	NP	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	

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		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5		
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable						§11.4.3
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	NP	NP	L-ZP	L-ZP	P-ZP	P-ZP	NP	NP	NP	NP	§ 11.4.5
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2/1,000 ft ² GFA • Vehicle: 5/1,000 ft ² GFA • Bicycle: 1/5,000 ft ² GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	L-ZPSE	L-ZP	P-ZP	P-ZP	§ 11.4.6
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/5 guest rooms or units <u>1/20,000 ft² GFA (60/40)</u>	NP	NP	NP	NP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Lodging Accommodations, All Others • Vehicle: 1/guest room or unit • Bicycle: 1/5 guest rooms or units <u>1/20,000 ft² GFA (60/40)</u>	NP	NP	NP	NP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle: 2/1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (60/40)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.4.7
	Office, All Others • Vehicle: 2/ 1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (60/40)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)											APPLICABLE USE LIMITATIONS
		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5		
Industrial Services	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	PL-ZP	PL-ZP	PL-ZPIN	PL-ZPIN	PL-ZP	PL-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§11.5.4
	Service/Repair, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.6
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ ZPSE	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	§11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.5.9
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZP	L-ZP	§11.5.10
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.5.11
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Automobile Towing Service Storage Yard* Mini-storage Facility • Vehicle: 0.1-5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	P-ZP	P-ZP	NP	NP	L-ZP	L-ZP	§11.5.12

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		S-SU-Fx S-SU-Ix	S-SU-F1 S-SU-I	S-SU-A S-SU-D S-SU-F	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5		
Wholesale, Storage, Warehouse & Distribution	Vehicle Storage, Commercial* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZPIN	NP	NP	NP	NP	§11.5.13
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	P-ZPIN	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§11.5.14
AGRICULTURE PRIMARY USE CLASSIFICATION													
Agriculture	Aquaculture* Garden, Urban* • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	§11.6.2
	Husbandry, Animal* Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.3
		NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION													
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§11.7	
	Accessory Dwelling Unit	NP	S-SU-F1 only: L-ZP; All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee Garden*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §11.8.3
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Allowed Permitted Primary Uses						§11.7; §11.8.7	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.8
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Allowed Permitted Primary Uses						§11.7; §11.5.8	
Yard or Garage Sales*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §11.8.9	

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION										APPLICABLE USE LIMITATIONS
		S-SU-A S-SU-D S-SU-F S-SU-Fx S-SU-Ix	S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5	
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	L	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses	NP	NP	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses	§11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses						§11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	§11.7; §11.10.5
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses			L	Not Applicable - See <u>Allowed, Permitted</u> Primary Uses			§11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	NP	NP	L	L	§11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.8
	Garden*	L	L	L	L	L	L	L	L	L	L	§11.7; §11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; §11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable						§11.7; §11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	§11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§11.7; §11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.13
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.14
Outdoor Storage, General*	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	§11.7; §11.10.15	
Outdoor Storage, Limited*	NP	NP	NP	NP	L	L	L	L	L	L	§11.7; §11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	L	L	L	§11.7; §11.10.17	

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	S-SU-A S-SU-D S-SU-F S-SU-Fx S-SU-Ix	S-SU-F1 S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2	S-MX-3 S-MX-5 S-MX-8 S-MX-12	S-MS-3 S-MS-5	APPLICABLE USE LIMITATIONS
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TEMPORARY USE CLASSIFICATION

Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable to all Zone Districts										§11.11.1
	Ambulance Service - Temporary	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Retail Sales*	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.11.11
	Outdoor Sales, Seasonal*	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16
	Tent for Religious Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	

L. Multi Unit 2.5 (E-MU-2.5)

E-MU-2.5 is a multi unit district and allows urban house, detached accessory dwelling unit, duplex, tandem house, town house, garden court and apartment building forms up to two stories in height.

SECTION 4.2.3 COMMERCIAL CORRIDOR DISTRICTS (E-CC-3, -3x)

4.2.3.1 General Purpose

- A. The Commercial Corridor Zone Districts are intended to balance the need for safe, active, and pedestrian-scaled, diverse areas with the need for convenient automobile access.
- B. Commercial Corridor Zone Districts address development opportunities **adjacent next** to the city's most auto-dominated corridors.
- C. Commercial Corridor buildings generally have a deep build-to requirement to allow for some measure of parking between the building and the street. Predictable flexibility is provided for building and parking location for larger scale buildings.
- D. The Commercial Corridor district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

4.2.3.2 Specific Intent

A. Commercial Corridor – 3 (E-CC-3)

E-CC-3 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired.

B. Commercial Corridor – 3x (E-CC-3x)

E-CC-3x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired with less intense uses than E-CC-3.

SECTION 4.2.4 MIXED USE DISTRICTS (E-MX-2, -2A, -2X, -3, -3A)

4.2.4.1 General Purpose

- A. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods.
- B. There is a diverse menu of Mixed Use Zone Districts in the Urban Edge Neighborhood Context to recognize the diverse pattern of mixed use places in these neighborhoods.
- C. The Mixed Use districts are appropriate along corridors, embedded in neighborhoods and on large sites.
- D. The building form standards of the Mixed Use Zone Districts balance the importance of street presence and provision of parking through build-to requirements, **ground-story Street Level** activation and parking lot screening along the right-of-way. Predictable flexibility in building form options recognizes the varied development pattern of Urban Edge Neighborhoods.
- E. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

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

B. Setbacks

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

C. Parking Location

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

4.3.2.3 Design Elements

A. Configuration

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

B. Transparency

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

C. Entrances

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

4.3.2.4 Specific Building Form Intent

A. Residential Zone Districts

1. Suburban House

Establish standards for Single Unit Dwelling development that allows more height in the rear of a lot but with a more restrictive bulk plane over the entire lot, as compared to Urban House. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

2. Urban House

Establish standards for Single Unit Dwelling development. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

3. Duplex

Establish standards for Two Unit Dwelling development within a single primary structure, allowing side-by-side and up-down configurations. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

4. Tandem House

Establish standards for two dwelling units on a single zone lot, but occurring in two separate primary structures with a single unit in each structure.

5. Town House

Establish standards for Multi-Unit Dwelling development where each unit has an entrance.

6. Garden Court

Establish standards for Multi Unit Dwelling development where dwelling entrances may be oriented around a common, central open space, rather than exclusively orienting toward the street, as the Town House form requires. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

7. Apartment

Establish standards for Multi-Unit Dwelling development in a variety of layouts. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts

1. Drive Thru Services

To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane.

- a. E-MX: Eliminate build-to requirement
- b. E-MX-2A, 3A: Gas Stations Only - eliminate build-to requirement; All other - allow a reduced build-to percentage and allow a canopy and garden wall combination to meet a portion of the build-to requirement.
- c. E-MS: Allow a reduced build-to requirement and allow a canopy and garden wall combination to meet a portion of the build-to requirement.

2. Drive Thru Restaurant

To allow more flexible design standards to accommodate unique circumstances of eating/drinking establishments with an accessory drive-thru lane.

- a. MX: For corner lots only, allow a reduced build-to requirement and a drive-thru lane to be located between the building and the Primary Street.

SUBURBAN HOUSE

HEIGHT		E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TH-2.5 E-MU-2.5
A	Stories (max)	2.5	2.5	2.5
A	Feet (max)	30'	30'	30'
	Feet, allowable permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'		
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°
SITING		E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TH-2.5 E-MU-2.5
ZONE LOT				
	Zone Lot Size (min)	6,000 ft ²	9,000 ft ²	6,000 ft ²
C	Zone Lot Width (min)	50'	62.5'	50'
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH				
		61' or Less	62' or Greater than 61'	
D	Primary Street, block sensitive setback required	yes	yes	
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'	
E	Side Street (min)	5'	5'	
F	Side Interior (min)	5'	7.5'	
G	Rear, alley/no alley (min)	12'/20'	12'/20'	
	Building Coverage per Zone Lot, including all accessory structures (max)	37.5%	37.5%	
PARKING BY ZONE LOT WIDTH				
		61' or Less	62' or Greater	
	Parking and Drive Lot Coverage in Primary Street Setback (max)	33%	33%	
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec. 4.3.7.6)		
H	DETACHED ACCESSORY STRUCTURES	See Sec. 4.3.4		
DESIGN ELEMENTS				
BUILDING CONFIGURATION				
	Rooftop and/or Second Story Decks	See Section 4.3.5.1		
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks		
I	Primary Street-Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater		
GROUND STORY STREET LEVEL ACTIVATION				
J	Pedestrian Access, Primary Street	Entry Feature		
USES				
All E-SU, -TH, -MU Districts				
		Primary Uses shall be limited to Single Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking		

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

URBAN HOUSE

HEIGHT		E-SU-A	E-SU-B	E-SU-D E-SU-D1	E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1	2.5/1
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'
	Feet, front 65% of zone lot depth, <u>allowable permitted</u> height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'							
	Feet, rear 35% of zone lot depth, <u>allowable permitted</u> height increase	1' for every 3' increase in side setback up to a maximum height of 19'							
C/D	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot in front 65% / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot	45°	45°	45°	45°	45°	45°	45°	45°
SITING		E-SU-A	E-SU-B	E-SU-D E-SU-D1	E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
ZONE LOT									
	Zone Lot Size (min)	3,000 ft ²	4,500 ft ²	6,000 ft ²	6,000 ft ²	9,000 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²
E	Zone Lot Width (min)	25'	35'	50'	50'	62.5'	35'	50'	35'
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All E-SU, TU, TH, MU Districts							
ZONE LOT WIDTH		30' or less		<u>Greater than 301' and up to 40'</u>		<u>Greater than 401' and less than to 754'</u>		75' or Greater	
F	Primary Street, block sensitive setback required	yes		yes		yes		yes	
F	Primary Street, where block sensitive setback does not apply (min)	20'		20'		20'		20'	
G	Side Street (min)	3'		5'		5'		7.5'	
H	Side Interior (min)	3'		3' min one side/ 10' min combined		5'		10'	
I	Rear, alley/no alley (min)	12'/20'		12'/20'		12'/20'		12'/20'	
	Building Coverage per Zone Lot, including all accessory structures (max)	50%		37.5%		37.5%		37.5%	
PARKING BY ZONE LOT WIDTH									
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 ft ²		2 Spaces and 320 ft ²		33%		33%	
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec 4.3.7.6)							
J	DETACHED ACCESSORY STRUCTURES	see Sec. 4.3.4							
DESIGN ELEMENTS		E-SU-A	E-SU-B	E-SU-D E-SU-D1	E-SU-Dx E-SU-D1x	E-SU-G E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
BUILDING CONFIGURATION									
	Rooftop and/or Second Story Decks	See Section 4.3.5.1							
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks							
	Primary Street-Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater							
GROUND-STORY STREET LEVEL ACTIVATION									
K	Pedestrian Access, Primary Street	Entry Feature							
USES		All E-SU, TU, TH, MU Districts							
		Primary Uses shall be limited to Single Unit Dwelling and <u>allowed permitted</u> Group Living and Nonresidential uses. See Division 4.4 Uses and Parking							
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions									

DUPLEX

HEIGHT		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	
	Feet, front 65% of zone lot depth, allowed permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'			
	Feet, rear 35% of zone lot depth, allowed permitted height increase	1' for every 3' increase in side setback up to a maximum height of 19'			
C/D	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines in front 65% / rear 35% of zone lot	17'/10'	17'/10'	17'/10'	
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines	45°	45°	45°	
SITING		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
ZONE LOT					
	Zone Lot Size (min)	4,500 ft ²	5,500 ft ²	4,500 ft ²	
E	Zone Lot Width (min)	35'	50'	35'	
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All E-TU, TH, MU Districts			
		30' or less	Greater than 30' and up to 40'	Greater than 40' and less than to 75'	75' or Greater
F	Primary Street, block sensitive setback required	yes	yes	yes	yes
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
G	Side Street (min)	3'	5'	5'	7.5'
H	Side Interior (min)	3'	3' min one side/ 10' min combined	5'	10'
I	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
PARKING BY ZONE LOT WIDTH					
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec. 4.3.7.6)			
J	DETACHED ACCESSORY STRUCTURES	see Sec. 4.3.4			
DESIGN ELEMENTS		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5	
BUILDING CONFIGURATION					
	Rooftop and/or Second Story Decks	See Section 4.3.5.1			
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form standards for Side Street, Side Interior and Rear setbacks			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the front Primary Street facing facade of the dwelling primary structure or 16', whichever is greater			
GROUND-STORY STREET LEVEL ACTIVATION					
K	Pedestrian Access, Primary Street	Entry Feature			
USES		All E-TU, TH, MU Districts			
		Primary Uses shall be limited to Two Unit Dwelling and allowed permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking			
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions					

TANDEM HOUSE

HEIGHT		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5
	Stories (max)	2.5	2.5	2.5
A/B	Feet, front 65% /rear 35% of zone lot depth (max)	30'/24'	30'/24'	30'/24'
	Feet, front 65% of zone lot depth, <u>allowable permitted</u> height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'		
C/D	Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'
	Bulk Plane Slope from Side Interior and Side Street zone lot line	45°	45°	45°
SITING		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5
ZONE LOT				
	Zone Lot Size (min)	4,500 ft ²	5,500 ft ²	4,500 ft ²
E	Zone Lot Width (min)	35'	50'	35'

SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All E-TU, TH, MU Districts			
		30' or less	<u>Greater than 30' and up to 40'</u>	<u>Greater than 40' and less than to 754'</u>	75' or Greater
F	Primary Street, block sensitive setback required	yes	yes	yes	yes
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'
G	Side Street (min)	3'	5'	5'	7.5'
H	Side Interior, for Primary Structure #1 (min one side/min combined)	3'/6'	3'/10'	5'/10'	10'/20'
I	Side Interior, for Primary Structure #2 (min one side/min combined)*	3'/6'	3'/10'	5'/10'	10'/20'
J	Rear, for Primary Structure #1, as a % of lot depth (min)	50%	50%	50%	50%
K	Rear, for Primary Structure #2 (min)	5'	5'	5'	5'
L	Minimum Spacing Between Primary Structures (min)	6'	6'	6'	6'
	Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
PARKING BY ZONE LOT WIDTH					
	Parking and Drive Lot Coverage in Primary Street Setback (max)	50%	50%	50%	50%
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec 4.3.7.6)			
DETACHED ACCESSORY STRUCTURES					
		See Sec. 4.3.4			

DESIGN ELEMENTS		E-TU-B	E-TU-C	E-TH-2.5; E-MU-2.5
BUILDING CONFIGURATION				
M	Overall Structure Width (max)	36'	36'	36'
N	Overall Structure Length (max)	42'	42'	42'
	Rooftop and/or Second Story Decks	See Section 4.3.5.1		
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks		
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the dwelling primary structure or 16', whichever is greater		
GROUND-STORY STREET LEVEL ACTIVATION				
O	Pedestrian Access, Primary Street*	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement		

USES		All E-TU, TH, MU Districts		
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 4.4 Uses and Parking		

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

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

TOWN HOUSE

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

SITING		E-TH-2.5	E-MU-2.5
ZONE LOT			
	Zone Lot Size (min)	6,000 ft ²	6,000 ft ²
	Zone Lot Width (min)	50'	50'
	Dwelling Units per Primary Residential Structure (max)	10	10
REQUIRED BUILD-TO			
C	Primary Street (min % within min/max)	na	na
SETBACKS			
	Primary Street, block sensitive setback required	yes	yes
D	Primary Street, where block sensitive setback does not apply (min)	20'	20'
E	Side Street (min)	5'	5'
F	Side Interior (min)	5'	5'
	Side Interior, adjacent to Protected District (min)	na	na
G	Rear, alley/no alley (min)	12' / 20'	12' / 20'
	Rear, adjacent to Protected District, alley/no alley (min)	na	na
PARKING			
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	Not Allowed/Allowed
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec. 4.3.7.6)	
H	DETACHED ACCESSORY STRUCTURES	See Sec. 4.3.4	

DESIGN ELEMENTS		E-TH-2.5	E-MU-2.5
BUILDING CONFIGURATION			
	Upper Story Stepback, for Flat Roof, Above 25', Primary Street (min)	10'	10'
I	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side, interior (min)	na	na
J	Primary Street- Facing Attached Garage Door Width (max per unit)	10'	10'
	Rooftop and/or Second Story Decks	See Section 4.3.5.1	
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
GROUND-STORY STREET LEVEL ACTIVATION			
	Transparency, Primary Street (min)	na	na
	Transparency, Side Street (min)	na	na
K	Pedestrian Access	Each unit shall have a street-facing Entrance	
USES		E-TH-2.5; E-MU-2.5	
Primary Uses shall be limited to Multi Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking			

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

GARDEN COURT

HEIGHT

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

SITING

	E-TH-2.5	E-MU-2.5
ZONE LOT		
Zone Lot Size (min)	6,000 ft ²	6,000 ft ²
Zone Lot Width (min)	50'	50'
Dwelling Units per Primary Residential Structure (max)	10	10
SETBACKS		
C Primary Street, block sensitive setback required	yes	yes
C Primary Street, where block sensitive setback does not apply (min)	20'	20'
D Side Street (min)	5'	5'
E Side Interior (min)	5'	5'
F Rear, alley/no alley (min)	12'/20'	12'/20'
PARKING		
Surface Parking between building and Primary Street/ Side Street	Not Allowed/Allowed	
Surface Parking Screening	See Article 10, Division 10.5	
Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec. 4.3.7.6)	
H DETACHED ACCESSORY STRUCTURES	See Sec. 4.3.4	

DESIGN ELEMENTS

	E-TH-2.5	E-MU-2.5
BUILDING CONFIGURATION		
Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'
I Street-Facing Garden Court Width, (min)	15'	15'
J Street-Facing Garden Court Depth (min)	30'	30'
Garden Court Design Standards	See Sec. 4.3.5.2	
Rooftop and/or Second Story Decks	See Section 4.3.5.1	
Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	

GROUND-STORY STREET LEVEL ACTIVATION

K Pedestrian Access	Each dwelling unit shall have a <u>ground-story Street Level</u> Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.	
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USES

	E-TH-2.5; E-MU-2.5	
	Primary Uses shall be limited to Multi Unit Dwelling and <u>allowable permitted</u> Group Living and Nonresidential uses. See Division 4.4 Uses and Parking	

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

APARTMENT

HEIGHT

E-MU-2.5

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

SITING

E-MU-2.5

ZONE LOT

	Zone Lot Size (min)	6,000 ft ²
	Zone Lot Size (min)	50'

SETBACKS

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

PARKING

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

DESIGN ELEMENTS

E-MU-2.5

BUILDING CONFIGURATION

	Street facing garage door width per Primary Structure (max)	20'
	Rooftop and/or Second Story Decks	See Section 4.3.5.1

GROUND STORY STREET LEVEL ACTIVATION

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

USES

E-MU-2.5

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

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

DRIVE THRU SERVICES

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

SITING	E-CC-3, -3x	E-MS-2, -3, -5 E-MX-2A, -3A Option A	E-MX-2, -3 E-MX-2A, 3A** Option B
REQUIRED BUILD-TO			
B Primary Street (min % within min/max)*	na	50% 0'/15'	na
C Side Street (min % within min/max)*	na	50% 0'/15'	na
SETBACKS			
D Primary Street (min)	0'	0'	0'
E Side Street (min)	0'	0'	0'
F Side Interior (min)	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'
G Rear (min)	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
PARKING			
Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Not Allowed/Not Allowed	Allowed/Allowed

DESIGN ELEMENTS	E-CC-3, -3x	E-MS-2, -3, -5 E-MX-2A, -3A Option A	E-MX-2, -3 E-MX-2A, 3A** Option B
BUILDING CONFIGURATION			
H *Canopy	na	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To.	
I Screening Required	See Article 10	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15', following the standards of Section 10.5.4.4	
Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'	15'/25'
GROUND-STORY STREET LEVEL ACTIVATION			
J Transparency, Primary Street (min)	40%	40% E-MS: 60%	40%
K Transparency, Side Street (min)	25%	25%	25%
L Pedestrian Access, Primary Street	Pedestrian Connection	Entrance	Pedestrian Connection
USES			
All E-CC; E-MX-2, -2A, -3, -3A; E-MS-2, -3, -5 Automobile Services, Light and/or Primary Use with Accessory Drive Thru Use, excluding Eating/Drinking Establishments **Additionally, in E-MX-2A, 3A Option B is limited to Gasoline Service Station Use Only			

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

DRIVE THRU RESTAURANT

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

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

DESIGN ELEMENTS		E-CC-3, -3x	E-MX-2, -2A, E-MS-2	E-MX-3, -3A E-MS-3, -5
BUILDING CONFIGURATION				
	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	na	15'/25'
GROUND-STORY STREET LEVEL ACTIVATION				
J	Transparency, Primary Street (min)	40%	40% E-MS: 60%	40% E-MS: 60%
K	Transparency, Side Street (min)	25%	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection	Entrance and Pedestrian Connection	
USES		All E-CC; E-MX-2, -2A, -3, -3A; E-MS-2, -3, -5		
Primary Uses shall be limited to an Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only				
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions				

GENERAL (1 OF 2)

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

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

GENERAL (2 OF 2)

HEIGHT	E-MX-2, -2A, -2x	E-MX-3, -3A
Stories (max)	2	3
Feet (max)	35'	45'
Height Exceptions	See Section 4.3.7.1	

SITING	E-MX-2, -2A, -2x	E-MX-2, -2A, -2x	E-MX-2, -2x -3
	E-MX-3, -3A	E-MX-3, -3A	
REQUIRED BUILD-TO	Option A	Option B	Option C

A	Primary Street (min build-to % within min/max range)	70% 0'/15'	70% 0'/15'	70% 0'/80'
B	Side Street (min build-to % within min/max range)	na	na	25% 0'/15'
Build-to Exceptions and Alternatives		See Sections 4.3.7.2 and 4.3.6.1		

SETBACKS				
	Primary Street (min)	0'	0'	0'
	Side Street (min)	0'	0'	0'
	Side Interior (min)	0'	0'	0'
C	Side Interior, adjacent to Protected District (min)	E-MX-2x: 5' 10'	10'	10'
	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
Setback Exceptions and Encroachments		See Sections 4.3.7.3 and 4.3.7.4		

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

DESIGN ELEMENTS	E-MX-2, -2A, -2x	E-MX-2, -2A, -2x	E-MX-2, -2x -3
	E-MX-3, -3A	E-MX-3, -3A	
BUILDING CONFIGURATION	Option A	Option B	Option C

F	Overall Structure Length, Primary Street (max)	na	150'	na
G	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	MX-3, -3A Only: 15'/25'	MX-3, -3A Only: 15'/25'	MX-3 Only: 15'/25'

GROUND-STORY STREET LEVEL ACTIVATION				
H	Transparency, Primary Street (min)	40% Residential Only Buildings: 30%	40% Residential Only Buildings: 30%	60%
I	Transparency, Side Street (min)	25%	25%	25%
Transparency Alternatives		See Section 4.3.6.2	See Section 4.3.6.2	See Section 4.3.6.2
J	Pedestrian Access, Primary Street	Entrance	Entrance or Pedestrian Connection	Pedestrian Connection

USES	E-MX-2x, -2A, -2, -3, -3A			
All <u>allowable permitted</u> Primary Uses shall be allowed within this building form See Division 4.4 Uses and Parking				

SHOPFRONT

HEIGHT		E-RX-5				E-MS-2x			
		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
	Stories (max)	5		2		3		5	
A	Feet (min/max)	na/70'		na/35'		na/45'		24'/70'	
	Height Exceptions	See Section 4.3.7.1				See Section 4.3.7.1			
SITING		E-RX-5				E-MS-2x			
REQUIRED BUILD-TO		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
B	Primary Street (min build-to % within min/max range)	70% 0'/15'				75%		0'/5' Residential Only Buildings: 0'/10'	
C	Side Street (min build-to % within min/max range)	na				25% 0'/5' Residential Only Buildings: 0'/10'			
	Build-to Exceptions and Alternatives	See Sections 4.3.7.2 and 4.3.6.1				See Sections 4.3.7.2 and 4.3.6.1			
SETBACKS		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
	Primary Street (min)	0				0'			
	Side Street (min)	0'				0'			
	Side Interior (min)	0'				0'			
D	Side Interior, adjacent to Protected District (min)	10'				E-MS-2x: 5'		10'	
	Rear, (min)	0'				0'			
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'				0'/10'			
	Setback Exceptions and Encroachments	See Sections 4.3.7.3 and 4.3.7.4							
PARKING		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
	Surface Parking between building and Primary Street/Side Street					Not Allowed/Not Allowed			
E	Surface Parking Screening					See Article 10, Division 10.5			
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>					From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)			
	Vehicle Access, <u>all other permitted uses</u>					Shall be determined as part of Site Development Plan Review			
DESIGN ELEMENTS		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
BUILDING CONFIGURATION		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
F	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)	20'/25'		na		15'/25'		20'/25'	
G	Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)	35'/40'		na		na		35'/40'	
GROUND-STORY STREET LEVEL ACTIVATION		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
H	Transparency, Primary Street (min)	60%				60%			
		Residential Only Buildings: 40%				Residential Only Buildings: 40%			
I	Transparency, Side Street (min)	25%				25%			
	Transparency Alternatives	See Section 4.3.6.2							
J	Pedestrian Access, Primary Street					Entrance			
USES		E-RX-5		E-MS-2		E-MS-3		E-MS-5	
		All <u>allowable permitted</u> Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max				(1) All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Division 4.4 Uses and Parking; and (2) <u>100% of the portion of the ground-story Street Level building frontage within the required that meets the minimum Primary Street and Side Street build-to requirements portion must have at least one primary use, other than parking of vehicles shall be occupied by ground story active uses as described in Section 4.3.5.3.</u>			

DETACHED ACCESSORY DWELLING UNIT

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

SITING		E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-TH-2.5 E-MU-2.5
ZONE LOT							
	Zone Lot Size (min)	6,000 ft ²	6,000 ft ²	9,000 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft ² . To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.					
	Additional Standards	See Section 4.3.4.3					

SETBACKS							
	Location	Located in the rear 35% of the zone lot depth					
C	Side Interior and Side Street (min)	5'	5'	5'	5'	5'	5'
		If exceeding one story or 17' must be located adjoining the southern most side setback line					
D	Rear (min)	5'	5'	5'	5'	5'	5'
PARKING							
	Vehicle Access	From Alley; or Street access allowed when no Alley present see Sec. 4.3.7.6 for exceptions					

DESIGN ELEMENTS		E-SU-D1, E-SU-D1x, E-SU-G1 By Zone Lot Size			E-TU-B, E-TU-C, E-TH-2.5, E-MU-2.5		
		6,000 ft ² or Less	Greater than 6,000 ft ² and up to 7,000 ft ²	Greater than 7,000 ft ² or Greater			

BUILDING CONFIGURATION							
	Building Footprint (max)	650 ft ²	864 ft ²	1,000 ft ²	1,000 ft ²		
	Habitable Space (max)	650 ft ²	864 ft ²	1,000 ft ²	na		
E	Horizontal Dimension (max)	36'	36'	36'	36'		
	Rooftop and/or Second Story Decks	Not allowed - See Section 4.3.5.1					

USES		E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-TH-2.5; E-MU-2.5					
		Accessory Uses Only, including accessory dwelling unit where permitted. See Division 4.4 for permitted Accessory Uses					

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

DETACHED GARAGE

HEIGHT		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5
		E-SU-A	E-SU-B	E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-MU-2.5
A	Stories (max)	1	1	1	1	1	1	1	1
A	Feet (max)	17'	17'	17'	17'	17'	17'	17'	17'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	45°	45°	45°

SITING		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5
ZONE LOT		E-SU-A	E-SU-B	E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-MU-2.5
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 ft ²							

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft². To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.

Additional Standards See Sections 4.3.4.3

SETBACKS

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

DESIGN ELEMENTS		E-SU-A	E-SU-B	E-SU-D	E-SU-Dx	E-SU-G	E-TU-B	E-TU-C	E-TH-2.5
BUILDING CONFIGURATION		E-SU-A	E-SU-B	E-SU-D1	E-SU-D1x	E-SU-G1	E-TU-B	E-TU-C	E-MU-2.5
	Building Footprint (max)	1,000 ft ²	864 ft ² ** per unit	864 ft ² ** per unit	864 ft ² per unit				
F	Horizontal Dimension (max)	36'	36'	36'	36'	36'	36' per unit	36' per unit	no max
G	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	3	3	3	3	3	3	3
G	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	28'	28'	28'	28'	28'	28'	no max

USES

All E-SU, -TU, -TH, -MU

Accessory Uses Only, excluding accessory dwelling unit where permitted.
See Division 4.4 for permitted Accessory Uses

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

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

**When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 ft²

4.3.5.3 Street Level Active Uses in the E-MS Zone Districts

A. Intent

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

B. Applicability

This Section 4.3.5.3 applies to the Shopfront building form in the E-MS zone districts.

C. Street Level Active Uses

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

SECTION 4.3.6 DESIGN STANDARD ALTERNATIVES

4.3.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

If used in combination, the alternatives may count toward no more than 25% of the requirement.

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

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

**If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than ~~25%~~ 30% of required build-to.

C. Outdoor Patio Seating

In the E-CC-3,x,-3, E-MX-2x,-2,-3 Zone Districts, the Required Build-To Range may be increased from 80' to 90' when Outdoor Patio Seating is provided between the building and the Primary Street. Ground Story Activation requirements shall still apply.

D. Garden Walls

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

1. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - a. Decorative and/or structural piers may exceed the allowable height range.
 - b. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.
 - c. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".
2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.
3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.
4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Article 10.

E. Pergola

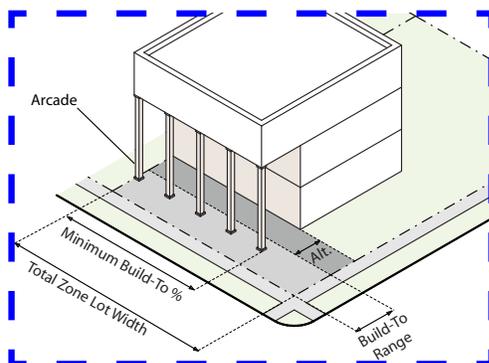
In all Urban Edge Neighborhood Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:

1. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.
2. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
4. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
5. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
6. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

F. Arcades

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

1. They extend no more than two stories in height;
2. The exterior face of the arcade column line is within the build-to range, and meets the required build-to minimum percentage that is not otherwise met by the building;
3. The arcade column line generally continues the wall plane of the building above;
4. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns;
5. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
6. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives:



Graphic above moved to Article 13

G. Courtyard

In all E-CC, E-MX and E-RX Zone Districts, a courtyard may count toward the Required Build-to Percentage, when all of the following are met:

1. **Minimum Design:**
 - a. ~~Shall be Primary Street facing;~~
 - b. ~~Shall have a Width of at least 15'~~
 - c. ~~Shall have a Depth of at least 30'~~
2. ~~The Courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:~~
 - a. ~~No more than one-half story above or below grade at the zone lot line adjoining the primary street; may be on the structure;~~
 - b. ~~Visually and physically accessible from the primary street; may be secured for private use;~~
 - c. ~~Open to the sky; and~~
 - d. ~~Bounded on not less than 3 sides with connected building facades.~~
3. ~~The Courtyard area may be used for any of the following:~~
 - a. ~~Single or multiple entries to uses within the building;~~
 - b. ~~Public or private landscaped area;~~
 - c. ~~Outdoor seating area; or~~
 - d. ~~Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.~~

4.3.6.2 Transparency Alternatives

A. **Intent**

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

B. **Allowance**

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the **design standards requirements** stated in Section 4.3.6.2.B 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES							
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	WINDOWS- OUTSIDE THE ZONE (MAX)	DISPLAY CASES AND AUTOMATED TELLER/ TICKET MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
E-MU	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
E-RX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
E-CC	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%

E-MX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length and height of the ground-story Street Level wall.	80%	40%	80%*
E-MS	Primary Street	40%	40%	50%	60%	40%	50%
	Side Street	40%	40%	50%	80%	40%	50%

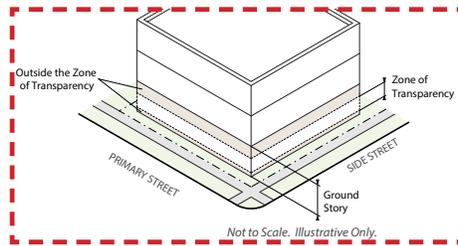
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

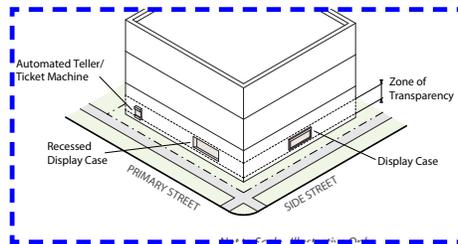


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2. Display Cases and Automated Teller/Ticket Machines

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

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



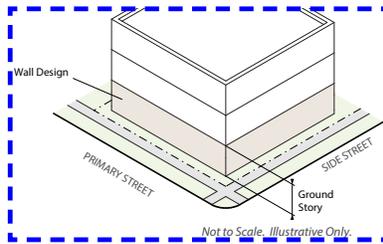
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3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth

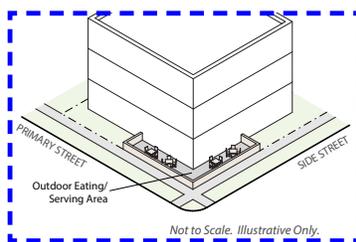
- d. Variations in material module, pattern and/or color
- e. Green screen or planter walls
- f. Translucent, fritted, patterned or colored glazing



Graphic above moved to Article 13 and revised/expanded

4. **Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. **Permanent Art**

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

4.3.6.3 **Pedestrian Access (Entrance) Alternatives**

A. **Intent**

The Entrance alternative shall ~~To~~ provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building.

B. **Entrance Alternatives Allowance**

In E-MX and E-RX Zone Districts, ~~for all building forms except~~excluding the Row House building form, ~~an alternative to an Entrance is permitted. An entrance alternative shall be one of the following. one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:~~

1. **Courtyard or Plaza**

- a. Shall be accessible to public during business hours
- b. Shall be within 2' of grade at edge of public right-of-way
- c. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.

- d. ~~Maximum dimension shall not exceed 3 times the minimum dimension~~
 - e. ~~Required public Entrance shall be visible from the public right-of-way.~~
 - f. ~~Perimeter walls of court or plaza shall meet primary facade transparency standards.~~
2. **Covered Walkway in the form of an Arcade or Pergola**
- a. ~~Shall be accessible to public during business hours~~
 - b. ~~Shall provide continuous covered access to required Entrance from the public right-of-way~~
 - c. ~~Required public Entrance shall be visible from the public right-of-way~~

SECTION 4.3.7 DESIGN STANDARD EXCEPTIONS

4.3.7.1 Height Exceptions

A. Intent

To allow ~~unoccupied 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 ~~unoccupied~~ 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 4.3.7.1.B.~~
2. ~~Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.~~
3. ~~An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.~~
4. ~~Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.~~

UNOCCUPIED 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 ENCOACH INTO THE UPPER STORY SETBACK
Eaves	All E- Zone Districts	No	No	Not allowed Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied s pires, towers, flagpoles, antennas, chimneys, flues and vents	All E- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied c ooling towers and enclosures for tanks	All 5-Story E-RX, E-MS Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed

UNOCCUPIED 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:	<u>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</u>	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
<u>Unoccupied</u> Elevator penthouses, unoccupied shade structures ; stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	All 3-Story or lower E-CC, E-MX, E-MS Zone Districts	Yes	Yes	12'	<u>1 story</u>	Not allowed	Not allowed
<u>Unoccupied</u> Elevator penthouses, unoccupied shade structures ; stair enclosures, and <u>enclosed or unenclosed</u> mechanical equipment including <u>any</u> vertical or sloped screen walls <u>for such equipment</u>	All 5-Story E-RX, E-MS Zone Districts	Yes	Yes	28'	<u>1 story</u>	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All 3-Story or lower E-CC, E-MX, E-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Elevator lobbies</u>	<u>All 5-Story E-RX, E-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 3-Story or lower E-CC, E-MX, E-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 5-Story E-RX, E-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
Parapet Wall and/or Safety Railing	All 5-Story E-MS Zone Districts	No	No	Any distance	<u>Not applicable</u>	Not allowed	Not allowed
Flush-mounted solar panels	All E-MS Zone Districts	No	No	Any distance	<u>Not applicable</u>	Any distance	Any distance
Evaporative coolers	All E-MS Zone Districts	No	Yes	Any distance	<u>Not applicable</u>	Any distance	Any distance
Accessory water tanks	All E-CC, E-MX, E-MS Zone Districts	No	Yes	28'	<u>Not applicable</u>	Any distance	Any distance

4.3.7.2 Required Build-To Exceptions

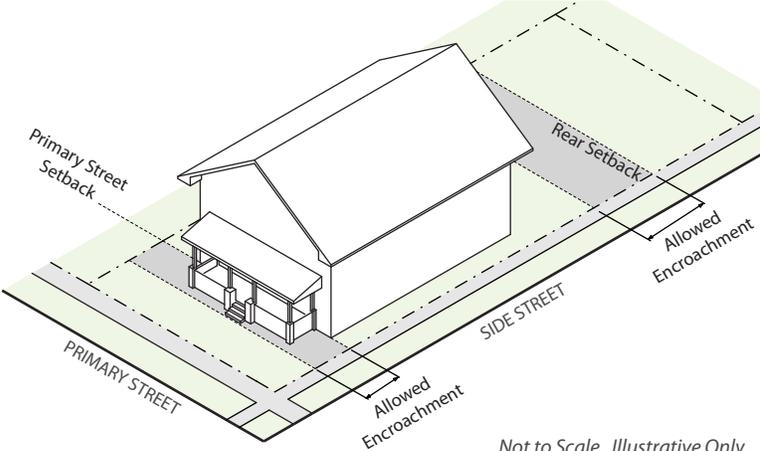
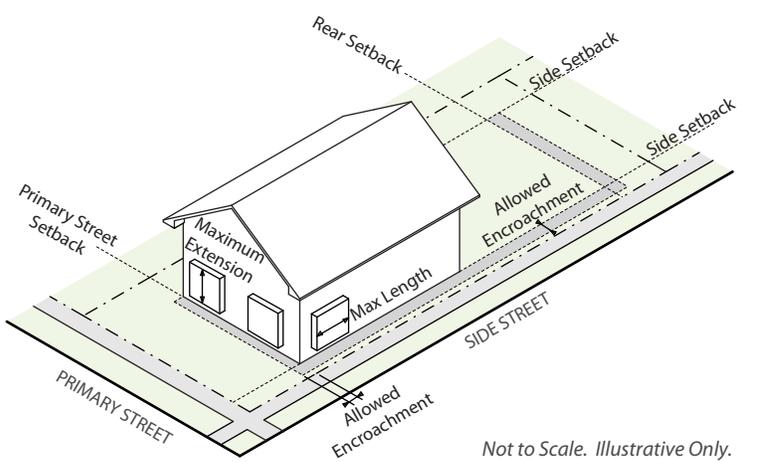
A. Civic, Public & Institutional Uses

1. Intent

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

2. Standard

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, <u>Stoops</u>, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open <u>except for any side abutting a building facade.</u></p>	All E- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All E- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

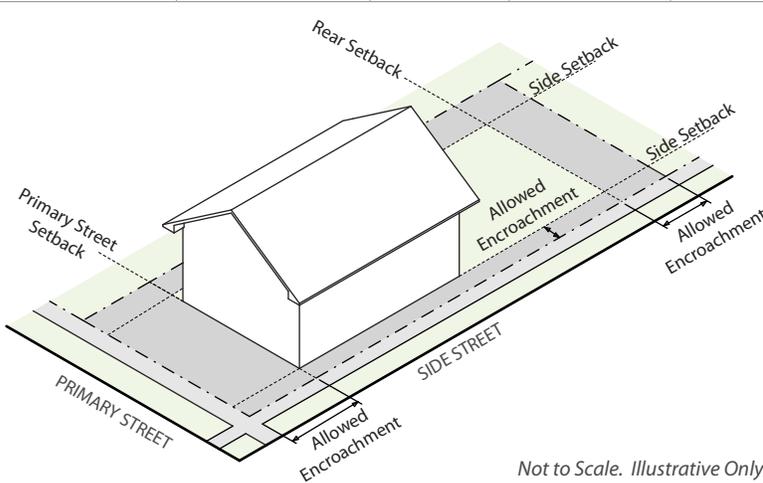
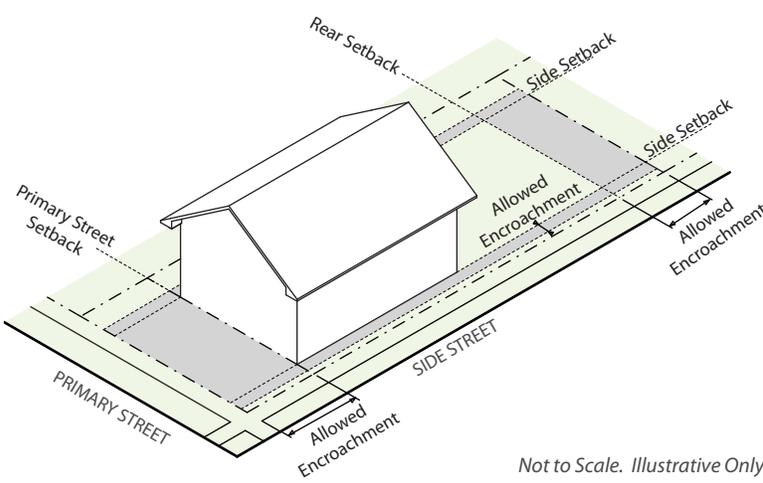
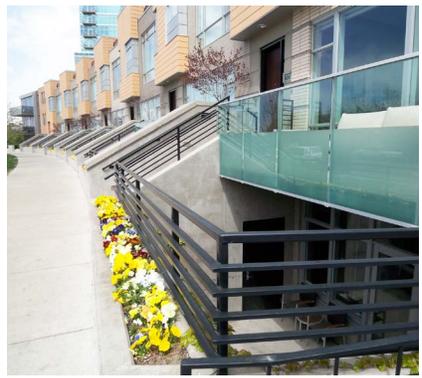
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Townhouse, Garden Court and Apartment building forms	All E-TH and E-MU Zone Districts	Not allowed	Not allowed	Allowed within the rear 35% of the Zone Lot only	Any distance
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.					

3. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of required barrier-free access to buildings.					
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers located behind the front of the primary structure and screened from adjacent properties and public rights-of-way, and not to exceed the noise standards of D.R.M.C. Section 36-6	All E- Zone Districts	Not allowed	3'	3'	Not allowed
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside</u> 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 E- Zone Districts	5'	3'	3'	10'
Intent: To provide for emergency egress from a building <u>only for emergency purposes</u>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: Shall not exceed 3' in height.	All E- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All E- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p><i>Illustrative only</i></p>					

4.3.7.5 Building Coverage Exception

A. Applicability

All E- Zone Districts where a building coverage standard applies.

B. Front Porch

1. Intent

To promote street activation.

DIVISION 4.4 USES AND REQUIRED MINIMUM PARKING

SECTION 4.4.1 APPLICABILITY

- 4.4.1.1 This Division 4.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Urban Edge Neighborhood Context Zone Districts.
- 4.4.1.2 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.
- 4.4.1.3 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

SECTION 4.4.2 ORGANIZATION

4.4.2.1 Organized by Primary, Accessory and Temporary Uses

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

4.4.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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 4.4.3 EXPLANATION OF TABLE ABBREVIATIONS

4.4.3.1 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.

SECTION 4.4.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	APPLICABLE USE LIMITATIONS	
RESIDENTIAL PRIMARY USE CLASSIFICATION												
Household Living	Dwelling, Single Unit •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit •Vehicle: 1/unit •Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.1
	Dwelling, Multi-Unit •Vehicle: 1/unit •Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.2
	Dwelling, Live / Work •Vehicle: 1/unit •Bicycle: 1/ 5 units (80/20)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.3
Group Living	Assisted Living Facility •Vehicle: .75/unit •Bicycle: No requirement	NP	NP	PIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice •Vehicle: .75/unit •Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults •Vehicle: .75/unit •Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.2.5
	Residential Care Use, Small or Large •Vehicle: .25/unit •Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.6
	Rooming and Boarding House •Vehicle - MS only: 2 / 1,000 ft ² GFA •Vehicle: 4.5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	E-TH-2.5: NP E-MU-2.5: P-ZP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
	Shelter for the Homeless •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP-L	NP-L	NP-L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	NP-L	NP-L	L-ZPIN/L	L-ZPIN/L	§ 11.2.79
	Student Housing •Vehicle: 1/unit •Bicycle: 1/ 5 units (80/20)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)											APPLICABLE USE LIMITATIONS
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5		
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION												
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement <u>1/ 10,000 ft² GFA (0/100)</u>	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	P-ZPIN	P-ZPIN	P-ZP	P-ZP	P-ZPIN	P-ZP	P-ZP	P-ZP	§ 11.3.4
	Postal Facility, Neighborhood •Vehicle - MS only: 2/1,000 ft ² GFA •Vehicle: 2.5/ 1,000 ft ² GFA •Bicycle: 1/ 20,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 20,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP	
	Public Safety Facility •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Library •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS											
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-CC-3x E-RX-5	E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5			
Education	Elementary or Secondary School • Vehicle- High School: 2/1,000 ft ² GFA • Bicycle - High School: 1/20,000 ft ² GFA (0/100) • Vehicle- All Others: 1/1,000 ft ² GFA • Bicycle-All Others: 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6
Education	University or College • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6
	Vocational or Professional School • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.3.6
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.8
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION													
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

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		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5			
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others - MS only: 2/1,000 ft ² GFA • Vehicle - All Others: 2.5/1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	L-ZPIN	L-ZP	P-ZP	P-ZP	§ 11.4.1	
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - MS only: 2/1,000 ft ² GFA • Vehicle: 2.5/1,000 ft ² GFA • Bicycle: 1/20,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZPSE	L-ZP	NP	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.2	
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable						§ 11.4.3		
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP		
	Parking, Surface* • No Parking Requirements	NP	L-ZP	L-ZP	NP	P-ZP	P-ZP	NP	NP	NP	NP	§ 11.4.5	
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2/1,000 ft ² GFA • Vehicle: 4.5/1,000 ft ² GFA • Bicycle: 1/5,000 ft ² GFA (0/100)	NP	NP	NP	P-ZP	P-ZP	P-ZP	L-ZPSE	L-ZP	P-ZP	P-ZP	§ 11.4.6	
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/5 guest room or unit (80/20)-1/20,000 ft² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP		
Lodging Accommodations	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/5 guest room or unit (80/20)-1/20,000 ft² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	NP	NP	P-ZP	P-ZP		

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	APPLICABLE USE LIMITATIONS		
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION												
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	E-MS-3: L-ZP/ ZPSE; E-MS-5 P-ZP	§ 11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	P -ZP	P -ZP	P -ZP	P -ZPIN	P -ZPIN	P -ZP	P -ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.4
	Service/Repair, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	NP	L-ZP	L-ZP	§ 11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.6
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ ZPSE	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	§ 11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.5.9

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS										
		E-SU-A E-SU-B E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1	E-TU-B E-TU-C	E-TH-2.5 E-MU-2.5	E-RX-5	E-CC-3x	E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* •No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZP	L-ZP	§ 11.5.10
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Railway Right-of-Way* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.5.11
Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Waste Related Services	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility •Vehicle: <u>0.1-5</u> / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	P-ZP	P-ZP	NP	NP	L-ZP	NP	§ 11.5.12
	Vehicle Storage, Commercial* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZPIN	NP	NP	NP	NP	§ 11.5.13
	Wholesale Trade or Storage, General •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	P-ZPIN	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§ 11.5.14
AGRICULTURE PRIMARY USE CLASSIFICATION												
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.3

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

ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS	
		E-SU-D1, -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§ 11.7	
	Accessory Dwelling Unit	E-SU-D1, -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7, § 11.8.2
	Domestic Employee Garden*	L	L	L	L	L	L	L	L	L	L	L	§11.7; §11.8.3
	Keeping of Household Animals*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7, § 11.8.4
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§ 11.7; § 11.8.5
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.6
	Second Kitchen Accessory to Single Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Allowed Permitted Primary Uses						§ 11.7; § 11.8.7	
	Vehicle Storage, Repair and Maintenance*	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	§ 11.7; § 11.8.8
	Wind Energy Conversion Systems*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
Yard or Garage Sales*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	Not Applicable - See Allowed Permitted Primary Uses						§ 11.7, § 11.5.8		
	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.9	

HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

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

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

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS	
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§ 11.7; § 11.10.1	
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	Not Applicable - See <u>Allowed Permitted</u> Primary Uses	L	Not Applicable - See <u>Allowed Permitted</u> Primary Uses	NP	NP	Not Applicable - See <u>Allowed Permitted</u> Primary Uses	Not Applicable - See <u>Allowed Permitted</u> Primary Uses	§ 11.7; § 11.10.3	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	Not Applicable - See <u>Allowed Permitted</u> Primary Uses							§ 11.7; § 11.10.4	
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	NP	§ 11.7; § 11.10.5	
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See <u>Allowed Permitted</u> Primary Uses			L	Not Applicable - See <u>Allowed Permitted</u> Primary Uses			§ 11.7; § 11.10.6	
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	L	L	L	NP	NP	L	L	§ 11.7; § 11.10.7	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8	
	Garden*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.10.9	
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	§ 11.7; § 11.10.10
Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	Not Applicable - See <u>Allowed Permitted</u> Primary Uses	Not Applicable						§ 11.4.3		

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

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

5.2.3.1 General Purpose

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

5.2.3.2 Specific Intent

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

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

5.2.4.1 General Purpose

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

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

B. Setbacks

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

C. Parking Location

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

5.3.2.3 Design Elements

A. Configuration

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

B. Transparency

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

C. Entrances

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

5.3.2.4 Specific building form Intent

A. Residential Zone Districts

1. Urban House

Establish standards for Single Unit Dwelling development. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

2. Duplex

Establish standards for Two Unit Dwelling development within a single primary structure, allowing side-by-side and up-down configurations. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

3. Tandem House

Establish standards for two dwelling units on a single zone lot, but occurring in two primary structures with a single unit in each structure.

4. Garden Court

Establish standards for Multi Unit Dwelling development where dwelling entrances may be oriented around a common, central open space, rather than exclusively orienting toward the street, as Row House requires. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

5. Row House

Establish standards for appropriately designed Multi-Unit Dwelling development within a Row House Zone District, by requiring each unit to have a street-facing entrance. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

6. Apartment

Establish standards for Multi-Unit Dwelling development that allows a variety of layouts, but requires a minimum of one entrance at the street. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts

1. Drive Thru Services

To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane.

- a. U-MX Option B: Limited to Gasoline Service Station, eliminate the build-to requirement, allow parking between the building and the street, and require a garden wall along street frontages.
- b. U-MX Option A: Allow a reduced build-to percentage and an increased build-to range.
- c. U-MS: Allow a reduced build-to percentage, an increased build-to range, and a garden wall and canopy combination to meet a portion of the build-to. Require a garden wall along street frontages.

2. Drive Thru Restaurant

To allow more flexible design standards to accommodate unique circumstances of eating/drinking establishments with an accessory drive-thru lane.

- a. U-MX: Allow a reduced build-to percentage and allow a drive-thru lane to be located between the building and any street.

URBAN HOUSE

		U-SU-A	U-SU-B	U-SU-C					U-RH-2.5
		U-SU-A1	U-SU-B1	U-SU-C1	U-SU-E	U-SU-H	U-TU-B	U-TU-C	U-RH-3A
HEIGHT									
Stories, front 65% / rear 35% of zone lot depth (max)		2.5/1	2.5/1	2.5/1	2.5/1	3/1	2.5/1	2.5/1	2.5/1
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'	30'/17'
Feet, front 65% of zone lot depth, allowable permitted height increase		1' for every 5' increase in lot width over 50' up to a maximum height of 35'							
Feet, rear 35% of zone lot depth, allowable permitted height increase		1' for every 3' increase in side setback up to a maximum height of 19'							
C/D	Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of Zone Lot Depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
Bulk Plane Slope from Side Interior and Side Street zone lot line		45°	45°	45°	45°	45°	45°	45°	45°
		U-SU-A, A1, A2	U-SU-B, B1, B2	U-SU-C, C1, C2	U-SU-E, E1	U-SU-H, H1	U-TU-B, B2	U-TU-C	U-RH-2.5, U-RH-3A
SITING									
ZONE LOT									
Zone Lot Size (min)		3,000 ft ²	4,500 ft ²	5,500 ft ²	7,000 ft ²	10,000 ft ²	4,500 ft ²	5,500 ft ²	3,000 ft ²
E	Zone Lot Width (min)	25'	35'	50'	50'	75'	35'	50'	25'
		All U-SU, TU, RH Districts							
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		30' or Less	Greater than 30' and up to 40"		Greater than 40' and less than to 75'		75' or Greater		
F	Primary Street, block sensitive setback required	yes	yes		yes		yes		
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'		20'		20'		
G	Side Street (min)	3'	5'		5'		7.5'		
H	Side Interior (min)	3'	3' min one side/ 10' min combined		5'		10'		
I	Rear, alley/no alley (min)	12'/20'	12'/20'		12'/20'		12'/20'		
Building Coverage per Zone Lot, including all accessory structures (max)		50%	37.5%		37.5%		37.5%		
PARKING BY ZONE LOT WIDTH									
Parking and Drive Lot Coverage in Primary Street Setback (max)		2 Spaces and 320 ft ²	2 Spaces and 320 ft ²		33%		33%		
Vehicle Access		From A lley; or Street access allowed when no A lley present (See Sec. 5.3.7.6)							
J	DETACHED ACCESSORY STRUCTURES	see Sec. 5.3.4							
		U-SU-A	U-SU-B	U-SU-C					U-RH-2.5
		U-SU-A1	U-SU-B1	U-SU-C1	U-SU-E	U-SU-H	U-TU-B	U-TU-C	U-RH-3A
		U-SU-A2	U-SU-B2	U-SU-C2	U-SU-E1	U-SU-H1	U-TU-B2	U-TU-C	U-RH-3A
DESIGN ELEMENTS									
BUILDING CONFIGURATION									
Attached Garage Allowed		(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks							
Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)		35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater							
Rooftop and/or Second Story Decks		See Section 5.3.5.1							
GROUND STORY STREET LEVEL ACTIVATION									
K	Pedestrian Access, Primary Street	Entry Feature							
USES		All U-SU, TU and RH Zone Districts							
		Primary Uses shall be limited to Single Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking							
See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions									

DUPLEX

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

SITING		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
ZONE LOT							
	Zone Lot Size (min)	3,000 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²
E	Zone Lot Width (min)	25'	35'	50'	35'	50'	35'

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

DESIGN ELEMENTS		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B U-TU-B2	U-TU-C	U-RH-2.5 U-RH-3A
BUILDING CONFIGURATION							
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form standards Side Street, Side Interior and Rear setbacks					
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)	35% of the entire width of the Primary Street facing facade of the dwelling primary structure or 16', whichever is greater					
	Rooftop and/or Second Story Decks	See Section 5.3.5.1					

GROUND-STORY STREET LEVEL ACTIVATION		U-SU-A2*, -B2*, -C2*; All U-TU, RH Districts					
K	Pedestrian Access, Primary Street	Entry Feature					
USES		Primary Uses shall be limited to Two Unit Dwelling and <u>allowable permitted</u> Group Living and Nonresidential uses. See Division 5.4 Uses and Parking					

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

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

TANDEM HOUSE

		U-TU-B				U-RH-2.5	
		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B2	U-TU-C	U-RH-3A
HEIGHT							
Stories (max)		2.5	2.5	2.5	2.5	2.5	2.5
A/B	Feet, front 65% / rear 35% of zone lot depth (max)	30'/24'	30'/24'	30'/24'	30'/24'	30'/24'	30'/24'
Feet, front 65% of lot depth, <u>allowable permitted</u> height increase		1' for every 5' increase in lot width over 50' up to a maximum height of 35'					
C/D	Bulk Plane Vertical Height at Side interior and Side street zone lot line in front 65% of lot / rear 35% of zone lot depth	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'	17'/10'
Bulk Plane Slope from Side interior and Side Street zone lot line		45°	45°	45°	45°	45°	45°
SITING		U-TU-B				U-RH-2.5	
		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B2	U-TU-C	U-RH-3A
ZONE LOT							
Zone Lot Size (min)		3,000 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²	5,500 ft ²	4,500 ft ²
E	Zone Lot Width (min)	25'	35'	50'	35'	50'	35'
Number of Primary Structures per Zone Lot (max)		2	2	2	2	2	2
		All U-SU, TU, RH Districts					
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		30' or Less	<u>Greater than 30' and up to 40'</u>	<u>Greater than 40' and less than to 75'</u>	75' or Greater		
F	Primary Street, block sensitive setback required	yes	yes	yes	yes		
F	Primary Street, where block sensitive setback does not apply (min)	20'	20'	20'	20'		
G	Side Street (min)	3'	5'	5'	5'		
H	Side Interior, for Primary Structure #1 (min one side/min combined)	3'/6'	5'/10'	5'/10'	5'/15'		
I	Side Interior, for Primary Structure #2 (min one side/min combined)**	3'/6'	5'/10'	5'/10'	5'/15'		
J	Rear, for Primary Structure #1, as a % of lot depth (min)	50%	50%	50%	50%		
K	Rear, for Primary Structure #2 (min)	5'	5'	5'	5'		
L	Minimum Spacing Between Primary Structures (min)	6'	6'	6'	6'		
Building Coverage per Zone Lot, including all accessory structures (max)		50%	37.5%	37.5%	37.5%		
PARKING BY ZONE LOT WIDTH							
Parking and Drive Lot Coverage in Primary Street Setback (max)		50%	50%	50%	50%		
Vehicle Access		From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Section 5.3.7.6)					
DETACHED ACCESSORY STRUCTURES		See Sec. 5.3.4					
DESIGN ELEMENTS		U-TU-B				U-RH-2.5	
		U-SU-A2*	U-SU-B2*	U-SU-C2*	U-TU-B2	U-TU-C	U-RH-3A
BUILDING CONFIGURATION							
M	Overall Structure Width (max)	36'	36'	36'	36'	36'	36'
N	Overall Structure Length (max)	42'	42'	42'	42'	42'	42'
Attached Garage Allowed		(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks					
Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)		35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater					
Rooftop and/or Second Story Decks		See Section 5.3.5.1					
GROUND-STORY STREET LEVEL ACTIVATION							
O	Pedestrian Access, Primary Street	Primary Structure #1: Entry Feature Primary Structure #2: No Requirement					
USES		U-SU-A2*, -B2*, -C2*; All U-TU, RH Districts					
		Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 5.4 Uses and Parking					

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

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

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

GARDEN COURT

HEIGHT

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

SITING

	U-RH-2.5	U-RH-3A
ZONE LOT		
Zone Lot Size (min)	6,000 ft ²	6,000 ft ²
Zone Lot Width (min)	50'	50'
Dwelling Units per Primary Residential Structure (max)	10	10
SETBACKS		
C Primary Street, block sensitive setback required	yes	yes
C Primary Street, where block sensitive setback does not apply (min)	20'	20'
D Side Street (min)	5'	5'
E Side Interior (min)	5'	5'
F Rear, alley/no alley (min)	12'/20'	12'/20'
PARKING		
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	
Vehicle Access	From A alley; or From street when no A alley present (See Sec. 5.3.7.6)	
G DETACHED ACCESSORY STRUCTURES	See Sec. 5.3.4	

DESIGN ELEMENTS

	U-RH-2.5	U-RH-3A
BUILDING CONFIGURATION		
Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'
H Street-Facing Courtyard Width (min)	15'	15'
I Street-Facing Courtyard Depth (min)	30'	30'
Garden Court Design Standards	See Sec. 5.3.5.2	
Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
Rooftop and/or Second Story Decks	See Section 5.3.5.1	
GROUND-STORY STREET LEVEL ACTIVATION		

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

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

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

ROW HOUSE

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

SITING		U-TU-B2*	U-RH-2.5	U-RH-3A
ZONE LOT				
	Zone Lot Size (min/max)	6,000 ft ² / 9,375 ft ²	6,000 ft ² / na	6,000 ft ² / na
	Zone Lot Width (min)	50'	50'	50'
	Dwelling Units per Primary Residential Structure (max)	na	10	10
SETBACKS				
C	Primary Street, block sensitive setback required	yes	yes	yes
C	Primary Street where block sensitive setback does not apply (min)	20'	20'	20'
D	Side Street (min)	5'	5'	5'
E	Side Interior (min)	5'	5'	5'
F	Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'
PARKING				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		
	Vehicle Access	From A alley; or From street when no A alley present (See Sec. 5.3.7.6)		
G	DETACHED ACCESSORY STRUCTURES	See Sec. 5.3.4		

DESIGN ELEMENTS		U-TU-B2*	U-RH-2.5	U-RH-3A
BUILDING CONFIGURATION				
H	Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)	10'	10'	10'
	Street facing attached garage door width per Primary Structure (max)	20'	20'	20'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		
	Rooftop and/or Second Story Decks	See Section 5.3.5.1		
GROUND STORY STREET LEVEL ACTIVATION				
I	Pedestrian Access	Each unit shall have a street-facing Entrance		
USES		U-TU-B2*, U-RH-2.5 and U-RH-3A		
		Primary Uses shall be limited to Multi Unit Dwelling (3+) and <u>allowable permitted</u> Group Living and Nonresidential uses. See Division 5.4 Uses and Parking		

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

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APARTMENT

HEIGHT		U-RH-3A*
A	Stories (max)	3
A	Feet (max)	38'
SITING		U-RH-3A*
ZONE LOT		
	Zone Lot Size (min/max)	6,000 ft ² / 16,000 ft ²
	Zone Lot Width (min)	50'
SETBACKS		
B	Primary Street, block sensitive setback required	yes
B	Primary Street, where block sensitive setback does not apply (min)	20'
C	Side Street (min)	10'
D	Side Interior (min)	5'
E	Rear, alley/no alley (min)	12'/20'
PARKING		
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6)</u>
	Vehicle Access, <u>all other permitted uses</u>	Shall be determined as part of Site Development Plan Review
DESIGN ELEMENTS		U-RH-3A*
BUILDING CONFIGURATION		
	Street facing garage door width per Primary Structure (max)	20'
	Rooftop and/or Second Story Decks	See Section 5.3.5.1
GROUND-STORY STREET LEVEL ACTIVATION		
F	Pedestrian Access, Primary Street or Side Street	Entrance
USES		U-RH-3A*
		Primary Uses shall be limited to Multi Unit Dwelling and <u>allowable permitted</u> Group Living and Non-residential uses. See Division 5.4 Uses and Parking
	See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions	

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

DRIVE THRU SERVICES

		U-MX-2 U-MS-2	U-MX-3 U-MS-3, -5	
HEIGHT				
A	Stories (max)	2	3	
A	Feet (max)	35'	45'	
		U-MS-2, -3, -5	U-MX-2, -3 Option A	U-MX-2, -3 Option B**
SITING				
REQUIRED BUILD-TO				
B	Primary Street (min % within min/max)*	50% 0'/15'	50% 0'/15'	na
C	Side Street (min % within min/max)*	50% 0'/15'	50% 0'/15'	na
SETBACKS				
D	Primary Street (min)	0'	0'	0'
E	Side Street (min)	0'	0'	0'
F	Side Interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
G	Rear, alley and no alley (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
PARKING				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Allowed	Allowed/Allowed
	Vehicle Access	Shall be determined as part of Site Development Plan Review		
		U-MS-2, -3, -5	U-MX-2, -3 Option A	U-MX-2, -3 Option B**
DESIGN ELEMENTS				
BUILDING CONFIGURATION				
H	*Canopy	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To	Building shall be used to meet a portion of the Primary or Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To	na
I	Screening Required	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; following the standards of Article 10, Section 10.5.4.4		
	Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	U-MS-3, -5 Only: 15'/25'	U-MX-3 Only: 15'/25'	U-MX-3 Only: 15'/25'
GROUND-STORY STREET LEVEL ACTIVATION				
J	Transparency, Primary Street (min)	60%	40%	40%
K	Transparency, Side Street (min)	25%	25%	25%
L	Pedestrian Access, Primary Street	Entrance	Entrance	Pedestrian Connection
USES		U-MS-2, -3, -5; U-MX-2, -3**		
		Automobile Services, Light and/or Primary Use with Accessory Drive Thru Use, excluding Eating/Drinking Establishments		
		**Additionally, in U-MX-2, 3 Option B is limited to Gasoline Service Station Use Only		

DRIVE THRU RESTAURANT

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

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

DESIGN ELEMENTS		U-MS-2, -3, -5	U-MX-2, -3
BUILDING CONFIGURATION			
	Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'
GROUND STORY STREET LEVEL ACTIVATION			
J	Transparency, Primary Street (min)	60%	40%
K	Transparency, Side Street (min)	25%	25%
L	Pedestrian Access, Primary Street	Entrance	Entrance and Pedestrian Connection
USES		U-MS-2, -3, -5; U-MX-2, -3	
Primary Uses shall be limited to an Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only			

GENERAL

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

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

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

(1) All allowable permitted Primary Uses shall be allowed within this building form; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 5.3.5.3.

SHOPFRONT

		U-MS-2			
HEIGHT		U-RX-5	U-MS-2x	U-MS-3	U-MS-5
	Stories (max)	5	2	3	5
A	Feet (min/max)	na/70'	na/35'	na/45'	24'/70'
	Height Exceptions	See Section 5.3.7.1			
SITING		U-MS-2			
REQUIRED BUILD-TO		U-RX-5	U-MS-2x	U-MS-3	U-MS-5
B	Primary Street (min build-to % within min/max range)	70% 0'/15'	0'/5'	75% Residential Only Buildings: 0'/10'	
C	Side Street (min build-to % within min/max range)	na	0'/5'	25% Residential Only Buildings: 0'/10'	
	Build-to Exceptions and Alternatives	See Sections 5.3.7.2 and 5.3.6.1			
SETBACKS					
	Primary Street (min)	0'	0'	0'	0'
	Side Street (min)	0'	0'	0'	0'
	Side Interior (min)	0'	0'	0'	0'
D	Side Interior, adjacent to Protected District (min)	10'	U-MS-2x: 5' 10'	10'	10'
	Rear, alley and no alley (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 5.3.7.3 and 5.3.7.4			
PARKING					
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		MS: Not Allowed/Not Allowed	
E	Surface Parking Screening	See Article 10, Division 10.5			
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6)</u>			
	<u>Vehicle Access, all other permitted uses</u>	Shall be determined as part of Site Development Plan Review			
DESIGN ELEMENTS		U-MS-2			
BUILDING CONFIGURATION		U-RX-5	U-MS-2x	U-MS-3	U-MS-5
F	Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	na	15'/25'	20'/25'
G	Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	35'/40'	na	na	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION					
H	Transparency, Primary Street (min)	60%		Residential Only Buildings: 40%	
I	Transparency, Side Street (min)	25%			
	Transparency Alternatives	See Section 5.3.6.2			
J	Pedestrian Access, Primary Street	Entrance			
USES		U-RX-5	All U-MS Zone Districts		
	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max See Division 5.4 Uses and Parking		(1) All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Division 5.4 Uses and Parking; and (2) <u>100% of the portion of the ground-story Street Level building frontage within the required that meets the minimum Primary Street and Side Street build-to requirements portion must have at least one primary use, other than parking of vehicles shall be occupied by Street Level active uses as described in Section 5.3.5.3.</u>		

		U-SU-A1 U-SU-A2*	U-TU-B, U-TU-B2 U-SU-B1 U-SU-B2*	U-TU-C U-SU-C1 U-SU-C2*	U-SU-E1	U-SU-H1	U-RH-2.5 U-RH-3A
HEIGHT							
A	Stories (max)	1.5	1.5	1.5	1.5	1.5	1.5
A	Feet (max)	24'	24'	24'	24'	24'	24'
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	10'	10'	10'	10'	10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°	45°	45°	45°

		U-SU-A1 U-SU-A2*	U-TU-B, U-TU-B2 U-SU-B1 U-SU-B2*	U-TU-C U-SU-C1 U-SU-C2*	U-SU-E1	U-SU-H1	U-RH-2.5 U-RH-3A
SITING							
ZONE LOT							
	Zone Lot Size (min)	3,000 ft ²	4,500 ft ²	5,500 ft ²	7,000 ft ²	10,000 ft ²	3,000 ft ²
	Exemption from Maximum Building Coverage (Lesser of)	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²	50%/500 ft ²
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft ² . To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.					

Additional Standards See Sections 5.3.4.3

SETBACKS							
Location		Located in the rear 35% of the zone lot depth					
C	Side Interior and Side Street (min)	5'	5'	5'	5'	5'	Lots 30' wide or less: 3' All Others: 5'
		If exceeding one story or 17' shall be located adjoining the southern most side setback line					
D	Rear (min)	5'	5'	5'	5'	5'	5'

PARKING		
Parking Access		From Alley; or Street access allowed when no Alley present (see Sec. 5.3.7.6 for exceptions)

		U-SU-A1, -B1, -C1, -E1, -H1, U-SU-A2*, -B2*, -C2* By Zone Lot Size			U-TU-B, -B2, -C, U-RH-2.5 U-RH-3A
DESIGN ELEMENTS		6,000 ft ² or Less	Greater than 6,000 ft ² and up to 7,000 ft ²	Greater than 7,000 ft ² or Greater	
BUILDING CONFIGURATION					
	Building Footprint (max)	650 ft ²	864 ft ²	1,000 ft ²	1,000 ft ²
	Habitable Space (max)	650 ft ²	864 ft ²	1,000 ft ²	na
E	Horizontal Dimension (max)	36'	36'	36'	36'
	Rooftop and/or Second Story Decks	Not allowed - See Section 5.3.5.1			

USES		All U-SU, TU, RH
		Accessory Uses Only, including accessory dwelling unit where permitted. See Division 5.4 for permitted Accessory Uses

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

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

DETACHED GARAGE

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

SITING

All U-SU, -TU, -RH

ZONE LOT

Exemption from Maximum Building Coverage (Lesser of)

50%/
500 ft²

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft². To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.

Additional Standards

See Sections 5.3.4.3

SETBACKS

C	Setback from Primary Street Facing Facade of Primary Structure (min)								10'
D	Side Street (min)								5'
D	Side Interior (min), for structure entirely in rear 35% of one lot *								0'
	Side Interior (min), for structure not entirely in rear 35% of zone lot								5'
	Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less								3'
E	Rear, no alley (min)								5'
	Rear, alley, where garage doors face alley (min)								5'
	Rear, alley, where garage doors do not face alley* (min)								0'

Vehicle Access

From Alley; or Street access allowed when no Alley present
See Sec. 5.3.7.6 for exceptions

		U-SU-A	U-SU-B	U-SU-C					
		U-SU-A1	U-SU-B1	U-SU-C1	U-SU-E	U-SU-H	U-TU-B		U-RH-2.5
DESIGN ELEMENTS		U-SU-A2	U-SU-B2	U-SU-C2	U-SU-E1	U-SU-H1	U-TU-B2	U-TU-C	U-RH-3A
BUILDING CONFIGURATION									
	Building Footprint (max)	1,000 ft ²	864 ft ² * per unit**	864 ft ² * per unit**	864 ft ² per unit**				
F	Horizontal Dimension (max)	36'	36'	36'	36'	36'	36' per unit	36' per unit	no max
	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	3	3	3	3	3	3	3
G	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	28'	28'	28'	28'	28'	28'	no max

USES

All U-SU, TU, RH

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

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

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

**When used with the Urban House building form, the permitted building footprint for a detached garage may be increased to 1,000 ft²

5.3.5.3 **Street Level Active Uses in the U-MX and U-MS Zone Districts**

A. **Intent**

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

B. **Applicability**

This Section 5.3.5.3 applies to the General building form in the U-MX zone districts and the Shopfront building form in the U-MS zone districts.

C. **Street Level Active Uses**

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

SECTION 5.3.6 DESIGN STANDARD ALTERNATIVES

5.3.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

~~If used in combination, the alternatives may count toward no more than 25% of the requirement.~~

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

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

C. Garden Walls

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

1. ~~Garden Walls must be between 30" and 42" in height with the following exceptions:~~
 - a. ~~Decorative and/or structural piers may exceed the allowed height range.~~
 - b. ~~Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.~~
 - c. ~~Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".~~
2. ~~Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.~~
3. ~~An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.~~
4. ~~Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Article 10.~~

D. Pergola

~~In all Urban Neighborhood Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:~~

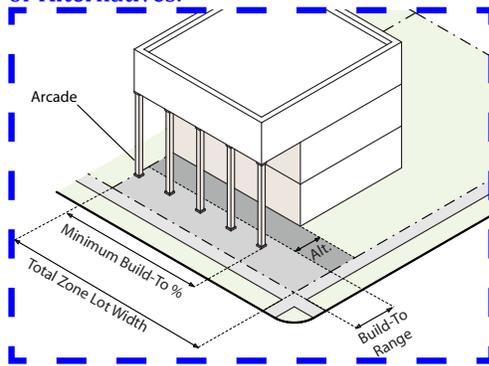
1. ~~Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.~~

2. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
4. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on-center.
5. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
6. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

E. Arcades

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

1. They extend no more than two stories in height;
2. The exterior face of the arcade column line is within the build-to range, and meets the required build-to minimum percentage that is not otherwise met by the building
3. The arcade column line generally continues the wall plane of the building above;
4. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns;
5. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
6. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives.



Graphic above moved to Article 13

F. Courtyard

In all U-MX and U-RX Zone Districts, a courtyard may count toward the Required Build-to Percentage, when all of the following are met:

1. Minimum Design:
 - a. Shall be Primary Street facing;
 - b. Shall have a Width of at least 15'
 - c. Shall have a Depth of at least 30'

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

5.3.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 5-3-6-2-B 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES							
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	WINDOWS- OUTSIDE THE ZONE (MAX)	DISPLAY CASES AND AUTOMATED TELLER/ TICKET MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
U-RX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
U-MX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length and height of the <u>ground-story-Street Level</u> wall.	80%	40%	80%*
U-MS	Primary Street	40%	40%	50%	60%	40%	50%
	Side Street	40%	40%	50%	80%	40%	50%

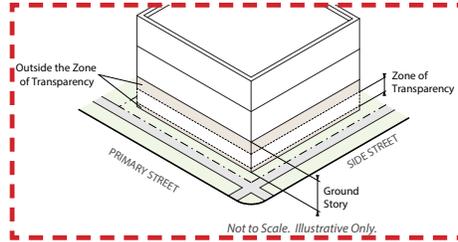
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

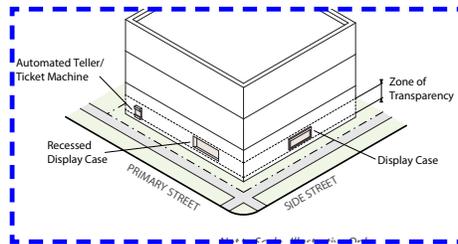


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2. Display Cases and Automated Teller/Ticket Machines

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

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

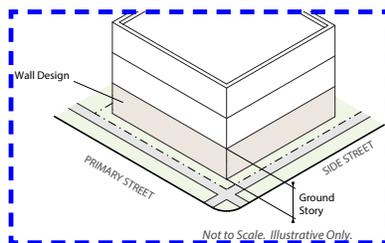


Graphic above moved to Article 13 and revised

3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

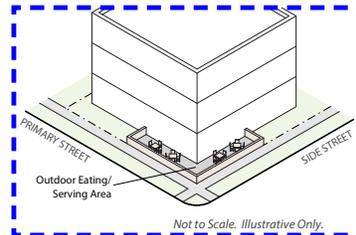
- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations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



Graphic above moved to Article 13 and revised/expanded

4. Outdoor Eating/Serving Areas

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. Permanent Art

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

5.3.6.3 Pedestrian Access (Entrance) Alternatives

A. Intent

The Entrance alternative shall To provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building.

B. Entrance Alternatives Allowance

In U-MX and U-RX Zone Districts, for all building forms except excluding the Row House building form, an alternative to an Entrance is permitted. An entrance alternative shall be one of the following: one of the following may be used as an alternative to a required, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. Courtyard or Plaza

- a. Shall be accessible to public during business hours
- b. Shall be within 2' of grade at edge of public right-of-way
- c. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.
- d. Maximum dimension shall not exceed 3 times the minimum dimension
- e. Required public Entrance shall be visible from the public right-of-way.
- f. Perimeter walls of court or plaza shall meet primary facade transparency standards.

2. Covered Walkway in the form of an Arcade or Pergola

- a. Shall be accessible to public during business hours
- b. Shall provide continuous covered access to required Entrance from the public right-of-way
- c. Required public Entrance shall be visible from the public right-of-way

SECTION 5.3.7 DESIGN STANDARD EXCEPTIONS

5.3.7.1 Height Exceptions

A. Intent

To allow unoccupied 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

- The following unoccupied 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 5.3.7.1.B.
- 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.
- 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.
- Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

<u>UNOCCUPIED BUILDING FEATURES</u>	<u>ZONE DISTRICTS</u>	<u>THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF</u>	<u>SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT</u>	<u>MAY EXCEED MAXIMUM HEIGHT IN FEET BY:</u>	<u>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</u>	<u>MAY PROJECT THROUGH THE BULK PLANE</u>	<u>MAY ENCRoACH INTO THE UPPER STORY SETBACK</u>
Eaves	All U- Zone Districts	No	No	<u>Not allowed Any distance when attached to a feature that meets the definition of a Story</u>	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied s</u> pires, towers, flagpoles, antennas, chimneys, flues and vents	All U- Zone Districts	No	No	28'	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied c</u> ooling towers and enclosures for tanks	All 5-Story U-RX, U-MS Zone Districts	No	Yes	28'	<u>Not applicable</u>	Not allowed	Not allowed
<u>Unoccupied e</u> levator penthouses, <u>unoccupied shade-structures</u> , stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	All 3-Story or lower U-RX, U-MX, U-MS Zone Districts	Yes	Yes	12'	<u>1 story</u>	Not allowed	Not allowed

UNOCCUPIED 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
<u>Unoccupied elevator penthouses, unoccupied shade structures, stair enclosures, and enclosed or unenclosed mechanical equipment including any vertical or sloped screen walls for such equipment</u>	All 5-Story U-RX, U-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All 3-Story or lower U-RX, U-MX, U-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Elevator lobbies</u>	<u>All 5-Story U-RX, U-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 3-Story or lower U-RX, U-MX, U-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 5-Story U-RX, U-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Parapet Wall and/or Safety Railing</u>	All 5-Story U-MS Zone Districts	No	No	Any distance	<u>Not applicable</u>	Not allowed	Not allowed
<u>Flush-mounted solar panels</u>	All U-MS Zone Districts	No	No	Any distance	<u>Not applicable</u>	Any distance	Any distance
<u>Evaporative coolers</u>	All U-MS Zone Districts	No	Yes	Any distance	<u>Not applicable</u>	Any distance	Any distance
<u>Accessory water tanks</u>	All U-MX, U-MS Zone Districts	No	Yes	28'	<u>Not applicable</u>	Any distance	Any distance

5.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

1. Intent

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

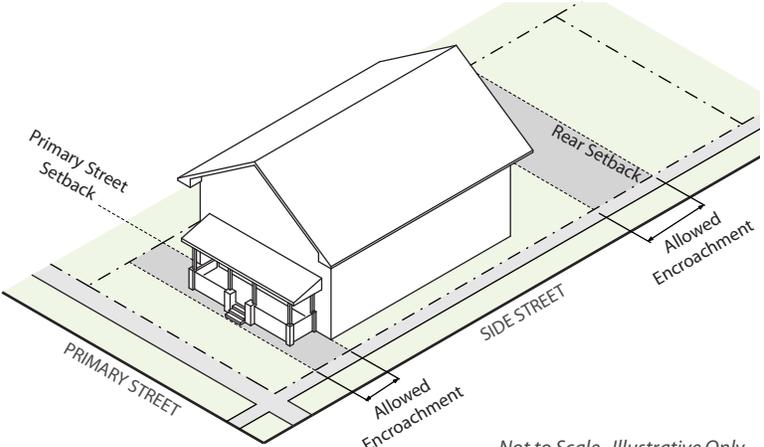
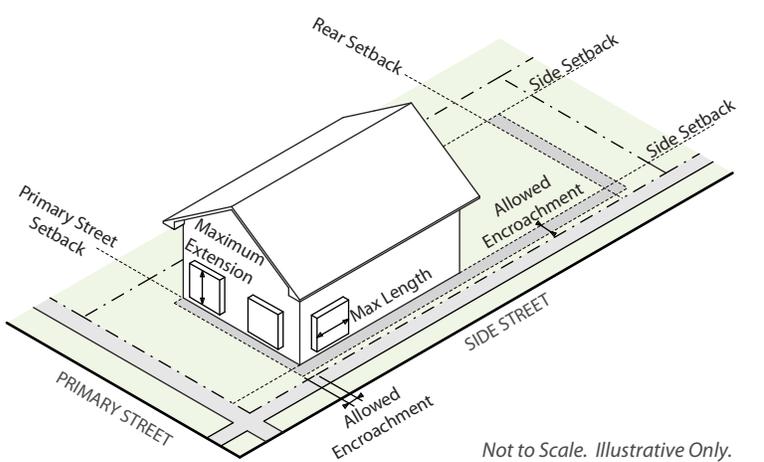
2. Standard

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

B. Parkways

1. Intent

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open except for any side abutting a building facade.</p>	All U- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All U- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Garden Court, Rowhouse and Apartment building forms	All U-TU and U-RH Zone Districts	Not allowed	Not allowed	Allowed within the rear 35% of the Zone Lot only	Any distance
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.					

3. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps <u>providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are</u> designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide for emergency egress from a building <u>only for emergency purposes</u>					
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers located behind the front of the primary structure and screened from adjacent properties and public rights-of-way, and not to exceed the noise standards of D.R.M.C. Section 36-6	All U- Zone Districts	Not allowed	3'	3'	Not allowed
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside Outside</u> 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 U- Zone Districts	5'	3'	3'	10'
Intent: To provide for emergency egress from a building <u>only for emergency purposes</u>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: Shall not exceed 3' in height.	All U- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All U- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p><i>Illustrative only</i></p>					

5.3.7.5 Building Coverage Exception

A. Applicability

All U- Zone Districts where a building coverage standard applies.

B. Front Porch

1. Intent

To promote street activation.

DIVISION 5.4 USES AND REQUIRED MINIMUM PARKING

SECTION 5.4.1 APPLICABILITY

- 5.4.1.1 This Division 5.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Urban Neighborhood Context Zone Districts.
- 5.4.1.2 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.
- 5.4.1.3 For number of primary and accessory uses allowed per zone lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

SECTION 5.4.2 ORGANIZATION

5.4.2.1 Organized by Primary, Accessory and Temporary Uses

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

5.4.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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 5.4.3 EXPLANATION OF TABLE ABBREVIATIONS

5.4.3.1 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.

SECTION 5.4.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Reqmt: # spaces per unit of measurement •Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-TU-B2	U-RH-2.5	U-RH-3A	U-RX-5	U-MX-2x	U-MX-2	U-MX-3	U-MS-3	U-MS-5	APPLICABLE USE LIMITATIONS	
RESIDENTIAL PRIMARY USE CLASSIFICATION																								
Household Living	Dwelling, Single Unit •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP													
	Dwelling, Two Unit •Vehicle: 1/unit •Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP												§ 11.2.1	
	Dwelling, Multi-Unit •Vehicle: 1/unit •Bicycle: 1/ 4 units (80/20)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP												§ 11.2.2	
	Dwelling, Live / Work •Vehicle: 1/unit •Bicycle: 1/ 4 units (80/20)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP												§ 11.2.3	
Group Living	Assisted Living Facility •Vehicle: .75/unit •Bicycle: No requirement	NP	NP	P-ZPIN	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP														
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP														
	Nursing Home, Hospice •Vehicle: .75/unit •Bicycle: No requirement	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP														
	Residence for Older Adults •Vehicle: .75/unit •Bicycle: No requirement	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP													§ 11.2.5	
	Residential Care Use, Small or Large •Vehicle: .25/unit •Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN													§ 11.2.6	
	Rooming and Boarding House •Vehicle - MS only: 2/1,000 ft ² GFA •Vehicle: 4.5/ 1,000 ft ² GFA •Bicycle: No Requirement	NP	NP	NP	P-ZP	NP	NP	P-ZP	P-ZP	P-ZP														
	Shelter for the Homeless •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP-L	NP-L	NP-L	L-ZPIN/L	NP-L	NP-L	L-ZPIN/L	NP-L	NP-L	L-ZPIN/L	L-ZPIN/L											§ 11.2.79	
	Student Housing •Vehicle: 1/unit •Bicycle: 1/ 4 units (80/20)	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP	P-ZP														

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

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1	U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
Education	Elementary or Secondary School • Vehicle- High School: 2/1,000 ft ² GFA • Bicycle - High School: 1/ 10,000 ft ² GFA (0/100) • Vehicle- All Others: 1/1,000 ft ² GFA • Bicycle-All Others: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6
	University or College • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.6; § 11.3.7
	Vocational or Professional School • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.8
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION										
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 and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others - MS only: 2/1,000 ft ² GFA • Vehicle - All Others: 2.5/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	P-ZP	L-ZPIN	L-ZP	P-ZP	P-ZP	§ 11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - MS only: 2/1,000 ft ² GFA • Vehicle: 2.5/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	L-ZPSE	NP	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-SU-H	U-TU-B2	U-RH-2.5	U-RH-3A	U-RX-5	U-MX-2x	U-MX-2	U-MX-3	U-MS-3	U-MS-5	APPLICABLE USE LIMITATIONS
		U-SU-H1	U-TU-C	U-RH-3A	U-RX-5	U-MS-2x	U-MS-2	U-MS-3	U-MS-5															
Nonresidential Uses in Existing Business Structures in Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable										§11.4.3									
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP															
	Parking, Surface* • No Parking Requirements	NP	L-ZP	L-ZP	NP	NP	NP	NP	NP															§ 11.4.5
Eating & Drinking Establishments	All Types • Vehicle: 4.5/ 1,000 ft ² GFA • MS only: 2/1,000 ft ² GFA • Bicycle: 1/5,000 ft ² GFA (0/100)	NP	NP	NP	P-ZP	L-ZPSE	L-ZP	P-ZP	P-ZP															§ 11.4.6
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/4 guest rooms or units (80/20) 1/ 10,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	P-ZP															
	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/4 guest rooms or units (80/20) 1/ 10,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	NP	NP	P-ZP	P-ZP															
Office	Dental / Medical Office or Clinic • Vehicle: 2/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (60/40)	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP															§11.4.7
	Office, All Others • Vehicle: 2/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP															

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1								APPLICABLE USE LIMITATIONS
		U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5		
Industrial Services	Contractors, Special Trade - General • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	PL-ZP	PL-ZPIN	PL-ZPIN	PL-ZP	PL-ZP	<u>\$ 11.5.5</u>
	Laboratory, Research, Development and Technological Services Service/Repair, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	\$11.5.4
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.6
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	\$11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirement	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.5.9
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	L-ZP	\$11.5.10
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	NP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.5.11
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-SU-H	U-TU-B2	U-RH-2.5	U-RH-3A	U-RX-5	U-MX-2x	U-MX-2	U-MX-3	U-MS-3	U-MS-5	APPLICABLE USE LIMITATIONS
		U-SU-H1	U-TU-C	U-RH-3A	U-RX-5	U-MS-2x	U-MS-2	U-MS-3	U-MS-5															
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility • Vehicle: 0.1 .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP	NP	NP	§11.5.12
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§11.5.14
AGRICULTURE PRIMARY USE CLASSIFICATION																								
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.3

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

ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

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

HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

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

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

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

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

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

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

SECTION 6.2.1 DISTRICTS ESTABLISHED

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

General Urban Neighborhood Context

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

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

6.2.2.1 General Purpose

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

6.2.2.2 Specific Intent

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

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

B. Multi-Unit 3 (G-MU-3)

G-MU-3 is a multi unit district allowing urban house, duplex, row house, garden court, ~~court-
yard apartment~~ and apartment building forms. The tallest building form has a maximum height of three stories.

C. Multi-Unit 5 (G-MU-5)

G-MU-5 is a multi unit district allowing urban house, duplex, row house, garden court, ~~court-
yard apartment~~ and apartment building forms. The tallest building form has a maximum height of five stories.

D. Multi-Unit 8 (G-MU-8)

G-MU-8 is a multi unit district allowing urban house, duplex, row house, ~~courtyard apartment~~ and apartment building forms. The tallest building form has a maximum height of eight stories.

E. Multi-Unit 12 (G-MU-12)

G-MU-12 is a multi unit district allowing ~~courtyard apartment~~ and apartment building forms. The maximum height is twelve stories.

F. Multi-Unit 20 (G-MU-20)

G-MU-20 is a multi unit district allowing ~~courtyard apartment~~ and apartment building forms. The maximum height is twenty stories.

G. Residential Office 3 (G-RO-3)

G-RO-3 is a multi unit and office district allowing urban house, duplex, rowhouse, ~~courtyard apartment~~ and apartment building forms. The tallest building form has a maximum height of three stories.

H. Residential Office - 5 (G-RO-5)

G-RO-5 is a multi unit and office district allowing urban house, duplex, rowhouse, ~~courtyard apartment~~ and apartment building forms. The tallest building form has a maximum height of five stories.

SECTION 6.2.3 MIXED USE DISTRICTS (G-MX-3)

6.2.3.1 General Purpose

- A. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, ~~courtyard apartment~~, apartment, and shopfront building forms that clearly define and activate the public street edge.
- B. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.
- C. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.
- E. In the General Urban Neighborhood Context, the Mixed Use Zone Districts promote a pedestrian-active street front. Buildings are pulled up to the street with parking tucked behind; however, the front setback range is slightly deeper than the front setback range for the Main Street districts. The required percentage of building facade that must be located in the front setback area is less) than the percentage for the Main Street districts. The maximum building coverage is the same as the maximum building coverage for the Main Street districts.

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

B. Setbacks

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

C. Parking Location

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

6.3.2.3 Design Elements

A. Configuration

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

B. Transparency

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

C. Entrances

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

6.3.2.4 Specific Building Form Intent

A. Residential Zone Districts

1. **Urban House**
Establish standards for development on small zone lots, typically Single Unit Dwellings, but may be other uses allowed permitted within the zone district.
2. **Duplex**
Establish standards for development on small zone lots, typically Two Unit Dwellings, but may be other uses allowed permitted within the zone district.
3. **Garden Court**
Establish standards for Multi Unit Dwelling development where dwelling entrances may be oriented around a common, central open space, rather than exclusively orienting toward the street, as Row House requires. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.
4. **Row House**
Establish standards for appropriately designed Multi-Unit Dwelling development within a Row House Zone District, by requiring each unit to have a street-facing entrance. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.
5. **Apartment**
Establish standards for Multi Unit Dwelling development that allows a variety of layouts, but requires a minimum of one entrance at the street. Also accommodates, where allowed permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts

1. **Drive Thru Services**
To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane. Specifically, allow a reduced build-to percentage and an increased build-to range, allow a canopy and garden wall combination to meet a portion of the build-to requirement, and require a garden wall along street frontages.
2. **Drive Thru Restaurant**
Restricted to eating and drinking establishment with an accessory drive-thru lane.
 - a. MX: Allow a reduced build-to percentage, an increased range, and a drive-thru lane to be located between the building and any street.
 - b. MS: For corner lots only, allow a reduced build-to percentage along the Primary Street, when the build-to percentage is increased along the Side Street.
3. **General**
Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.
4. **Shopfront**
Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

URBAN HOUSE

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

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

SITING		G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
ZONE LOT					
	Zone Lot Size (min)	3,000 ft ²	3,000 ft ²	3,000 ft ²	3,000 ft ²
C	Zone Lot Width (min)	25'	25'	25'	25'
	Primary Street, block sensitive setback required	yes	yes	na	na

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

DESIGN ELEMENTS		All G-RH, -MU, -RO			
BUILDING CONFIGURATION					
	Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks			
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater			
GROUND-STORY STREET LEVEL ACTIVATION					
I	Pedestrian Access, Primary Street	Entry Feature			
USES					
		All permitted Primary Uses shall be allowed within this building form See Division 6.4 Uses and Parking			

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

DUPLEX

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

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

SITING		G-RH-3	G-MU-3 G-RO-3	G-MU-5 G-RO-5	G-MU-8, -12, -20
ZONE LOT					
	Zone Lot Size (min)	3,000 ft ²	3,000 ft ²	3,000 ft ²	3,000 ft ²
C	Zone Lot Width (min)	25'	25'	25'	25'
	Primary Street, block sensitive setback required	yes	yes	yes	na

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

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

USES		All G-RH, -MU, -RO Districts			
		All allowable permitted Primary Uses shall be allowed within this building form See Division 6.4 Uses and Parking			

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

GARDEN COURT

HEIGHT		G-RH-3	G-MU-3	G-MU-5
A	Stories (max)	see below	3	3
A	Feet (max)	see below	30'*	30'*
	Stories, front 80% / rear 20% of zone lot depth (max)	3/1	na	na
A	Feet, front 80% / rear 20% of zone lot depth (max)	30'*/19'	na	na
B	Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'	na	na
	Upper Story Setback, for flat roof, Above 25': Side Street and Side Interior (min)	15'	na	na
*1' for every 5' increase in lot width over 50' up to a maximum height of 35'				
SITING		G-RH-3	G-MU-3	G-MU-5
ZONE LOT				
	Zone Lot Size (min)	6,000 ft ²	6,000 ft ²	6,000 ft ²
	Zone Lot Width (min)	50'	50'	50'
SETBACKS				
	Primary Street, block sensitive setback required	yes	yes	na
C	Primary Street, where block sensitive setback does not apply (min)	20'	10'	10'
D	Side Street (min)	5'	5'	5'
E	Side Interior (min)	5'	7.5'	7.5'
F	Rear, alley/no alley (min)	12'/20'	10'/20'	10'/20'
G	Required Separation Between Primary Structures (min)	10'	10'	10'
PARKING				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec. 6.3.7.6)		
I	DETACHED ACCESSORY STRUCTURES	See Sec. 6.3.4		
DESIGN ELEMENTS		G-RH-3	G-MU-3	G-MU-5
BUILDING CONFIGURATION				
J	Street-Facing Courtyard Width (min)	15'	15'	15'
K	Street-Facing Courtyard Depth (min)	30'	30'	30'
	Garden Court Design Standards	See Sec. 6.3.5		
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		
GROUND-STORY STREET LEVEL ACTIVATION				
L	Pedestrian Access	Each dwelling unit shall have a ground-story Street Level Entrance . A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.		
USES		G-RH-3, G-MU-3, G-MU-5		
Primary Uses shall be limited to Multi Unit Dwelling (3+) and allowable permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking				
See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions				

ROW HOUSE

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

SITING		G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
ZONE LOT						
	Zone Lot Size (min)	6,000 ft ²	6,000 ft ²	6,000 ft ²	6,000 ft ²	6,000 ft ²
	Zone Lot Width (min)	50'	50'	50'	50'	50'
REQUIRED BUILD-TO						
C	Primary Street (min % within min/max)	na	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'
SETBACKS						
	Primary Street, block sensitive setback required	yes	yes	na	na	na
D	Primary Street, where block sensitive setback does not apply (min)	20'	10'	10'	10'	10'
E	Side Street (min)	5'	5'	5'	5'	5'
F	Side Interior (min)	5'	7.5'	7.5'	7.5'	7.5'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
G	Rear, alley/no alley (min)	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'
PARKING						
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed				
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)				
H	DETACHED ACCESSORY STRUCTURES	See Sec. 6.3.4				

DESIGN ELEMENTS		G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
BUILDING CONFIGURATION						
	Street-facing Garage Door Width per Primary Structure (max)	20'	20'	20'	20'	20'
J	Upper Story Setback Above 40', Side Interior (min)	na	na	15'	na	na
	Upper Story Setback Above 51', Side Interior (min)	na	na	na	15'	15'
K	Upper Story Setback Above 27', adjacent to Protected District: Side Interior (min)	na	25'	25'	25'	25'
L	Upper Story Setback Above 51', adjacent to Protected District: Side Interior (min)	na	na	40'	40'	40'
	Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)	na	30'/40'	30'/40'	30'/40'	30'/40'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks				
GROUND-STORY STREET LEVEL ACTIVATION						
M	Transparency, Primary Street (min)	na	25%	25%	25%	25%
N	Transparency, Side Street (min)	na	25%	25%	25%	25%
O	Pedestrian Access	Each unit shall have a street-facing Entrance				
USES		G-RH-3; All G-MU and G-RO				
Primary Uses shall be limited to Multi Unit Dwelling (3+) and allowable permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking						

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

APARTMENT

HEIGHT		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
A	Stories (max)	3	5	5	8	12	20
A	Feet (max)	40'	65'	65'	100'	140'	230'
	Feet, within 175' of Protected District (max)	na	na	na	75'	75'	75'

SITING		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
ZONE LOT							
	Zone Lot Size (min)	6,000 ft ²					
	Zone Lot Width (min)	50'	50'	50'	50'	50'	50'

REQUIRED BUILD-TO		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
B	Primary Street (min % within min/max)	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'

SETBACKS		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
	Primary Street, block sensitive setback required	yes	na	na	na	na	na
C	Primary Street, where block sensitive does not apply (min)	10'	10'	10'	10'	10'	10'
D	Side Street (min)	5'	5'	5'	5'	5'	5'
E	Side Interior (min)	7.5'	7.5'	7.5'	7.5'	7.5'	7.5'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
F	Rear, alley/no alley (min)	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'

PARKING		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed					
	Vehicle Access, <u>3 or more side-by-side dwelling units in one structure,</u>	From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)					
	Vehicle Access, <u>all other permitted uses</u>	Shall be determined as part of Site Development Plan Review					

DESIGN ELEMENTS		G-RO-3					
		G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
BUILDING CONFIGURATION							
	Street-facing Garage Door Width per Primary Structure (max)	20'	20'	20'	20'	20'	20'
	Upper Story Setback Above 40', Side Interior (min)	na	15'	na	na	na	na
G	Upper Story Setback Above 51', Side Interior (min)	na	na	15'	15'	15'	15'
H	Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior (min)	na	na	na	20'/30'	20'/30'	20'/30'
I	Upper Story Setback Above 27', adjacent to Protected District: Side Interior (min)	25'	25'	25'	25'	25'	25'
J	Upper Story Setback Above 51', adjacent to Protected District: Side Interior (min)	na	40'	40'	40'	40'	40'
	Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)	na	30'/40'	30'/40'	30'/40'	30'/40'	30'/40'
GROUND-STORY STREET LEVEL ACTIVATION							
K	Transparency, Primary Street (min)	30%	30%	30%	30%	30%	30%
L	Transparency, Side Street (min)	25%	25%	25%	25%	25%	25%
M	Pedestrian Access, Primary Street	Entrance					

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

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

DRIVE THRU SERVICES

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

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

DESIGN ELEMENTS	G-MX-3	G-MS-3, -5
BUILDING CONFIGURATION		
H *Canopy	Building shall be used to meet a portion of the Primary or Side Street Build-To. Canopy may be used to meet a portion of the Primary or Side Street Build-To	Building shall be used to meet a portion of the Primary and Side Street Build-To. Canopy may be used to meet a portion of the Primary and Side Street Build-To
I Screening Required	Garden Wall required within 0'/15' for 100% of the Primary and Side Street frontage, excluding access points and portions of building within 0'/15', following the standards of Article 10, Section 10.5.4.4	
Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'
GROUND-STORY STREET LEVEL ACTIVATION		
J Transparency, Primary Street (min)	40%	60%
K Transparency, Side Street (min)	25%	25%
L Pedestrian Access, Primary Street	Entrance	Entrance
USES	G-MX-3	G-MS-3, -5
	Automobile Services, Light and/or Primary Use with Accessory Drive Thru Uses, excluding Eating/Drinking Establishments	

DRIVE THRU RESTAURANT

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

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

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

USES		All G-MS, G-MX Zone Districts		
Primary Uses shall be limited to an Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only				

GENERAL

HEIGHT	G-MX-3
Stories (max)	3
Feet (max)	45'
Height Exceptions	See Section 6.3.7.1

SITING	G-MX-3
REQUIRED BUILD-TO	
A Primary Street (min build-to % within min/max range)	70% 0'/10'
Build-to Exceptions and Alternatives	See Sections 6.3.7.2 and 6.3.6.1
SETBACKS	
Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	0'
B Side Interior, adjacent to Protected District (min)	10'
Rear, alley and no alley (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4
PARKING	
C Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
D Surface Parking Screening	See Article 10, Division 10.5
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)</u>
Vehicle Access, <u>all other permitted uses</u>	Shall be determined as part of Site Development Plan Review

DESIGN ELEMENTS	G-MX-3
BUILDING CONFIGURATION	
E Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'
GROUND-STORY STREET LEVEL ACTIVATION	
F Transparency, Primary Street (min)	40% Residential Only Buildings: 30%
G Transparency, Side Street (min)	25%
Transparency Alternatives	See Section 6.3.6.2
H Pedestrian Access, Primary Street	Entrance Alternative See Section 6.3.6.3

USES	G-MX-3
	<u>(1) All allowable permitted Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 6.3.5.2.</u>

SHOPFRONT

HEIGHT		G-RX-5	G-MS-3	G-MS-5
	Stories (max)	5	3	5
A	Feet (min/max)	na/70'	na/45'	24'/70'
	Height Exceptions	See Section 6.3.7.1		
SITING		G-RX-5	G-MS-3	G-MS-5
REQUIRED BUILD-TO				
B	Primary Street (min build-to % within min/max range)	75% 0'/10'	75% 0'/5' Residential Only Buildings: 0'/10'	
C	Side Street (min build-to % within min/max range)	na	25% 0'/5' Residential Only Buildings: 0'/10'	
	Build-to Exceptions and Alternatives	See Sections 6.3.7.2 and 6.3.6.1		
SETBACKS				
	Primary Street (min)	0'	0'	0'
	Side Street (min)	0'	0'	0'
	Side Interior (min)	0'	0'	0'
D	Side Interior, adjacent to Protected District (min)	10'	10'	10'
	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4		
PARKING				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed	Not Allowed/Not Allowed	
E	Surface Parking Screening	See Article 10, Division 10.5		
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)</u>		
	<u>Vehicle Access, all other permitted uses</u>	Shall be determined as part of Site Development Plan Review		
DESIGN ELEMENTS		G-RX-5	G-MS-3	G-MS-5
BUILDING CONFIGURATION				
F	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	15'/25'	20'/25'
G	Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	35'/40'	na	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION				
H	Transparency, Primary Street (min)	60% Residential Only Buildings: 40%		
I	Transparency, Side Street (min)	25%		
	Transparency Alternatives	See Section 6.3.6.2		
J	Pedestrian Access, Primary Street	Entrance		
USES		G-RX-5	G-MS-3, -5	
	All <u>allowable permitted</u> Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max	(1) All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) <u>100% of the portion of the ground-story Street Level building frontage within the required that meets the minimum Primary Street and Side Street build-to requirements portion must have at least one primary use, other than parking of vehicles shall be occupied by Street Level active uses as described in Section 6.3.5.2.</u>		

DETACHED ACCESSORY DWELLING UNIT

HEIGHT

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

SITING

ZONE LOT

	G-RH-3	All G-MU, -RO
Exemption from Maximum Building Coverage (Lesser of)	50%/500 ft ² An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft ² . To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.	
Zone Lot Size (min)	3,000 ft ²	3,000 ft ²
Additional Standards	See Sections 6.3.4.3	

SETBACKS

	Located in the rear 35% of the zone lot depth	
C Side Interior and Side Street (min)	5'	5'
	If exceeding 17' in height must be located adjoining the southern most side setback line	
D Rear (min)	5'	5'

PARKING

Vehicle Access	From Alley; or Street access allowed when no Alley present see Sec. 6.3.7.6 for exceptions
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DESIGN ELEMENTS

BUILDING CONFIGURATION

	G-RH-3	All G-MU, -RO
Building Footprint (max)	1,000 ft ²	1,000 ft ²
E Horizontal Dimension (max)	36'	36'

USES

Accessory Uses Only, including accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses

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

DETACHED GARAGE

HEIGHT		All G-RH, -MU, -RO
A	Stories (max)	1
A	Feet (max)	17'

SITING		All G-RH, -MU, -RO
ZONE LOT		
		50% / 500 ft ²
	Exemption from Maximum Building Coverage (Lesser of)	An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft ² . To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.
	Additional Standards	See Sections 6.3.4.3
SETBACKS		
B	Setback from Primary Street Facing Facade of Primary Structure (min)	0'
C	Side Street (min)	5'
C	Side Interior (min), for structure entirely in rear 35% of zone lot depth**	0'
	Side Interior (min), for structure not entirely in rear 35% of zone lot depth	5'
	Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less	3'
D	Rear, no alley (min)	5'
	Rear, alley, where garage doors face alley (min)	5'
	Rear, alley, where garage doors do not face alley** (min)	0'
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present See Sec. 6.3.7.6 for exceptions

DESIGN ELEMENTS		All G-RH, -MU, -RO
BUILDING CONFIGURATION		
	Building Footprint (max)	864 ft ² per unit*
E	Horizontal Dimension (max)	36' per unit
F	Allowed Number of Vehicular Access Doors (max)	3 per unit
F	Cumulative Width of All Vehicular Access Doors (max)	28' per unit
USES		All G-RH, -MU, -RO
		Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses
		See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 ft²

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

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

A. Intent

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

B. Applicability

This Section 6.3.5.2 applies to the General building form in the G-MX zone districts and the Shopfront building form in the G-MS zone districts.

C. Street Level Active Uses

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

SECTION 6.3.6 DESIGN STANDARD ALTERNATIVES

6.3.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

~~If used in combination, the alternatives may count toward no more than 25% of the requirement.~~

REQUIRED BUILD-TO ALTERNATIVES							
ZONE DISTRICT	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURTYARD (MAX % OF BUILD-TO)
G-RX G-MX	<u>na</u>	<u>na</u>	25%*	30%*	30%*	100%	<u>100%</u>
G-RH R-MU G-MS	<u>na</u>	<u>na</u>	25%*	30%*	30%*	100%	<u>na</u>

*If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than ~~25%~~ 30% of required build-to.

C. Garden Walls

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

- ~~1. Garden Walls must be between 30" and 42" in height with the following exceptions:

 - ~~a. Decorative and/or structural piers may exceed the allowed height range.~~
 - ~~b. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.~~
 - ~~c. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".~~~~
- ~~2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.~~
- ~~3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.~~
- ~~4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Article 10.~~

D. Pergola

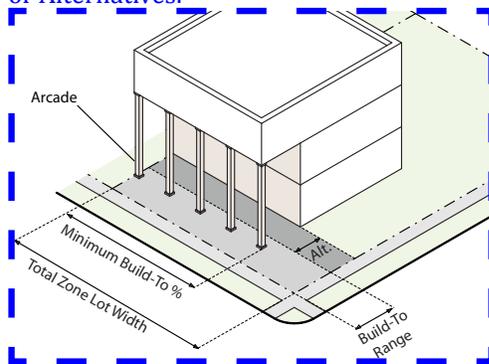
~~In all General Urban Neighborhood Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:~~

1. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line:
2. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways:
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension:
4. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center:
5. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade:
6. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports:

E. Arcades

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

1. They extend no more than two stories in height;
2. The exterior face of the arcade column line is within the build-to range and meets the required build-to minimum percentage that is not otherwise met by the building;
3. The arcade column line generally continues the wall plane of the building above;
4. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns;
5. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
6. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives:



Graphic above moved to Article 13

F. Courtyard

In all G-MX and G-RX Zone Districts, a courtyard may count toward the Required Build-to Percentage, when all of the following are met:

1. **Minimum Design:**
 - a. Shall be Primary Street facing;
 - b. Shall have a Width of at least 15'

- c. ~~Shall have a Depth of at least 30'~~
- 2. ~~The Courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:~~
 - a. ~~No more than one-half story above or below grade at the zone lot line adjoining the primary street; may be on the structure;~~
 - b. ~~Visually and physically accessible from the primary street; may be secured for private use;~~
 - c. ~~Open to the sky; and~~
 - d. ~~Bounded on not less than 3 sides with connected building facades.~~
- 3. ~~The Courtyard area may be used for any of the following:~~
 - a. ~~Single or multiple entries to uses within the building;~~
 - b. ~~Public or private landscaped area;~~
 - c. ~~Outdoor seating area; or~~
 - d. ~~Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.~~

6.3.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 6.3.6.2.B 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES							
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	WINDOWS- OUTSIDE-THE ZONE (MAX)	DISPLAY CASES AND AUTOMATED TELLER/ TICKET MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
G-MU	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
G-RO	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
G-RX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%

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

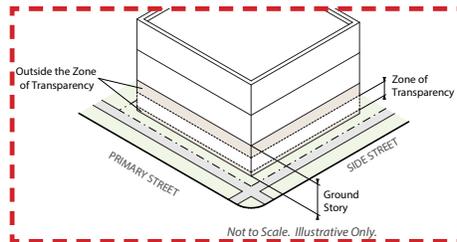
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

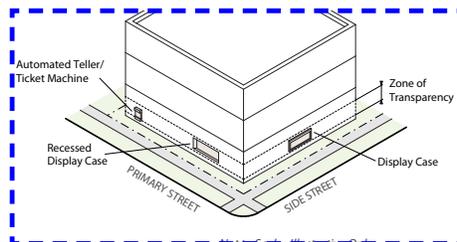


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2. Display Cases and Automated Teller/Ticket Machines

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

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



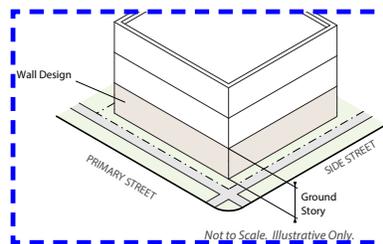
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3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3-

of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

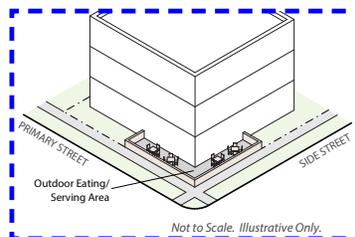
- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations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



Graphic above moved to Article 13 and revised/expanded

4. **Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. **Permanent Art**

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

6.3.6.3 **Pedestrian Access (Entrance) Alternatives**

A. **Intent**

The Entrance alternative shall To provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building.

B. **Entrance Alternatives Allowance**

In General Urban Neighborhood Context Zone Districts, excluding the Main Street Zone District and Row House building form, an alternative to an Entrance is permitted. An entrance alternative shall be one of the following: In the G-RO, G-MU, G-MX and G-RX Zone Districts for

all building forms except Row House, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

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

SECTION 6.3.7 DESIGN STANDARD EXCEPTIONS

6.3.7.1 Height Exceptions

A. Intent

To allow unoccupied 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 unoccupied 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 6.3.7.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

UNOCCUPIED 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 G- Zone Districts	No	No	Not allowed Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
<u>Unoccupied</u> spires, towers, flagpoles, antennas, chimneys, flues and vents	All G- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
<u>Unoccupied</u> cooling towers and enclosures for tanks	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
<u>Unoccupied</u> elevator penthouses, <u>unoccupied shade structures</u> , stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	All 3-Story or lower G-MU, G-MX, G-MS Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed
<u>Unoccupied</u> elevator penthouses, <u>unoccupied shade structures</u> , stair enclosures, and <u>enclosed or unenclosed</u> mechanical equipment including <u>any</u> vertical or sloped screen walls <u>for such equipment</u>	All 5-Story or greater G-MU, G-RX, G-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All 3-Story or lower G-MU, G-MX, G-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Elevator lobbies</u>	<u>All 5-Story or greater G-MU, G-RX, G-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 3-Story or lower G-MU, G-MX, G-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All 5-Story or greater G-MU, G-RX, G-MS Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
Parapet Wall and/or Safety Railing	All 5-Story or greater G- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All G- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance

UNOCCUPIED 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
Evaporative coolers	All G- Zone Districts	No	Yes	Any distance	<u>Not applicable</u>	Any distance	Any distance
Accessory water tanks	All G-MX, G-MS Zone Districts	No	Yes	28'	<u>Not applicable</u>	Any distance	Any distance

6.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

1. Intent

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

2. Standard

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

B. Parkways

1. Intent

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

2. Standard

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

C. G-MU-3 and G-RO-3 Block Sensitive Setback

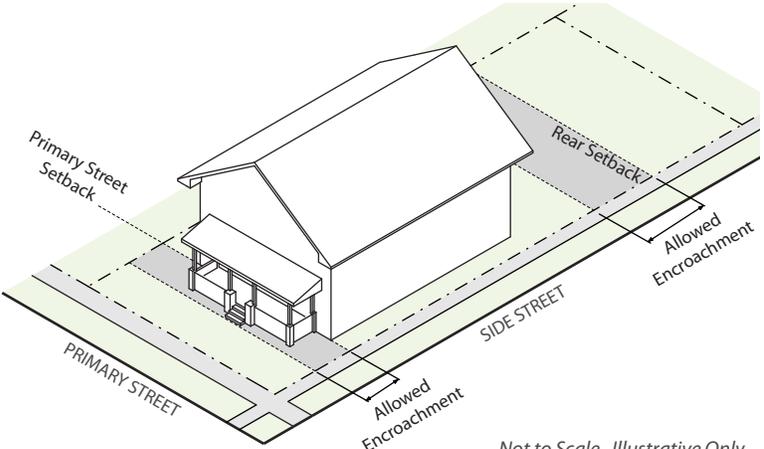
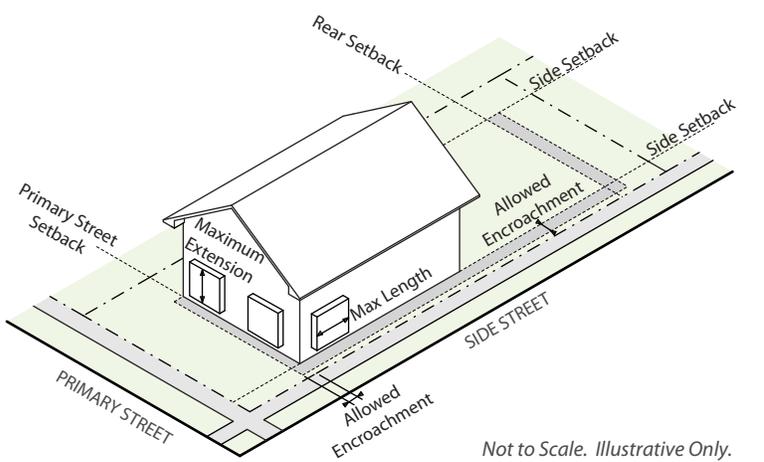
1. Intent

To maintain an established context or pattern by ensuring the block sensitive setback establishes the build-to range.

2. Standard

In the G-MU-3 and G-RO-3 Zone Districts, when the Primary Street, block sensitive setback is different than the Primary Street required build-to min/max range, the following shall establish the min/max build-to range. In all cases, the minimum build-to percentage shall apply:

- a. The minimum in the build-to min/max range shall follow:
 - i. The Primary Street, block sensitive setback when greater than the min.
 - ii. The build-to min in the min/max range, when the Primary Street, block sensitive setback is less than the min.
- b. The maximum in the build-to min/max range shall follow:
 - i. The Primary Street, block sensitive setback when greater than the max.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, <u>Stoops</u>, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open <u>except for any side abutting a building facade.</u></p>	All G- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All G- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Garden Court, Rowhouse, Courtyard apartment and Apartment building forms	All G-RH, G-MU and G-RO	Not allowed	Not allowed	Allowed within the rear 35% of the Zone Lot only	Any distance
Intent: To restrict off-street parking area where it is impactful due to the number of required parking spaces.					

3. Service & Utility Elements

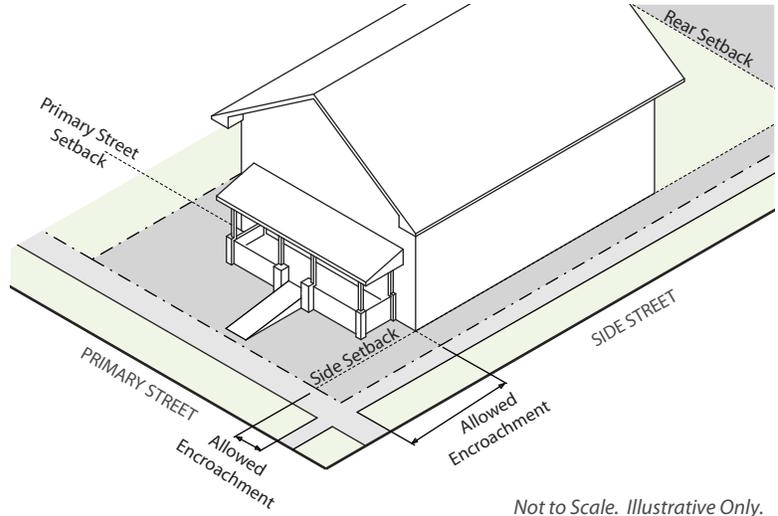
To allow for minor service and utility elements while maintaining an open and unobstructed setback space.

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

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



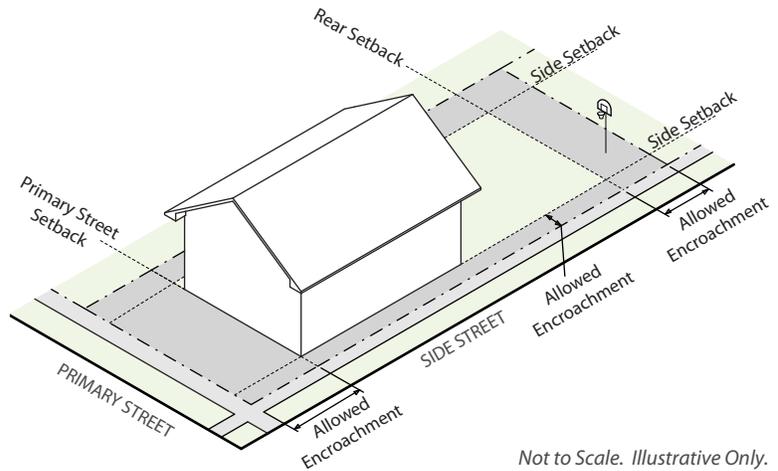
Illustrative only



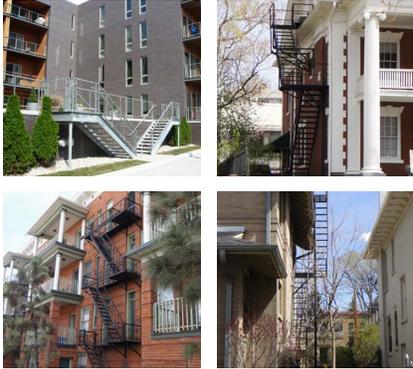
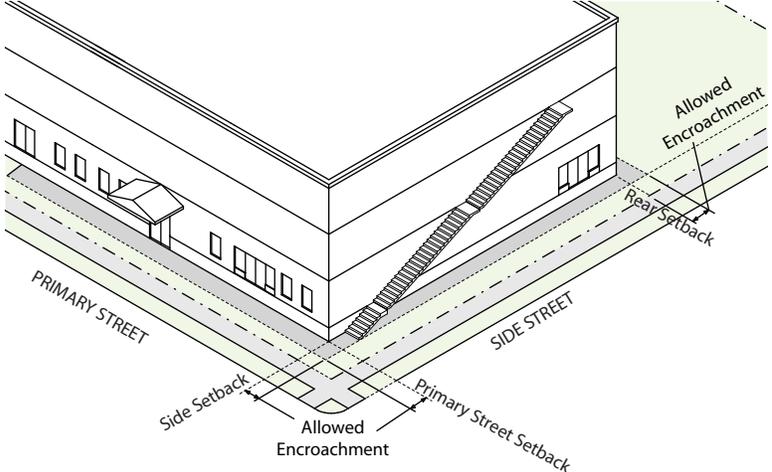
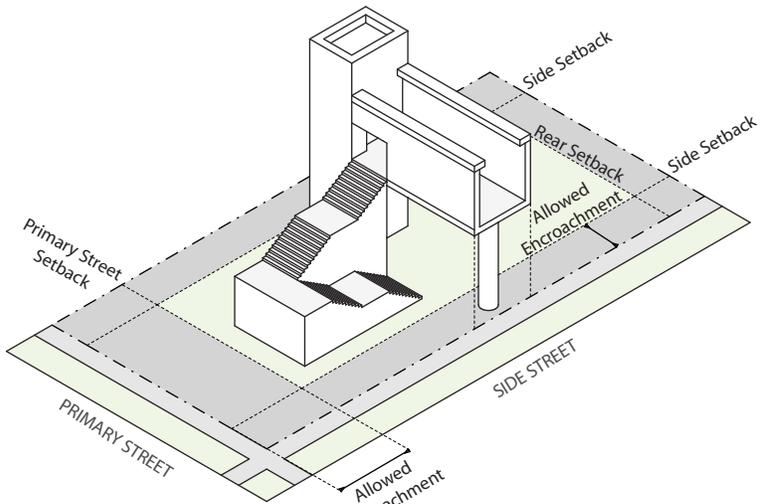
Not to Scale. Illustrative Only.

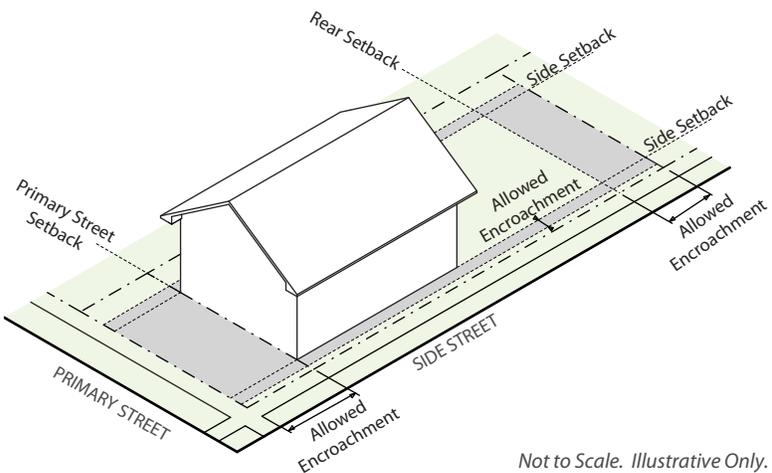
ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
All G- Zone Districts	Any distance	Any distance	Any distance	Any distance

Basketball goals on a fixed post



Not to Scale. Illustrative Only.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside 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</u></p> <p>Intent: To provide for emergency egress from a building only for emergency purposes</p>	All G- Zone Districts	5'	3'	3'	10'
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station, provided Public Works has approved a right-of-way encumbrance. Shall not include elevators, stairways or other vertical circulation elements.</p> <p>Intent: To allow for above-grade connections to and from transit stations</p>	All G- Zone Districts	Any distance	Any distance	Any distance	Any distance
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.</p>	All G- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
<p>Intent: To allow for emergency egress</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>				

6.3.7.5 Building Coverage Exception

A. Applicability

All G- Zone Districts where a building coverage standard applies.

B. Front Porch

1. Intent

To promote street activation.

2. Standard

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

C. Detached Accessory Dwelling Unit or Detached Garage

1. Intent

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

2. Standard

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

6.3.7.6 Vehicle Access From Alley Required - Exceptions

A. No Alley

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

DIVISION 6.4 USES AND REQUIRED MINIMUM PARKING

SECTION 6.4.1 APPLICABILITY

- 6.4.1.1 This Division 6.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the General Urban Neighborhood Context Zone Districts.
- 6.4.1.2 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.
- 6.4.1.3 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

SECTION 6.4.2 ORGANIZATION - SUMMARY USE AND PARKING TABLE

6.4.2.1 Organized by Primary, Accessory and Temporary Uses

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

6.4.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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 6.4.3 EXPLANATION OF TABLE ABBREVIATIONS

6.4.3.1 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.

SECTION 6.4.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	G-RH-3	G-MU-3	G-MU-5	G-MU-8	G-MU-12	G-MU-20	G-RO-3	G-RO-5	G-RX-5	G-MX-3	G-MS-3	G-MS-5	APPLICABLE USE LIMITATIONS
RESIDENTIAL PRIMARY USE CLASSIFICATION														
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	NP	NP	NP	NP	L-ZP	§ 11.2.3							
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	P-ZPIN	P-ZP											
	Community Corrections Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	P-ZP											
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: .0.125/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.6
	Rooming and Boarding House • Vehicle - MS only: 2 / 1,000 ft ² GFA • Vehicle: 3.75/ 1,000 ft ² GFA • Bicycle: No requirement	NP	P-ZP											
	Shelter for the Homeless • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP-L	L-ZPIN/L	§ 11.2.79										
	Student Housing • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	NP	P-ZP											
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION														
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (20/80)	P-ZP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (20/80)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* • Vehicle: .375/ 1,000 ft ² GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle: 1/1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6
Education	University or College • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.6 ; § 11.3.7
	Vocational or Professional School • Vehicle: 1/ 1,000 ft ² GFA • Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.3.6

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: <u>No requirement 1/10,000 ft² GFA (0/100)</u>	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.3.8
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION									
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	Not Applicable			§ 11.4.3
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	NP	§ 11.4.5
Eating & Drinking Establishments	All Types • Vehicle - MS only: 2 / 1,000 ft ² GFA • Vehicle: 3.75/ 1,000 ft ² GFA • Bicycle: 1/3,000 ft ² GFA (0/100)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	§ 11.4.6

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/4 guest room or unit (80/20) 1/ 10,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/4 guest room or unit (80/20) 1/ 10,000 ft ² GFA (60/40)	NP	NP	NP	NP	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (60/40)	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.4.7
	Office, All Others • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (60/40)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.4.9
	Animal Sales and Services, All Others	NP	NP	NP	NP	NP	NP	NP	
	Body Art Establishment • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.4.10
	Food Sales or Market • Vehicle: 1.875/ 1,000 ft ² GFA • Bicycle: 1/10,000 ft ² GFA (20/80)	NP	NP	NP	NP	L-ZP	P-ZP	P-ZP	§ 11.4.11

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	APPLICABLE ZONING PERMITS							APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-8	G-MU-12	G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION									
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 •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	P-ZP	L-ZP/ZPSE	G-MS-3: L-ZP/ZPSE G-MS-5: P-ZP	§ 11.5.1
	Telecommunications Towers* •No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§ 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
Industrial Services	Contractors, Special Trade - General •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	P L-ZP	P L-ZP	P L-ZP	<u>§ 11.5.5</u>
	Laboratory, Research, Development and Technological Services	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.5.4
	Service/Repair, Commercial •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement	NP	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	§ 11.5.6
	Manufacturing, Fabrication & Assembly -- General	NP	NP	NP	NP	NP	NP	NP	
	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 Requirement	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§ 11.5.9

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Heliport, Heliport* No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZP	L-ZP	§ 11.5.10
	Railroad Facilities*	NP	NP	NP	NP	NP	NP	NP	
	Railway Right-of-Way* No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.5.11
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	
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 • Vehicle: 0.1-.5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	NP	§ 11.5.12
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§ 11.5.14
AGRICULTURE PRIMARY USE CLASSIFICATION									
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • Vehicle: .5/ 1,000 ft ² 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 • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.6.3

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS				
		G-RH-3	G-MU-3	G-MU-5	G-MU-8	G-MU-12	G-MU-20	G-RO-3	G-RO-5	G-RX-5	G-MX-3	G-MS-3	G-MS-5

ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§ 11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP
Domestic Employee	L	L	L	L	L	L	L	L	§ 11.7.1; § 11.8.3
Garden*	L	L	L	L	L	L	L	L	§ 11.7, § 11.8.4
Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§ 11.7; § 11.8.5
Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
Kennel or Exercise Run*	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.6
Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	Not Applicable - See Allowed Permitted Primary Uses		§ 11.7; § 11.8.7
Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.8.8
Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	§ 11.7; § 10.9.
Wind Energy Conversion Systems*	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	Not Applicable - See Allowed Permitted Primary Uses		§ 11.7; § 11.5.8
Yard or Garage Sales*	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.9

HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

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

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USE CATEGORY	SPECIFIC USE TYPE								APPLICABLE USE LIMITATIONS	
	<ul style="list-style-type: none"> • 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) 			G-MU-3 G-MU-5 G-RH-3	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§ 11.7; § 11.10.1
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	Not Applicable - See Allowed Permitted Primary Uses	Not Applicable - See Allowed Permitted Primary Uses	Not Applicable - See Allowed Permitted Primary Uses	§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	Not Applicable - See Allowed Permitted Primary Uses			§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	L-ZP	L-ZP	NP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See Allowed Permitted Primary Uses			L	Not Applicable - See Allowed Permitted Primary Uses		§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Garden*	L	L	L	L	L	L	L	§ 11.7; § 11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§ 11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable - See Allowed Permitted Primary Uses	Not Applicable		§ 11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	§ 11.7; § 11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.7; § 11.10.13
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	§ 11.7; § 11.10.15
Outdoor Storage, Limited*	NP	NP	NP	NP	NP	L	L	§ 11.7; § 11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10.17	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	APPLICABLE ZONING DISTRICTS							APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-5	G-MX-3	G-MS-3 G-MS-5	
TEMPORARY USE CLASSIFICATION									
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L- Applicable to all Zone Districts							§ 11.11.1
	Ambulance Service - Temporary	NP	L-ZP	L-ZP	L-ZP	L-ZP	Not Applicable - See Allowed Permitted Primary Uses		§ 11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 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	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	§ 11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Retail Sales*	NP	NP	NP	NP	L-ZP	L-ZP	NP	§ 11.11.11
	Outdoor Sales, Seasonal*	NP	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	§ 11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.11.13
	Retail Food Establishment, Mobile*	NP	NP	NP	NP	L-ZP	L-ZP	NP	§ 11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 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		

DIVISION 7.1 NEIGHBORHOOD CONTEXT DESCRIPTION



SECTION 7.1.1 GENERAL CHARACTER

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

SECTION 7.1.2 STREET, BLOCK AND ACCESS PATTERNS

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

SECTION 7.1.3 BUILDING PLACEMENT AND LOCATION

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

SECTION 7.1.4 BUILDING HEIGHT

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

SECTION 7.1.5 MOBILITY

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

DIVISION 7.2 DISTRICTS (C-MX, C-RX, C-MS, C-CCN)

SECTION 7.2.1 DISTRICTS ESTABLISHED

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

Urban Center Neighborhood Context

C-MX-3	Mixed Use 3
C-MX-5	Mixed Use 5
C-MX-8	Mixed Use 8
C-MX-12	Mixed Use 12
C-MX-16	Mixed Use 16
C-MX-20	Mixed Use 20
C-RX-5	Residential Mixed Use 5
C-RX-8	Residential Mixed Use 8
C-RX-12	Residential Mixed Use 12
C-MS-5	Main Street 5
C-MS-8	Main Street 8
C-MS-12	Main Street 12
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

SECTION 7.2.2 MIXED USE DISTRICTS (C-MX-3, -5, -8, -12, -16, -20)

7.2.2.1 General Purpose

- A. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, ~~courtyard apartment~~, apartment, and shopfront building forms that clearly define and activate the public street edge.
- B. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.
- C. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.
- E. In the Urban Center Neighborhood Context, the Mixed Use Zone Districts require the same level of pedestrian enhancements as the Main Street Zone Districts. In the Urban Center Neighborhood Context, the primary difference between the Mixed Use Zone Districts and the Main Street Zone Districts is Main Street districts mandate shopfront buildings at the street edge.
- F. Mixed use buildings have a shallow front setback range. The build-to requirements are high.

7.2.2.2 Specific Intent

A. Mixed Use – 3 (C-MX-3)

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

B. Mixed Use – 5 (C-MX-5)

C-MX-5 applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired.

C. Mixed Use – 8 (C-MX-8)

C-MX-8 applies to areas or intersections served primarily by arterial streets where a building scale of 2 to 8 stories is desired.

D. Mixed Use – 12 (C-MX-12)

C-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 12 stories is desired.

E. Mixed Use – 16 (C-MX-16)

C-MX-16 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 16 stories is desired.

F. Mixed Use – 20 (C-MX-20)

C-MX-20 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 20 stories is desired.

SECTION 7.2.3 RESIDENTIAL MIXED USE DISTRICTS (C-RX-5, -8, -12)

7.2.3.1 General Purpose

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

7.2.3.2 Specific Intent

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

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

B. Residential Mixed Use 8 (C-RX-8)

C-RX-8 applies to residentially-dominated areas served primarily by collector or arterial streets where a building scale of 2 to 8 stories is desired.

C. Residential Mixed Use 12 (C-RX-12)

C-RX-12 applies to residentially-dominated areas served primarily arterial streets where a building scale of 2 to 12 stories is desired.

SECTION 7.2.4 MAIN STREET DISTRICTS (C-MS-5, -8 -12)

7.2.4.1 General Purpose

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

7.2.4.2 Specific Intent

A. Main Street 5 (C-MS-5)

C-MS-5 applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired.

B. Main Street 8 (C-MS-8)

C-MS-8 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 8 stories is desired.

C. Main Street 12 (C-MS-12)

C-MS-12 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 12 stories is desired.

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

7.2.5.1 General Purpose

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

7.2.5.2 Specific Intent

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

7.3.2.2 Siting

- A. Required Build-To
 - 1. Provide a consistent street edge to enhance character of the context.
 - 2. Define streets to promote pedestrian activity and sense of place.
 - 3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
- B. Setbacks
 - 1. Site buildings to be consistent with the intended character and functional requirements of the urban context.
 - 2. Site buildings to define the street edge/public realm consistent with the context.
 - 3. Utilize buildings to create positive transitions between districts.
- C. Parking Location
 - 1. Minimize the visual impacts of parking areas on streets and adjoining property.
 - 2. Minimize conflicts between pedestrian and vehicles.

7.3.2.3 Design Elements

- A. Building Configuration
 - 1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
 - 2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
 - 3. Main Street setback: Reinforce the proportional scale of buildings to street width in order to establish a strong edge to Main Streets and other urban street corridors..
 - 4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
- B. Transparency
 - 1. Maximize transparency of windows at sStreet HLevel to activate the street.
 - 2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect the uses within the building.
 - 3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.
- C. Entrances
 - 1. Give prominence to pedestrian realm as a defining element of neighborhood character.
 - 2. Provide convenient access to buildings and pedestrian active uses from the street.
 - 3. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
 - 4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
 - 5. Create visually interesting and human-scaled facades.

DRIVE THRU SERVICES

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

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

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

DRIVE THRU RESTAURANT

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

SITING		All C-MX	All C-MS
REQUIRED BUILD-TO			
B	Primary Street (min % within min/max)	Corner Lots: 50% 0'/10' All other: 70% 0'/10'	Corner Lots: 50% 0'/5' All other: 75% 0'/5'
C	Side Street (min % within min/max)	50% 0'/10'	50% 0'/5'

SETBACKS		All C-MX	All C-MS
D	Primary Street (min)	0'	0'
E	Side Street (min)	0'	0'
F	Side Interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
G	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'

PARKING		All C-MX	All C-MS
	Surface Parking between building and Primary Street/ Side Street	Not Allowed/Not Allowed	
	Drive Thru Lane between building and Primary Street/ Side Street	Not Allowed/Not Allowed	
	Vehicle Access	Shall be determined as part of Site Development Plan Review	

DESIGN ELEMENTS		All C-MX	All C-MS
BUILDING CONFIGURATION			
	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	15'/25'

GROUND-STORY STREET LEVEL ACTIVATION		All C-MX	All C-MS
H	Transparency, Primary Street (min)	40%	60%
I	Transparency, Side Street (min)	25%	25%
J	Pedestrian Access, Primary Street	Entrance	Entrance

USES		All C-MX	All C-MS
		Primary Uses shall be limited to an Eating/Drinking Establishment Primary Use with Accessory Drive Thru Use Only. See Division 7.4 Uses and Parking	

GENERAL

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

	C-MX-3	C-RX-5 C-MX-5	C-RX-8 C-MX-8	C-RX-12 C-MX-12	C-MX-16	C-MX-20
SITING						
REQUIRED BUILD-TO						

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

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

PARKING						
Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed					
C Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access, <u>3 or more side-by-side dwelling units in one structure</u>	From Alley; or Street access allowed when no Alley present (Sec. 7.3.5.3)					
Vehicle Access, <u>all other permitted uses</u>	Shall be determined as part of Site Development Plan Review					

	C-MX-3	C-RX-5 C-MX-5	C-RX-8 C-MX-8	C-RX-12 C-MX-12	C-MX-16	C-MX-20
DESIGN ELEMENTS						
BUILDING CONFIGURATION						
D Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
E Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'

GROUND-STORY STREET LEVEL ACTIVATION						
F Transparency, Primary Street (min)	40% Residential Only Buildings: 30%					
G Transparency, Side Street (min)	25%					
Transparency Alternatives	See Section 7.3.6.3					
H Pedestrian Access, Primary Street	Entrance					

USES	All C-MX	All C-RX
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(1) All allowable permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 7.3.5.4.

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

CHERRY CREEK GENERAL

HEIGHT		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
	Stories (max)	3	4	5	7	8	12
	Feet (max)	45'	57'	70'	96'	110'	150'
A	3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	Yes	Yes	Yes	Yes	Yes	Yes
	Height Exceptions	See Section 7.3.7.1					
SITING		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
REQUIRED BUILD-TO							
B	Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'
SETBACKS							
	Primary Street (min)	5'	5'	5'	5'	5'	5'
	Side Interior (min)	0'	0'	0'	0'	0'	0'
C	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
	Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
PARKING							
D	Surface Parking between building and Primary Street	Not Allowed					
E	Surface Parking Screening Required	See Article 10, Division 10.5					
	Vehicle Access	See Section 7.3.5.2					
DESIGN ELEMENTS		C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
BUILDING CONFIGURATION							
F	Mass Reduction where Zone Lot Size is greater than 9,375 square feet (min)	25%	25%	25%	25%	25%	25%
	Mass Reduction where Zone Lot Size is 9,375 square feet or less, as of October 27, 2014 (min)	na	na	na	na	na	na
G	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
H	Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION							
I	Transparency, Primary Street (min)	60%					
J	Pedestrian Access, min 1 per building	Entrance					
USES		All C-CCN					
All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking							

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

		C-CCN-3, -4, -5	
HEIGHT		Option A	Option B
	Stories (max)	3	3
	Feet (max)	45'	45'
A	3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	No	Yes
B	3rd Avenue CCN Bulk Plane Exception	na	50'
	Height Exceptions	See Section 7.3.7.1	
		C-CCN-3, -4, -5	
SITING		Option A	Option B
ZONE LOT			
	Zone Lot Size, as of October 27, 2014 (max)	6,250 ft ²	6,250 ft ²
C	Zone Lot Width on the south side of 3rd Avenue	At least 1' but no more than 50'	More than 50'
REQUIRED BUILD-TO			
D	Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'
SETBACKS			
	Primary Street (min)	5'	5'
	Side Interior (min)	0'	0'
E	Side Interior, adjacent to Protected District (min)	10'	10'
	Rear, alley and no alley (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4	
PARKING			
F	Surface Parking between building and Primary Street	Not Allowed	
G	Surface Parking Screening Required	See Article 10, Division 10.5	
	Vehicle Access	See Section 7.3.5.2	
		C-CCN-3, -4, -5	
DESIGN ELEMENTS		Option A	Option B
BUILDING CONFIGURATION			
H	Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'
	Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na
GROUND STORY STREET LEVEL ACTIVATION			
I	Transparency, Primary Street (min)	60%	
J	Pedestrian Access, min 1 per building	Entrance	
USES		C-CCN-3, -4, -5: Options A and B	
All allowable permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking			

CHERRY CREEK OPEN SPACE

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

SITING	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
REQUIRED BUILD-TO						
A Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'
SETBACKS						
Primary Street (min)	5'	5'	5'	5'	5'	5'
Side Interior (min)	0'	0'	0'	0'	0'	0'
B Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
PARKING						
C Surface Parking between building and Primary Street	Not Allowed					
D Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access	See Section 7.3.5.2					

DESIGN ELEMENTS	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
BUILDING CONFIGURATION						
E Private Open Space (min)	15%	15%	15%	15%	15%	15%
F Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
G Upper Story Setback Above 51'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'

GROUND-STORY STREET LEVEL ACTIVATION						
H Transparency, Primary Street (min)	60%					
I Pedestrian Access, min 1 per building	Entrance					

USES	All C-CCN					
All allowable permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking						

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

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

SITING	C-CCN-3, -4, -5	
	Option A	Option B
ZONE LOT		
Zone Lot Size, as of October 27, 2014 (max)	9,375 ft ²	6,250 ft ²
	OR	
A Zone Lot Width on the south side of 3rd Avenue	At least 1'	At least 1' but no more than 50'
		Over 50'
REQUIRED BUILD-TO		
B Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'
SETBACKS		
Primary Street (min)	5'	5'
Side Interior (min)	0'	0'
C Side Interior, adjacent to Protected District (min)	10'	10'
Rear, alley and no alley (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4	
PARKING		
D Surface Parking between building and Primary Street	Not Allowed	
E Surface Parking Screening Required	See Article 10, Division 10.5	
Vehicle Access	See Section 7.3.5.2	

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

GROUND-STORY STREET LEVEL ACTIVATION

Transparency, Primary Street (min)	60%
Pedestrian Access, min 1 per building	Entrance

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

SHOPFRONT

HEIGHT		C-MS-5	C-MS-8	C-MS-12
	Stories (max)	5	8	12
A	Feet (min/max)	24'/70'	24'/110'	24'/150'
	Height Exceptions	See Section 7.3.7.1		
SITING		C-MS-5	C-MS-8	C-MS-12
REQUIRED BUILD-TO				
B	Primary Street (min build-to % within min/max range)	75% 0'/5' Residential Only Buildings: 0'/10'		
C	Side Street (min build-to % within min/max range)	25% 0'/5' Residential Only Buildings: 0'/10'		
	Build-to Exceptions and Alternatives	See Sections 7.3.7.2 and 7.3.6.1		
SETBACKS				
	Primary Street (min)	0'	0'	0'
	Side Street (min)	0'	0'	0'
	Side Interior (min)	0'	0'	0'
D	Side Interior, adjacent to Protected District (min)	10'	10'	10'
	Rear, alley and no alley (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'
	Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4		
PARKING				
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed		
E	Surface Parking Screening Required	See Article 10, Division 10.5		
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 7.3.5.3)</u>		
	Vehicle Access, <u>all other permitted uses</u>	Shall be determined as part of Site Development Plan Review		
DESIGN ELEMENTS		C-MS-5	C-MS-8	C-MS-12
BUILDING CONFIGURATION				
F	Primary Street Upper Story Setback above 5 stories or 70' (min) See Section 7.3.6.2 for Alternative	na	20'	20'
G	Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	35'/40'	35'/40'	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION				
I	Transparency, Primary Street (min)	60% Residential Only Buildings: 40%		
J	Transparency, Side Street (min)	25%	30%	30%
	Transparency Alternatives	See Section 7.3.6.3		
K	Pedestrian Access, Primary Street	Entrance		
USES		All C-MS		
(1) All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking; and (2) <u>100% of the portion of the ground-story Street Level building frontage within the required that meets the minimum Primary Street and Side Street build-to requirements portion must have at least one primary use, other than parking of vehicles shall be occupied by Street Level active uses as described in Section 7.3.5.4.</u>				

SECTION 7.3.5 SUPPLEMENTAL DESIGN STANDARDS

7.3.5.1 Ground Stories of Parking Structures in the C-CCN Zone Districts

A. Intent

Improve the pedestrian experience along the ~~s~~Street ~~H~~Level in the Cherry Creek North mixed use shopping district by requiring ground-story, pedestrian-friendly active uses in all new or redeveloped buildings and structures containing parking spaces. Active ground-story uses best ensure a steady stream of customer and visitor interaction throughout the day and night, contributing substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. ~~Ground Story Street Level~~ area set aside in buildings or structures for active uses is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly active uses.

B. Applicability

Section 7.3.5.1 design standards shall apply to any structure containing parking spaces in the C-CCN Zone Districts. The term “parking spaces” in this provision means both parking spaces accessory to a primary use and/or parking spaces that comprise the primary use of the structure.

C. Permitted Active Ground-Story Street Level Uses

1. The ~~ground-story Street Level~~ of a structure containing parking spaces shall be occupied by a use ~~allowed~~ permitted in the applicable C-CCN Zone District for 100% of the structure’s primary street frontage(s), except the following uses are prohibited from occupying any portion of the structure’s street frontage(s):
 - a. Parking, Garage,
 - b. Parking accessory to a primary use otherwise ~~allowed~~ permitted in the same building or structure,
 - c. Household Living, and
 - d. Automobile Services, Light or Heavy, except as otherwise allowed in Section 11.4.16.3.
2. Residential lobbies and other similar pedestrian access to and through the subject structure from the primary street side(s) of the building may be credited toward compliance with the 100% ~~ground-story Street Level active~~ use frontage requirement in Section 7.3.5.1.C.1 above.
3. When vehicle access to on-site parking or loading spaces from a primary street is allowed under Section 7.3.5.2, the width of such vehicle access may be credited toward compliance with the 100% ~~ground-story Street Level active~~ use frontage requirement in Section 7.3.5.1.C.1 above.

See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.4 of this Code, and C-CCN Zone District uses limitations related to ground-story Automobile Services, Light or Heavy uses in Section 11.4.16.3.

7.3.5.2 Vehicle Access in the C-CCN Zone Districts

A. Intent

Vehicle driveways that access zone lots in the C-CCN Zone Districts directly from a public street create conflict points with pedestrians and detract from the objective of encouraging active ground-story uses along public street frontages in Cherry Creek North. This section’s standards will improve the pedestrian experience along the ~~s~~Street ~~H~~Level in Cherry Creek North by requiring vehicle access to zone lots be taken from public alleys to the maximum extent feasible.

B. Applicability

This Section 7.3.5.2 applies to development in the C-CCN Zone Districts that proposes either new vehicle access or a change in location of existing vehicle access to the subject zone lot. This Section shall apply to all proposed vehicle access points to the same zone lot.

C. Location of Vehicle Access

1. All vehicle access to a zone lot in the C-CCN Zone Districts shall be from an alley, when alley access is present.
2. If alley access is not present or if alley access is not feasible due to lot configuration, an Applicant shall first give preference to vehicle access to the zone lot from a named street before proposing vehicle access from a numbered street.
3. Whenever street (not alley) vehicle access to the zone lot is allowed, the width of the vehicle ingress/egress ways from the street shall be minimized.

7.3.5.3 Vehicle Access in all other Zone Districts

A. No Alley

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

B. Alley

Where a building form specifies vehicle access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

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

7.3.5.4 Street Level Active Uses in the C-MX and C-MS Zone Districts

A. Intent

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

B. Applicability

This Section 7.3.5.4 applies to the General building form in the C-MX zone districts and the Shopfront building form in the C-MS zone districts.

C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
 - a. Mini-storage Facility; or
 - b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
 - a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
 - b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 7.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

SECTION 7.3.6 DESIGN STANDARD ALTERNATIVES

7.3.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

~~If used in combination, the alternatives may count toward no more than 25% of the requirement. In the C-CCN Zone Districts, the Outdoor Patio Seating and Private Open Space alternatives may be used singularly or in combination as alternatives to a required build-to minimum percentage standard for 100% of the requirement, provided the Outdoor Patio Seating complies with the Private Open Space rule of measurement in Article 13.~~

REQUIRED BUILD-TO ALTERNATIVES							
ZONE DISTRICT	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURTYARD (MAX % OF BUILD-TO)
C-RX C-MX	na	na	25%***	30%***	30%***	100%	100%
C-MS	na	na	25%***	30%***	30%***	100%	na
C-CCN	5' –	100%**	25%***	30%***	30%***	100%	na

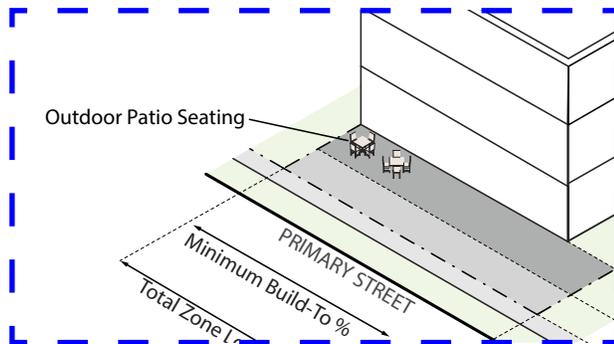
*Permitted increase in the maximum depth of the required build-to range.

** If used in combination with each other, the permanent outdoor patio seating and private open space alternatives may count toward 100% of required build-to, provided the outdoor patio seating complies with the private open space rule of measurement in article 13.

***If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than ~~25%~~30% of required build-to.

C. Outdoor Patio Seating

In all C-CCN Zone Districts, the Required Build-To Range may be increased from 15' to 20' when Outdoor Patio Seating is provided between the building and the Primary Street. Ground Story Activation requirements shall still apply.



Graphic above moved to Article 13 and revised

D. Private Open Space

In all C-CCN Zone Districts, any portion of the Private Open Space (see Article 13, Division 13.1) shall count toward up to 100% of the Required Build-To Percentage.

E. Garden Walls

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

1. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - a. Decorative and/or structural piers may exceed the allowed permitted height range.
 - b. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.
 - c. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".
2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.
3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.
4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Article 10.

F. Pergola

In all Urban Center Neighborhood Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage provided the pergola meets all of the following standards:

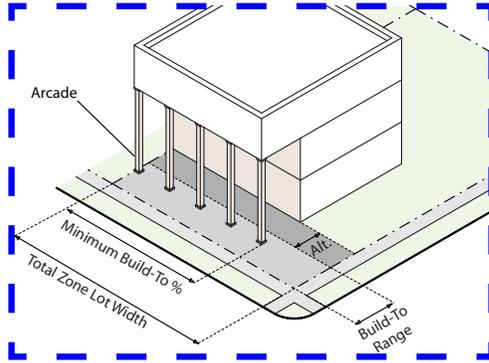
1. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.
2. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
4. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
5. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
6. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

G. Arcades

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

1. They extend no more than two stories in height;
2. The exterior face of the arcade column line is within the build-to range and meets the required build-to minimum percentage that is not otherwise met by the building;

3. The arcade column line generally continues the wall plane of the building above;
4. The average depth of the arcade is no less than 6 feet clear as measured from the interior face of the columns;
5. The average depth of the arcade is no more than 2/3 of its average clear height as measured from the front face of the columns
6. The interior wall of the arcade must meet the required Ground Story Activation Standards or Alternatives:



Graphic above moved to Article 13

H. Courtyard

In all C-MX and C-RX Zone Districts, a courtyard may count toward the Required Build-to Percentage, when all of the following are met:

1. Minimum Design:
 - a. Shall be Primary Street facing;
 - b. Shall have a Width of at least 15'
 - c. Shall have a Depth of at least 30'
2. The Courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:
 - a. No more than one-half story above or below grade at the zone lot line adjoining the primary street; may be on the structure;
 - b. Visually and physically accessible from the primary street; may be secured for private use;
 - c. Open to the sky; and
 - d. Bounded on not less than 3 sides with connected building facades.
3. The Courtyard area may be used for any of the following:
 - a. Single or multiple entries to uses within the building;
 - b. Public or private landscaped area;
 - c. Outdoor seating area; or
 - d. Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.

7.3.6.2 Primary Street Upper Story Setback

A. Intent

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

B. Applicability

C-MS-8, C-MS-12

C. Alternative

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

7.3.6.3 Transparency Alternatives

A. Intent

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

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 7.3.6.3.B 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES							
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	WIN-DOWS OUTSIDE THE ZONE (MAX)	DISPLAY CASES AND AUTOMATED TELLER/ TICKET MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMA-NENT ART (MAX)	COMBINA-TION OF ALTERNA-TIVES (MAX)
C-RX	Primary Street	40%	40%	50%	60%	40%	80%
	Side Street	40%	40%	50%	80%	40%	80%
C-MX	Primary Street	40%	40%	50%	60%	40%	80%
	Primary Street B	40%	40%	100%, provided the <u>entirety of the length and height of the wall complies with Section 7.3.6.3.B.3 wall design elements are applied to the entirety (100%) of the length of the Street Level wall.</u>	60%	40%	80%*
	Side Street	40%	40%	100%, provided the <u>entirety of the length and height of the wall complies with Section 7.3.6.3.B.3 wall design elements are applied to the entirety (100%) of the length of the Street Level wall.</u>	80%	40%	80%*
C-MS	Primary Street	40%	40%	50%	60%	40%	50%
	Side Street	40%	40%	50%	80%	40%	50%

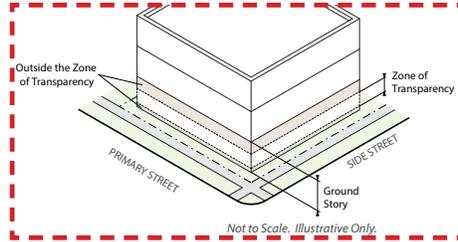
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

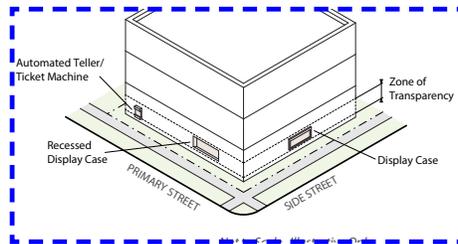


Graphic above removed

2. Display Cases and Automated Teller/Ticket Machines

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

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

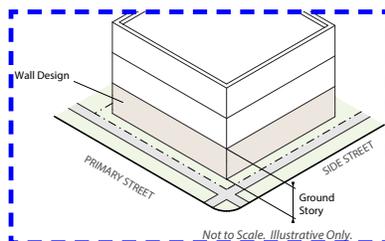


Graphic above moved to Article 13 and revised

3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

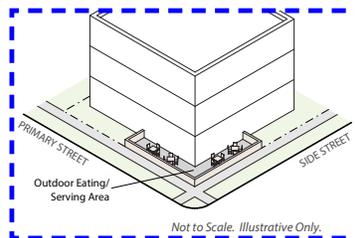
- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations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



Graphic above moved to Article 13 and revised/expanded

4. **Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. **Permanent Art**

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

7.3.6.4 **Pedestrian Access (Entrance) Alternatives**

A. **Intent**

The Entrance alternative shall To provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building.

B. **Entrance Alternatives Allowance**

In C-MX and C-RX Zone Districts, for all building forms except excluding the Row House building form, an alternative to an Entrance is permitted. An entrance alternative shall be one of the following: one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. **Courtyard or Plaza**

- a. Shall be accessible to public during business hours
- b. Shall be within 2' of grade at edge of public right-of-way
- c. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.
- d. Maximum dimension shall not exceed 3 times the minimum dimension
- e. Required public Entrance shall be visible from the public right-of-way.
- f. Perimeter walls of court or plaza shall meet primary facade transparency standards.

2. **Covered Walkway in the form of an Arcade or Pergola**

- a. Arcades or Pergola/Trellis that meet the following:
 - ii. Shall be accessible to public during business hours
 - iii. Shall provide continuous covered access to required Entrance from the public right-of-way

- iv. ~~Required public Entrance shall be visible from the public right-of-way~~

SECTION 7.3.7 DESIGN STANDARD EXCEPTIONS

7.3.7.1 Height Exceptions

A. Intent

To allow ~~unoccupied 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:

- The following ~~unoccupied~~ 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 7.3.7.1.B.
- 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.
- 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.
- Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

UNOCCUPIED 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 <u>MAY EXCEED</u> MAXIMUM HEIGHT IN <u>STORIES BY:</u>	MAY PROJECT THROUGH THE BULK PLANE	MAY PROJECT THROUGH THE 3RD AVENUE CCN BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All C- Zone Districts	No	No	Not allowed <u>Any distance when attached to a feature that meets the definition of a Story</u>	Not applicable	Any distance	Not allowed	Any distance
Unoccupied s <u>Unoccupied s</u> pires, towers, flagpoles, antennas, chimneys, flues and vents	All C- Zone Districts	No	No	28'	Not applicable	Any distance	Not allowed	Any distance
Unoccupied c <u>Unoccupied c</u> ooling towers and enclosures for tanks	All 5-Story or greater C-RX, C-MX, C-MS Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed	Not allowed
Unoccupied e <u>Unoccupied e</u> levator penthouses, unoccupied shade structures , stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	C-MX-3, C-CCN Zone Districts	Yes	Yes	12'	<u>1 story</u>	Not allowed	Not allowed	Not allowed

UNOCCUPIED 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 PROJECT THROUGH THE 3RD AVENUE CCN BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Unoccupied Elevator penthouses, unoccupied shade structures, stair enclosures, and enclosed or unenclosed mechanical equipment including any vertical or sloped screen walls for such equipment	All 5-Story or greater C-RX, C-MX, C-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed	Not allowed
Elevator lobbies	C-MX-3, C-CCN Zone Districts	Yes	Yes	12'	1 story	Not allowed	Not allowed	Not allowed
Elevator lobbies	All 5-Story or greater C-RX, C-MX, C-MS Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed	Not allowed
Open Structures	C-MX-3, C-CCN Zone Districts	Yes	Yes	12'	Not applicable	Not allowed	Not allowed	Not allowed
Open Structures	All 5-Story or greater C-RX, C-MX, C-MS Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All 5-Story or greater C- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed	Not allowed
Flush-mounted solar panels	All C- Zone Districts	No	No	Any distance	Not applicable	Any distance	Not allowed	Any distance
Evaporative coolers	All C- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Not allowed	Any distance
Accessory water tanks	All C-MX, C-MS Zone Districts	No	Yes	28'	Not applicable	Any distance	Not allowed	Any distance

7.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

1. Intent

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

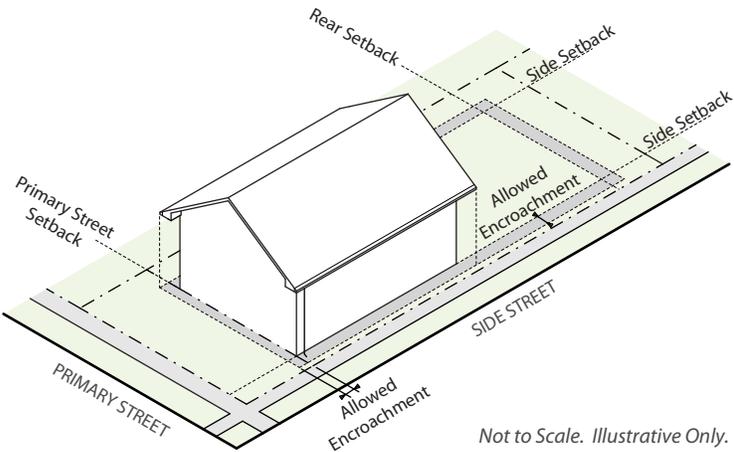
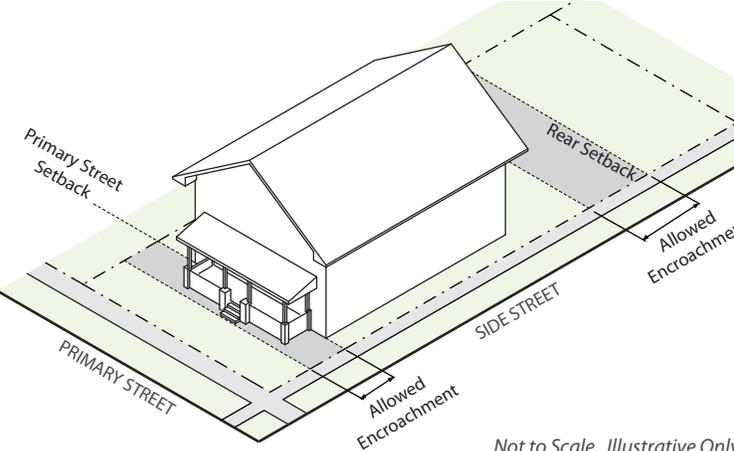
2. Standard

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

B. Parkways

1. Intent

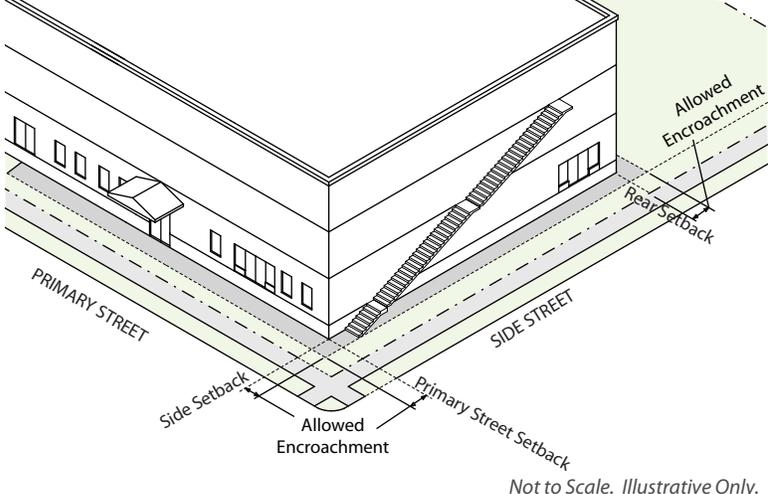
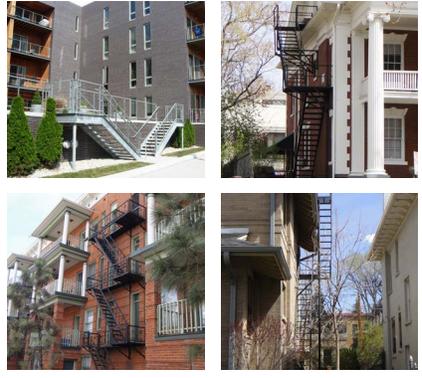
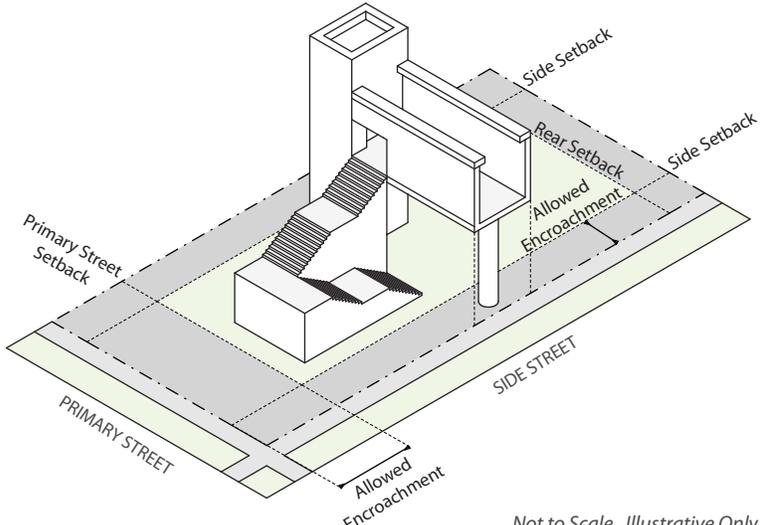
To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code's build-to range.

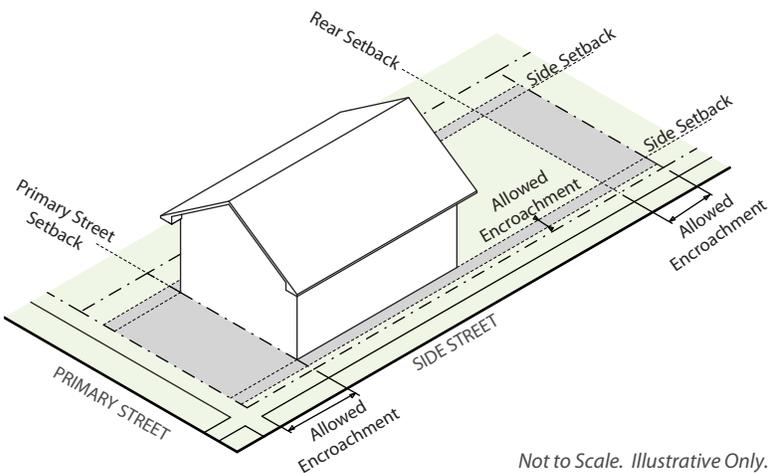
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All C- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open except for any side abutting a building facade.</p> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All C- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
		 <p><i>Not to Scale. Illustrative Only.</i></p>			

3. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps <u>providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are</u> designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of required barrier-free access to buildings.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside Outside</u> stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p>	All C- Zone Districts	5'	3'	3'	10'
<p>Intent: To provide for emergency egress from a building only for emergency purposes</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station, provided Public Works has approved a right-of-way encumbrance. Shall not include elevators, stairways or other vertical circulation elements.</p>	All C- Zone Districts	Any distance	Any distance	Any distance	Any distance
<p>Intent: To allow for above-grade connections to and from transit stations</p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All C- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

SECTION 7.3.8 REFERENCE TO OTHER DESIGN STANDARDS

7.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

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

DIVISION 7.4 USES AND REQUIRED MINIMUM PARKING

SECTION 7.4.1 APPLICABILITY

- 7.4.1.1 This Division 7.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Urban Center Neighborhood Context Zone Districts.
- 7.4.1.2 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.
- 7.4.1.3 For number of primary and accessory uses ~~allowed~~ permitted per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses allowed per Zone Lot.

SECTION 7.4.2 ORGANIZATION

7.4.2.1 Organized by Primary, Accessory and Temporary Uses

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

7.4.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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 7.4.3 EXPLANATION OF TABLE ABBREVIATIONS

7.4.3.1 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.

SECTION 7.4.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE USE LIMITATIONS				
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
RESIDENTIAL PRIMARY USE CLASSIFICATION						
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	L-ZP	\$11.2.4
	Dwelling, Two Unit • Vehicle - CCN districts only:1/unit • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	L-ZP	\$11.2.4
	Dwelling, Multi-Unit • Vehicle - CCN districts only:1/unit • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	P-ZP	P-ZP	P-ZP	L-ZP	\$11.2.4
	Dwelling, Live / Work • Vehicle - CCN districts only:1/unit • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	\$11.2.3; \$11.2.4
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	NP	
	Community Corrections Facility	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle - CCN districts only:1/unit • Vehicle: .75/unit • Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	
	Residence for Older Adults • Vehicle - CCN districts only:1/unit • Vehicle: .75/unit • Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: No requirement • Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$11.2.6
	Rooming and Boarding House • Vehicle - MS only: 2/ 1,000 ft ² GFA • Vehicle: 2.5/ 1,000 ft ² GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	NP	
	Shelter for the Homeless • Vehicle: No requirement • Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	\$ 11.2.79
	Student Housing • Vehicle - CCN districts only:1/unit • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION						
Basic Utilities	Utility, Major Impact* • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	\$ 11.3.1
	Utility, Minor Impact* • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.3.2

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USE CATEGORY	SPECIFIC USE TYPE					APPLICABLE USE LIMITATIONS
		C-RX-5 C-RX-8 C-RX-12	C-MX-3 C-MX-5 C-MX-8 C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
Community/ Public Services	Community Center •Vehicle: No requirement •Bicycle: No requirement <u>1/10,000 ft² GFA (0/100)</u>	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •Vehicle - CCN districts only: 2.5/1,000 ft ² GFA •Vehicle: 1.25/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	
Community/ Public Services	Postal Processing Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA(20/80)	NP	P-ZP	P-ZP	NP	
	Public Safety Facility •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	
Cultural/Special Purpose/Pub- lic Parks & Open Space	Cemetery*	NP	NP	NP	NP	
	Library •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	
	Open Space - Recreation* •Vehicle: No requirement •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School •Vehicle: 1/1,000 ft ² GFA •Bicycle: 1/10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6
	University or College •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6; §11.3.7
	Vocational or Professional School •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	§ 11.3.6
Public and Religious As- sembly	All Types •Vehicle: No requirement •Bicycle: No requirement <u>1/10,000 ft² GFA (0/100)</u>	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.8

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USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE ZONING DISTRICTS				APPLICABLE USE LIMITATIONS
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION						
Adult Business	All Types	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor •Vehicle - Artist Studio: 0.3/1000 ft ² GFA •Vehicle - CCN districts only: 2.5/1,000 ft ² GFA •Vehicle - All Others: 1.25/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* •Vehicle - CCN districts only: 2.5/1,000 ft ² GFA •Vehicle: 1.25/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA(20/80)	L-ZPIN	L-ZPSE	L-ZPSE	L-ZPIN	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		L-ZPIN	Not Applicable	Not Applicable	Not Applicable	§11.4.3
Parking of Vehicles	Parking, Garage •No Parking Requirements	P-ZP	P-ZP	P-ZP	L-ZP	§7.3.5.2
	Parking, Surface*	NP	NP	NP	NP	
Eating & Drinking Establishments	All Types •Vehicle - MS only: 2/ 1,000 ft ² GFA •Vehicle: 2.5/ 1,000 ft ² GFA • Bicycle: 1/1,500 ft ² GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging •Vehicle: 0.875/guest room or unit •Bicycle: 1/2 guest rooms or units (80/20) 1/ 7,500 ft ² GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others •Vehicle: 0.5/ guest room or unit •Bicycle: 1/2 guest rooms or units (80/20) 1/ 7,500 ft ² GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic •Vehicle - CCN districts only: 2/1,000 ft ² GFA •Vehicle: 1.25/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA (60/40)	L-ZP	L-ZP	L-ZP	L-ZP	§11.4.7
	Office, All Others •Vehicle - CCN districts only: 2/1,000 ft ² GFA •Vehicle: 1.25/ 1,000 ft ² GFA •Bicycle: 1/7,500 ft ² GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE					APPLICABLE USE LIMITATIONS
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility	NP	NP	NP	NP	
	Automobile Services, Light • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	§11.4.16 §11.4.17
	Automobile Services, Heavy • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPSE	NP	§11.4.16 §11.4.18
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	§11.4.19
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION						
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2
	Communication Services • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	P-ZP	C-MX-3: L-ZP/ZPSE All Others: P-ZP	P-ZP	P-ZP	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	NP	§11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	PL-ZP	PL-ZP	PL-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	NP	§11.5.4
	Service/Repair, Commercial • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	NP	§11.5.5

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USE CATEGORY	SPECIFIC USE TYPE	C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12				C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12		APPLICABLE USE LIMITATIONS
				C-MS-5 C-MS-8 C-MS-12				
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP	L-ZP			§11.5.6
	Manufacturing, Fabrication & Assembly -- General	NP	NP	NP	NP			
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP			
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP			
	Sand or Gravel Quarry*	NP	NP	NP	NP			
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE			§11.5.9
Transportation Facilities	Airport*	NP	NP	NP	NP			
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZP	L-ZP	NP			§11.5.10
	Railroad Facilities*	NP	NP	NP	NP			
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP			
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP			
Waste Related Services	Terminal, Freight, Air Courier Services	NP	NP	NP	NP			
	Automobile Parts Recycling Business*	NP	NP	NP	NP			
	Junkyard*	NP	NP	NP	NP			
	Recycling Center	NP	NP	NP	NP			
	Recycling Collection Station	NP	NP	NP	NP			
	Recycling Plant, Scrap Processor	NP	NP	NP	NP			
Wholesale, Storage, Warehouse & Distribution	Solid Waste Facility	NP	NP	NP	NP			
	Automobile Towing Service Storage Yard*	NP	NP	NP	NP			
	Mini-storage Facility • Vehicle: .01 .5/ 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP	NP	NP			§11.5.12
	Vehicle Storage, Commercial*	NP	NP	NP	NP			
	Wholesale Trade or Storage, General	NP	NP	NP	NP			
AGRICULTURE PRIMARY USE CLASSIFICATION	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 ft ² GFA • Bicycle: No requirement	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP			§11.5.14
	Aquaculture*	NP	NP	NP	NP			
	Garden, Urban* • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP			§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP			
	Husbandry, Plant*	NP	NP	NP	NP			
Agriculture	Plant Nursery • Vehicle: .5/ 1,000 ft ² GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP			§ 11.6.3

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USE CATEGORY	SPECIFIC USE TYPE	ZONING DISTRICTS				APPLICABLE USE LIMITATIONS
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	§11.7; §11.8.3
	Garden*	L	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	Not Applicable - See Allowed Permitted Primary Uses			§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	NP	NP	NP	NP	
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	§11.7; §10.9
Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	Not Applicable - See Allowed Permitted Primary Uses			§11.7; §11.5.8	
Yard and/or Garage Sales*	L	L	L	L	§11.7; §11.8.9	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Home Occupations (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.5

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USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE ZONING DISTRICTS				APPLICABLE USE LIMITATIONS
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Non-residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7; 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses	NP	§11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses				§11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses				§11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	NP	§11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	L-ZP	L-ZP	NP	§11.7; §11.10.8
	Garden*	L	L	L	L	§11.7; §11.10.9
	Keeping of Animals	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable - See <u>Allowed, Permitted Primary</u> Uses	Not Applicable			§11.4.3
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	§11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§11.7; §11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.13
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	
Outdoor Storage, Limited*	NP	L	L	L	§11.7; §11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	§11.7; §11.10.17	

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USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE ZONING DISTRICTS				APPLICABLE USE LIMITATIONS
		C-MX-3 C-MX-5 C-MX-8 C-RX-5 C-RX-8 C-RX-12	C-MX-12 C-MX-16 C-MX-20	C-MS-5 C-MS-8 C-MS-12	C-CCN-3 C-CCN-4 C-CCN-5 C-CCN-7 C-CCN-8 C-CCN-12	
TEMPORARY USE CLASSIFICATION						
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable to all Zone Districts				§11.11.1
	Ambulance Service - Temporary	L-ZP	Not Applicable - See Allowed Permitted Primary Uses			§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	L-ZP	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	
	Outdoor Retail Sales*	L-ZP	L-ZP	NP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZPIN	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	NP	L-ZP	NP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	NP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	NP	§11.11.16
Tent for Religious Services	NP	NP	NP	NP		

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 to 55-85 feet in Lower Downtown and Larimer Square. Allowed heights transition from the core to ~~adjacent~~nearby lower intensity contexts.

SECTION 8.1.6 MOBILITY

The highest priority is given to the pedestrian. The Downtown context is the center of the multi-modal transit 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 8.3 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 ~~Allowed~~ Permitted

See Division 8.9 for ~~allowed~~ uses permitted in the Downtown Core and Downtown Theater Districts.

8.3.1.3 Required Pedestrian-Active Ground Floor Uses

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

8.3.1.4 Permitted Structures

A. Open Space Required

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

B. Minimum and Maximum Heights

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

B. Amount of Parking Spaces Required

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV Zone Districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV Zone Districts shall comply with the use limitations applicable to a “parking, garage” use stated in Section 11.4.4.1.

C. Accessible Parking

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

D. Bicycle Parking

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

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

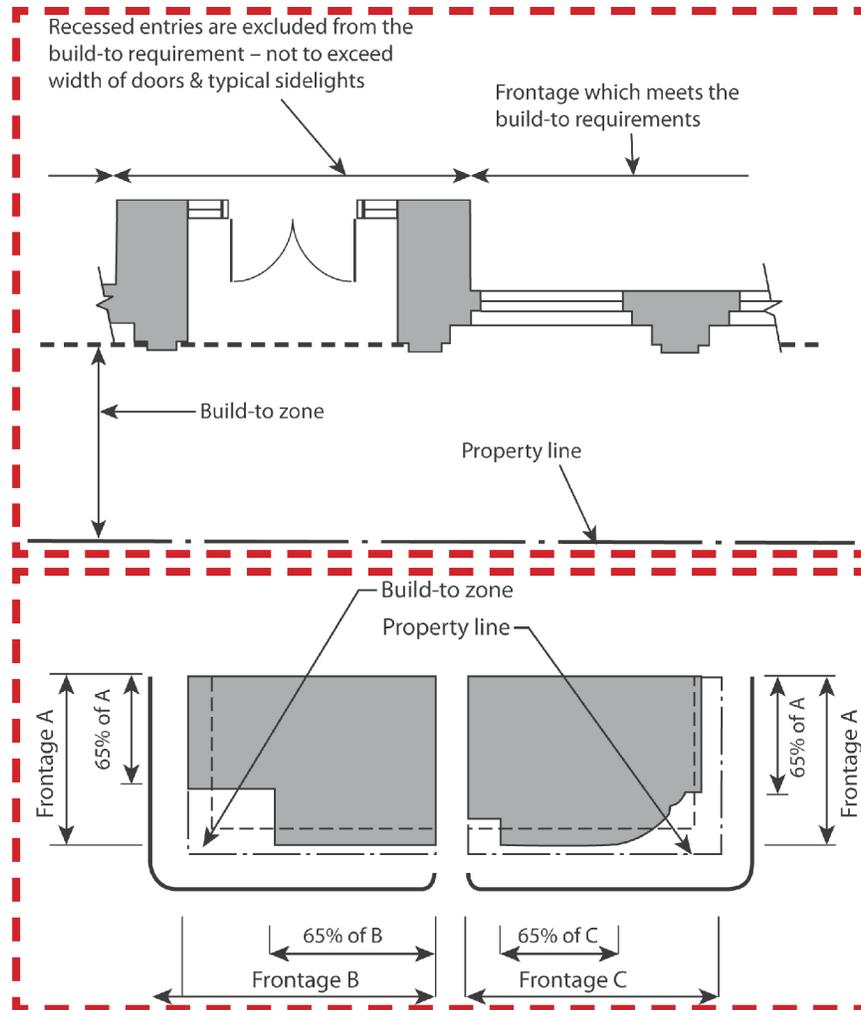
8.3.1.6 Design Requirements

A. Pedestrian-Active 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 pedestrian active uses for at least 65 percent of the linear frontage along the following streets: 16th Street pedestrian and transit mall, Larimer Street, Curtis Street, Tremont Place, Cleveland Place, and any light rail line operating in a street or fixed-guideway transit line operating in a street.
2. Street-facing ground floors of new buildings on named or numbered streets not included in the paragraph above shall provide 60 to 90 percent transparency as measured from floor to floor for at least 65 percent of the linear frontage of the building,
3. In all cases, transparent glass shall possess a minimum .65 light transmission factor.

B. Minimum Build-to Requirements

1. *Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:* Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than ~~60~~65% of each separately owned zone lot frontage, except along the Southwest side of the 16th Street Mall where the build-to zone shall be increased to 20 feet.
2. *In the areas northeast and southwest of the area noted above in Subsection B.1,* buildings shall be built to within 10 feet of the property line adjoining the street for no less than 50% of each separately owned zone lot frontage.



Remove Graphics; confusing and duplicative of Art. 13 ROM

C. Exposure to the Sky

In order to allow reasonable levels of natural light to reach the street level, while also promoting strong definition of the street space, all new structures located on zone lots containing more than 15,000 square feet shall provide at least 15 percent sky exposure as measured from each adjacentabutting public street on which the zone lot has greater than one hundred fifty (150) linear feet of frontage. All sky exposure measurements shall be calculated using a Waldram diagram.

D. Ground Floors of Parking Structures

Each primary use or accessory use parking structure constructed after October 10, 1994, or renovated after October 10, 1994, shall either (1) have all ground floor frontages within 30 feet of a public street or a pedestrian and transit mall occupied by pedestrian-active uses, or (2) have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the ground floor street frontage by pedestrian-active uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses.

E. Downtown Design Standards and Guidelines

1. Applicability

All new structures and all structures that are being renovated, and the renovation includes alterations to the lower 80 feet of the facade of the structure shall be subject to either:

- a. Design standards and a design standards review process established by rules and regulations; or
- b. Design guidelines and a design guidelines negotiation process established by rules and regulations.
- c. Design standards and design guidelines shall address those topics listed in Section 8.3.1.6.E.4 below. For each element of building or project design listed in Section 8.3.1.6.E.4, the applicant shall have the option of submitting proposed designs for a determination of consistency under the design standards review process or for approval under the design guidelines negotiation process. The applicant shall also have the option of submitting different design elements for determinations of consistency or for approval at different times. The design standards review process and the design guidelines negotiation procedures shall be conducted by the planning office staff. The Zoning Administrator shall not issue permits for use and construction until all applicable requirements have been met.

2. Exclusions

The design standards review process and the design guidelines negotiation process set forth in this Section shall not apply to:

- a. Any structure designated for preservation pursuant to Chapter 30 of the Denver Revised Municipal Code, or
- b. Any structure in a district for preservation pursuant to Chapter 30 of the Denver Revised Municipal Code, or
- c. Any facade of an existing structure that is not being altered.

3. Intent

The design standards and design guidelines are intended (i) to promote visibility of commercial activities at ground level; (ii) to provide human scale through change, contrast, and intricacy in facade form, color and/or material where lower levels of structures face public streets and sidewalks; (iii) to spatially define the street space in order to concentrate pedestrian activity and create a clear urban character; (iv) to alleviate high wind conditions for pedestrians at the base of taller structures; (v) to encourage easy pedestrian entry and exit from structures; and (vi) to prevent significant blocking of sky exposure along a street right-of-way.

4. Design Standards and Design Guidelines Topics

- a. The Manager is authorized to develop design standards and design guidelines that address the following topics:
 - i. For the lower 30 feet of structures ~~above street level~~:
 - a) The percentage of the linear frontage of the structure that must be built within a short distance of property lines along public streets and sidewalks; and
 - b) Requirements for direct entry doors from the street to ground floor.
 - ii. For the lower 80 feet of structures ~~above street level~~:
 - a) The percentage of glass to solid materials;
 - b) The use of reflective glass; and

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 **Allowed Permitted**

See Division 8.9, "Uses and Required Minimum Parking," for ~~allowed~~ 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 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. 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;

GENERAL

HEIGHT		D-CV
A	Stories (max)	16
A	Feet (max)	200'

SITING		D-CV
REQUIRED BUILD-TO		
B	Primary Street (min % within min/max)*	65% 0'/12'
C	Side Street (min % within min/max)*	30% 0'/12'

*Primary Civic, Public & Institutional Uses are exempt from the Required Build-To -- See Article 11 for definition of "Primary Civic, Public & Institutional Uses"

SETBACKS		
D	Primary Street (min)	0'
E	Side Street (min)	0'
F	Side Interior (min)	0'
G	Rear (min)	0'

PARKING		
Location		No surface parking between building and street
Primary Street Setback (min)		30'
Side Street Setback (min)		10'

DESIGN ELEMENTS		D-CV
<u>GROUND-STORY STREET LEVEL</u> ACTIVATION		
H	Transparency, Primary Street (min)	40%
I	Transparency, Side Street (min)	30%
J	Required Entrance, Primary Street	Yes

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 ~~Allowed~~ Permitted

See Division 8.9 for ~~allowed~~-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 ~~Adjacent-Abutting~~ Street Frontages

1. Maximum Setback

Buildings shall be built at or within 5' of the ~~property zone lot~~ line ~~abutting adjoining~~ 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 ~~contiguous with~~ abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

C. Maximum Height

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

structures within the D-GT Zone District may be transferred to other properties within the D-GT district pursuant to the procedures for transfer of undeveloped floor area from historic structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

8.6.1.4 Design Review in the D-GT District

A. Applicability

Design standards and review procedures shall apply to the following:

1. All structures and all site improvements or alterations seeking the design review premium established in Section 8.6.1.3.D.3 above; and
2. The lower eighty (80) feet of a building constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials.

B. Procedures

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

C. Criteria

Design review shall be based on the following criteria:

1. Design Review for Floor Area Premium

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its civic buildings and its older, pre-World War II masonry buildings;
- e. Provide step-backs in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street level;
 - iii. Increase sky and daylight exposure to the street; and
 - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide at sStreet HLevel as much as possible, transparent facades, and frequent pedestrian access to the buildings;
- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;

- i. Architecturally design the top of the building to provide a finished terminus to the building's form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

2. Review of Lower 80 Feet Required for All Structures

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its civic buildings and its older, pre-World War II masonry buildings;
- e. Provide setbacks in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street level;
 - iii. Increase sky and daylight exposure to the street; and
 - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide, at sStreet HLevel, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

3. Parking Structures Review

- a. Shall have ground floor frontages occupied by Pedestrian-Active Uses as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by pedestrian-active uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. Shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Comprehensive Plan and any adopted neighborhood plan; and
- c. Shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

4. Rules and Regulations

The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the D-GT District.

DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE DISTRICT

SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT

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 **Allowed Permitted**

See Division 8.9 for **allowed** uses **permitted** in the D-AS District.

8.7.1.3 Permitted Structures

A. Open Space Required

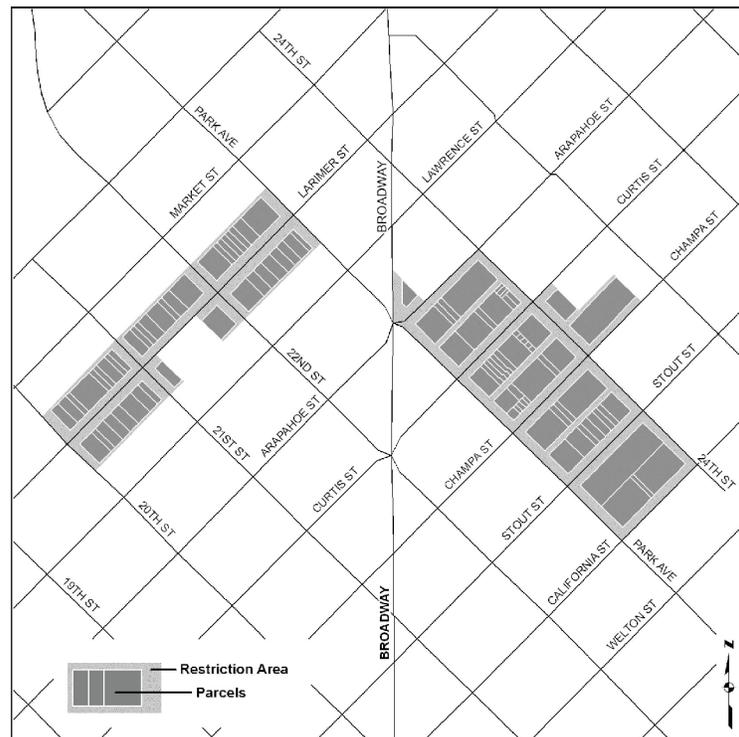
For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-AS district a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable 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 **Adjacent/Abutting Street Frontages**

Buildings shall be built at or within 10' of the **property zone lot** line **adjoining/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 200 feet except in the height areas shown below, wherein structure height is limited to a maximum 80 feet in those areas on the exhibit shown as "Restriction Area".



3. Maximum Gross Floor Area in Structures

Notwithstanding the provisions of Section 8.7.1.3.D.2 (Floor Area Premiums), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.7.1.4 (Design Review), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated historic structures within the D-AS Zone District may be transferred to other properties within the D-AS district pursuant to the procedures for transfer of undeveloped floor area from historic structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

8.7.1.4 Design Review

A. Applicability

Design standards and review procedures shall apply to the following:

1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
2. The lower 80 feet of a building: constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building.

B. Procedures

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

C. Criteria

Design review shall be based on the following criteria.

1. Design Review of Floor Area Premium

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide step backs in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street level;
 - iii. Increase sky and daylight exposure to the street; and

- iv. Increase sunlight exposure to the street, particularly along “numbered” streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide at ~~s~~Street ~~H~~Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;
- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
- i. Architecturally design the top of the building to provide a finished terminus to the building’s form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

2. Review of Lower 80 Feet Required for All Structures

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide setbacks in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street ~~level~~;
 - iii. Increase sky and daylight exposure to the street; and
 - iv. Increase sunlight exposure to the street, particularly along “numbered” streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide, at ~~s~~Street ~~H~~Level, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

3. Parking Structures Review

- a. All parking structures in the D-AS District shall have ground floor frontages occupied by Pedestrian-Active Uses, as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by pedestrian-active uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. All parking structures in the D-AS District shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Denver comprehensive plan and any adopted neighborhood plan; and
- c. All parking structures in the D-AS District shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

DIVISION 8.8 DESIGN STANDARDS

SECTION 8.8.1 DESIGN STANDARD EXCEPTIONS

8.8.1.1 Height Exceptions

A. Intent

To allow unoccupied 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 unoccupied 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 8.8.1.1.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.

UNOCCUPIED 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	<u>Not allowed</u> <u>Any distance when attached to a feature that meets the definition of a Story</u>	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied</u> spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied</u> cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	<u>Not applicable</u>	Not allowed	Not allowed
<u>Unoccupied</u> elevator penthouses, unoccupied shade structures , stair enclosures, and enclosed or unenclosed mechanical equipment including <u>any</u> vertical or sloped screen walls <u>for such equipment</u>	All D- Zone Districts	Yes	Yes	28'	<u>1 story</u>	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	Any distance
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

8.8.1.2 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 8.8.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

See Article 10, General Design Standards.

SECTION 8.8.3 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 8.8.3.

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’-8” and 3 feet. Such screening device shall be located on private property.
2. Except for required street tree planting and additional standards in Section 8.8.3.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.

DIVISION 8.9 USES AND REQUIRED MINIMUM PARKING

SECTION 8.9.1 APPLICABILITY

- 8.9.1.1 This Division 8.9 sets forth the land ~~allowed~~ uses permitted and the required zoning procedure in all the Downtown Neighborhood Context Zone Districts, and the minimum parking requirements for the D-GT and D-AS Zone Districts. D-C, D-TD and D-CV Zone Districts have no parking requirement (see Section 8.3.1.5). D-LD parking requirements are provided in Section 8.4.1.4.
- 8.9.1.2 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.
- 8.9.1.3 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 8.9.2 ORGANIZATION

8.9.2.1 Organized by Primary, Accessory and Temporary Uses

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

8.9.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and 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 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 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 8.9.3 EXPLANATION OF TABLE ABBREVIATIONS

8.9.3.1 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.

SECTION 8.9.4 DISTRICT SPECIFIC STANDARDS

KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception
 Review

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

USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only						APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-CV	
RESIDENTIAL PRIMARY USE CLASSIFICATION							
Household Living	Dwelling, Single Unit •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Dwelling, Two Unit •Vehicle: 0.75/unit •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Dwelling, Multi-Unit D-GT & D-AS Districts: •Vehicle: 0.75/unit •Bicycle: 1/ 2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Dwelling, Live / Work D-GT & D-AS Districts: •Vehicle: 0.75/unit •Bicycle: 1/ 2 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	NP	§ 11.2.3
Group Living	Assisted Living Facility D-GT & D-AS Districts: •Vehicle: .75/unit •Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Community Corrections Facility D-GT & D-AS Districts: •Vehicle: No requirement •Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	NP	NP	§ 8.9.5.1
	Nursing Home, Hospice D-GT & D-AS Districts: •Vehicle: .75/unit •Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Residence for Older Adults D-GT & D-AS Districts: •Vehicle: No requirement •Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Residential Care Use, Small or Large D-GT & D-AS Districts: •Vehicle: No requirement •Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.6
	Rooming and Boarding House	NP	NP	NP	NP	NP	
	Shelter for the Homeless D-GT & D-AS Districts: •Vehicle: No requirement •Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	§ 11.2.7 9
	Student Housing D-GT & D-AS Districts: •Vehicle: 0.75/unit •Bicycle: 1/ 2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	NP	

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USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-CV	
Lodging Accommodations	Bed and Breakfast Lodging D-GT & D-AS Districts: • Vehicle - MS only: 2/ 1,000 s.f. GFA • Vehicle: 0.875/guest room or unit • Bicycle: 1/2 guest rooms or units (80/20) <u>1/7,500 s.f. GFA (60/40)</u>	P-ZP	P-ZP	P-ZP	P-ZPIN	NP	
	Lodging Accommodations, All Others D-GT & D-AS Districts: • Vehicle: 0.875/ guest room or unit • Bicycle: 1/2 guest rooms or units (80/20) <u>1/7,500 s.f. GFA (60/40)</u>	P-ZP	P-ZP	P-ZP	P-ZPIN	NP	
Office	Dental / Medical Office or Clinic D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.4.7
	Office, All Others D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	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 D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.4.9
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	NP	
	Body Art Establishment D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.4.10
	Food Sales or Market D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Liquor Store, Including Drugstores Licensed to Sell Liquor D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.4.12
	Pawn Shop D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	NP	L-ZPIN	NP	\$11.4.13
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair, All Others D-GT & D-AS Districts: • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	NP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-CV	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility D-GT & D-AS Districts: • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	NP	§ 11.4.15
	Automobile Services, Light D-GT & D-AS Districts: • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	L-ZPIN	NP	§11.4.16; §11.4.17
	Automobile Services, Heavy	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 • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	NP	§11.4.19
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION							
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2
	Communication Services 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	§11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	§11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	§11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.5.2
Industrial Services	Contractors, Special Trade - General D-GT & D-AS Districts: • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	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	P -ZP	P -ZP	P -ZP	P -ZP	NP	§ 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	L-ZP	NP	§11.5.4
	Service/Repair, Commercial D-GT & D-AS Districts: • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.5.5

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		D-C	D-TD	D-LD	D-GT D-AS	D-CV	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	
	Mini-storage Facility D-GT & D-AS Districts: • Vehicle: 0.1 .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.5.12
	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	§ 11.5.13
	Wholesale Trade or Storage, General	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	P-ZP	NP	
AGRICULTURE PRIMARY USE CLASSIFICATION							
Agriculture	Aquaculture*	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	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	
	Husbandry, Plant*	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	§ 11.6.3

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		D-C	D-TD	D-LD	D-AS	D-CV	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION							
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts					§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	NP	§11.7.1; §11.8.3
	Garden*	L	L	L	L	NP	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	NP	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See <u>Allowed Permitted</u> Primary Uses					§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.8
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	NP	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See <u>Allowed Permitted</u> Primary Uses					
Yard or Garage Sales*	L	L	L	L	NP	§11.7; §11.8.9	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION							
Home Occupations Accessory to a Primary Residential Use (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.5

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		D-C	D-TD	D-LD	D-AS	D-CV	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION							
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts					\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Allowed 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	\$11.7
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	\$11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	L-ZP	NP	\$11.7; §11.10.8
	Garden*	L	L	L	L	L	\$11.7; §11.10.9
	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	\$11.7; § 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable					
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	\$11.7; §11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; §11.10.13
	Outdoor Retail Sale and Display*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	L	L	L	L	L	\$11.7; §11.10.16
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	\$11.7; §11.10.17	

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USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	D-GT					APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-AS	D-CV	
TEMPORARY USE CLASSIFICATION							
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 Allowed Permitted Primary Uses					§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	NP	§11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	NP	
	Outdoor Sales, Seasonal*	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	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	NP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16
Tent for Religious Services	NP	NP	NP	NP	NP		

SECTION 8.9.5 APPLICABLE USE LIMITATIONS

8.9.5.1 Community Corrections Facility

In all Downtown Zone Districts, where permitted with limitations, all Community Corrections Facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations

Community Corrections Facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.5, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.5, the more specific limitations in this Subsection shall apply.

B. Moratorium on New Community Corrections Facilities

After April 30, 2008, no new community corrections facilities shall begin operation until May 1, 2018.

C. Permitted Location

Community corrections facilities (for purposes of this Subsection, hereinafter “facilities” or “facility”) shall be allowed only in the D-C, D-TD, and D-LD Zone Districts, and shall be located more than:

SECTION 9.1.2 DISTRICTS ESTABLISHED

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

Industrial Context

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

9.1.2.1 Purpose

The following paragraphs explain the general purpose and intent of the Industrial Context Zone Districts.

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

1. General

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

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

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

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

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

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

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

B. I-A Light Industrial District

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

C. I-B General Industrial District

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

GENERAL

HEIGHT		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
A	Stories (max)	3	5	8	na	na
	Feet (max)	45'	70'	110'	na	na
	Feet within 175' of a Protected District (max)	na	na	75'	75'	75'
SITING		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
ZONE LOT						
	Floor Area Ratio (FAR) (max)	na	na	na	2.0	2.0
USE						
<u>Use Restrictions</u>					na	
REQUIRED BUILD-TO						
B	Primary Street (min % within min/max)	50% (0/10')	50% (0/10')	50% (0/10')	na	na
SETBACKS						
C	Primary Street (min)	0'	0'	0'	20' 10'	20' 10'
D	Side Street (min)	0'	0'	0'	Can reduce to 5' on lot less than 100ft in width on the long side of the block	Can reduce to 5' on lot less than 100ft in width on the long side of the block
E	Side Interior (min)	0'	0'	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
F	Rear (min)	0'	0'	0'	0'	0'
	Rear Setback adjacent to Protected District alley, no alley (min)	5'/10'	5'/10'	5'/10'	10'	10'
PARKING						
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed			Allowed/Allowed	
	Surface Parking Screening	See Sec. 10.5.4.4				
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 9.1.3.8)</u>				
	<u>Vehicle Access, all other permitted uses</u>	<u>Access determined as part of Site Development Plan Review</u>				
DESIGN ELEMENTS		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
G	Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION						
I	Transparency, Primary Street (min)	40%	40%	40%	na	na
	Transparency, Side Street (min)	25%	25%	25%	na	na
	Pedestrian Access, Primary Street	Entrance			na	na
USES		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.1.4 Uses and Parking</u>						

See Sections 9.1.3.5 - 9.1.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

INDUSTRIAL

HEIGHT		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
A	Stories (max)	3	5	8	na	na
A	Feet (max)	45'	70'	110'	na	na
	Feet within 175' of a Protected District (max)	na	na	75'	75'	75'
SITING		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
ZONE LOT						
	Floor Area Ratio (FAR) (max)	na	na	na	2.0	2.0
USE						
	Use Restrictions	Vehicle/Equipment Sales, Rentals, Service & Repair Use Category Uses and Industrial, Manufacturing & Wholesale Primary Use Classification Uses Only			na	na
SETBACKS						
B	Primary Street (min)	0'	0'	0'	20'	20'
C	Side Street (min)	0'	0'	0'	10'	10'
		Can reduce to 5' on lot less than 100ft in width on the long side of the block				
D	Side Interior (min)	0'	0'	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
E	Rear (min)	0'	0'	0'	0'	0'
	Rear Setback adjacent to Protected District (min)	10'	10'	10'	10'	10'
PARKING						
	Surface Parking Screening	See Sec 10.5.4.4				
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley, or Street access allowed when Alley present (Sec. 9.1.3.8)				
	Vehicle Access	Access determined as part of Site Development Plan Review				
DESIGN ELEMENTS		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
F	Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and side, interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
G	Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and side, interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'
GROUND-STORY STREET LEVEL ACTIVATION						
	Transparency, Primary Street (min)	na	na	na	na	na
	Transparency, Side Street (min)	na	na	na	na	na
	Pedestrian Access, Primary Street	Pedestrian Connection			na	na
USES		I-MX-3	I-MX-5	I-MX-8	I-A	I-B
		Vehicle/Equipment Sales, Rentals, Service & Repair Use Category Uses and Industrial, Manufacturing & Wholesale Primary Use Classification Uses Only			All permitted Primary Uses shall be allowed within this building form. See Section 9.1.4 Uses and Parking	

See Sections 9.1.3.5 - 9.1.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

9.1.3.4 Detached Accessory Building Form Standards

Detached Accessory Structures shall comply with the following standards:

DETACHED ACCESSORY STRUCTURES

HEIGHT	All I-MX	I-A	I-B
Stories (max)	1	na	na
Feet (max)	17'	na	na

SITING	All I-MX	I-A	I-B
ZONE LOT			
Permitted Uses	Accessory Uses Only	Accessory Uses Only	Accessory Uses Only
Allowed Number of Dwelling Units (min/max)	0/0	0/0	0/0
SETBACKS			
Primary Street (min)	10'	20'	20'
Side Street (min)	10'	10'	10'
Side Interior (min)	0'	Can reduce to 5' on Zone Lot less than 100' in width along the long side of the block	
Side Interior, adjacent to Protected District (min)	10'	10'	10'
Rear (min)	0'	0'	0'
Rear, adjacent to Protected District (min)	10'	10'	10'

DESIGN ELEMENTS	All I-MX	I-A	I-B
Gross Floor Area (max)	Shall Not Exceed 10% of the Zone Lot Area; does not apply to detached accessory structures with vehicle access doors	Shall Not Exceed 10% of the Zone Lot Area	

USES	All I-MX, I-A, I-B		
	Accessory Uses Only. See Section 9.1.4 for permitted Accessory Uses.		

9.1.3.5 Design Standards Alternatives

A. Required Build-To Alternatives

1. **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.

2. **Allowance**

~~Garden Wall and pergola~~ The following alternatives may be used singularly or in combination as alternatives to a required build-to ~~minimum percentage~~ standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.D: If used in combination, the alternatives may count toward no more than 25% of the requirement.

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

*If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than 25% 30% of required build-to.

3. **Garden Walls**

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

- a. ~~Garden Walls must be between 30" and 42" in height with the following exceptions;~~
 - i. ~~Decorative and/or structural piers may exceed the allowed height range.~~
 - ii. ~~Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.~~
 - iii. ~~Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84."~~
- b. ~~Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.~~
- c. ~~An Administrative Adjustment to required material is permitted to better match primary building. See Section 12.4.5, Administrative Adjustments.~~
- d. ~~Garden Walls used as a Required Build-To Alternative may also be used to count toward Section 10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards.~~

4. **Pergola**

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

- a. Pergola structure shall be no less than 24" deep as measured perpendicular to the property line.

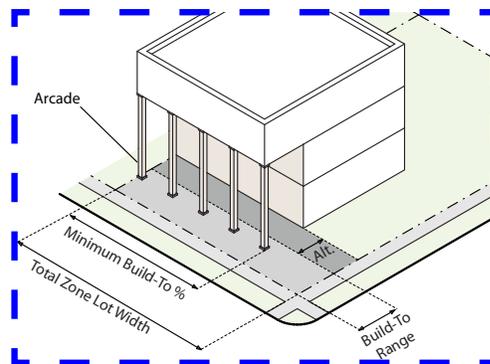
- b. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
- c. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6" vertical dimension.
- d. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
- e. Pergola structures and plant materials shall maintain at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
- f. Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.

5. Arcades—

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

They extend no more than two stories in height;

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



Graphic above moved to Article 13

B. Transparency Alternatives

1. 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 ground story Street Level facade areas where windows do not provide sufficient transparency.

2. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 9.1.3.5.B.2 13.1.6.2.A.4:

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

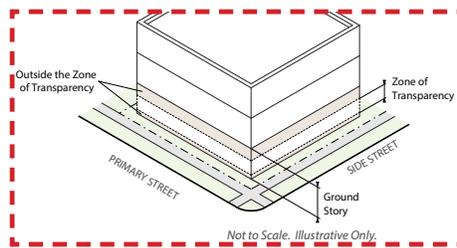
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

3. Design Standards

Alternatives used shall meet the following design standards:

a. ~~Windows Outside the Zone of Transparency~~

~~Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.~~

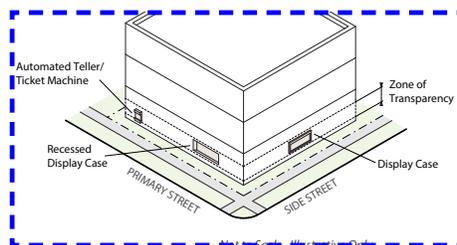


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b. ~~Display Cases and Automated Teller/Ticket Machines~~

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

- i. ~~Recessed or wall mounted display cases at least 4 feet in height~~
- ii. ~~Walk-up automated teller machines.~~

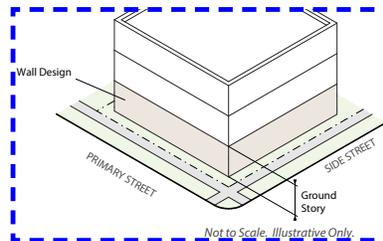


Graphic above moved to Article 13 and revised

c. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

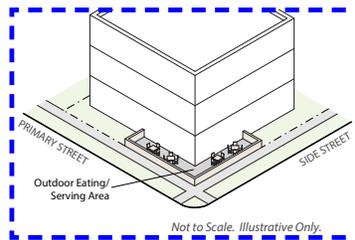
- i. Expression of structural system and infill panels through change in plane not less than 3"
- ii. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- iii. System of horizontal and vertical reveals not less than 1" in width/depth
- iv. Variations in material module, pattern and/or color
- v. Green screen or planter walls
- vi. Translucent, fritted, patterned or colored glazing



Graphic above moved to Article 13 and revised/expanded

d. **Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

e. **Permanent Art**

Non-commercial art or graphic design shall comply with all of the following standards:

- i. Of sufficient scale and orientation to be perceived from the public right of way;
- ii. Rendered in materials or media appropriate to an exterior, urban environment;
- iii. Permanently integrated into the building wall; and
- iv. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

C. **Pedestrian Access (Entrance) Alternatives**

1. **Intent**

The Entrance alternative shall To provide a clear and obvious, publicly accessible route connecting the Primary Street to the primary uses within the building.

2. **Entrance Alternatives Allowance**

In all I-MX Zone Districts an alternative to an Entrance is permitted. An entrance alternative shall be one of the following: In all I-MX Zone Districts for all building forms, one

of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

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

9.1.3.6 Design Standard Exceptions

A. Height Exceptions

1. Intent

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

2. Applicability and Standards:

- 3. The following unoccupied building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 9.1.3.6.B.
- 4. 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.
- 5. 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.
- 6. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

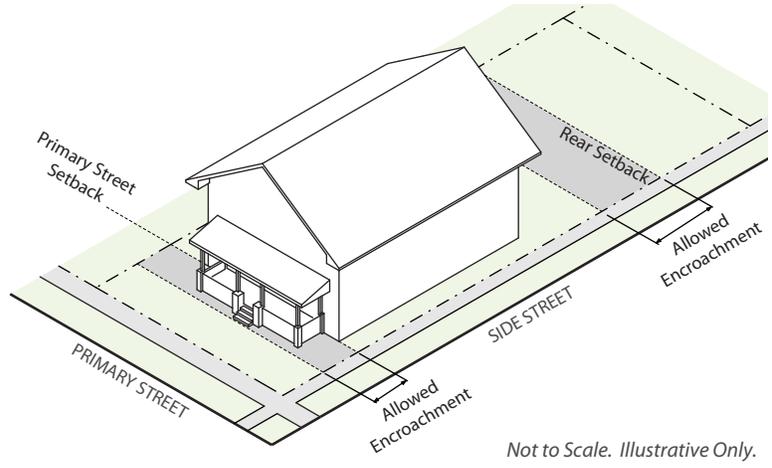
UNOCCUPIED BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All I- Zone Districts	No	No	Not allowed 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 I- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All 5-Story or greater I-MX Zone Districts, I-A, I-B	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, unoccupied shade structures, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	I-MX-3	Yes	Yes	12'	1 story	Not allowed	Not allowed
Unoccupied elevator penthouses, unoccupied shade structures, stair enclosures, and enclosed or unenclosed mechanical equipment including any vertical or sloped screen walls for such equipment	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	I-MX-3	Yes	Yes	12'	1 story	Not allowed	Not allowed
Elevator lobbies	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	I-MX-3	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All 5-Story or greater I-MX Zone Districts, I-A, I-B	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All I- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All I- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All I- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, <u>Stoops</u>, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open <u>except for any side abutting a building facade.</u></p>	All I- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'

Intent: To promote elements which provide for street activation.



Illustrative only



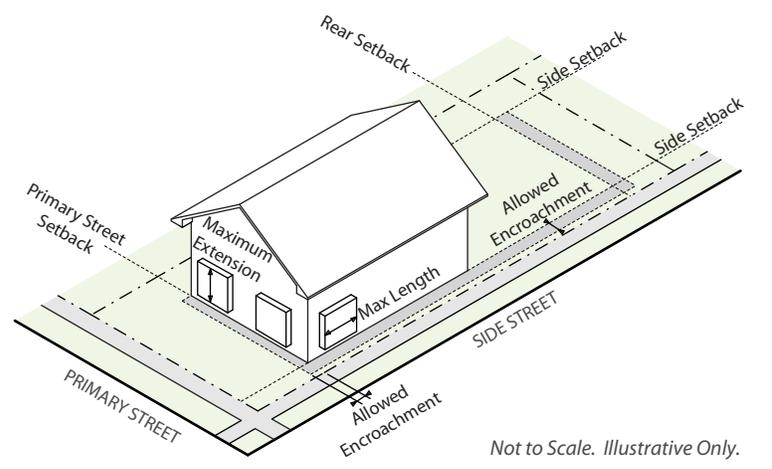
Not to Scale. Illustrative Only.

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All I- Zone Districts	1.5'	1.5'	Not allowed	1.5'

Intent: To allow for improved interior daylighting.



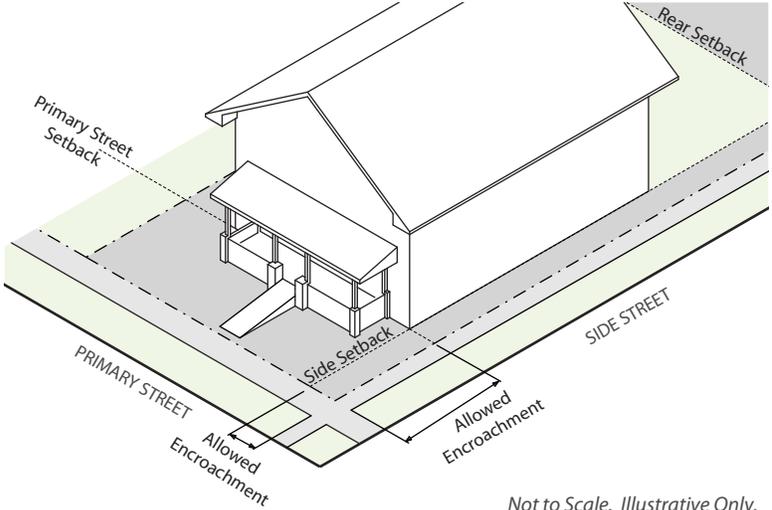
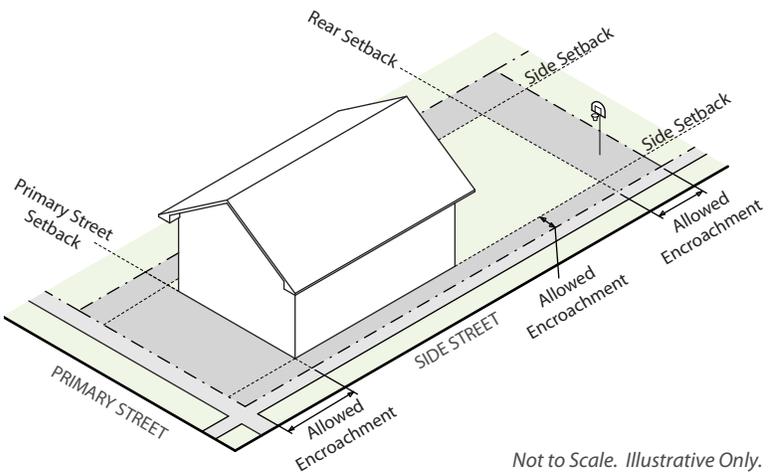
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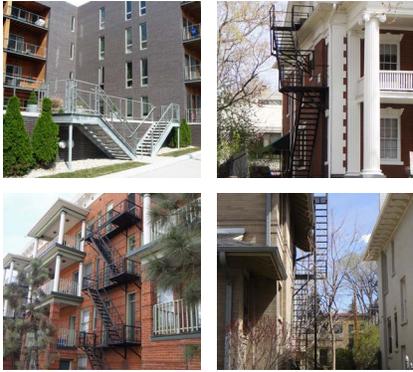
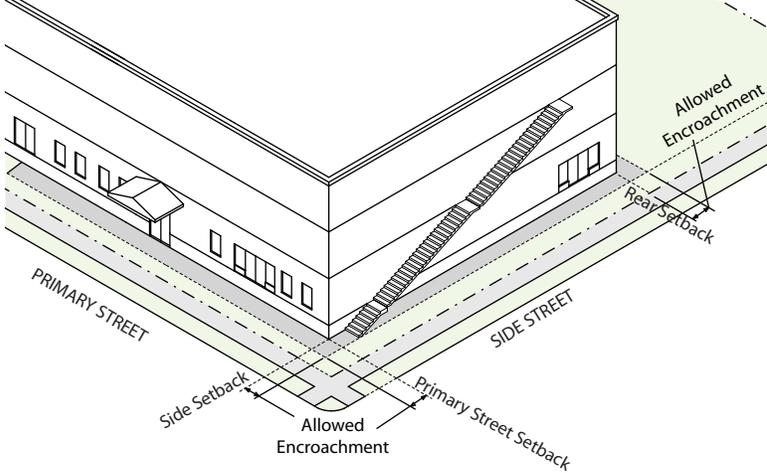


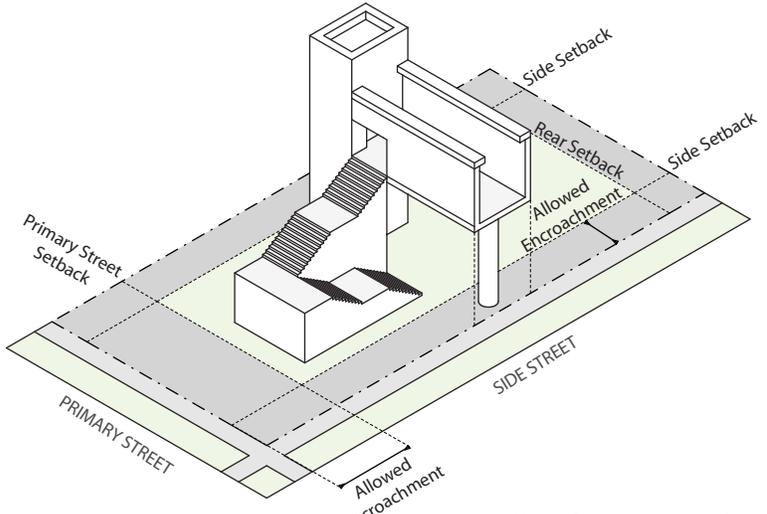
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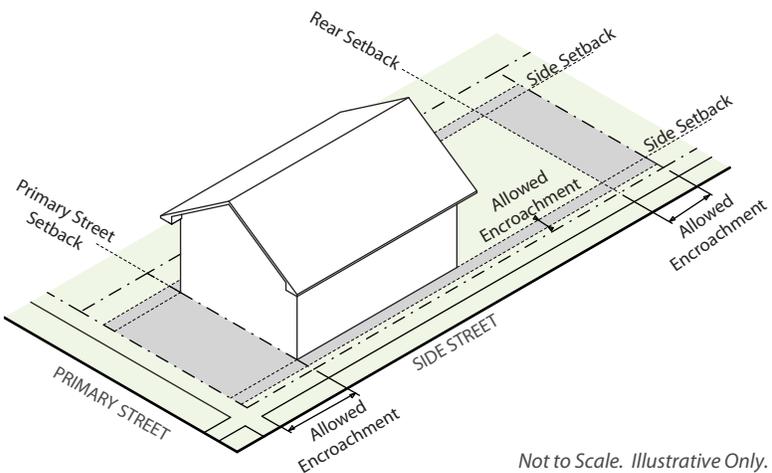
c. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access ramps <u>providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are</u> designed to be compatible with the character of the building, as determined by the Zoning Administrator.</p> <p>Intent: To provide flexibility in the location of required barrier-free access to buildings.</p> <div style="display: flex; justify-content: space-around;">  </div> <p style="text-align: center;"><i>Illustrative only</i></p>	All I- Zone Districts	Any distance	Any distance	Any distance	Any distance
		 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All I- Zone Districts	Any distance	Any distance	Any distance	Any distance
		 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside Outside</u> stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p>	All I- Zone Districts	5'	3'	3'
<p>Intent: To provide for emergency egress from a building only for emergency purposes</p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			

ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Pedestrian Bridge where the encroachment is necessary to complete a connection for access to a mass transit station, provided Public Works has approved a right-of-way encumbrance. Shall not include elevators, stairways or other vertical circulation elements.</p>	All I- Zone Districts	Any distance	Any distance	Any distance
<p>Intent: To allow for above-grade connections to and from transit stations</p>				
 <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>			

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All I- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

9.1.3.7 Required Screening and Enclosure Standards

A. Solid Wall or Fence Screens

When required by this Code, screening shall comply with the following minimum requirements:

1. Fences and walls used for required screening shall be a minimum of 6 feet in height.
2. Fences and walls must be of wood, brick, masonry, textured concrete or aggregate concrete. Materials such as corrugated or sheet metal, tires, car doors, or other discarded materials are not permitted. Chain link or wire mesh may be used only in combination with plant material of sufficient density to create a year round opaque screen.
3. Other materials may be used upon approval by the Zoning Administrator according to Section 12.4.5, Administrative Adjustment.
4. In flood-prone areas, the Zoning Administrator may approve the use of open materials, such as open bars or chain link, at the bottom of required screening up to the flood elevation.
5. The requirement for a solid wall or fence may be satisfied by an equivalent visual barrier consisting of chain link fence containing an approved sight-obscuring material.
6. Within 50 feet of the intersection of the right-of-way lines of intersecting streets, the height and location of such walls or fences shall be determined by Public Works.
7. All walls or fences shall be maintained in good condition at all times.

9.1.3.8 Vehicle Access From Alley Required - Exceptions

A. No Alley

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

B. Alley

Where a building form specifies vehicle access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

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

9.1.3.9 Reference to other Design Standards

A. Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards:

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

SECTION 9.1.4 USES AND REQUIRED MINIMUM PARKING

9.1.4.1 Applicability

- A. This Section 9.1.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Industrial Context Zone Districts.
- B. 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.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

9.1.4.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

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

9.1.4.3 Explanation of Table Abbreviations

A. General Explanation of Table Cell Entries

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

9.1.4.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
RESIDENTIAL PRIMARY USE CLASSIFICATION					
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	L-ZP	L-ZP	\$9.1.5.1
	Dwelling, Two Unit • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: No requirement	P-ZP	L-ZP	L-ZP	\$9.1.5.2
	Dwelling, Multi-Unit • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	P-ZP	L-ZP	L-ZP	\$9.1.5.3
	Dwelling, Live / Work • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	L-ZP	\$11.2.3
Group Living	Assisted Living Facility	NP	NP	NP	
	Community Corrections Facility • Vehicle - I-MX only: 0.125/unit • Vehicle: .25/unit • Bicycle: No requirement	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	\$9.1.5.4
	Nursing Home, Hospice	NP	NP	NP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	NP	NP	
	Residential Care Use, Small or Large • Vehicle - I-MX only: 0.125/unit • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	NP	NP	\$ 11.2.6
	Rooming and Boarding House • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	NP	NP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	\$ 11.2.79
	Student Housing • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1 / 5 units (80/20)	P-ZP	NP	NP	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION					
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	\$ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$ 11.3.2

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		I-A	I-B		
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Hospital	NP	NP	NP	
	Correctional Institution	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§9.1.5.5
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	
	Open Space - Recreation* • Vehicle - I-MX only: 0.375/ 1,000 s.f. GFA • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle - I-MX only: 1/ 1,000 s.f. GFA • Vehicle - High School, I-A and I-B: 2/1,000 s.f. GFA • Bicycle - High School, I-A and I-B: 1/ 20,000 s.f. GFA (0/100) • Vehicle - All Others, I-A and I-B: 1/ 1,000 s.f. GFA • Bicycle - All Others, I-A and I-B: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	NP	§ 11.3.6
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.6
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.6

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement <u>1/10,000 s.f. GFA (0/100)</u>	P-ZP	P-ZP	NP	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION					
Adult Business	All Types	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle - All Others: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA(20/80)	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	\$11.4.2
	Sports and/or Entertainment Arena or Stadium* • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	\$9.1.5.6
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		Not Applicable			
Parking of Vehicles	Parking, Garage • No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Eating & Drinking Establishments	All Types • Vehicle - I-MX only: 3.75/ 1,000 s.f. GFA • Vehicle: 5/ 1,000 s.f. GFA • Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle - I-MX only: 1/guest room or unit • Vehicle: 1.25/guest room or unit • Bicycle: 1/5 guest room or unit (80/20) <u>1/20,000 s.f. GFA (60/40)</u>	P-ZP	NP	NP	
	Lodging Accommodations, All Others • Vehicle - I-MX only: 1/guest room or unit • Vehicle: 1.25/guest room or unit • Bicycle: 1/5 guest room or units (80/20) <u>1/20,000 s.f. GFA (60/40)</u>	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (60/40)	L-ZP	L-ZP	L-ZP	\$11.4.7
	Office, All Others • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3 I-MX-5 I-MX-8			I-A	I-B	APPLICABLE USE LIMITATIONS
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION							
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP			\$11.5.2
	Communication Services •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP			
	Telecommunications Towers* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE			\$11.5.2
	Telecommunications Tower - Alternative Structure •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN			\$11.5.2
	Telecommunication Facilities -- All Others* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP			\$11.5.2
Industrial Services	Contractors, Special Trade - General •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP			\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP			\$9.1.5.8
	Food Preparation and Sales, Commercial •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	PL-ZP	PL-ZP	PL-ZP			<u>\$ 11.5.5</u>
	Laboratory, Research, Development and Technological Services •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP			\$11.5.4
	Service/Repair, Commercial •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP			\$11.5.5
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	P-ZP	P-ZP			\$11.5.6
	Manufacturing, Fabrication & Assembly -- General •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPSE	L-ZP	L-ZP			\$11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP			\$11.5.8
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP			\$9.1.5.10
	Sand or Gravel Quarry* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP			\$9.1.5.11
	Wind Energy Conversion Systems* •No Parking Requirements	L-ZP	L-ZP	L-ZP			\$11.5.9

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		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
AGRICULTURE PRIMARY USE CLASSIFICATION					
Agriculture	Aquaculture* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	§9.1.5.20
	Husbandry, Plant* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§9.1.5.21
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP*	L-ZP*	§9.1.5.22
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Residential Uses In the I-A and I-B Zone Districts, see Sections 9.1.5.1 through 9.1.5.3 for additional limitations on accessory uses. (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			§11.7
	Accessory Dwelling Unit	L-ZP	NP	NP	§11.7; §11.8.2
	Domestic Employee	L	NP	NP	§11.8.3
	Garden*	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See <u>Allowed Permitted Primary</u> Uses	NP	NP	§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.8.8
	Vehicle Storage, Repair and Maintenance*	L	L	L	§11.7; §10.9
Wind Energy Conversion Systems*	Not Applicable - See <u>Allowed Permitted Primary</u> Uses				
Yard or Garage Sales*	L	L	L	§11.7; §11.8.9	

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		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L - ZPIN - Applicable in all Zone Districts			\$11.9; \$11.9.5
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			\$11.7; \$11.10.1
	Amusement Devices Accessory to Eating/ Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Allowed Permitted Primary Uses			\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See Allowed Permitted Primary Uses	L	L	\$11.7
	Car Wash Bay Accessory to Automobile Services	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.5
	College Accessory to a Place for Religious Assembly	Not Applicable - See Allowed Permitted Primary Uses			\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.8
	Garden*	L	L	L	\$11.7; \$11.10.9
	Keeping of Animals	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	\$11.7; \$11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	\$11.7; \$11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10.12
	Outdoor Entertainment Accessory to an Eating/ Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.13
	Outdoor Retail Sale and Display*	L-ZP	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10.14
	Outdoor Storage, General*	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.15
	Outdoor Storage, Limited*	L-ZP	P-ZP	P-ZP	\$11.7; \$11.10.16
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Use	L	NP	NP	\$11.7; \$11.10.17

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		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
TEMPORARY USE CLASSIFICATION					
Temporary Uses	Unlisted Temporary Uses	L - Applicable to all Zone Districts			§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Allowed Permitted Primary Uses			§11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	L-ZP	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	§11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	NP	NP	§11.11.16
Tent for Religious Services	L-ZP	L-ZP	L-ZP	§11.11.17	

SECTION 9.1.5 APPLICABLE USE LIMITATIONS

9.1.5.1 Dwelling, Single Unit (Moved to 11.2.1.1)

Single unit dwellings uses are permitted in the I-A and I-B Zone Districts subject to compliance with the following limitations:-

- A. There is an existing structure that was erected for single unit dwelling use prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the single unit dwelling shall comply with the provisions of the Denver Zoning Code as it applies to the urban house form in the U-SU-C Zone District.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by the Denver Zoning Code as it applies to a single unit dwelling use in the U-SU-C Zone District.
- D. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- E. The zone lot containing a single unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

9.1.5.2 Dwelling, Two Unit (Moved to 11.2.2.3)

Two unit dwelling uses are permitted in the I-A and I-B Zone Districts subject to compliance with the following limitations:-

- A. ~~There is an existing structure that was erected for two unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.~~
- B. ~~Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the two unit dwelling use shall comply with the provisions of this Code as it applies to the duplex or tandem house building forms in the U-TU-C Zone District.~~
- C. ~~Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a two unit dwelling use in the U-TU-C Zone District.~~
- D. ~~A two unit dwelling use in an I-A or I-B Zone District shall be subject to the same limitations as a two unit dwelling use located in any Residential Zone District.~~
- E. ~~The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.~~
- F. ~~The zone lot containing a two unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.~~

9.1.5.3 Dwelling, Multi-Unit (Moved to 11.2.2.3)

~~Multi-unit dwelling uses are permitted in the I-A and I-B Zone Districts subject to compliance with the following limitations:~~

- A. ~~There is an existing structure that was erected as a multiple unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.~~
- B. ~~Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the multiple unit dwelling use shall comply with the provisions of this Code as it applies to a building form allowed in the G-MU-3 Zone District.~~
- C. ~~Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a multi-unit dwelling use in the G-MU-3 Zone District.~~
- D. ~~A multi-unit dwelling use in an I-A or I-B Zone District shall be subject to the same limitations as a multi-unit dwelling use located in any Residential Zone District.~~
- E. ~~The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.~~
- F. ~~The zone lot containing a multi-unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.~~

9.1.5.4 Community Corrections Facility (Moved to 11.2.6.1)

~~In the I-MX, I-A and I-B Zone Districts, community corrections facilities shall comply with the following limitations:~~

- A. **Community Corrections Subject to Large Residential Care Use Limitations**
~~Community corrections facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.5 below, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.5, the more specific limitations in this subsection shall apply.~~

B. ~~Moratorium on New Community Corrections Facilities~~

~~After April 30, 2008, no new community corrections facility shall begin operation until May 1, 2018.~~

C. ~~Permitted Location~~

~~Community corrections facilities (for purposes of this subsection, hereinafter “facilities” or “facility”) shall be located more than:~~

- ~~1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;~~
- ~~2. 1,500 feet from a Residential Zone District; and~~
- ~~3. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.~~

D. ~~Limits on Number of Residents~~

- ~~1. The proposed number of residents in a facility shall not exceed the following limits:
 - ~~a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents.~~
 - ~~b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.~~~~
- ~~2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.~~

E. ~~Government Supervision Required for Transition Programs in a Community Corrections Facility~~

~~Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.~~

9.1.5.5 ~~Cemetery (Moved to 11.3.7.1)~~

~~Cemeteries are allowed subject to compliance with the following limitations:~~

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

9.1.5.6 ~~Sports and/or Entertainment Arena or Stadium (Moved to 11.4.4.1)~~

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

- ~~A. All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.~~
- ~~B. The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

9.1.5.7 ~~Animal Services and Sales, All Others (moved to 11.4.12.1)~~

- ~~A. Wild or dangerous animal boarding and breeding services are prohibited.~~

- B. ~~No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.~~
- C. ~~Overnight accommodations are allowed.~~
- D. ~~Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.~~

9.1.5.8 ~~Contractors, Special Trade-Heavy/Contractor Yard*~~ (moved to 11.5.4)

~~A contractors, special trade/heavy use shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.~~

9.1.5.9 ~~Reserved~~

9.1.5.10 ~~Oil, Gas, Production, Drilling~~ (moved to 11.5.10)

~~Oil gas, production, drilling uses area limited to geophysical services only. As part of the Site Development Plan review process, the Zoning Administrator shall determine the separation between the proposed use and any adjacent Residential Zone District based on the external effects of the proposed use.~~

9.1.5.11 ~~Sand or Gravel Quarry~~ (moved to 11.5.11)

~~A sand or gravel quarry use shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

9.1.5.12 ~~Railroad Facilities~~ (moved to 11.5.14)

- A. ~~A railway facility proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District, provided, however, this 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~
- B. ~~All mass transit railroad facilities located within 200 feet of a conforming residential structure shall be reviewed according to Section 12.4.3, Site Development Plan Review.~~

9.1.5.13 ~~Terminal, Freight, Air Courier Service~~ (moved to 11.5.16)

- A. ~~Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District, provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.~~
- B. ~~The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

9.1.5.14 Automobile Parts Recycling Business (moved to 11.5.17)

- A. ~~The use shall be located no less than 500 feet from a Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, its traffic generation and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.~~
- B. ~~The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.~~
- C. ~~Vehicle parts and bodies shall be arranged and/or stacked in an orderly manner. Outdoor aisles shall be graveled or covered with a dust-free surface material, and the site along with abutting street right-of-way areas shall be kept free of weeds and litter. The dismantling area shall not be visible from the street or from abutting residential or business zoned properties. Outdoor storage areas shall be enclosed by a solid wall or fence, except where such business adjoins a similar use along a side or rear lot line. Provision shall be made to control, contain and collect for proper disposal oil, antifreeze and other liquids generated by the dismantling or storage of motor vehicles or parts. Disposal of CFC's (chlorofluorocarbons) from vehicle air conditioners shall be done in accordance with chapter 4 of the Revised Municipal Code and applicable rules and regulations.~~

9.1.5.15 Junkyard (moved to 11.5.18)

- A. **Separation**
~~The use shall be a minimum of 1,000 feet from any Residential Zone District, Mixed Use Commercial Zone District, or Downtown Neighborhood Context Zone District.~~
- B. **Screening**
~~The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure. The height of such fence or wall shall screen the view from an abutting Primary Street of the stored material and shall not exceed a height of 10 feet. Existing solid walls or fences consisting of prohibited materials shall be replaced with approved materials no later than June 15, 1993.~~

9.1.5.16 Recycling Center (Moved to 11.5.19)

- A. **Separation**
~~The recycling center facility shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.~~
- B. **Screening**
~~The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.~~

9.1.5.17 Recycling Plant, Scrap Processor (moved to 11.5.20)

- A. **Separation**
~~The recycling plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

B. Screening

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

9.1.5.18 Automobile Towing Service Storage Yard (moved to 11.5.21)

An automobile towing service storage yard plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

9.1.5.19 Wholesale Trade or Storage, General (moved to 11.5.24)

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

9.1.5.20 Husbandry, Animal (moved to 11.6.3)

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

9.1.5.21 Husbandry, Plant (moved to 11.6.4)

A. All Zone Districts

Growing of marijuana is permitted only as a "husbandry, plant" use, and shall occur only within a completely enclosed structure.

B. I-A Zone District

When not operated inside a completely enclosed structure, the Plant Husbandry use shall be located at least 500 feet from a Residential Zone District.

9.1.5.22 Plant Nursery

A. I-MX Zone District (moved to 11.6.5.2)

In the I-MX Zone District, a Plant Nursery use shall be operated within a completely enclosed structure.

B. I-A and I-B Zone Districts (moved to 11.6.5.3)

An unclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

GENERAL (1 OF 2)

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

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

Vehicle Access, 3 or more side-by-side dwelling units in one structure

From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)

Vehicle Access, all other permitted uses

Access determined as part of Site Development Plan Review

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

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

<u>USES</u>	<u>CMP-H</u>
	<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</u>

GENERAL (2 OF 2)

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

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

Vehicle Access, 3 or more side-by-side dwelling units in one structure

From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)

Vehicle Access, all other permitted uses

Access determined as part of Site Development Plan Review

USES	CMP-H2
	<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</u>

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

GENERAL (1 OF 2)

HEIGHT		CMP-EI
A	Feet, (max)	150'
A	Feet, within 175' of Protected District (max)	75'
SITING SETBACKS		CMP-EI
		10'
B	Primary Street (min)	0' - adjacent to abutting Speer Boulevard, Auraria Parkway, or 5th Street or 7th Street between Auraria and Colfax
C	Side Street (min)	7.5'
D	Side Interior (min)	7.5'
	Side Interior, adjacent to Protected District (min)	10'
E	Rear, alley/no alley (min)	10'/20'
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)</u>
	<u>Vehicle Access, all other permitted uses</u>	<u>Access determined as part of Site Development Plan Review</u>
DESIGN ELEMENTS		CMP-EI
F	Upper Story Setback Above 40', Side Interior (min)	15'
G	Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)	20'/30'
H	Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
H	Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
I	Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'
USES		CMP-EI
		<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</u>

GENERAL (2 OF 2)

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

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

[Vehicle Access, 3 or more side-by-side dwelling units in one structure](#)

[From Alley; or Street access allowed when no Alley present \(Sec. 9.2.6.4\)\)](#)

[Vehicle Access, all other permitted uses](#)

[Access determined as part of Site Development Plan Review](#)

USES	CMP-EI2
	All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking

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

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

Vehicle Access, 3 or more side-by-side dwelling units in one structure,

From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)

Vehicle Access, all other permitted uses

Access determined as part of Site Development Plan Review

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

<u>USES</u>	<u>CMP-ENT</u>
	<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</u>

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

9.2.6.1 Height Exceptions

A. Intent

To allow unoccupied 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:

- The following unoccupied building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 9.2.6.1.B.
- 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.
- 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.
- Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

UNOCCUPIED BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All CMP- Zone Districts	No	No	<u>Not allowed</u> <u>Any distance</u> <u>when attached</u> <u>to a feature that</u> <u>meets the defini-</u> <u>tion of a Story</u>	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied</u> spires, towers, flagpoles, antennas, chimneys, flues and vents	All CMP- Zone Districts	No	No	28'	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied</u> cooling towers and enclosures for tanks	All CMP- Zone Districts	No	Yes	28'	<u>Not applicable</u>	Not allowed	Not allowed
<u>Unoccupied</u> elevator penthouses <u>servicing the roof</u> , <u>unoccupied shade structures</u> , stair enclosures, and <u>enclosed or unenclosed</u> mechanical equipment including <u>any</u> vertical or sloped screen walls <u>for such equipment</u>	All CMP- Zone Districts	Yes	Yes	28'	<u>1 story</u>	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>All CMP- Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>All CMP- Zone Districts</u>	<u>Yes</u>	<u>Yes</u>	<u>28'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
Parapet Wall and/or Safety Railing	All CMP- Zone Districts	No	No	Any distance	<u>Not applicable</u>	Not allowed	Not allowed

Flush-mounted solar panels	All CMP- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All CMP- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All CMP- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance

9.2.6.2 Setback Exceptions

A. Intent

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

B. Standard

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

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

9.2.6.3 Setback Permitted Encroachments

Permitted encroachments into required setback areas include:

1. Intent

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

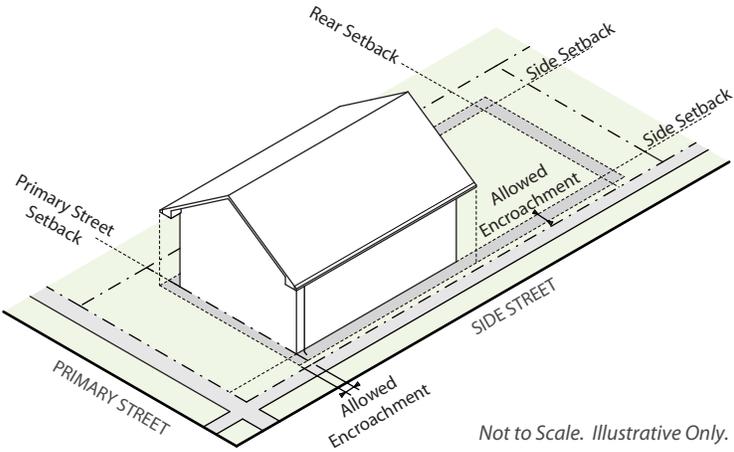
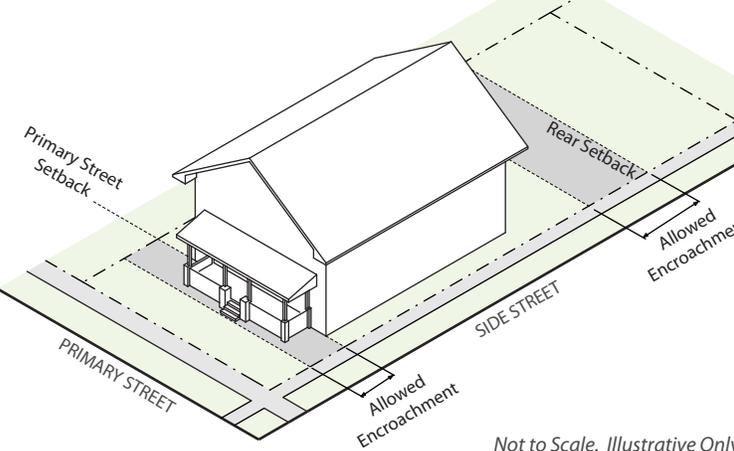
2. Standard

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

a. Architectural Elements

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

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gutters and Roof Overhang</p> <p>Intent: To allow features of structures intended to repel weather</p>  <p><i>Illustrative only</i></p>	All CMP- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, <u>Stoops</u>, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open <u>except for any side abutting a building facade.</u></p> <p>Intent: To promote elements which provide for street activation.</p>  <p><i>Illustrative only</i></p>	All CMP- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
 <p><i>Not to Scale. Illustrative Only.</i></p>					

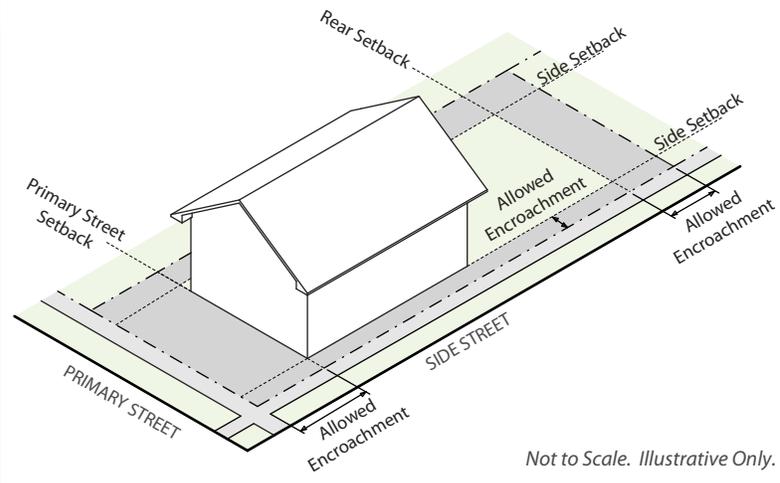
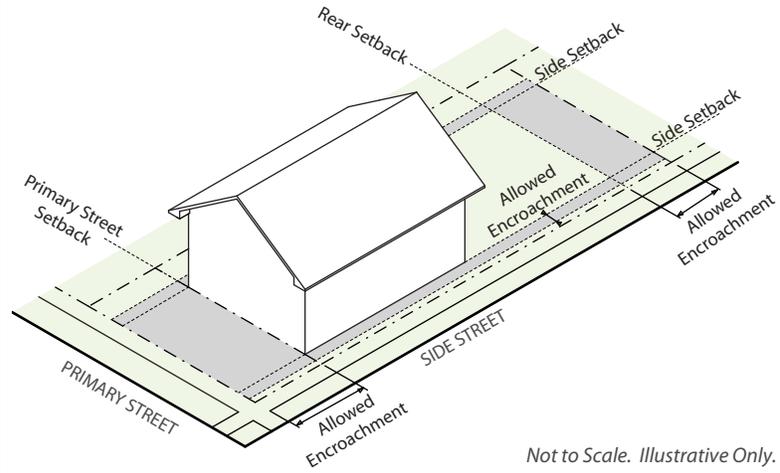
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Surface Parking	All CMP- Zone Districts	Not allowed	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.					

c. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps <u>providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are</u> designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of required barrier-free access to buildings.					
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground mounted evaporative coolers located behind the front of the primary structure and screened from adjacent properties and public rights-of-way, and not to exceed the noise standards of D.R.M.C. Section 36-6</p> <p>Intent: To allow for functional siting.</p>	All CMP- Zone Districts	Not allowed	3'	3'	Not allowed
<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside Outside</u> stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</p> <p>Intent: To provide for emergency egress from a building <u>only for emergency purposes</u></p>	All CMP- Zone Districts	5'	3'	3'	10'
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p style="text-align: center;"><i>Illustrative only</i></p> </div> <div style="width: 65%;"> <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p> </div> </div>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: Shall not exceed 3' in height.	All CMP- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All CMP- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
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>					

9.2.6.4 Vehicle Access From Alley Required - Exceptions

- A. **No Alley**
Where a building form specifies “street access allowed when no alley present”, vehicle access from the street is allowed when a zone lot is not bounded by an alley.
- B. **Alley**
Where a building form specifies vehicle access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

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

SECTION 9.2.7 USES AND REQUIRED MINIMUM PARKING

9.2.7.1 Applicability

- A. This Section 9.2.7 sets forth the land uses ~~allowed~~ permitted, the required zoning procedures and the required minimum parking for all the Campus Context Zone Districts.
- B. 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.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

9.2.7.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such

9.2.7.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
RESIDENTIAL PRIMARY USE CLASSIFICATION					
Household Living	Dwelling, Single Unit • No Parking Requirements	NP	P-ZP	NP	
	Dwelling, Two Unit • Vehicle: 0.75/unit • Bicycle: No requirement	NP	P-ZP	NP	
	Dwelling, Multi-Unit • Vehicle: 0.75/unit • Bicycle: 1/ 2 units (80/20)	P-ZPIN	EI: P-ZP EI2: P-ZPIN	P-ZP	
	Dwelling, Live / Work	NP	NP	NP	
Group Living	Assisted Living Facility • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	NP	
	Community Corrections Facility	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZPIN	NP	
	Residence for Older Adults • Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	NP	
	Residential Care Use, Small or Large • Vehicle: .25/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.6
	Rooming and Boarding House • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • No Parking Requirements	NP-L	L-ZP- L-ZPIN/L	NP-L	§ 11.2.7 9
	Student Housing • Vehicle: 1.25/unit • Bicycle: 1 / 5 units (100/0)	P-ZPIN	P-ZPIN	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	CMP-H	CMP-EI	CMP-ENT	APPLICABLE USE LIMITATIONS
		CMP-H2	CMP-EI2		
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION					
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center • Vehicle: No requirement No Parking requirements • Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood	NP	NP	NP	
Community/ Public Services	Postal Processing Center	NP	NP	NP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	NP	NP	
	Correctional Institution	NP	NP	NP	
Cultural/Special Purpose/ Public Parks & Open Space	Cemetery*	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	
	Open Space - Recreation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle: 1/1,000 s.f. GFA • Bicycle - High School: 1/ 5,000 s.f. GFA (0/100) • Bicycle-All Others: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION					
Adult Business	All Types	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

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USE CATEGORY	SPECIFIC USE TYPE <ul style="list-style-type: none"> • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) 				APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor <ul style="list-style-type: none"> • Vehicle - Artist Studio: 0.3/1000 ft² GFA • Vehicle - All Others: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80) 	NP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* <ul style="list-style-type: none"> • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80) 	NP	NP	L-ZP	§ 11.4.2
	Sports and/or Entertainment Arena or Stadium* <ul style="list-style-type: none"> • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80) 	NP	NP	P-ZP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		Not Applicable			
Parking of Vehicles	Parking, Garage <ul style="list-style-type: none"> • No Parking Requirements 	P-ZP	P-ZP	P-ZP	
	Parking, Surface* <ul style="list-style-type: none"> • No Parking Requirements 	L-ZP	L-ZP	P-ZP	§ 11.4.5
Eating & Drinking Establishments	All Types <ul style="list-style-type: none"> • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/1,500 s.f. GFA (0/100) 	NP	NP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging <ul style="list-style-type: none"> • Vehicle: 0.875/guest room or unit • Bicycle: 1/5 guest room or unit (100/0) 1/7,500 s.f. GFA (60/40) 	P-ZP	EI: P-ZP EI2: NP	P-ZP	
	Lodging Accommodations, All Others <ul style="list-style-type: none"> • Vehicle: 0.5/ guest room or unit • Bicycle: 1/5 guest rooms or units (100/0) 1/7,500 s.f. GFA (60/40) 	P-ZPIN	EI: P-ZPIN EI2: NP	P-ZP	
Office	Dental / Medical Office or Clinic <ul style="list-style-type: none"> • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (60/40) 	L-ZP	L-ZP/P-ZPIN	NP	§11.4.7
	Office, All Others <ul style="list-style-type: none"> • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (60/40) 	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	NP	NP	NP	
	Animal Sales and Services, All Others	NP	NP	NP	
	Body Art Establishment	NP	NP	NP	
	Food Sales or Market	NP	NP	NP	
	Liquor Store, Including Drugstores Licensed to Sell Liquor	NP	NP	NP	
	Pawn Shop	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	
Retail Sales, Service & Repair, All Others <ul style="list-style-type: none"> • Vehicle: 1.25/ 1,000 s.f. GFA • Bicycle: 1/7,500 s.f. GFA (20/80) 	PIN	NP	P-ZP		

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE ZONING DISTRICTS			APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
Waste Related Services	Automobile Parts Recycling Business	NP	NP	NP	
	Junkyard*	NP	NP	NP	
	Recycling Center	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	
	Mini-storage Facility	NP	NP	NP	
	Vehicle Storage, Commercial*	NP	NP	NP	
	Wholesale Trade or Storage, General	NP	NP	NP	
	Wholesale Trade or Storage, Light	NP	NP	NP	
AGRICULTURE PRIMARY USE CLASSIFICATION					
Agriculture	Aquaculture*	NP	NP	NP	
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.12
	Husbandry, Animal*	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	§11.6.3
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts			§11.7
	Accessory Dwelling Unit • Vehicle: 1 / Unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	§11.8.3
	Garden*	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	NP	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.7; §11.8.8
	Vehicle Storage, Repair and Maintenance Accessory to a Dwelling Use*	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Allowed Permitted Primary Uses			
Yard or Garage Sales*	L	L	L	§11.7; §11.8.9	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts			§11.9; §11.9.5

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	
TEMPORARY USE CLASSIFICATION					
Temporary Uses	Unlisted Temporary Uses	L - Applicable in all Zone Districts			§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Allowed Permitted Primary Uses			§11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	L-ZP	L-ZP	§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or Yard for Construction Materials*	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	§11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	§11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	§11.11.16
Tent for Religious Services	L-ZP	L-ZP	L-ZP	§11.11.17	

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

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

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

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

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

USES	OS-B, OS-C
<p><u>All permitted Primary Uses shall be allowed within this building form. See Section 9.3.4 Uses and Parking</u></p>	

9.3.3.3 Design Standard Exceptions

A. Height Exceptions

1. Intent

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

2. Applicability and Standards:

- a. The following ~~unoccupied~~ building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 9.3.3.3.2.
- b. 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.
- c. 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.
- d. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

UNOCCUPIED 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	OS-B, OS-C	No	No	Not allowed <u>Any distance when attached to a feature that meets the definition of a Story</u>	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents</u>	OS-B, OS-C	No	No	28'	<u>Not applicable</u>	Any distance	Any distance
<u>Unoccupied cooling towers and enclosures for tanks</u>	<u>OS-B, OS-C</u>	<u>No</u>	<u>Yes</u>	<u>28'</u>	<u>Not applicable</u>	<u>Any distance</u>	<u>Any distance</u>
<u>Unoccupied elevator penthouses</u> unoccupied shade structures , stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment:	OS-B, OS-C	Yes	Yes	12'	<u>1 story</u>	Not allowed	Not allowed
<u>Elevator lobbies</u>	<u>OS-B, OS-C</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>1 story</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Open Structures</u>	<u>OS-B, OS-C</u>	<u>Yes</u>	<u>Yes</u>	<u>12'</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>Not allowed</u>
<u>Parapet Wall and/or Safety Railing</u>	<u>OS-B, OS-C</u>	<u>No</u>	<u>No</u>	<u>Any distance</u>	<u>Not applicable</u>	<u>Any distance</u>	<u>Any distance</u>

Flush-mounted solar panels	OS-B, OS-C	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	OS-B, OS-C	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	OS-B, OS-C	No	Yes	28'	Not applicable	Any distance	Any distance

B. Setback Exceptions

1. Intent

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

2. Standard

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

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

SECTION 9.3.4 USES AND REQUIRED MINIMUM PARKING

9.3.4.1 Applicability

A. OS-A Zone District

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

B. OS-B, -C Zone Districts

- 1. This Section 9.3.4 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for the OS-B, -C Zone Districts.
- 2. 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.
- 3. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

9.3.4.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

9.3.4.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	OS-A OS-B OS-C			APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
RESIDENTIAL PRIMARY USE CLASSIFICATION					
Household Living	Dwelling, Single Unit	See Section 9.3.4.1	NP	NP	
	Dwelling, Two Unit		NP	NP	
	Dwelling, Multi-Unit		NP	NP	
	Dwelling, Live / Work		NP	NP	
Group Living	Assisted Living Facility		NP	NP	
	Community Corrections Facility		NP	NP	
	Nursing Home, Hospice		NP	NP	
	Residence for Older Adults		NP	NP	
	Residential Care Use, Small or Large		NP	NP	
	Rooming and Boarding House		NP	NP	
	Shelter for the Homeless		NP-L	NP-L	§ 11.2.9
	Student Housing		NP	NP	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION					
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	See Section 9.3.4.1	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement		L-ZP	NP	§ 11.3.2
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement <u>1/10,000 s.f. GFA (0/100)</u>		L-ZP	NP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP	
	Postal Facility, Neighborhood		NP	NP	
	Postal Processing Center		NP	NP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP	
	Hospital		NP	NP	
	Correctional Institution		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery* • No Parking Requirements	See Section 9.3.4.1	L-ZP	NP	§ 9.3.5.1; § 9.3.5.2
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZP	NP	§ 9.3.5.2
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZP	NP	§ 9.3.5.2
	City Park* • No Parking Requirements	PL-ZP	NP	NP	<u>§ 9.3.3.1; § 9.3.4.1</u>
	Open Space - Recreation* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No requirement	See Section 9.3.4.1	L-ZP	NP	§ 9.3.5.2
	Open Space - Conservation* • No Parking Requirements		P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	See Section 9.3.4.1	L-ZP	NP	§ 11.3.6
	University or College		NP	NP	
	Vocational or Professional School		NP	NP	
Public and Religious Assembly	All Types • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No requirement		P-ZP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Waste Related Services	Automobile Parts Recycling Business	See Section 9.3.4.1	NP	NP	
	Junkyard*		NP	NP	
	Recycling Center		NP	NP	
	Recycling Collection Station		NP	NP	
	Recycling Plant, Scrap Processor		NP	NP	
	Solid Waste Facility		NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*		NP	NP	
	Mini-storage Facility		NP	NP	
	Vehicle Storage, Commercial*		NP	NP	
	Wholesale Trade or Storage, General		NP	NP	
	Wholesale Trade or Storage, Light		NP	NP	
AGRICULTURE PRIMARY USE CLASSIFICATION					
Agriculture	Aquaculture* • Vehicle: 0.5 / 1,000 s.f. GFA • Bicycle: No requirement	See Section 9.3.4.1	L-ZP	NP	§11.6.1
	Garden, Urban* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	§11.6.2
	Husbandry, Animal* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	§9.3.5-511.6.3
	Husbandry, Plant* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		P L-ZP	NP	§11.6.4
	Plant Nursery* • Vehicle: 0.5/ 1,000 s.f. GFA • Bicycle: No Requirement		L-ZP	NP	§9.3.5-611.6.5

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.3.4.1	NP	NP	
	Accessory Dwelling Unit		NP	NP	
	Domestic Employee		NP	NP	
	Garden*		NP	NP	
	Keeping of Household Animals*		NP	NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	NP	
	Kennel or Exercise Run*		NP	NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	NP	
	Vehicle Storage, Repair and Maintenance*		NP	NP	
	Wind Energy Conversion Systems*		Not Applicable - See <u>Allowed Permitted Primary</u> Uses		
	Yard or Garage Sales*		NP	NP	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	See Section 9.3.4.1	NP	NP	
	All Other Types		NP	NP	
	Unlisted Home Occupations		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
TEMPORARY USE CLASSIFICATION					
Temporary Uses	Unlisted Temporary Uses	See Section 9.3.4.1	L-ZP	L-ZP	\$11.11.1
	Ambulance Service - Temporary		NP Not Applicable - See Allowed Permit ted Primary Uses	NP	
	Amusement / Entertainment - Temporary*		L-ZP	NP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*		L-ZP	NP	\$11.11.4
	Building or yard for construction materials*		L-ZP	NP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	NP	\$11.11.6
	Fence for Demolition or Construction Work		L-ZP	NP	\$11.11.7
	Health Care Center		NP	NP	
	Noncommercial Concrete Batching Plant*		L-ZP	NP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	NP	
	Outdoor Retail Sales*		NP	NP	
	Outdoor Sales, Seasonal*		L-ZP	NP	\$11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	NP	\$11.11.13
	Retail Food Establishment, Mobile*		L-ZP	NP	\$11.11.14
	Temporary Construction Office		L-ZP	NP	\$11.11.15
	Temporary Office - Real Estate Sales		NP	NP	
	Tent for Religious Services		L-ZP	NP	\$11.11.17

SECTION 9.3.5 APPLICABLE USE LIMITATIONS

9.3.5.1 Cemetery (moved to 11.3.6.1)

~~Cemeteries are allowed subject to compliance with the following limitations:~~

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

9.3.5.2 Cultural/Special Purpose/Public Parks & Open Space Uses in the OS-B District (moved to 11.3.7)

~~In the OS-B Zone District, all permitted cultural/special purpose/public parks and open space uses shall comply with the following limitations:~~

- A. ~~Permitted accessory uses and structures are limited to:~~
 - 1. ~~Swimming pools and customary associated buildings;~~
 - 2. ~~Tennis, basketball, or other similar playing courts;~~
 - 3. ~~Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;~~
 - 4. ~~Playground or picnic shelters/areas; and~~
 - 5. ~~Water features and public art.~~
- B. ~~All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10:00 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.~~
- C. ~~No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District.~~
- D. ~~Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Section 11.7, Accessory Use Limitations and finds that the proposed structure or use will not adversely affect properties adjoining the OS-B Zone District. See Section 12.4.6, Code Interpretations and Determination of Uses, for the applicable procedure to determine unlisted uses.~~

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

~~In the OS-B Zone District, all permitted arts, entertainment and recreation uses shall comply with the following limitations:~~

- A. ~~Permitted accessory uses and structures are limited to:~~
 - 1. ~~Swimming pools and customary associated buildings;~~
 - 2. ~~Tennis, basketball, or other similar playing court;~~
 - 3. ~~Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;~~
 - 4. ~~Playground or picnic shelters/areas; and~~
 - 5. ~~Water features and public art.~~
- B. ~~All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.~~

- C. ~~No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.~~
- D. ~~Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Division 11.7, Accessory Use Limitations, and finds that the proposed structure or use will not adversely affect properties adjoining the Open Space Zone District. See Section 12.4.6, Code Interpretations and Determination of Unlisted Uses for the applicable procedure to determine unlisted uses.~~

9.3.5.4 Sports and/or Entertainment Arena or Stadium (moved to 11.4.4.2)

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

- A. ~~All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.~~
- B. ~~The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.~~

9.3.5.5 Husbandry, Animal (moved to 11.6.3.2)

~~In the OS-B Zone District, this use is limited to the raising and/or grazing of livestock animals and any confinements for such animals, provided such use is located at least 500 feet from a Residential Zone District.~~

9.3.5.6 Plant Nursery (11.6.5.4)

~~An unenclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.~~

DIVISION 9.4 OVERLAY ZONE DISTRICTS

SECTION 9.4.1 GENERAL INTENT

Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable Zone District standards with additional use or design limits, allowances, and prohibitions.

SECTION 9.4.2 OVERLAY ZONE DISTRICTS ESTABLISHED

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

OVERLAY ZONE DISTRICTS	
CO-	Conservation Overlay District
UO-	Use Overlay District
DO-	Design Overlay District

9.4.2.1 Process to Establish Overlay Zone Districts - Text Amendment & Rezoning Required

Creation of an overlay Zone District shall be by text amendment according to Section 12.4.11, Text Amendment, to codify the standards established within the overlay, and by an official map amendment (rezoning) according to Section 12.4.10. With the Manager's approval, the map amendment may be filed and reviewed concurrent with the text amendment according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

9.4.2.2 Effect of Underlying Zone District Designation

All of the provisions of the underlying Zone District shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable overlay Zone District; provided, however, except in an approved use overlay Zone District (-UO), an overlay Zone District shall not be used to add to the specific permitted uses in the underlying district, nor shall it be used to prohibit specific permitted uses in the underlying district.

9.4.2.3 Effect of Overlay Zone District Designation

All zoning applications within a specific overlay Zone District shall comply with the applicable provisions of that overlay Zone District, and the underlying Zone District, and shall be reviewed under this Code to assure such compliance. Where the provisions of the overlay Zone District are different from (e.g., in the case of an overlay use district), or more restrictive than (e.g., in the case of a neighborhood conservation overlay Zone District) the provisions of the underlying zoning designation, the provisions of the overlay Zone District shall apply. A change in the underlying Zone District does not change the content or applicability of the overlay zone provisions.

SECTION 9.4.3 CONSERVATION OVERLAY DISTRICT (CO-)

9.4.3.1 Purpose

The Conservation Overlay District is intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of specific areas within Denver possessing distinctive features, identity, or character worthy of retention and enhancement. A Conservation Overlay District takes effect through adoption of area specific standards that will facilitate maintenance and protection of the area character and the development of vacant or underused lots. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of this Code for use during review of development within the overlay Zone District.

3. All Other Design Standards

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

9.4.3.4 Conservation Overlay Districts Established

The following conservation overlay Zone Districts are established:

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

9.4.3.5 Effect of Approval

A. Zoning Map Designator

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

B. Limitation on Permit Issuance

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

9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)

A. Creation

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

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

Any zone lots in this overlay Zone District that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at ~~the primary any~~ street (~~frontSide Street or Primary Street~~)-setback line for structures and are not less than 9,300 square feet in ~~arealot size~~.

C. Exceptions Inapplicable

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

D. ~~Corner Lots~~ [standard not needed with the change to “B” above]

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

9.4.3.7 Curtis Park Conservation Overlay District (CO-2)

A. Creation

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

B. Intent

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

C. Applicability

This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH Zone District.

D. Building Form Standards for Zone Lots with a Historic Structure

For any zone lot occupied by a historic structure, as “historic structure” is defined in Article 13, Rule of Measurements and Definitions, development of a detached accessory structure is allowed subject to the following allowances and conditions:

1. The structure may comply with the U-RH-2.5 Detached Garage building form standards and exceed the maximum building coverage; and
2. The structure may comply with the U-RH-2.5 Detached Accessory Dwelling Unit building form standards and:
 - a. May exceed the maximum building coverage,
 - b. Shall be exempt from the bulk plane, and
 - c. May exceed the maximum height in stories not to exceed two stories.
3. The structure shall be located in the rear one-half of the zone lot; and
4. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

E. Building Form Standards for Zone Lots without a Historic Structure

For zone lots not occupied by a historic structure, development of a detached accessory structure is allowed using the U-RH-2.5 Detached Accessory Dwelling Unit building form, subject to the following allowances and conditions:

1. The structure shall be exempt from the bulk plane,
2. The structure may exceed the maximum height in stories not to exceed two stories,
3. The structure shall be located in the rear one-half of the zone lot, and
4. The design and location of the structure shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)

9.4.4.1 Purpose

Use Overlay districts are a vehicle to permit or prohibit specific land uses in delineated parts of the city that otherwise are included in a variety of underlying Zone Districts and portions of Zone Districts. The purpose of the Adult Use and Billboard Use overlay Zone Districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses and billboard uses as those rights existed before June 25, 2010. The purpose of the Historic Structure Use Overlay District is to encourage the continuing preservation and adaptive reuse of landmark and historic structures. Because variation of permitted uses **allowed** in an underlying Zone District is most appropriately the focus of a legislative rezoning or an amendment to the underlying Zone District, future application of the use overlay Zone Districts created herein is strictly limited and the establishment of new use overlay Zone Districts is prohibited.

9.4.4.2 Modification of Underlying Zone District Standards

A. Modification of Permitted Uses and Use Limitations Allowed

1. A Use Overlay District may be used to add to the specific permitted uses in the underlying Zone District, or prohibit specific permitted uses in the underlying district.
2. Use limitations otherwise applicable to permitted uses in the underlying Zone District may be modified.

Urban Edge (E-)	2.5 / 1,000 ft ² GFA MS only: 2 / 1,000 ft ² GFA	1 / 20,000 ft ² GFA (20/80)
Urban (U-)	2.5 / 1,000 ft ² GFA MS only: 2 / 1,000 ft ² GFA	1 / 10,000 ft ² GFA (20/80)
General Urban (G-)	1.875 / 1,000 ft ² GFA	1 / 10,000 ft ² GFA (20/80)
Urban Center (C-)	1.25 / 1,000 ft ² GFA	1 / 7,500 ft ² GFA (20/80)
Downtown (D-) D-GT & D-AS only	1.25 / 1,000 ft ² GFA	1 / 7,500 ft ² GFA (20/80)
Industrial (I-)	2.5 / 1,000 ft ² GFA	1 / 20,000 ft ² GFA (20/80)
Campus (CMP-)	1.25 / 1,000 ft ² GFA	1 / 7,500 ft ² GFA (20/80)
Master Planned (M-)	1.875 / 1,000 ft ² GFA	1 / 10,000 ft ² GFA (20/80)

9.4.4.7 Billboard Use Overlay District (UO-2)

A. Creation

There is hereby created a use overlay district designated as the Billboard Use Overlay District.

B. Allowance for Billboards

Notwithstanding the limitations applicable in the underlying Zone District, “outdoor general advertising device” signs, also known as “billboards”, shall be permitted in this overlay Zone District. See Article 13 for the definition of “outdoor general advertising device.”

C. Applicable Use Limitations

All outdoor general advertising device uses in this Use Overlay District shall comply with the sign standards and limitations applicable to “outdoor general advertising devices” stated in Division 10, Signs, and Section 10.10.20, Outdoor General Advertising Devices in the Billboard Use Overlay District, including but not limited to minimum separation and distance requirements.

9.4.4.8 Historic Structure Use Overlay District (UO-3)

A. Creation

There is hereby created a use overlay district designated as the Historic Structure Use Overlay District.

B. Establishment

The Historic Structure Use Overlay District may only be established in conjunction with an underlying Residential Zone District.

C. Allowance for Certain Commercial Uses

Notwithstanding the limitations applicable in the underlying Zone District, the following commercial uses shall be permitted in this overlay Zone District:

1. Office, not including dental/medical office or clinic
2. Art studio
3. Bed and breakfast lodging

D. Applicable Use Limitations - Office and Art Studio Uses

Office (not including dental/medical office or clinic) or art studio uses in this overlay Zone District are ~~allowed~~ permitted only in a structure designated for preservation by the Landmark Preservation Commission according to Chapter 30 (Landmarks) of the D.R.M.C., and subject to compliance with the following conditions:

1. The applicant for establishment of the office or art studio use is the owner of record of the subject structure.
2. The subject structure was legally erected.
3. The subject structure contains a minimum of 5,000 square feet of gross floor area.

4. For any modifications to the structure that require landmark approval, the modification shall have been reviewed and approved by the landmark preservation commission before submittal for zoning approval.
5. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the district in which the structure is located.
6. All uses operated in the structure involved shall comply with this Code's off-street parking and off-street loading requirements for each such use in the MS-2 Zone District; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according to the Administrative Adjustment procedures in Section 12.4.5. The parking exemption for historic structures in Section 10.4.5.1.C of this Code shall not be applicable to office and art studio uses allowed permitted in an UO-3 overlay zone district.
7. All uses allowed permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x Zone District.

E. Applicable Use Limitations - Bed and Breakfast Lodging

Bed and breakfast lodging uses in this overlay Zone District are allowed permitted only in a Historic Structure, as "Historic Structure" is defined in Article 13, Rules of Measurement and Definitions, and subject to compliance with the following conditions:

1. The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.
2. The subject structure contains no more than 10 guest rooms or suites and that the use of the dining room shall be restricted to use by overnight guests, employees, the owner's family and/or nonpaying guests.
3. Off-street parking shall be provided at a ratio of 1 parking space for each of the following: Each guest room or suite, each nonresident employee and the owner. The Zoning Administrator may reduce this ratio by up to 20 percent of the requirement according to the Administrative Adjustment procedure in Section 12.4.5, Administrative Adjustment. The parking exemption for historic structures in Section 10.4.5.1.C of this Code shall not be applicable to bed and breakfast lodging uses allowed permitted in an UO-3 overlay zone district.
4. No other such lodging is located within 500 feet of the proposed use as measured along the same face block from zone lot line to zone lot line.
5. The structure contains a minimum of 1,000 square feet of gross floor area and no guest room or suite contains less than 100 square feet of floor area.
6. The lodging shall provide breakfast as part of the room price.
7. The interior and exterior of the structure shall be maintained in a manner that reflects the original architectural character of the building, and the property shall be landscaped in a manner that protects the appearance and value of surrounding properties and neighborhoods and improves environmental conditions, thereby promoting the general welfare. The landscaping shall be continuously maintained which includes necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material. Replacement shall occur in the next planting season; but, in any event, replacement time shall not exceed one year.
8. The sign regulations of Division 10.10, Signs, shall apply; provided, however, the maximum sign area permitted on any one street front shall not exceed 10 square feet. The maximum height of any ground sign shall be 4 feet.

DESIGN OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Reserved	DO-4
South Sloan's Lake	DO-5

9.4.5.4 Effect of Approval

A. Official Map Designator

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

B. Limitation on Permit Issuance

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

9.4.5.5 Uptown Design Overlay District (DO-1)

A. Creation

1. There is hereby created an design overlay district designated as the Uptown Design Overlay District.
2. As applied on the Official Zoning Map to properties retaining underlying Zone District designations pursuant to Former Chapter 59, DO-1 Uptown Design Overlay District's standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying Zone District pursuant to this Code.

B. Lower Floor Building Design

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

1. Lower Floor Design Standards

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

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

- h. Location of adjacent structures; and
- i. Fence height, appearance and materials.

2. Optional Lower Floor Design Review

As an alternative to compliance with specific design standards adopted pursuant to this subsection, any new structure or any renovated structure meeting the conditions set forth in Section 9.4.5.5.B may elect to have the lower 80 feet of the building ~~above street level~~ reviewed by the Zoning Administrator according to Section 12.4.3, Site Development Plan Review, and guided by the following standards:

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

9.4.5.6 Washington Street Design Overlay (DO-2)

A. Creation

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

B. Intent

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

C. Building Height Standard

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

9.4.5.7 Lafayette Design Overlay (DO-3)

A. Creation

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

B. Intent

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

C. Height and Upper Story Setback Building Form Standard

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

SECTION 9.5.2 DENVER INTERNATIONAL AIRPORT ZONE DISTRICT (DIA)

9.5.2.1 Building Forms

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

9.5.2.2 Design Standards

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

9.5.2.3 **Allowed Permitted** Uses in the DIA Zone District

See Section 9.5.5, Uses and Required Minimum Parking.

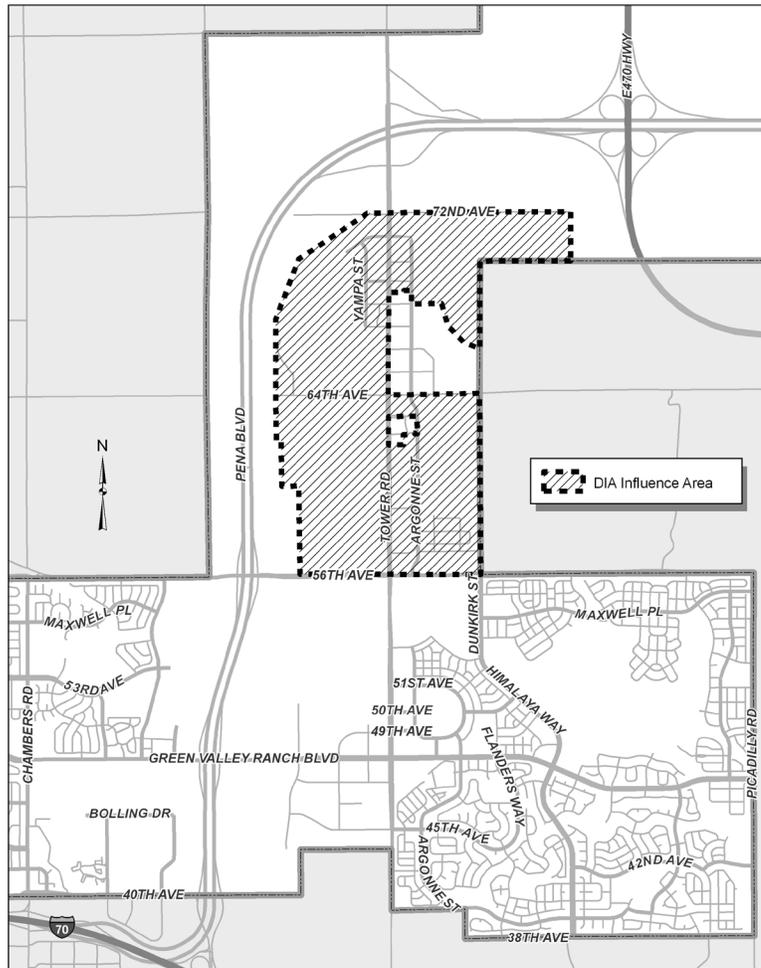
SECTION 9.5.3 DIA INFLUENCE AREA OVERLAY ZONE (AIO-)

9.5.3.1 DIA Influence Area

The DIA Influence Area is defined as the land area located north of 56th Avenue in the City and County of Denver's DIA statistical neighborhood, as shown in Figure 9.5-1, and on the Official Map.

Figure 9.5-1

Denver International Airport Influence Area



B. O-1 Zone District

1. This Section 9.5.5 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for the O-1 Zone District.
2. 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.
3. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

9.5.5.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

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

9.5.5.3 Explanation of Table Abbreviations

A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations 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.

B. Permitted, Limited, Not Permitted

1. 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.

9.5.5.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE	DIA		O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
RESIDENTIAL PRIMARY USE CLASSIFICATION					
Household Living	Dwelling, Single Unit	See Section 9.5.5.1 for permitted uses and required parking		NP	
	Dwelling, Two Unit			NP	
	Dwelling, Multi-Unit			NP	
	Dwelling, Live / Work			NP	
Group Living	Assisted Living Facility			NP	
	Community Corrections Facility			NP	
	Nursing Home, Hospice			NP	
	Residence for Older Adults			NP	
	Residential Care Use, Small or Large •Vehicle: .25/unit •Bicycle: No requirement			L-ZPIN	§ 11.2.6
	Rooming and Boarding House			NP	
	Shelter for the Homeless •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement			L-ZPIN/L	§ 11.2.7 9
	Student Housing			NP	

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USE CATEGORY	SPECIFIC USE TYPE	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY		
		DIA	O-1	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION				
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	See Section 9.5.5.1 for permitted uses and required parking	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement		L-ZP	§ 11.3.2
Community/ Public Services	Community Center •Vehicle: .5 / 1,000 ft ² GFA •Bicycle: No requirement <u>1/10,000 s.f. GFA (0/100)</u>		L-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)		P-ZPIN	
	Postal Facility, Neighborhood		NP	
	Postal Processing Center		NP	
	Public Safety Facility •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)		P-ZP	
	Hospital		NP	
	Correctional Institution •Vehicle: .25/unit •Bicycle: No requirement		P-ZP	
Cultural/Special Purpose/Pub- lic Parks & Open Space	Cemetery* •No Parking Requirements		P-ZP	
	Library •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP		
	Museum •Vehicle: 1/ 1,000 ft ² GFA •Bicycle: 1/ 10,000 ft ² GFA (0/100)	P-ZP		
	City Park*	NP		
	Open Space - Recreation* •Vehicle: .5/ 1,000 ft ² GFA •Bicycle: No requirement	P-ZP		
	Open Space - Conservation* •No Parking Requirements	P-ZP		
Education	Elementary or Secondary School •Vehicle-High School: 2/1,000 ft ² GFA •Bicycle-High School: 1/ 20,000 ft ² GFA (0/100) •Vehicle-All Others: 1/1,000 ft ² GFA •Bicycle-All Others: 1/ 10,000 ft ² GFA (0/100)	P-ZP		
	University or College	NP		
	Vocational or Professional School	NP		
Public and Religious Assembly	All Types	NP		

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION				
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	\$11.7
	Accessory Dwelling Unit		NP	
	Domestic Employee		L	\$11.7; \$11.8.3
	Garden*		L	\$11.7; \$11.8.4
	Keeping of Household Pets*		NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	
	Kennel or Exercise Run*		NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	
	Vehicle Storage, Repair and Maintenance*		NP	
	Wind Energy Conversion Systems*		Not Applicable - See Allowed Permitted Primary Uses	
Yard or Garage Sales*	NP			
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION				
Home Occupations	Child Care Home, Large (7-12)	See Section 9.5.5.1 for permitted uses and required parking	NP	
	All Other Types		NP	
	Unlisted Home Occupations		NP	

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

USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
TEMPORARY USE CLASSIFICATION				
Temporary Uses	Unlisted Temporary Uses	See Section 9.5.5.1 for permitted uses and required parking	L	§11.11.1
	Ambulance Service - Temporary		L-ZP Not Applicable - See Allowed, Permitted Primary Uses	§11.11.2
	Amusement / Entertainment - Temporary*		NP	
	Bazaar, Carnival, Circus or Special Event*		L-ZP	§11.11.4
	Building or yard for construction materials*		L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	§11.11.6
	Fence for Demolition or Construction Work		L-ZP	§11.11.7
	Health Care Center		NP	
	Noncommercial Concrete Batching Plant*		L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	
	Outdoor Retail Sales*		NP	
	Outdoor Sales, Seasonal*		L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	§11.11.13
	Retail Food Establishment, Mobile*		NP	
	Temporary Construction Office		L-ZP	§11.11.15
	Temporary Office - Real Estate Sales		L-ZP	§11.11.16
Tent for Religious Services	NP			

SECTION 9.5.6 APPLICABLE USE LIMITATIONS

9.5.6.1 Oil, Gas, Production, Drilling (moved to 11.5.10.2)

- A. ~~In the O-1 and DIA Zone Districts, all site plan applications for oil and gas uses shall be reviewed according to Section 12.4.3, Site Development Plan Review, with the addition of a representative from the building inspection division of Community Planning and Development, designated by the Manager, and a representative from the Department of Aviation, designated by the Manager of Aviation.~~
- B. ~~As part of the Site Development Plan Review, the Manager may recommend conditions on the approval of any oil and gas permit application to ensure the following public health, safety, and welfare objectives:~~
 - 1. ~~There shall be adequate financial assurances to insure the city against any claims which may arise due to the applicant's operation under any and all permits issued by the city;~~
 - 2. ~~The applicant shall provide appropriate protection of the natural environment and adjacent land uses; and~~
 - 3. ~~The applicant shall assure avoidance of any adverse impact on other permitted uses in the subject Zone District.~~

9.5.6.2 Plant Nursery (moved to 11.3.5.5)

~~An unenclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.~~

9.6.1.3 Requirement for PUD District Plan

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

A. Choice of PUD District Plan Type

1. General PUD District Plan

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

2. Detailed PUD District Plan

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

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

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

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

C. PUD District Plan Contents -- Applicable Design Standards

1. Required PUD District Plan Elements

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

SECTION 9.7.2 DISTRICTS ESTABLISHED

To carry out the provisions of this Code, the following Zone Districts have been established in the Master Planned Context and are applied to property as set forth on the Official Map.

Master Planned Context

M-RH-3	Row House 3
M-RX-5	Residential Mixed Use 5
M-RX-5A	Residential Mixed Use 5A
M-CC-5	Commercial Corridor 5
M-MX-5	Commercial Mixed Use 5
M-IMX-5	Industrial Mixed Use 5
M-IMX-8	Industrial Mixed Use 8
M-IMX-12	Industrial Mixed Use 12
M-GMX	General Mixed Use

9.7.2.1 General Purpose

- A. The intent of Zone Districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The Zone District regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the ~~allowed~~ permitted uses and building forms are further defined to provide clarity and predictable development outcomes.
- B. The building form standards and use standards support medium to high density development and are organized into nine distinct Zone Districts. Multiple building forms are allowed on a single zone lot.

9.7.2.2 Specific Intent

A. Row House 3 (M-RH-3)

M-RH-3 is a residential district intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. There is a consistent front yard setback with buildings oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

B. Residential Mixed Use 5 (M-RX-5)

M-RX-5 is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

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

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

located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas.

D. Commercial Corridor (M-CC-5)

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

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

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

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

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

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

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

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

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

I. General Mixed Use (M-GMX)

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

9.7.2.3 Minimum Requirements for Establishment

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

A. General Development Plan Required

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

2. Setbacks

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

3. Parking Location

- a. Minimize the visual impacts of parking areas on streets and adjoining property.
- b. Minimize conflicts between pedestrian and vehicles.

C. Design Elements

1. Configuration

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

2. Transparency

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

3. Entrances

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

SUBURBAN HOUSE

HEIGHT		M-RX-5A M-GMX, M-CC-5
A	Stories (max)	2.5
A	Feet (max)	40'
SITING		M-RX-5A M-GMX, M-CC-5
ZONE LOT		
	Zone Lot Size (min)	2,800 ft ²
C	Zone Lot Width (min)	25'
SETBACKS		
D	Primary Street (min)	10'
E	Side Street (min)	10'
F	Side, interior (min)	3'
G	Rear (min)	10'
	Building Coverage per Zone Lot, including all accessory structures (max)	65%
PARKING		
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec 9.7.7.6)
H	DETACHED ACCESSORY STRUCTURES	See Sec. 9.7.4
DESIGN ELEMENTS		M-RX-5A M-GMX, M-CC-5
BUILDING CONFIGURATION		
	Attached Garage Allowed	Shall not project forward of any part of a Primary Street facing facade of a primary structure, which for purposes of this form, may include a front porch.
GROUND-STORY STREET LEVEL ACTIVATION		
I	Pedestrian Access, Primary Street	Entry Feature
	Design Criteria	See Section 9.7.5.1
USES		M-RX-5A M-GMX, M-CC-5
		Primary Uses shall be limited to Single Unit Dwelling. See Section 9.7.9 Uses and Parking
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

URBAN HOUSE

		M-RH-3 M-RX-5, M-RX-5A, M-GMX, M-MX-5
HEIGHT		
A	Stories (max)	2.5
A	Feet (max)	42'
		M-RH-3 M-RX-5, M-RX-5A, M-GMX, M-MX-5
SITING		
ZONE LOT		
	Zone Lot Size (min)	3,000 ft ²
C	Zone Lot Width (min)	25'
SETBACKS		
D	Primary Street (min)	10'
E	Side Street (min)	10'
F	Side, interior (min)	3'
G	Rear (min)	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%
PARKING		
	Parking and Drive Lot Coverage in Primary Street Setback (max)	2 Spaces and 320 SF
	Vehicle Access	From <u>A</u> lley; or Street access allowed when no <u>A</u> lley present (See Sec 9.7.7.6)
H	DETACHED ACCESSORY STRUCTURES	See Sec. 9.7.4
		M-RH-3 M-RX-5, M-RX-5A, M-GMX, M-MX-5
DESIGN ELEMENTS		
BUILDING CONFIGURATION		
	Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater
	Attached Garage Allowed	Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) Shall be setback 20' from back of sidewalk for building walls with garage doors that are facing a street
GROUND-STORY STREET LEVEL ACTIVATION		
	Design Criteria	See Section 9.7.5.1
I	Pedestrian Access, Primary Street	Entry Feature
		M-RH-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5
USES		
		All <u>allowable permitted</u> Primary Uses shall be allowed within this building form. See Section 9.7.9 Uses and Parking
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

DUPLEX

	M-RH-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
HEIGHT		
A Stories (max)	2.5	2.5
A Feet (max)	42'	42'

	M-RH-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
SITING		
ZONE LOT		
Zone Lot Size (min)	4,000 ft ²	4,000 ft ²
C Zone Lot Width (min)	45'	45'
SETBACKS		
D Primary Street (min)	10'	10'
E Side Street (min)	10'	10'
F Side, interior (min)	5'	3'
G Rear (min)	0'	0'
Building Coverage per Zone Lot, including all accessory structures (max)	75%	na
PARKING		
Parking and Drive Lot Coverage in Primary Street Setback (max)		50%
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec 9.7.7.6)	
H DETACHED ACCESSORY STRUCTURES	See Sec. 9.7.4	

	M-RH-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
DESIGN ELEMENTS		
BUILDING CONFIGURATION		
Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)	35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater	
Attached Garage Allowed	Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.	

GROUND-STORY STREET LEVEL ACTIVATION

Design Criteria	See Section 9.7.5.1
I Pedestrian Access, Primary Street	Entry Feature

USES

	M-RH-3, M-RX-5, M-RX-5A, M-MX-5, M-CC-5, M-GMX
	All allowable permitted Primary Uses shall be allowed within this building form
	See Section 9.7.9 Uses and Parking

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

GARDEN COURT

HEIGHT		M-RH-3	M-RX-5A, M-GMX
A	Stories (max)	2.5	2.5
A	Feet (max)	42'	42'
B	Side Wall Height (Max)	34'	34'

SITING		M-RH-3	M-RX-5A, M-GMX
ZONE LOT			
	Zone Lot Size (min)	6,000 ft ²	na
SETBACKS			
C	Primary Street (min)	10'	10'
D	Side Street (min)	10'	10'
E	Side, interior (min)	5'	5'
F	Rear alley/no alley (min)	5'/15'	0'/0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%	na
PARKING			
	Surface Parking Location	No surface parking between building and Primary Street	
	Vehicle Access	From A alley; or Street access allowed when no A alley present (See Sec 9.7.7.6)	
ACCESSORY STRUCTURES			
G	Detached Accessory Structures Allowed	See Sec. 9.7.4	

DESIGN ELEMENTS		M-RH-3	M-RX-5A, M-GMX
H	Street-Facing Courtyard Width (min)	15'	15'
I	Street-Facing Courtyard Depth (min)	30'	30'
	Garden Court Design Standards	See Sec. 9.7.5.2	
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
<u>GROUND-STORY STREET LEVEL</u> ACTIVATION			
J	Pedestrian Access, Primary Street	Each dwelling unit shall have a <u>ground-story Street Level</u> Entrance. A minimum two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.	

USES		M-RH-3, M-RX-5A, M-GMX
		<u>All permitted Primary Uses shall be allowed within this building form. See Section 9.7.9 Uses and Parking</u>

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

TOWN HOUSE

HEIGHT		M-RX-5A M-GMX
A	Stories (max)	5
A	Feet (max)	65'
SITING		M-RX-5A M-GMX
ZONE LOT		
	Zone Lot Size (min)	na
	Dwelling Units per Primary Residential Structure (min/max)	3/na
REQUIRED BUILD-TO		
C	Primary Street (min % within min/max)	50% 0'/80'
SETBACKS		
E	Primary Street (min)	10'
F	Side Street (min)	10'
G	Side, interior (min)	5'
	Side, interior, adjacent to Protected District (min)	10'
H	Rear, alley/no alley (min)	10'/20'
PARKING		
	Vehicle Access	From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present (See Sec 9.7.7.6)
ACCESSORY STRUCTURES		
I	Detached Accessory Structures Allowed	See Sec. 9.7.4
DESIGN ELEMENTS		M-RX-5A M-GMX
BUILDING CONFIGURATION		
	Primary Street-Facing Attached Garage Door Width (max per unit)	16'
GROUND-STORY STREET LEVEL ACTIVATION		
L	Transparency, Ground-Story , Primary Street (min)*	20%
M	Pedestrian Access	Entrance or Pedestrian Connection
USES		<u>M-RX-5A</u> <u>M-GMX</u>
<u>All permitted Primary Uses shall be allowed within this building form.</u> <u>See Section 9.7.9 Uses and Parking</u>		

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

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

ROW HOUSE

				M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
HEIGHT		M-RH-3	M-RX-5A	M-GMX
A	Stories (max)	3	5	5
A	Feet (max)	55'	70'	70'
B	Side Wall Height (max)	49'	na	na
SITING		M-RH-3	M-RX-5A	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
ZONE LOT				
	Zone Lot Size (min)	6,000 ft ²	na	na
	Dwelling Units per Primary Residential Structure (min/max)	3/10	3/na	3/na
REQUIRED BUILD-TO				
C	Primary Street (min % within min/max)	na	60% 0'/15'	60% 0'/15'
D	Side Street (min % within min/max)	na	na	na
SETBACKS				
E	Primary Street (min)	10'	0'	0'
F	Side Street (min)	10'	0'	0'
G	Side, interior (min)	5'	0'	0'
	Side, interior, adjacent to Protected District (min)	na	5'	5'
H	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	na	5'/10'	5'/10'
PARKING				
	Surface Parking Location	Not allowed between the building and the Primary Street		
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure, and/or M-RH-3</u>	M-RH-3: From <u>A</u> alley; or Street access allowed when no <u>A</u> alley present. (See Sec. 9.7.7.6)		
	Vehicle Access, <u>all other uses</u>	Shall be determined as part of Site Development Plan Review		
ACCESSORY STRUCTURES				
I	Detached Accessory Structures Allowed	See Sec. 9.7.4		
DESIGN ELEMENTS		M-RH-3	M-RX-5A	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
BUILDING CONFIGURATION				
J	Upper Story Setback Above 27' adjacent to Protected District, Rear, alley/Rear, no alley /Side, interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
K	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley/Side Interior (min)	na	na	30'/35'/40'
	Street facing garage door width per Primary Structure (max)	20'	20'	20'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		na
GROUND-STORY STREET LEVEL ACTIVATION				
L	Transparency, <u>Ground Story</u> , Primary Street (min)	20%	20%	20%
M	Pedestrian Access, Primary Street	Entrance or Pedestrian Connection		
USES		M-RH-3; M-RX-5A; M-GMX and all M-IMX		
<u>Permitted Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential Uses. See Section 9.7.9 Uses and Parking</u>				

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

APARTMENT

					M-IMX-12
HEIGHT		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
A	Stories (max)	5	5	8	12
A	Feet (max)	70'	70'	100'	140'

					M-IMX-12
SITING		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
ZONE LOT					
Permitted Uses		Residential or Lodging Accommodations Uses Only			
REQUIRED BUILD-TO					
B	Primary Street (% within min/max)	50% 0'/20'	50% 0'/15'	60% 0'/15'	50% 0'/15'
SETBACKS					
C	Primary Street (min)	0'	0'	0'	0'
D	Side Street (min)	0'	0'	0'	0'
E	Side, interior (min)	0'	0'	0'	0'
	Side, interior, adjacent to Protected District (min)	10'	10'	10'	10'
F	Rear (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'	5'/10'	5'/10'
PARKING					
Surface Parking Location		Not allowed between the building and the Primary Street			
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>		<u>From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)</u>			
Vehicle Access, <u>all other permitted uses</u>		Shall be determined as part of Site Development Plan Review			

					M-IMX-12
DESIGN ELEMENTS		M-RX-5A	M-IMX-5	M-IMX-8	M-GMX
CONFIGURATION					
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	30'/35'/40'	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na	90'/90'/90'	90'/90'/90'
GROUND-STORY STREET LEVEL ACTIVATION					
J	Transparency, <u>Ground-Story</u> , Primary Street (min)	30%	30%	30%	30%
K	Transparency, <u>Ground-Story</u> , Side Street (min)	25%	25%	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection			
USES		<u>M-RX-5A; M-GMX and all M-IMX</u>			
		<u>Permitted Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential Uses.</u>			
		<u>See Section 9.7.9 Uses and Parking</u>			

GENERAL (1 OF 3)

HEIGHT		M-RX-5	M-RX-5A*
A	Stories (max)	5	5
A	Feet (max)	70'	70'

SITING		M-RX-5	M-RX-5A*
SETBACKS			
C	Primary Street (min)	0'	0'
D	Side Street (min)	0'	0'
E	Side, interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
F	Rear (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'
PARKING			
	Surface Parking between building and Primary Street / Side Street	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed	
	Surface Parking Screening Required	See Article 10, Section 10.5.4.4	
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)</u>	
	<u>Vehicle Access, all other permitted uses</u>	Access determined as part of Site Development Plan Review	

DESIGN ELEMENTS		M-RX-5	M-RX-5A*
CONFIGURATION			
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na
GROUND-STORY STREET LEVEL ACTIVATION			
	Design Criteria	See Section 9.7.5.1	See Section 9.7.5.1
		40%**	40%**
J	Transparency, Ground-Story , Primary Street (min)	Residential Only buildings: 30%**	Residential Only buildings: 30%**
K	Transparency, Ground-Story , Side Street (min)	25%**	25%**
L	Pedestrian Access, Primary Street	Pedestrian Connection	

USES		M-RX-5, M-RX-5A
All <u>allowable permitted</u> Primary Uses shall be allowed within this building form, except Single Unit and Two Unit Dwelling uses.		
See Section 9.7.9 Uses and Parking		

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

**Applies only to buildings located within 80' of a Primary and/or Side Street.

GENERAL (2 OF 3)

HEIGHT		M-CC-5	M-MX-5
A	Stories (max)	5	5
A	Feet (max)	70'	70'

SITING		M-CC-5	M-MX-5
SETBACKS			
C	Primary Street (min)	0'	0'
D	Side Street (min)	0'	0'
E	Side, interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
F	Rear (min)	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'
PARKING			
	Surface Parking between building and Primary Street / Side Street	Allowed/Allowed	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed
	Screening Required	See Article 10, Section 10.5.4.3	
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)</u>	
	<u>Vehicle Access, all other permitted uses</u>	Access determined as part of Site Development Plan Review	

DESIGN ELEMENTS		M-CC-5	M-MX-5
CONFIGURATION			
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na
<u>GROUND-STORY STREET LEVEL ACTIVATION</u>			
	Design Criteria	See Section 9.7.5.1	See Section 9.7.5.1
		40%**	40%**
J	Transparency, <u>Ground-Story</u> , Primary Street (min)	Residential Only buildings: 30%*	Residential Only buildings: 30%*
K	Transparency, <u>Ground-Story</u> , Side Street (min)	25%**	25%**
	Transparency Alternatives	See Section 9.7.6.2	
L	Pedestrian Access, Primary Street	Pedestrian Connection	
USES		M-CC-5, M-MX-5	
All <u>uses allowable permitted Primary Uses allowed</u> within the applicable Zone District, except Single Unit and Two Unit Dwelling uses.			
See Section 9.7.9 Uses and Parking			

**Applies only to buildings located within 80' of a Primary and/or Side Street.

GENERAL (3 OF 3)

HEIGHT		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
A	Stories (max)	5	8	12
A	Feet (max)	70'	100'	140'
	Feet, within 175' of a Protected District (max)	na	75'	75'

SITING		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
SETBACKS				
C	Primary Street (min)	0'	0'	0'
D	Side Street (min)	0'	0'	0'
E	Side, interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
F	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, alley/no alley (min)	5'/10'	5'/10'	05'/10'
PARKING				
	Surface Parking between building and Primary Street / Side Street	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed		
	Screening Required	See Article 10, Section 10.5.4.4		
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)</u>		
	<u>Vehicle Access, all other permitted uses</u>	Access determined as part of Site Development Plan Review		

DESIGN ELEMENTS		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
CONFIGURATION				
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	30'/35'/40'	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	90'/90'/90'	90'/90'/90'
<u>GROUND-STORY STREET LEVEL ACTIVATION</u>				
	Design Criteria	See Section 9.7.5.1		
J	Transparency, Ground-Story , Primary Street (min)	40%** Residential Only buildings: 30%*	40%** Residential Only buildings: 30%*	40%** Residential Only buildings: 30%*
K	Transparency, Ground-Story , Side Street (min)	25%**	25%**	25%**
L	Pedestrian Access, Primary Street	Pedestrian Connection		

USES		M-GMX, All M-IMX		
		All <u>uses allowable permitted Primary Uses allowed</u> within the applicable Zone District, except Single Unit and Two Unit Dwelling uses. See Section 9.7.9 Uses and Parking		

**Applies only to buildings located within 80' of a Primary and/or Side Street.

DETACHED ACCESSORY DWELLING UNIT

HEIGHT		M-RH-3 M-RX-5 M-RX-5A M-GMX
A	Stories (max)	2
A	Feet (max)	42'
SITING		M-RH-3 M-RX-5 M-RX-5A M-GMX
ZONE LOT		
	Zone Lot Size for ADU (min)	3,000 ft ²
	Building Coverage Credit (Lesser of)	50%/500 ft ²
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the Detached Accessory Dwelling Unit form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft ² . To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.
	Detached Accessory Dwelling Unit Location	Located in the rear 35% of the zone lot depth
	Additional Standards	See Section 9.7.4.3
SETBACKS		
C	Side Interior (min)	3'
	Side Street (min)	5'
D	Rear (min)	0'
PARKING		
	Vehicle Access (see Sec. 5.3.4 for exemptions)	From Alley; or Street access allowed when no Alley present (see Sec. 9.7.7.6 for exceptions)
DESIGN ELEMENTS		M-RH-3 M-RX-5 M-RX-5A M-GMX
CONFIGURATION		
	Building Footprint (max)	1,000 ft ²
E	Horizontal Dimension (max)	36'
	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3
	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'
USES		M-RH-3, M-RX-5, -5A, M-GMX
		Accessory Uses Only, including accessory dwelling units, parking of vehicles, and home occupations. See Section 9.7.9 for permitted Accessory Uses

DETACHED GARAGE

		M-RH-3 M-RX-5 M-RX-5A M-GMX
HEIGHT		
A	Stories (max)	2
A	Feet (max)	42'
SITING		
ZONE LOT		
	Building Coverage Credit (lesser of)	50% / 500 ft ²
		An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft ² . To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the building form shall be used for vehicle parking.
	Allowed Number of Dwelling Units (min/max)	0/0
	Additional Standards	See Section 9.7.4.3
SETBACKS		
C	Setback from Primary Street Facing Facade of Primary Structure (min)	10'
	Side Street (min)	5'
D	Side Interior (min), for structure entirely in rear 35% of zone lot depth*	0'
D	Side Interior (min), for structure not entirely in rear 35% of zone lot depth *	5'
E	Rear (min)	0'
	Vehicle Access	From Alley; or Street access allowed when no Alley present See 9.7.7.6 for exceptions
DESIGN ELEMENTS		
BUILDING CONFIGURATION		
	Building Footprint (max)	864 ft ² per unit**
F	Horizontal Dimension (max)	no max
	Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3
G	Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'
USES		
		M-RH-3; M-RX-5, -5A; M-GMX
		Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 9.7.9 for permitted Accessory Uses

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5' **When used with the Urban House building form, the permitted building footprint for a detached garage may be increased to 1,000 ft²

SECTION 9.7.5 SUPPLEMENTAL DESIGN STANDARDS **GENERAL**

9.7.5.1 Site Development Plan Review Standards and Criteria

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

A. General Design Criteria

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

B. Site Design Criteria

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

C. Building Design Criteria

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

SECTION 9.7.6 DESIGN STANDARD ALTERNATIVES

9.7.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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

~~If used in combination, the alternatives may count toward no more than 25% of the requirement.~~

REQUIRED BUILD-TO ALTERNATIVES							
ZONE DISTRICT	PERMANENT OUTDOOR PATIO SEATING (MAX INCREASE IN BUILD-TO RANGE)	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	PERGOLA (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)	COURTYARD (MAX % OF BUILD-TO)
M-RH M-RX M-MX M-IMX M-GMX	na	na	25%*	30%*	30%*	100%	<u>100%</u>

*If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than ~~25%~~ 30% of required build-to.

C. Garden Walls

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

- ~~1. Garden Walls must be between 30" and 42" in height with the following exceptions:

 - ~~a. Decorative and/or structural piers may exceed the allowed height range Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.~~
 - ~~b. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".~~~~
- ~~2. Allowed Materials are limited to Masonry or an Ornamental Metal Fence with Masonry Piers spaced at not more than 25' with landscaping.~~
- ~~3. An Administrative Adjustment to required material is permitted to better match primary building. See Article 12.~~
- ~~4. Garden Walls used as a Required Build-To Alternative may also be used to count toward Perimeter Landscaping Requirements in Section 10.5.4.4.~~

D. Pergola

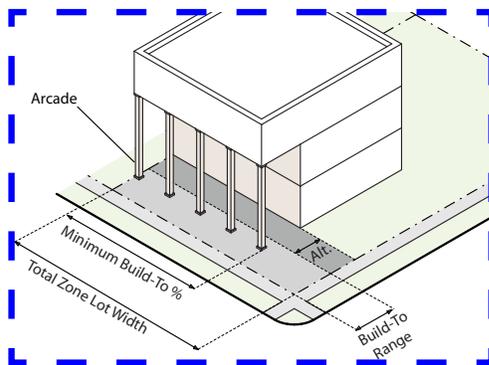
~~In all Master Planned Context Zone Districts, a pergola, consisting of an arbor or passageway of columns, may count toward 30% of the Required Build-To minimum percentage when meeting the following standards:~~

1. Pergola structure shall be no less than 24" deep perpendicular to the property line
2. Pergola structure shall maintain at least 8' between structure and grade over any public Rights-of-Way or pedestrian walkways
3. Pergola structure shall be made of metal or other durable materials suitable for an urban environment and shall have a minimum 6 inch vertical dimension
4. Pergola structure must be supported by vertical columns, posts or piers not less than 15 feet on center
5. Pergola structures and plant materials must maintain at least 75% open area for clear visual sight lines between the public Rights-of-Way and the interior of the property between the heights of 42" and 84" above grade
6. Garden walls, seating and/or landscaping may be incorporated between the vertical supports

E. Arcades

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

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



Graphic above moved to Article 13

F. Courtyard

In all M- Zone Districts, a courtyard may count toward the Required Build-to Percentage, when all of the following are met:

1. **Minimum Design:**
 - a. Shall be Primary Street facing;
 - b. Shall have a Width of at least 15'
 - c. Shall have a Depth of at least 30'

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

9.7.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the design standards requirements stated in Section 9.7.6.2.B 13.1.6.2.A.4:

TRANSPARENCY ALTERNATIVES							
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	WINDOWS- OUTSIDE THE ZONE (MAX)	DISPLAY CASES AND AUTOMATED TELLER/ TICKET MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
M-RH	Primary Street	40%	40%	50%	60%	40%	80%
M-RX	Side Street	40%	40%	50%	80%	40%	80%
M-CC							
M-GMX							
M-MX	Primary Street	40%	40%	50%	60%	40%	80%
M-IMX	Side Street	40%	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length and height of the <u>ground-story Street Level</u> wall.	80%	40%	80%*

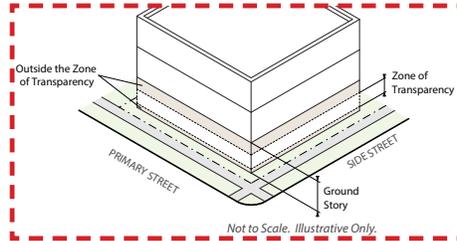
*Wall design elements that are applied to the entire length of the Street Level wall may count toward up to 100% of required side street transparency.

C. Design Standards

Alternatives used shall meet the following design standards:

1. Windows Outside the Zone of Transparency

Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.

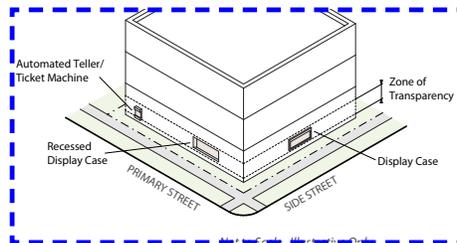


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2. Display Cases and Automated Teller/Ticket Machines

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

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

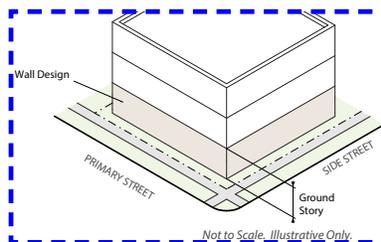


Graphic above moved to Article 13 and revised

3. Wall Design

Wall designs shall provide visual interest, pedestrian scale, and integrate into the architectural system of the overall structure. Wall designs shall also provide a minimum of 3 of the following elements occurring at intervals no greater than 25' horizontally and 10' vertically:

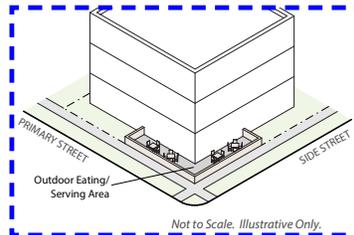
- a. Expression of structural system and infill panels through change in plane not less than 3"
- b. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
- c. System of horizontal and vertical reveals not less than 1" in width/depth
- d. Variations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



Graphic above moved to Article 13 and revised/expanded

4. **Outdoor Eating/Serving Areas**

Accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.



Graphic above moved to Article 13 and revised

5. **Permanent Art**

Non-commercial art or graphic design shall comply with all of the following standards:

- a. Of sufficient scale and orientation to be perceived from the public right of way;
- b. Rendered in materials or media appropriate to an exterior, urban environment;
- c. Permanently integrated into the building wall; and
- d. At a minimum shall be located within the Zone of Transparency and may extend outside the zone.

SECTION 9.7.7 DESIGN STANDARD EXCEPTIONS

9.7.7.1 Height Exceptions

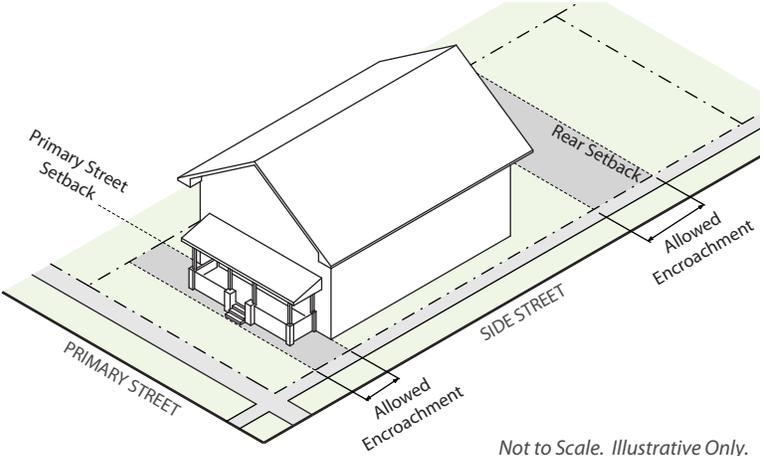
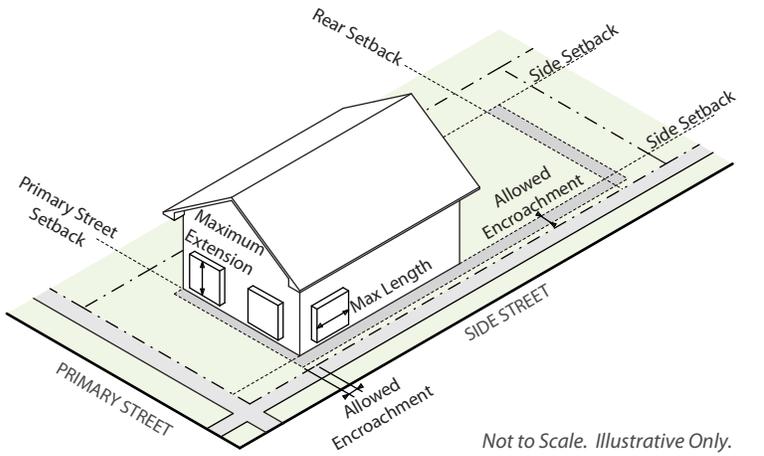
A. Intent

To allow **unoccupied 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 **unoccupied** building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 9.7.7.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, <u>Stoops</u>, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open <u>except for any side abutting a building facade</u>.</p>	All M- Zone Districts	Any distance provided a minimum of 1' between right-of-way and first riser of above- grade stairway	Any distance provided a minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
<p>Intent: To promote elements which provide for street activation.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</p>	All M- Zone Districts	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting.</p>  <p style="text-align: center;"><i>Illustrative only</i></p>	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

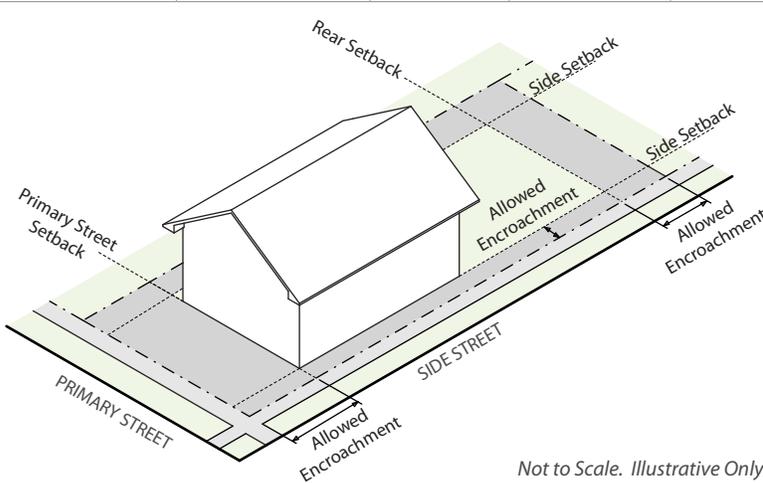
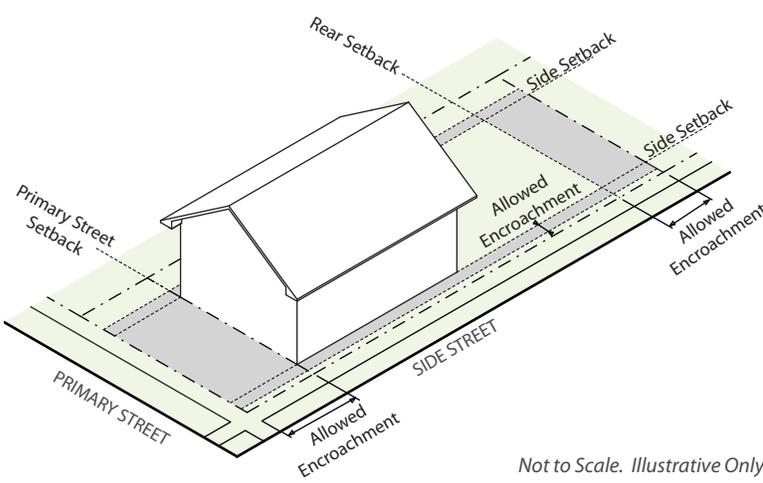
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area for the Garden Court, Town House, Rowhouse, Courtyard Apartment and Apartment building forms	All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts	Not allowed	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				

c. Service & Utility Elements

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

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access ramps <u>providing access to buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when where no alternative locations are available. Setback encroachments for required barrier-free access ramps are only allowed for expansions, enlargements, and alterations to existing buildings. Such and ramps shall be are</u> designed to be compatible with the character of the building, as determined by the Zoning Administrator.	All M- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of required barrier-free access to buildings.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Ground mounted evaporative coolers located behind the front of the primary structure and screened from adjacent properties and public rights-of-way, and not to exceed the noise standards of D.R.M.C. Section 36-6	All M- Zone Districts	For Primary Structure "facing" the street: Not allowed For Primary Structure not "facing" the street: 5' and shall be screened from public right-of-way by a solid fence at least 3' in height	3'	3'	5'
Intent: To allow for functional siting.	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside</u> 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 M- Zone Districts	5'	3'	3'	10'
Intent: To provide for emergency egress from a building <u>only for emergency purposes</u>	<p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
<p style="text-align: center;"><i>Illustrative only</i></p>					

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: Shall not exceed 3' in height.	All M- Zone Districts	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Window well and/or emergency basement egress areas: Shall meet the provisions of Division 10.6 Site Grading Standards and Division 10.5, Section 10.5.5 Fences and Walls; Shall be below grade.	All M- Zone Districts	Any distance for any width	Each may be no more than 3' in width as measured perpendicular to the side interior/side street zone lot line and 6' in length as measured parallel to the building facade facing the side interior/side street zone lot line		Any distance for any width
Intent: To allow for emergency egress	 <p style="text-align: right;"><i>Not to Scale. Illustrative Only.</i></p>				
 <i>Illustrative only</i>					

9.7.7.5 Building Coverage Exception

A. Applicability

All M- Zone Districts where a building coverage standard applies.

B. Front Porch

1. Intent

To promote street activation.

2. Standard

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

C. Detached ADU or Detached Garage

1. Intent

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

2. Standard

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

9.7.7.6 Vehicle Access From Alley Required - Exceptions

A. No Alley

Where a building form specifies “street access allowed when no alley present”, vehicle or parking access from the street is allowed when a zone lot is not bounded by an alley,

B. Alley

Where a building form specifies vehicle ~~or parking~~ access from alley is required, and the zone lot is bounded by an alley, any newly constructed driveway, driving aisle, garage, carport, or other parking facility shall be accessed solely from an alley, unless:

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

SECTION 9.7.8 REFERENCE TO OTHER DESIGN STANDARDS

9.7.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

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

SECTION 9.7.9 USES AND REQUIRED MINIMUM PARKING

9.7.9.1 Applicability

- A. This Section 9.7.9 sets forth the land uses ~~allowed~~ permitted, the required zoning procedure and the required minimum parking for all the Master Planned Context Zone Districts.
- B. 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.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

9.7.9.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

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

9.7.9.3 Explanation of Table Abbreviations

A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations 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.

9.7.9.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
RESIDENTIAL PRIMARY USE CLASSIFICATION							
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.2.3
Group Living	Assisted Living Facility • Vehicle: .75/unit • Bicycle: No requirement	P-ZPIN	P-ZP	P-ZP	P-ZP	NP	
	Community Corrections Facility	NP	NP	NP	NP	NP	
	Nursing Home, Hospice • Vehicle: .75/unit • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	NP	
	Residence for Older Adults • Vehicle: .75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Residential Care Use, Small or Large • Vehicle: 0.125/unit • Bicycle: No requirement	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.2.6
	Rooming and Boarding House • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: No requirement	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Shelter for the Homeless • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP-L	L-ZPIN/ <u>L</u>	L-ZPIN/ <u>L</u>	L-ZPIN/ <u>L</u>	L-ZPIN/ <u>L</u>	§ 11.2. 7 <u>9</u>
	Student Housing • Vehicle: 1/unit • Bicycle: 1/4 units (80/20)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5		
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION							
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	P-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement <u>1/10,000 s.f. GFA (0/100)</u>	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	§ 11.3.3
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	
	Open Space - Recreation* • Vehicle: .375/ 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5			
Education	Elementary or Secondary School • Vehicle: 1/1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6	
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6	
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.6	
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.8	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION								
Adult Business	All Types	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 ft ² GFA • Vehicle - All Others: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP		
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZPIN	L-ZP	§ 11.4.2	
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	L-ZP	§ 9.7.10.1.A	
Nonresidential Uses in Existing Business Structures In Residential Zones)		NP	NP	not applicable				
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	P-ZP	P-ZP	P-ZP	P-ZP		
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	P-ZP	NP	P-ZP	§ 11.4.5	
Eating & Drinking Establishments	All Types • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: 1/3,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP		

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5		
Lodging Accommodations	Bed and Breakfast Lodging •Vehicle: 1/guest room or unit •Bicycle: 1/4 guest room or unit (80/20) 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others •Vehicle: 1/ guest room or unit •Bicycle: 1/4 guest room or unit (80/20) 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.7
	Office, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.9
	Animal Sales and Services, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 9.7.10.1.B.1
	Body Art Establishment •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.10
	Food Sales or Market •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.11
	Liquor Store, Including Drugstores Licensed to Sell Liquor •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.12
	Pawn Shop	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 11.4.14
	Retail Sales, Service & Repair - Firearms Sales •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	P-ZP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	NP	P-ZP	
	Automobile Services, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.16; § 11.4.17
	Automobile Services, Heavy Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	L-ZP/ZPSE	NP	L-ZP/ZPSE	§ 11.4.16; § 11.4.18
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.19
	Heavy Vehicle/ Equipment Sales, Rentals & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZPSE	NP	L-ZP	§11.4.20
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION							
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPSE P-ZP	L-ZPSE P-ZP	L-ZPSE P-ZP	P-ZP	§ 11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.3.
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.A
	Food Preparation and Sales, Commercial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	P L-ZP	P L-ZP	P L-ZP	P L-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.4
	Service/Repair, Commercial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.5

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.6
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.5.7
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.B
	Sand or Gravel Quarry*	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.B
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.5.9
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.10
	Railroad Facilities*	NP	NP	NP	NP	P-ZP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.5.11
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	L-ZP	§ 9.7.10.2.C
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	L-ZPIN	§ 9.7.10.2.D
	Recycling Collection Station	NP	NP	NP	NP	P-ZP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	
	Mini-storage Facility • Vehicle: <u>0.1 .5</u> / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZP	L-ZP	P-ZP	§ 11.5.12
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZPIN	NP	P-ZP	
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	P-ZP/ZPIN/ZPSE	§ 11.5.14

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX		
AGRICULTURE PRIMARY USE CLASSIFICATION								
Agriculture	Aquaculture*	NP	NP	NP	NP	L-ZP	§11.6.1	
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2	
	Husbandry, Animal*	NP	NP	NP	NP	NP		
	Husbandry, Plant*	NP	NP	NP	NP	NP		
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP*	§9.5.6.2	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION								
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts						§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.8.2	
	Domestic Employee	L	L	L	L	L	§ 11.7; § 11.8.3	
	Garden*	L	L	L	L	L	§ 11.7; § 11.8.4	
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§ 11.7; § 11.8.5	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	§ 11.7; § 10.9	
	Kennel or Exercise Run*	L	L	L	L	L	§ 11.7; § 11.8.6	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	Not Applicable - See Allowed Permitted Primary Uses			§ 11.7; § 11.8.7	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	§ 11.7; § 11.8.8	
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	§ 11.7; § 10.9	
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Allowed Permitted Primary Uses			§ 11.7; § 11.5.8	
Yard or Garage Sales*	L	L	L	L	L	§ 11.7; § 11.8.9		
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION								
Home Occupations (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; §11.9.3.6	
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.9	
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.4;	

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		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX		
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION								
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Un- less Specifically Stated in this Table or in an Ap- plicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts					§ 11.7; § 11.10.1	
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2	
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	Not Applicable - See Primary Uses					§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	Not Applicable - See <u>Allowed Permitted Primary</u> Uses					§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.5	
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See <u>Allowed Permitted Primary</u> Uses					§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	L	L	§ 11.7; § 11.10.7	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8	
	Garden*	L	L	L	L	L	§ 11.7; § 11.10.9	
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§ 11.7; § 11.10.10	
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	NP	Not Applicable - See <u>Allowed Permitted Primary</u> Uses	Not Applicable				
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	§ 11.7; § 11.10.11	
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10.12	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.7; § 11.10.13	
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.14	
	Outdoor Storage, General*	NP	NP	NP	NP	M-IMX: NP M-GMX: L-ZP	§ 11.7; § 11.10.15	
	Outdoor Storage, Limited*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	L	L	L	L	§ 11.7; § 11.10.17		

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TEMPORARY USE CLASSIFICATION								
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable in all Zone Districts						§11.11.1
	Ambulance Service - Temporary	NP	L-ZP	Not Applicable - See <u>Allowed Permitted Primary</u> Uses				§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	L-ZP		§11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.7
	Health Care Center	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP		§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	L-ZP		§11.11.10
	Outdoor Retail Sales*	NP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.11
	Outdoor Sales, Seasonal*	NP	L-ZPIN	L-ZP	L-ZP	L-ZP		§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.13
	Retail Food Establishment, Mobile*	NP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.11.16
	Tent for Religious Services	NP	NP	NP	NP	L-ZP		§11.11.17

DIVISION 10.1 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

In addition to the zoning design standards applicable to development under this Code, design standards found in other parts of the Denver Revised Municipal Code may apply. An applicant for development is encouraged to investigate whether these other standards may apply, and to work with Community Planning and Development and other agencies to determine how all applicable standards interplay with applicable zoning regulations. Other applicable design standards include, but are not limited to:

- 10.1.1 Chapter 49 (Streets, Sidewalks and Other Public Ways), D.R.M.C., regarding the designation of Parkways and the establishment of Parkway setbacks for buildings and structures.
- 10.1.2 Chapter 30 (Landmark Preservation), D.R.M.C., regarding the designation of landmarked structures and historic districts;
- 10.1.3 Chapter 10 (Buildings and Building Regulations), D.R.M.C., regarding the establishment of view plane protection areas, which may restrict the height of structures more stringently than the applicable zoning.
- 10.1.4 Chapter 8 (Animals), D.R.M.C., regarding licensing and permitting for the keeping of animals, including but not limited to dogs, cats, livestock, and fowl, within the City of Denver.
- 10.1.5 Chapter 56 (Utilities), D.R.M.C., regarding water, drainage, sanitary and floodplain regulations affecting land development.
- 10.1.6 Chapter 57 (Vegetation), D.R.M.C., regarding maintenance of landscaping in general, and maintenance of plantings in the public rights-of-way.
- 10.1.7 Chapter 27 (Housing), D.R.M.C., regarding requirements for certain developments to include a minimum number of moderately priced affordable housing units.
- 10.1.8 Chapter 24 (Health and Sanitation), Article XI (Medical Marijuana Dispensaries) for regulations relating to the establishment and operation of medical marijuana retail dispensaries, a type of retail sales and service land use.
- 10.1.9 [Chapter 6 \(Alcohol Beverages and Retail Marijuana\), Article IV \(Malt, Vinous and Spirituous Liquors\), D.R.M.C., for regulations relating to the establishment and operation of Liquor Stores, a type of retail sales and service land use.](#)
- 10.1.10 [Chapter 6 \(Alcohol Beverages and Retail Marijuana\), Article V \(Denver Retail Marijuana Code\), D.R.M.C., for regulations relating to the establishment and operation of retail marijuana dispensaries, a type of retail sales and service land use.](#)
- 10.1.11 Rules and regulations adopted by the Manager according to D.R.M.C., Chapter 12, including but not limited to Urban Design Standards and Guidelines and the Denver Streetscape Manual.

DIVISION 10.3 MULTIPLE BUILDINGS ON A SINGLE ZONE LOT

SECTION 10.3.1 INTENT

This Division's standards are intended to provide design flexibility in the siting of multiple buildings on a single zone lot, while assuring the siting of such multiple buildings results in adequate air, light, and pedestrian access and circulation, and mitigates any potential adverse impact on adjacent properties,

SECTION 10.3.2 APPLICABILITY

This Section's design standards shall apply to all development on a single zone lot containing multiple primary buildings. Refer to Division 1.2, Zone Lots and Section 13.1.5, Siting Form Standards.

SECTION 10.3.3 EXCEPTION TO COMPLIANCE WITH BUILDING FORM STANDARDS

10.3.3.1 Exception for Required Build-To, Surface Parking Location and Ground-Story Street Level Activation

A. Applicability

This subsection 10.3.3.1 shall apply to all Zone Districts and building forms that have a Required Build-to and that allow multiple primary structures.

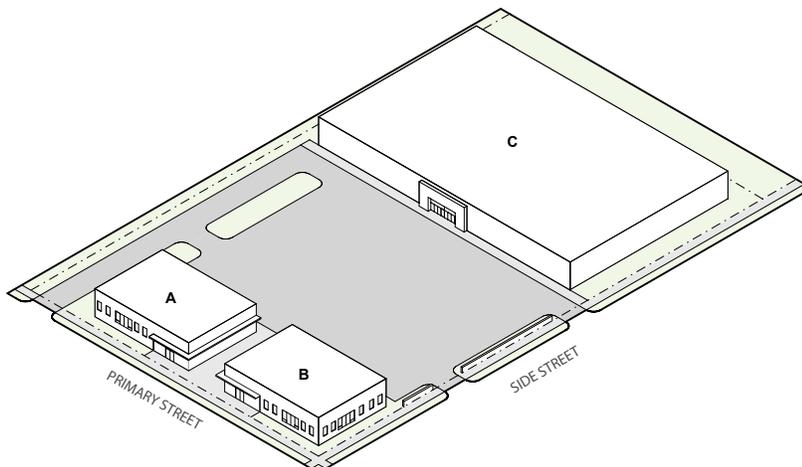
B. Exception

When Primary and Side Street Build-to are met for the entire zone lot, and the Surface Parking Location, and Ground-Story Street Level activation standards are met for those buildings being used to meet the Required Build-to, additional buildings on the site are not subject to the Build-to, Surface Parking Location, and Ground-Story Street Level activation standards.

- a. For example, in Figure 10.3-1, if buildings "A" and "B" comply with the required Primary and Side Street Build-to and with the Ground-Story Street Level activation standards, then building "C" may be sited with more flexibility on the zone lot and need not comply with the build-to or Ground-Story Street Level activation standards.

Figure 10.3-1

Not to Scale. Illustrative



- C. Create a friendlier, more inviting environment by providing a pedestrian network that offers clear circulation paths from the Off-Street Parking Areas to building entries.

10.3.4.2 Exemptions

Development in the following Zone Districts is exempt from compliance with this Section 10.3.4's Pedestrian Access & Circulation standards except as specifically stated:

A. Exemption for All CMP Districts

Development in all Campus (CMP) Zone District is exempt. Pedestrian access and circulation shall be reviewed as part of Site Development Plan approval and shall meet the intent of this Section.

B. Exemption for I-A, -B Zone Districts

Development in the I-A, -B Zone Districts is exempt.

C. Partial Exemption for I-MX and M-IMX Zone Districts

Development in all I-MX and M-IMX Zone Districts shall comply with the standards requiring one or more pedestrian connections between the primary entrances to buildings on the site and the public sidewalk system along streets ~~adjacent to~~abutting the development (or to the curb of an abutting street where there are no public sidewalks). Compliance with all other standards in this Section 10.3.4 is encouraged, but not mandatory.

10.3.4.3 Required Pedestrian Connections

An on-site system of pedestrian walkways shall be designed to provide direct access and convenient connections to and between the following:

- A. Primary entrances to each primary building, including pad site buildings;
- B. All Off-Street Parking Areas or parking structures;
- C. All site amenities or public gathering places;
- D. The public sidewalk system along the perimeter streets ~~adjacent to~~abutting the development (or to the curb of an abutting street where there are no public sidewalks); and
- E. Public and private sidewalks on adjacent properties that extend to adjoining land uses, developments, and public facilities such as parks, greenways, schools, recreational facilities and public office buildings.

10.3.4.4 Minimum Walkway Width

- A. All on-site pedestrian walkways shall provide not less than 5 feet clear walking area.
- B. Where walkways are included on parking islands and medians that include landscape requirements, the required walkway width must be clear of low branching trees, vegetation and similar impediments.
- C. Where walkways occur along buildings walls, the required walkway width must be clear of door swings, exterior display, shopping cart storage, low branching trees and similar impediments.
- D. See Section 10.4.6.4.C Protection of Landscaping & Pedestrian Access for additional standards.

10.3.4.5 Walkways Through Vehicle Areas

At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture, or height.

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 ~~street level~~ the ground story.

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 exemptions or reductionsexceptions allowed.
- C. **Minimum Amount Required**

All primary uses shall provide the minimum number of vehicle and bicycle parking spaces consistent with the context-specific parking ratios according to Articles 3 through 9, unless otherwise exempt or reduced according to this Division 10.4.

 1. **Exception for Expansions**

If land area, structures, or primary uses are enlarged or expanded, 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 only to required vehicle parking.

 - 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 parking requirement exceeds the previous use's parking requirement by 25 percent or less, no additional parking spaces shall be required; or
 - ii. If the new use's parking requirement exceeds the previous use's 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 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, 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.

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 ~~less than~~ 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.

SECTION 10.4.4 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 number of vehicle parking spaces required, 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 10.4.5.3 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.

B. Gross Floor Area for Purposes of Calculating Parking Amounts

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

1. A dwelling unit in a household living use, as "dwelling unit" according to 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.

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 Dis-~~
~~ability~~ 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.

SECTION 10.4.5 VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

The following uses and circumstances are exempt from providing the minimum amount of vehicle parking otherwise required by this Code, but only to the extent specified in this Section.

A. **Pre-Existing Small Zone Lots**

In all Mixed Use Commercial Zone Districts, buildings on zone lots which are equal to or smaller than 6,250 square feet in area on June 25, 2010, shall be exempt from providing parking otherwise required by this Division.

B. **Ground-Floor Retail Uses in Mixed Use Projects**

1. **Applicability**

- a. All Mixed Use Commercial Zone Districts, except MS-2, MS-2x, MX-2, MX-2x, MX-2A;
- b. Multi-story mixed use buildings; and
- c. Where one or more of the following uses is located on the ground floor:
 - i. Retail sales, service, or repair uses, provided no single retail sales, service, or repair use is more than 10,000 square feet of gross floor area;
 - ii. Food sales or market, provided no single food sales or market use is more than 10,000 square feet of gross floor area; or
 - iii. Eating or drinking establishment, provided no single eating or drinking establishment is more than 3,500 square feet of gross floor area.

2. **Exemption Allowed**

A maximum of 5,000 square feet of gross floor area of the uses listed in Section 10.4.5.1.B.1.c above per building shall be exempt from vehicle parking requirements.

C. **Historic Structures**

1. Required parking for Historic Structures shall be the lesser of the following:
 - a. The number of parking spaces required for the land use and located on site as of August 1, 2007, or for structures designated after August 1, 2007, as of the date of designation; or
 - b. The number of parking spaces required for the land use under this Code.
2. Parking spaces required to serve the Historic Structure that are located off of the zone lot as of August 1, 2007, need not be retained unless the provision of off-site parking spaces is a condition resulting from the quasi-judicial decision of the city council (e.g., as a condition or waiver attached to a rezoning approval).
3. Additions to Historic Structures shall be parked in accordance with this Division, and may be eligible for exemption according to Sections 10.4.2.1.C.1 and 2 Exceptions for Expansion and Change of Use. The parking spaces for an addition to a Historic Structure are in addition to the number of parking spaces required according to Section 10.4.5.1.C.1 above. Off street parking requirements for the addition may be met off of the zone lot according to Section 10.4.4.5.B, Off-Site Vehicle Parking.
4. In the D-LD Zone District, this subsection 10.4.5.1.C. shall have no force and effect, and Section 8.3.1.5, Off-Street Parking Requirements, shall govern the parking of Historic Structures.

D. **Preservation of Existing Trees**

If, in order to comply with standards in this Article 10 for the landscaping of parking areas and with this Division 10.4. Parking and Loading, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in either (1) the size of

required landscaped areas (for the purpose of accommodating the required parking), or (2) the number of required parking spaces. Requests for this exception from the minimum parking requirements shall be reviewed according to Section 12.4.5, Administrative Adjustment.

10.4.5.2 Alternative Minimum Vehicle Parking Ratios

The following uses are allowed alternative minimum vehicle parking ratios instead of the minimum parking ratios otherwise required by this Code, but only to the extent specified in Section 10.4.5.2.

A. General Provisions Applicable to All Alternative Minimum Vehicle Parking Ratios

- 1. Alternative Minimum Vehicle Parking Ratios Not Applicable to Accessible Parking**
The number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required for the subject land use in the applicable Use and Parking Table before application of an eligible alternative minimum vehicle parking ratio. The number of required accessible parking spaces shall not be calculated based on alternative minimum vehicle parking ratios.
- 2. No Combination with Reductions**
A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.
 - a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

B. Alternative Minimum Vehicle Parking Ratios Allowed

The Zoning Administrator shall allow an applicant to apply an alternative minimum vehicle parking ratio upon finding that the additional requirements and special review process stated in the following table have been met:

TYPE OF ALTERNATIVE	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	ALTERNATIVE ALLOWED	SPECIAL REVIEW PROCESS
Affordable Housing	All Main Street Zone Districts	Primary Residential Uses	Housing that is affordable for persons with 40 percent area median income and below	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Small Dwelling Units	All Main Street Zone Districts	Primary Residential Uses	Dwelling Units that are under 550 square feet in gross floor area may utilize this reduction	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Single Room Occupancy (SRO) Hotel	All Zone Districts	Single Room Occupancy (SRO) Hotel Primary Use	n/a	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Rooming and Boarding House	All Main Street Zone Districts	Rooming and Boarding House Primary Use	n/a	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Senior Housing	All Main Street Zone Districts	Residence for Older Adults Primary Use	n/a	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a

TYPE OF ALTERNATIVE	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	ALTERNATIVE ALLOWED	SPECIAL REVIEW PROCESS
Other Housing	All Main Street Zone Districts	Primary Residential Uses	Other special needs housing with similar reduced parking demands, as approved by the Zoning Administrator	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a

10.4.5.3 Vehicle Parking Reductions

A. General Provisions Applicable to All Vehicle Parking Reduction Allowances

1. Calculation

In determining the total number of required vehicle parking spaces that may be reduced through any one or combination of this Section’s permitted reductions, calculations shall be based on the minimum number of required vehicle parking spaces using the ratio contained in the applicable Use and Parking Table, and not based an alternative minimum vehicle parking ratio pursuant to Section 10.4.5.2.

2. Reductions Not Applicable to Accessible Parking

The number of required accessible parking spaces ~~required for persons with disabilities~~ shall not be reduced, and the number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required not including any reduction.

3. No Combination with Alternative Minimum Vehicle Parking Ratios

A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.

a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

4. Maximum Reduction Allowed

The total number of vehicle parking spaces required on a zone lot an area-wide basis shall not be reduced by more than 50% under any one or combination of this subsection’s permitted reductions, except as provided in Section 10.4.5.~~32~~.C, and except that reduced parking approved as part of a General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection’s permitted reductions.

a. For example, a Zone Lot in a G-MS-5 zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 75% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reduc-

tions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

5. Informational Notice Required for Certain Reduction Requests

A request for greater than a 25% reduction in the required amount of parking shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, with the following exceptions:

- a. Vehicle parking reductions requested as part of a General Development Plan
- b. Alternative vehicle parking ratios
- c. Vehicle parking reductions for small lots in the C-CCN Zone Districts under Section 10.4.5.32.C.

6. Withdrawal from Participation in Plans or Programs

Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.32, 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 10.4 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.

B. Reductions Allowed

The Zoning Administrator ~~may grant~~ shall allow an applicant to apply reductions ~~in to~~ the minimum number of required amount of vehicle parking spaces only upon finding that the request for reduction meets applicable criteria and standards additional requirements and special review process stated in the following table have been met:

TYPE OF REDUCTION	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	REDUCTION ALLOWED	SPECIAL REVIEW PROCESS
Affordable Housing	All Main Street Zone Districts	Primary Residential Uses	Housing that is affordable for persons with 40 percent area median income and below	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
	All Zone Districts, except Main Street Zone Districts	Primary Residential Uses	Compliance with the provisions of Article IV Affordable Housing, Chapter 27 Housing, of the Denver Revised Municipal Code	A 20% percent reduction in the total number of required vehicle parking spaces shall be granted	See Section 10.4.5.23.A.3
Small Dwelling Units	All Main Street Zone Districts	Primary Residential Uses	Dwelling Units that are under 550 square feet in gross floor area may utilized this reduction	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Single Room Occupancy (SRO) Hotel	All Zone Districts	Single Room Occupancy (SRO) Hotel Primary Use	n/a	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Rooming and Boarding House	All Main Street Zone Districts	Rooming and Boarding House Primary Use	n/a	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Senior Housing	All Main Street Zone Districts	Residence for Older Adults Primary Use	n/a	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a
Other Housing	All Main Street Zone Districts	Primary Residential Uses	Other special needs housing with similar reduced parking demands, as approved by the Zoning Administrator	Alternative vehicle parking ratio of 0.25 vehicle parking spaces per unit	n/a

TYPE OF REDUCTION	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	REDUCTION ALLOWED	SPECIAL REVIEW PROCESS
Assisted Living Facility	All Zone Districts	Assisted Living Primary Use	The reduction shall be allowed only upon finding that the assisted living facility generates less parking need or demand due to the specific nature and character of the facility, its occupants, and/or visitors; and If a reduction is permitted under this provision, no additional parking reduction otherwise available under this Code shall be granted	The required vehicle parking may be reduced by up to 0.5 space per unit <u>reduction in the total number of required vehicle parking spaces</u>	Section 12.4.2, Zoning Permit with Informational Notice
Proximity to Multi-Modal Transportation	Suburban (S-), Urban Edge (E-), Urban (U-), or General Urban (G-), Industrial (I-), or Master Planned (M-) Zone District	Any Primary Use	Any Primary Use located within 1/4 mile of the outer boundary of a rail transit station or 1/4 mile of an enhanced transit corridor as defined in Blueprint Denver	Maximum 25% reduction in the <u>total number of required vehicle parking spaces</u>	See Section 10.4.5. 23 .A.3
On-Site Car Sharing	All Zone Districts, except Campus Zone Districts	Any Residential Primary Use	Where an active car-sharing program is available in the same building or on the same zone lot as that Primary Use and is made available to the residents in the same building where the residential units are located	The required vehicle parking may be reduced by 5 <u>required vehicle parking spaces reduced</u> for each 1 car share space <u>provided available</u>	See Section 10.4.5. 23 .A.3
	Campus Zone Districts	Any Primary Use			
Off-Site Car Sharing	All Zone Districts	Any Primary Use	The car sharing program shall be: (1) Located on a zone lot and not within public right-of-way; (2) Located within a walking distance no greater than 1,500 feet of the zone lot containing the subject primary use; (3) Either in existence or being developed concurrently with the proposed development; and (4) Has the capacity to meet a portion of the vehicle parking needs of the subject primary use	Shall be Ddetermined by the Zoning Administrator	See Section 10.4.5.2.A.3
Bike Sharing	All Zone Districts, except Campus Zone Districts	Any Nonresidential Use	The bike share program shall be located in the same building, on the same zone lot, or in the public right-of-way <u>abutting adjacent to</u> the subject zone lot.	The required vehicle parking may be reduced by 1 <u>required vehicle parking space reduced</u> for each 5 bike share parking spaces <u>provided</u>	See Section 10.4.5.2.A.3
	Campus Zone Districts	Any Primary Use			

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

1. In the C-CCN Zone Districts, zone lots which are equal to or smaller than 9,375 square feet in area on October 27, 2014, shall be granted a 67 percent reduction in the total number of required vehicle parking spaces.
2. This vehicle parking reduction shall not be allowed in combination with any vehicle parking reduction allowed under section 10.4.5.~~32~~.B.

E. Withdrawal from Participation in Plans or Programs

Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.43 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.

SECTION 10.4.6 VEHICLE PARKING DESIGN

10.4.6.1 Vehicle Parking Layout - Single and Two Unit Development

A. Applicability

This Subsection 10.4.6.1 shall apply to all Off-Street Parking Areas for all Single-Unit and Two-Unit Dwelling development.

B. Parking Space Standard

All required parking spaces shall have a width of 8.5 feet and a length of 17.5 feet.

C. Garage and Carport Setbacks

1. For access to a garage or carport, when the garage doors or carport “openings” are not “facing” the alley, there shall be a minimum dimension of 18 feet as measured from the face of the garage door or carport opening to the Side Interior Zone Lot Line. See Figure 10.4-2.
2. **Alley Right-of-Way Width 13 Feet or Less**
If an alley right-of-way is 13 feet wide or less, when garage doors are facing the alley, the garage or carport shall be setback a minimum of 18 feet from the farthest alley right-of-way boundary line. See Figure 10.4-3.

Figure 10.4-2

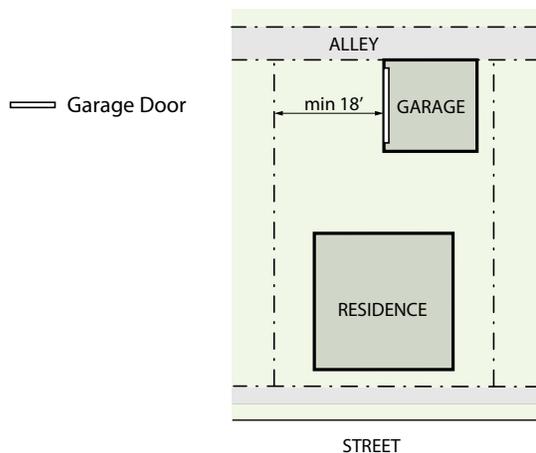
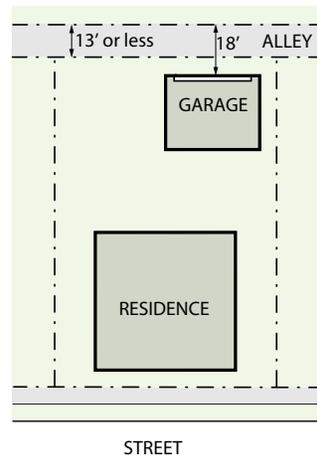


Figure 10.4-3



D. Other Standards

1. See Section 10.4.6.3.B, Vehicular Access
2. See Section 10.4.6.4.A, Drainage and Surface Materials

10.4.6.2 Vehicle Parking Layout - All Other Development

A. Applicability

This Subsection 10.4.6.2 shall apply to all All Off-Street Parking Areas except for Single-Unit and Two-Unit Dwelling development and except that mechanized parking spaces are exempt from the parking dimensions standards.

B. Parking Space and Module Standards

Off-street parking spaces shall be laid out in accordance with the standards shown in Table A and Figure 10.4-4, with the following additions and exceptions:

1. Parking Angle

- a. Parking angles greater than 0 degrees and less than 30 degrees are not allowed.
- b. Other angles between 30 and 90 degrees are allowed and the dimensions for those angles shall be determined through interpolation.
- c. Parking angles for spaces within individual garage units shall be determined by the angle of the entry to the garage structure.

2. Parking Aisle

- a. A minimum of 5 feet of backout space shall be provided at ends of parking rows unless the aisle is 30 feet or more in width.
- b. If a public alley is allowed to be used as the aisle or access to adjoining parking spaces or garages, the spaces or projection must be lengthened as necessary to provide a total alley or aisle width of 20 feet for 30-degree through 75-degree angle parking and 23 feet for 90-degree angle parking. This requirement shall apply to all new uses and developments except single-unit and two-unit dwellings.

3. Garage Door Setbacks

When a public alley is allowed to be used as the access to a parking garage, any garage door that faces the alley shall be setback at least 5 feet from the zone lot line abutting the public alley.

4. Compact Spaces

- a. No more than 10 percent of the total parking spaces provided (required and excess spaces) may be compact.
- b. When provided in a parking garage, compact spaces may be used only where the layout of the structure requires such spaces at the end of a row or to accommodate a column.
- c. All compact parking spaces shall be clearly and visibly striped and labeled (e.g., by a sign) for compact car use only.

5. Measurements

- a. In a parking structure, stall dimensions shall be measured from the surface of an adjacent pillar, post, or column closest to the parking stall.

1. Shall be applied only to the use of existing Accessory Parking spaces, where the subject zone lot contains both a Primary Use and Accessory Parking serving that Primary Use.
2. Shall not apply to a zone lot containing a primary Surface Parking land use, regardless of the legal status of such Surface Parking use, and the BOA shall not have the authority to issue a variance to allow application of this Section 10.4.7.3 to such zone lots.
3. This allowance shall not be used to meet the minimum parking requirements of any primary use. (For that scenario, see Section 10.4.5.3, Shared Vehicle Parking, or Section 10.4.4.5.B, Off-Site Vehicle Parking.)

C. Flexible Use of Accessory Parking Spaces Allowed with Zoning Permit

1. At any time when Accessory Parking spaces are not needed to meet the parking demand of the subject Primary Use (e.g., when the Primary Use is closed for business), the property owner may make available any unused or under-utilized Accessory Parking spaces to serve the parking needs of one or more Primary Uses not located on the same zone lot.
2. At all times, regardless of the option for flexible use allowed under this Section 10.4.7.3, the property owner shall maintain adequate Accessory Parking during all operating hours to serve the Primary Use(s) for which the Accessory Parking spaces are provided.
3. Such unused or under-utilized Accessory Parking spaces may be made available for a fee, at the property owner’s option.
4. A Zoning Permit is required according to Section 12.4.1, Zoning Permit Review.

SECTION 10.4.8 LOADING

10.4.8.1 Intent

The intent of this Section’s loading standards is to assure the provision of adequate off-street areas to allow vehicle to access, circulate, and service one or more Primary Uses on the zone lot.

10.4.8.2 Applicability

- A. All Zone Districts except SU, TU, TH, RH, MU, RO, or MS Zone Districts.
- B. The duty to provide and maintain off-street loading spaces shall be the joint and several responsibility of the operator and owner of the structure for which off-street loading spaces are required to be provided.
- C. No new structure shall be designed, erected, altered, used or occupied unless the off-street loading space required is provided, and the number of off-street loading spaces for structures actually used, occupied and operated on June 25, 2010, shall not be reduced below the minimum number of spaces required by this Division. If such occupied structures are enlarged or expanded, there shall be provided for the increment only the amount or number of off-street loading spaces that would be required as if the increment were a separate structure.

10.4.8.3 Standards

A. Required Number of Spaces

At least the following number of loading spaces, shall be provided:

PRIMARY USES	SQUARE FEET OF GROSS FLOOR AREA *	REQUIRED NUMBER OF SPACES
Retail Sales and Wholesale Trade or Storage Primary Uses	Up to less than or equal to 15,000	None
	Greater than 15,000+ and less than or equal to 50,000	1
	Greater than 50,000+ and less than or equal to 200,000	2
	Greater than 200,000+ and less than or equal to 350,000	3
	Greater than 350,000+ and above	4

PRIMARY USES	SQUARE FEET OF GROSS FLOOR AREA *	REQUIRED NUMBER OF SPACES
All Other Primary Uses	Up to less than or equal to 25,000	None
	Greater than 25,000 and less than or equal to 250,000	1
	Greater than 250,000 and less than or equal to 500,000	2
	Greater than 500,001 and less than or equal to 750,000	3
	Greater than 750,000 and above	4
* "Gross Floor Area" for purposes of calculating required loading spaces shall be determined as stated in Section 10.4.4, Vehicle Parking Required.		

B. Dimensions

At least the following dimensions shall be provided, plus an area or means adequate for maneuvering, ingress and egress entirely within zone lot boundaries. Backing to or from a public right-of-way for loading maneuvering is prohibited unless Public Works expressly approves such movements in unusual situations where the site is constrained and as part of an approved Site Development Plan.

1. For Wholesale Trade or Storage Primary Uses, each loading space shall be at least 35 feet long, 10 feet wide and 14 feet high.
2. For Multi-Unit Dwelling Primary Uses, loading space dimensions shall be determined at Site Development Plan.
3. For all other uses, each loading space shall be at least 26 feet long, 10 feet wide, and 14 feet high.

C. Location

1. On-Site

Off-street loading spaces shall be located on the same zone lot as the structure for which provided, except as allowed in subsection C.2 below.

2. On-Street

a. Applicability

On-street loading shall only be allowed where at least two or more loading spaces are required and where the Zoning Administrator has determined that the subject property is unusually small or irregularly shaped so that the reasonable development of the zone lot with the required loading spaces is difficult to achieve.

b. Standards

- i. No more than two required loading spaces may be located on the public right-of-way;
- ii. The spaces shall not create any adverse impacts on traffic or pedestrian movement;
- iii. Public Works must approve the loading space(s); and
- iv. At least one of the following shall be provided on the subject property zone lot:
 - a) One loading space that is 10 feet wide and 26 feet long; or
 - b) Two loading spaces that are each 10 feet wide and 20 feet long.

10.4.8.4 Maintenance

All off-street loading space shall be maintained in compliance with the regulations for the maintenance of off-street parking space according to Section 10.4.7, Use and Maintenance of Parking Areas.

SECTION 10.4.9 PARKING CATEGORIES

10.4.9.1 Vehicle Parking Categories

A. Purpose

Parking categories are used to determine the minimum amount of parking spaces required for a specific primary use.

B. Unclassified Uses

If for any reason the parking category of any primary use cannot be determined for the purpose of establishing the number of required vehicle parking spaces, the parking category of such use shall be determined by the Zoning Administrator according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

C. Parking Category Table

The following parking categories apply to all primary ~~allowed~~ permitted by this Code.

USE CATEGORY	SPECIFIC PRIMARY USE	PARKING CATEGORY
Residential		
Household Living	Dwelling, Single Unit	No Requirement
	Dwelling, Two Unit (includes provision of two units on one zone lot in a tandem house form)	Multi-Family/ Lodging
	Dwelling, Multi-Unit	Multi-Family/ Lodging
	Dwelling, Mixed Use	Multi-Family/ Lodging
	Dwelling, Live / Work	Multi-Family/ Lodging
Group Living	Assisted Living Facility	Residential Medium
	Community Correctional Facility	Residential Low
	Nursing Home, Hospice	Residential Medium
	Residence for Older Adults	Residential Medium
	Residential Care Use, Small or Large	Residential Low
	Rooming and Boarding House	Commercial High
	Shelter for the Homeless	Commercial Low
	Student Housing	Multi-Family/ Lodging
Civic, Public and Institutional		
Basic Utilities	Utility, Major Impact	Commercial Low
	Utility, Minor Impact*	Commercial Low
Community/Public Services	Community Recreational Facility	Public Use Low <u>Medium</u>
	Day Care Center	Public Use Medium
	Postal Facility	Commercial Medium
	Public Safety Facility	Public Use Medium
	Hospital	Public Use High
	Correctional Institution	Public Use Medium
Cultural/Special Purpose/Public Parks & Open Space	Cemetery	No Requirement
	Library	Public Use Medium
	Museum	Public Use Medium
	Performing Arts Center	Public Use Medium
	City Park	No Requirement
	Open Space - Recreation	Public Use Low
	Open Space - Conservation	No Requirement
Education	Elementary School	Public Use Medium
	Secondary School	Public Use High
	University or College	Public Use Medium
	Vocational or Professional School	Public Use Medium
Public and Religious Assembly	All Types	Public Use Low <u>Medium</u>
Commercial Sales, Services and Repair		
Adult Business	All Types	Commercial Medium

USE CATEGORY	SPECIFIC PRIMARY USE	PARKING CATEGORY
Arts, Entertainment & Recreation	Recreation and Entertainment Services, Indoor	Commercial Medium
	Recreation and Entertainment Services, Outdoor	Commercial Medium
	Sports and/or Entertainment Arena or Stadium	Public Use Medium
	Theater and/or Performance Space	Public Use Medium
Parking of Vehicles	Parking, Garage	No Requirement
	Parking, Surface	No Requirement
Eating & Drinking Establishments	All Types	Commercial High
Lodging Accommodations	Bed and Breakfast Lodging	Multi-Family/Lodging-Commercial Medium
	Lodging Accommodations, All Others	Multi-Family/Lodging-Commercial Medium
Office	Dental / Medical Office or Clinic	Commercial Medium
	Office, All Others	Commercial Medium
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Services and Sales, Household Pets Only	Commercial Medium
	Animal Services and Sales, All Others	Commercial Medium
	Body Art Establishment	Commercial Medium
	Food Sales or Market	Commercial Medium
	Pawn Shop	Commercial Medium
	Pay Day Lending Services	Commercial Medium
	Retail Sales, Service & Repair -- Outdoor	Commercial Medium
	Retail Sales, Service & Repair, Special: Includes Gun Sales	Commercial Medium
	Retail Sales, Service & Repair, All Others	Commercial Medium
	Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection
Automobile Gas / Service Station		Commercial Low
Automobile Wash, Laundry, Detail or Polishing Shop		Commercial Low
Automobile Repair Garage		Commercial Low
Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing		Commercial Low
Automobile Pawn Lot or Vehicle Auctioneer		Commercial Low
Heavy Vehicle/ Equipment Sales, Rentals & Service		Commercial Low
Industrial, Manufacturing and Wholesale		
Communications and Information	Communication Services	Commercial Low
	Telecommunications Towers*	No Requirement
	Telecommunication Facilities -- All Others	No Requirement
Industrial Services	Contractors, Special Trade -- General	Commercial Low
	Food Preparation and Sales, Commercial	Commercial Low
	Laboratory -- Research & Development, Technological Services	Commercial Low
	Service/Repair, Commercial	Commercial Low

USE CATEGORY	SPECIFIC PRIMARY USE	PARKING CATEGORY
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom	Commercial Low
	Manufacturing, Fabrication & Assembly -- General	Commercial Low
	Manufacturing, Fabrication & Assembly -- Heavy	Commercial Low
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	Commercial Low
	Sand or Gravel Quarry	Commercial Low
	Wind Energy Conversion Systems*	No Requirement
Transportation Facilities	Airport	No Requirement
	Helipad, Helistop, Heliport	No Requirement
	Railroad Facilities	Commercial Low
	Railway Right-of-Way	No Requirement
	Terminal, Station, or Service Facility for Passenger Transit System	Commercial Low
	Terminal, Freight, Air Courier Services	Commercial Low
Waste Related Services	Automobile Parts Recycling Business	Commercial Low
	Junkyard	Commercial Low
	Recycling Center	Commercial Low
	Recycling Collection Station	Commercial Low
	Recycling Plant, Scrap Processor	Commercial Low
	Solid Waste Facility	Commercial Low
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard	Commercial Low
	Contractors, Special Trade - Heavy, Yard	Commercial Low
	Container Storage (Mini-Storage)	Commercial Low
	Heavy Equipment Sales or Rentals	Commercial Low
	Storage Services	Commercial Low
	Vehicle Storage, Commercial	Commercial Low
	Wholesale Trade, General, and/or Storage of Toxic and/or Hazardous Materials	Commercial Low
	Wholesale Trade, Light, and/or Storage of Non-toxic and/or Nonhazardous Materials	Commercial Low
Agriculture		
Agriculture	Aquaculture	Commercial Low
	Garden, Urban	Commercial Low
	Husbandry, Animal Husbandry, Plant	Commercial Low
	Plant Nursery	Commercial Low

10.4.9.2 Bicycle Parking Categories

Bicycle parking is required based on the specific primary uses's assigned parking category, according to Section 10.4.9.1, Vehicle Parking Categories. The bicycle parking standards are then varied by neighborhood context, as set forth in the tables below.

SUBURBAN NEIGHBORHOOD CONTEXT AND I-A, -B ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/Lodging	1/5 units	80%/20%

SUBURBAN NEIGHBORHOOD CONTEXT AND I-A, -B ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/5,000 sq. ft. GFA	0%/100%
Commercial Medium	1/20,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/20,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

URBAN EDGE NEIGHBORHOOD CONTEXT		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/ Lodging	1/5 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/5,000 sq. ft. GFA	0%/100%
Commercial Medium	1/20,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/20,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

URBAN NEIGHBORHOOD CONTEXT AND MASTER PLANNED CONTEXT		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/ Lodging	1/4 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/3,000 sq. ft. GFA	0%/100%
Commercial Medium	1/10,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

GENERAL URBAN NEIGHBORHOOD CONTEXT AND ALL I-MX ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/ Lodging	1/4 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/3,000 sq. ft. GFA	0%/100%
Commercial Medium	1/10,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%

GENERAL URBAN NEIGHBORHOOD CONTEXT AND ALL I-MX ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

URBAN CENTER NEIGHBORHOOD CONTEXT AND CAMPUS ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/ Lodging	1/2 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,500 sq. ft. GFA	0%/100%
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

DOWNTOWN NEIGHBORHOOD CONTEXT - D-LD, D-GT, D-AS ZONE DISTRICTS ONLY		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit/ Lodging	1/2 units	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	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

10.5.4.3 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 **Adjacent to 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:

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 feet	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 feet if provide a garden wall	Min 30 inches; Max 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25 feet	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 feet		Yes			
Urban Center Neighborhood Context (See Figure 10.5-6)	Not Required	NA	Yes			
Downtown Neighborhood Context	See Article 8, Downtown Neighborhood Context					

Figure 10.5-4

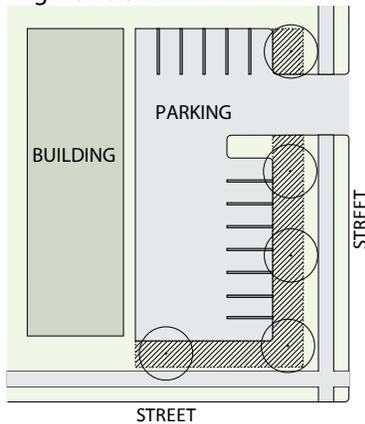


Figure 10.5-5

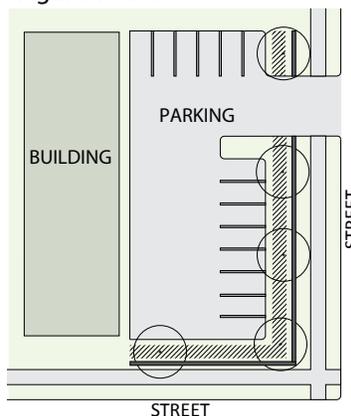
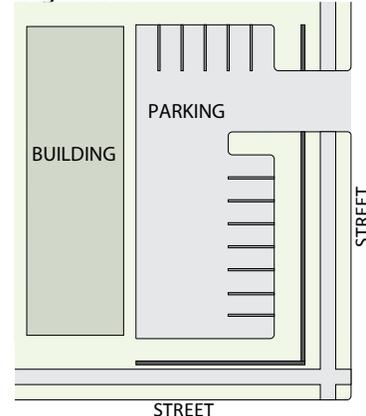


Figure 10.5-6



- Perimeter Planting Strip
- Canopy Tree
- Garden Wall

10.5.4.5 Landscaping Material Standards

When required by this Division, landscaping materials shall meet the following minimum standards:

A. Live Plant Material Standards

1. Where live plant material is required, the amount of area coverage (e.g. 50%) shall be calculated for plant maturity, rather than the coverage at time of planting.
2. All required live plant material must be kept continuously maintained in live and growing condition.
3. Applicants are encouraged to incorporate drought-resistant plants and shrubs into required landscaping areas, including but not limited to ornamental grasses.
4. The following materials are allowed and shall meet the following size specifications at time of planting:
 - a. Deciduous trees are at least 2-inch caliper measured 4 inches above the ground;
 - b. Ornamental and flowering trees are at least 1 and 1/2 inches caliper measured 4 inches above the ground;
 - c. Evergreen trees are at least 5 feet tall;
 - d. Evergreen spreaders and broadleaf evergreens are 5-gallon size minimum, with spreads no less than 18 to 24 inches;
 - e. Shrubs are 5-gallon size minimum, with heights no less than 2 to 3 feet;
 - f. Vines and ornamental grasses are 1 gallon in size, minimum; ~~and~~
 - g. Ground Cover;
 - h. Turf or sod; and
 - i. Other similar quality and size live plant material.

B. Non-Live Landscaping Material Standards

Where non-live landscaping material is required on a zone lot, the following materials are allowed:

1. Organic mulch; or
2. Gravel or stone that is designed or placed so as to allow permeability.

SECTION 10.5.6 RETAINING WALL REQUIREMENTS

10.5.6.1 Applicability

This Section 10.5.6's retaining wall requirements shall apply to all new development, except in the I-A or I-B Zone Districts.

10.5.6.2 Retaining Wall Standards

- A. When provided, retaining walls in the Primary Street Setback area shall be built to a maximum height of 4 feet and successive walls shall be built provided that they are separated by at least 4 feet. However, this standard shall not apply to limit the height or require terracing when one or more retaining walls are used as an integral part of a below-grade window well or other basement egress area that is allowed by this Code to encroach into the Primary Street Setback area.
- B. In any area of the zone lot other than the Primary Street Setback, retaining walls may be built to any height.
- C. Fences located on top of retaining walls in the Primary Street Setback must be 50 percent or more open for any portion of the fence that is more than 4 feet above the lowest grade at the base of the retaining wall.
- D. See Section 13.1.7, Fence and Wall Height Measurement.

SECTION 10.5.7 SCREENING REQUIREMENTS

10.5.7.1 Applicability

Development in all Zone Districts, except in the I-A and I-B Zone Districts and except for residential development in a SU or TU Zone District, shall comply with this Section 10.5.7's screening standards.

10.5.7.2 Screening Required by Specific Use Limitations

- A. Wherever this Code requires screening as a condition or limitation on an allowed use, such screening shall be comprised of landscaping, fences, or walls of a design and density adequate to screen the use or activity from adjacent residences, rights-of-way, city parks, and open spaces.
- B. Fence and wall materials required for screening shall comply with the material requirements of the Zone District in which it is located.

10.5.7.3 Screening of Rooftop Equipment

- A. Rooftop mechanical equipment, shall be screened from ground level view, as viewed from an abutting Primary Street.
- B. Screening shall be of a material similar in quality and appearance to other areas of the building facade. For example, a parapet wall may be used to screen rooftop equipment.
- C. Development in a Campus (CMP) Zone District is exempt but shall be reviewed as part of Site Development Plan approval and shall meet the intent of this Division.

DIVISION 10.9 PARKING, KEEPING AND STORAGE OF VEHICLES

SECTION 10.9.1 PARKING / STORAGE ON RESIDENTIAL ZONE LOTS

The parking/storage on a residential zone lot in a Residential Zone District of any of the following vehicles is prohibited, except that such vehicles may be parked on a residential zone lot only to render services to the subject zone lot and only for the duration necessary to render such services:

- 10.9.1.1 Tow trucks;
- 10.9.1.2 Large-Scale Motor Vehicles and Trailers;
- 10.9.1.3 Stake body trucks;
- 10.9.1.4 Cube or box vans;
- 10.9.1.5 Backhoes;
- 10.9.1.6 Vehicles towing trailers carrying machinery and supplies; or
- 10.9.1.7 Other similar specialized vehicles.

SECTION 10.9.2 PARKING OF VEHICLES ON PUBLIC RIGHT-OF-WAY ADJACENT TO RESIDENTIAL USES

The vehicles listed below are prohibited from parking for a period of time longer than that noted below during any given week on a public right-of-way ~~adjacent to~~ abutting any zone lot in a Residential Zone District, or which contains a single unit dwelling use or multi-unit dwelling use. This prohibition does not apply where such vehicle is engaged in rendering services in the immediate area, or where such vehicle is parked adjacent to a motel or hotel where the vehicle operator is a guest.

- 10.9.2.1 A 2-hour period:
 - A. A truck exceeding 6,000 pounds empty weight; or
 - B. A bus exceeding 6,000 pounds empty weight or 22 feet in length; or
 - C. An automobile trailer not attached to a licensed vehicle; or
 - D. A truck-tractor or semi-trailer; or
 - E. A disabled or inoperable vehicle.
- 10.9.2.2 A 24 hour period:
 - A. A truck with an attached camper having a combined overall length exceeding 22 feet; or
 - B. A recreational vehicle exceeding 22 feet in length; or
 - C. An automobile trailer attached to a licensed vehicle.

SECTION 10.9.3 KEEPING OF MOTOR VEHICLES ACCESSORY TO A DWELLING UNIT

10.9.3.1 Number of Motor Vehicles Accessory to a Dwelling Unit

On any zone lot occupied by a dwelling unit, on any public right-of-way bordering or within the same block on which the dwelling unit is located, or on any public right-of-way bordering or within all adjoining blocks, there shall be, in total, parked and/or stored no more than 1 motor vehicle per licensed driver residing in the dwelling unit plus 1 additional motor vehicle per dwelling unit.

DIVISION 10.10 SIGNS

SECTION 10.10.1 INTENT

The intent of this Division 10.10 is to:

- 10.10.1.1 Enhance the appearance and economic value of the visual environment by regulating and controlling the type, location, and physical dimensions of signs and sign structures;
- 10.10.1.2 Preserve locally recognized values of community appearance, and safeguard and enhance property values;
- 10.10.1.3 Reduce hazards that result from signs that obscure or distract the vision of motorists, bicyclists, and pedestrians;
- 10.10.1.4 Recognize that signs are a useful means of visual display for the convenience of the public and for the efficient communications of commercial and noncommercial speech; and
- 10.10.1.5 Allow flexibility in the size, type and location of signs identifying the use and location of large facilities.

SECTION 10.10.2 APPLICABILITY & SUBSTITUTION OF MESSAGES

10.10.2.1 Applicability

This Division 10.10 shall govern and control the erection, remodeling, enlarging, moving, operation and maintenance of all signs within all zoning districts established by this Code. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances and/or applicable regulations shall comply with all such ordinances and regulations.

10.10.2.2 Substitution of Messages Allowed

A protected noncommercial message of any type may be substituted, in whole or in part, for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of message content. This provision applies to all signs, including outdoor general advertising devices (billboards), allowed under this Division 10.10. Such substitution of message may be made without any additional approval, permitting, registration or notice to the City.

SECTION 10.10.3 SIGNS PERMITTED IN ALL DISTRICTS

10.10.3.1 Signs Not Subject to a Permit

The following signs may be erected in all districts without a permit:

- A. Signs required or specifically authorized for a public purpose by any law, statute or ordinance; may be of any type, number, area, height above grade, location, illumination or animation, authorized by the law, statute or ordinance under which the signs are required or authorized;
- B. Signs limited in content to name of occupant and address of premises; signs of danger or a cautionary nature which are limited to: wall and ground signs; not more than 2 per street front for each use by right, or 2 for each dwelling unit; not more than 4 square feet per sign in area; not more than 10 feet in height above grade; may be illuminated only from a concealed light source; ~~flashing signs are prohibited; and animated signs are prohibited. which does not flash, blink or fluctuate; shall not be animated;~~
- C. Signs in the nature of cornerstones, commemorative tables and historical signs which are limited to: ground signs; not more than 2 per zone lot; not more than 6 square feet per sign in area; not more than 6 feet in height above grade; may be illuminated only from a concealed light

source; ~~flashing signs are prohibited; and animated signs are prohibited. which does not flash, blink or fluctuate; shall not be animated;~~

- D. Signs which identify by name or number individual buildings within institutional or residential building group complexes and which are limited to: wall and ground signs; not more than 4 signs per building; not more than 20 square feet per sign in area; not more than 12 feet in height above grade; may be illuminated from a light source ~~which does not flash, blink or fluctuate~~ and if directly illuminated does not exceed 25 watts per bulb; ~~shall not be animated; flashing signs are prohibited; and animated signs are prohibited.~~
- E. Flags on nonresidential zone lots. The flags listed herein are allowed on nonresidential zone lots without limitation as to type; number; area; height; or location. The listed flags may be externally illuminated; however, the illumination shall not flash, blink or fluctuate. For purposes of this Division 10.10, "nonresidential zone lot" means a zone lot used entirely or in part for a use other than a primary residential use listed within the "Residential Primary Use Classification" in the Use & Parking Tables found in Articles 3-9 of this Code.
1. Flags of nations, or an organization of nations;
 2. Flags of states and cities;
 3. Flags of fraternal, religious and civic organizations; and
 4. Any other flag containing no commercial advertising copy or trademark.
- F. Temporary commercial signs which identify, advertise or promote a temporary activity and/or sale of merchandise or service of a business use located on the same zone lot.
1. Shall be limited to:
 - a. Window signs;
 - b. Banners with commercial advertising copy;
 - c. Wall signs or posters which have been treated so as to be shielded from the elements (water, wind, sun, etc.);
 - d. Streamers which are attached to vehicles located in the front row only of retail car lots when said vehicular sales lot is located on an arterial street and is not across from a residential Zone District; and
 - e. Window graphics consisting of paint or decals applied directly to glazing; and
 2. Shall meet the following conditions:
 - a. Shall be maintained in a clean, orderly and sightly condition;
 - b. Shall be placed in/on ground level windows/walls only (except for streamers);
 - c. Shall be limited in placement to 45 days for sign or copy;
 - d. May be illuminated only from a concealed light source;
 - e. ~~Illumination shall not flash, blink or fluctuate;~~
 - f. ~~Shall not be animated~~Shall not be a flashing sign;
 - g. Shall not be an animated sign;
 - h. Shall be placed only on the business structure (except for streamers);
 - i. Shall not exceed 50 percent of the maximum use by right permitted sign area for the permitted use on the zone lot, plus either 65 percent of the unused permitted permanent sign area or 60 percent of the ground level window area, whichever is greater, neither of which is to exceed 75 square feet.

3. The Zoning Administrator may allow additional temporary signage area up to 100 square feet upon application in specific cases providing that the procedure outlined in Section 12.4.2, Zoning Permit Review With Informational Notice, is satisfied.
 4. All portable signs regardless of location are specifically not allowed.
 5. Parked motor vehicles and/or trailers are not allowed to be intentionally located so as to serve as an advertising device for a use by right, product or service.
- G. Signs that identify or advertise the sale, lease or rental of a particular structure or land area and limited to: wall, window and ground signs; 1 sign per zone lot; not more than 5 square feet in area per face; not more than 6 feet above grade; no illumination; flashing signs are prohibited; and animated signs are prohibited~~and no animation~~;
- H. Signs commonly associated with and limited to information and directions relating to the permitted use on the zone lot on which the sign is located, provided that each such sign is limited to wall, window and ground signs; not more than 100 square inches per sign in area, except that notwithstanding other limitations of Division 10.10, golf course tee box signs may contain up to 8 square feet of sign area of which 1 square foot may be devoted to advertising; not more than 8 feet in height above grade; may be illuminated only from a concealed light source ~~which does not flash, blink or fluctuate~~; flashing signs are prohibited; animated signs are prohibited ~~shall not be animated~~ except that gauges and dials may be animated to the extent necessary to display correct measurement;
- I. Noncommercial signs on residential zone lots shall meet the following conditions. For purposes of Division 10.10, "residential zone lot" means a zone lot that is used in its entirety for a use listed within the "Residential Primary Use Classification" in the Use & Parking Tables found in Articles 3-9 of this Code.
1. Noncommercial signs may be erected on any residential zone lot.
 2. Noncommercial signs shall be limited to the following types:
 - a. Wall signs;
 - b. Window signs; and
 - c. Ground signs not more than 6 feet above grade, unless mounted to a single pole no taller than 25 feet.
 3. The size of each noncommercial sign erected on any zone lot shall not exceed the area of 15 square feet.
 4. Noncommercial signs shall meet the following conditions:
 - a. Shall be maintained in a clean, orderly, and sightly condition;
 - b. Shall not be illuminated;
 - c. Flashing signs are prohibited; and
 - d. Animated signs are prohibited.
 - e. Shall not be animated;
 - f. Shall not flash, blink, or fluctuate
- J. Noncommercial signs erected on nonresidential zone lots shall meet the following conditions:
1. Shall be maintained in a clean, orderly and sightly condition;
 2. Shall be placed in/on ground level windows/walls only (except for banners, inflatables, balloons or streamers);
 3. May be illuminated only from a concealed light source;

4. ~~Flashing signs are prohibited;~~
5. ~~Animated signs are prohibited;~~
6. ~~Illumination shall not flash, blink or fluctuate;~~
7. ~~Shall not be animated;~~
8. Shall be placed only on the business structure (except for banners, inflatables, balloons or streamers);
9. Except for banners, inflatables, balloons or streamers, shall not exceed 50 percent of the maximum use by right permitted sign area for the permitted use on the zone lot, plus either 65 percent of the unused permitted permanent sign area or 60 percent of the ground level window area, whichever is greater, neither of which is to exceed 75 square feet; and
10. Noncommercial streamers and banners shall not exceed 15 square feet in area.

See also Section 10.10.3.1.E. regarding allowance for and limitations on noncommercial flags on nonresidential zone lots.

- K. Signs that identify a business which was a permitted use on a zone lot but that, under threat of a government entity exercising its powers of eminent domain, has relocated.

The sign shall be limited:

1. To 32 square feet and shall not be more than 6 feet above grade;
2. In content to the name of the business, the business logo, the new location of the business and when the business will re-open, or that it has re-opened, at the new location;
3. To wall or ground signs set back a minimum of 5 feet from the front line of the zone lot, provided, however, that a wall sign attached to structural wall of a building need not meet setback requirement; and
4. To being posted for 180 days or 60 days after the business has re-opened at its new location, whichever is shorter.
5. ~~Flashing signs are prohibited; and~~
6. ~~Animated signs are prohibited.~~

10.10.3.2 Signs Subject to a Zoning Permit

Upon application to and issuance of a zoning permit, the following signs may be erected and maintained in all zoning districts:

- A. Signs which are not visible from any public right-of-way or from any level whatsoever of any other zone lot; may be illuminated but such illumination shall not be visible beyond the boundaries of the zone lot on which the sign is located; ~~animated signs are prohibited. shall not be animated;~~
- B. Signs identifying home occupations. Signs identifying home occupations shall comply with the home occupation use limitations in Article 11, Division 11.9, Home Occupations Accessory to Primary Residential Uses - All Zone Districts.
- C. Signs displaying only the name and address of a subdivision or of a planned building group of at least 8 buildings each containing a use or uses by right and limited to: wall and ground signs; 1 per street front; not more than 20 square feet per face in area; not more than 6 feet in height above grade; may be illuminated only from a concealed light source; ~~flashing signs are prohibited; and animated signs are prohibited. which does not flash, blink or fluctuate; shall not be animated;~~

- D. Signs consisting of illuminated buildings or parts of buildings which do not display letters, numbers, symbols or designs and limited to: illumination from a concealed light source which may not flash or blink, but may fluctuate by a change of color or intensity of light, provided that each change of color or dark to light to dark cycle shall have a duration of 1.5 minutes or longer; ~~shall not be animated~~ animated signs are prohibited;
- E. Signs giving parking or traffic directions and other directional information commonly associated with and related to the permitted use on the zone lot on which the sign is located; provided that such signs are limited to: wall and ground signs; 1 sign for every 1,000 square feet of land area up to 10,000 square feet, thereafter only 1 additional sign for every 5,000 square feet; not more than 4 square feet per face in area, not more than 6 feet in height above grade; may be illuminated from a concealed light source ~~which does not flash, blink or fluctuate: shall not be animated;~~ flashing signs are prohibited; and animated signs are prohibited.
- F. Signs on canopies or awnings located over public rights-of-way or into any required front setback space; limited in content to name of building, business and/or address of premises; no sign shall exceed 10 square feet per face in area. All such canopies and awnings over public rights-of-way are subject to approval by the department of public works.
- G. Off-premise signs identifying new residential developments within the city as regulated by the following provisions. Notwithstanding the provisions of Section 10.10.20 (outdoor general advertising devices), off-premise signs identifying new residential developments in the city shall:
1. Be limited in area to 32 square feet per face and shall not be more than 6 feet in height above grade,
 2. Be limited in content to the name of the project, the name of the developer or construction company and/or directional information or symbols,
 3. Be limited to wall signs or ground signs which set back a minimum of 5 feet from every street right-of-way line,
 4. Be limited to 2 signs on each side of a public street for each 600-foot length of right-of-way with a minimum spacing of 100 feet between signs,
 5. Be limited to no more than 6 signs per project,
 6. Utilize a concealed light source if illuminated ~~and shall not flash, blink, fluctuate or involve animation;~~
 7. Not be a flashing sign;
 8. Not be an animated sign;
 9. Be valid for a period not to exceed 1 year during the construction, development, original rent-up or sales period; and
 10. ~~Shall not~~ Not be renewed for more than 3 successive periods for the same project.
- H. Signs which identify a structure containing any use by right other than a single unit dwelling. Such signs shall be:
1. Limited in content to the identification by letter, numeral, symbol or design of the use by right and/or its address;
 2. Attached to a fence or wall located on the front line of the zone lot or within the front setback area;
 3. Limited in number to 1 sign per street front for each structure;

4. Regulated by the sign provisions for the Zone District in which the zone lot is located except that the requirements of this Section will take priority in case of a conflict;
 5. Counted as a part of the total sign area permitted on the zone lot;
 6. Limited in height to 6 feet above grade; and
 7. Attached to a fence or wall so that the display surface is parallel to and extends forward no further than 6 inches beyond the front plane of the wall or fence.
 8. If illuminated at all, illuminated only from a concealed light source ~~which does not flash, blink or fluctuate and shall not be animated.~~
 9. Shall not be a flashing sign; and
 10. Shall not be an animated sign.
- I. Inflatables, balloons and/or streamers/pennants shall be allowed as a promotion of a special event only. Advertising of a product or service in this manner shall not be allowed except as a part of the promotion of the special event. The Zoning Administrator shall issue a summons and complaint for inflatables, balloons, streamers / or pennants emplaced without a permit and shall not issue a permit for said location for the next event application. Inflatables and balloons may be shaped/formed as a product and may have commercial copy; streamers/pennants shall not have any commercial logos or copy; and shall meet the following conditions:
1. Shall be limited in placement to 5 days;
 2. Shall be placed on the zone lot as determined by the Zoning Administrator;
 3. Shall be limited to no more than 1 permit per quarter per zone lot; and
 4. Streamers and/or pennants shall not exceed in measurement 2 times the zone lot front line measured in linear feet (the property address front line shall be used for this calculation); and shall be counted as part of the maximum allowed temporary sign area at a ratio of 1 linear foot to 1 square foot of temporary signage allowed.
- J. Signs which are works of art as defined by Section 20-86 of the Denver Revised Municipal Code. Such signs shall be primarily artistic in nature, but up to 5 percent of the sign may be the name or logo of a sponsoring organization. The percentage of the sign devoted to the sponsoring organization may be increased up to 10 percent of the sign if the Zoning Administrator, with input from the director of the mayor's office of art, culture and film, determines the portion of the sign devoted to the sponsor does not detract from the artistic quality of the sign.
- K. Off-premises identification sign. A sign identifying a public facility which is located on a different zone lot than that containing the sign. The number, location, height, size and illumination of such signs shall be approved by the director of planning and the Zoning Administrator or their designated representatives; however, in no case shall such sign exceed 10 feet in height or 40 square feet in area. A decision to approve such signs must be based on a favorable evaluation of their compatibility with nearby structures and signs. The installation of such identification signs shall not reduce the size or number of other signs permitted on a specific site by other provisions of Division 10.10.

10.10.3.3 Signs Subject to a Comprehensive Sign Plan

Notwithstanding more restrictive provisions of Division 10.10, signs, large facilities may have signs according to an approved comprehensive sign plan for the facility.

A. Intent

The intent of these provisions is to allow flexibility in the size, type and location of signs identifying the use and location of large facilities. Flexibility is generally offered because these facilities often have a need for additional or different types of signage due to the complexity of

4. Criteria for Review

The criteria for reviewing proposed comprehensive sign plans are as follows:

- a. The sign plan shall exhibit design excellence, inventiveness and sensitivity to the context.
- b. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate an area.
- c. Roof signs shall not be allowed unless such signs are designed to appear as an integral part of the building to which they are attached. Such roof signs shall not extend above any building height limit or zoning bulk plane. ~~No flashing, blinking, fluctuating, animated or portable roof signs, flashing signs, and animated signs are prohibited.~~ Portable roof signs, flashing signs, and animated signs are prohibited.
- d. The comprehensive sign plan shall include design guidelines to ensure that all features of the proposed signage, including the illumination, support structure, color, lettering, height, and location, shall be designed so that it will be an attractive and complimentary feature of the building which it serves.
- e. Sign design should reflect the existing or desired character of the area. As an example, in a district in which night-time entertainment is concentrated, the intent of this Section 10.10.3.3 is to encourage exciting, iconographic, and inventively illuminated signage.
- f. Signs shall be professionally designed and fabricated from quality, durable materials.
- g. Signs for accessory uses, which are prohibited by other provisions of Division 10.10, are allowed as part of an approved sign plan.

5. Review by the Planning Board

- a. The Planning Board shall hold a meeting and shall require that notices be placed on the property by the applicant at least 15 days prior to the meeting. The planning board shall also send notice of the proposed plan to registered neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Denver Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot of the large facility. The planning board shall also send notices to the council members in whose district the large facility is located, and to the at large council members. Such notices shall be sent at least 30 days prior to the hearing.
- b. The planning board shall review the Zoning Administrator's recommendation, the concerns of the public and the criteria for review, and shall adopt a recommendation for denial, approval or approval with conditions. The planning board recommendation shall be forwarded to the Zoning Administrator no later than 15 days following the adoption of the recommendation.

6. Action

The Zoning Administrator shall take action on the proposed comprehensive sign plan within 15 days after the receipt by the Zoning Administrator of the planning board's recommendation. The Zoning Administrator's action, which shall be approval, approval with conditions or denial of the proposed plan, shall take into consideration the criteria for review, the recommendation of the planning board as well as public input. Upon taking action, the Zoning Administrator shall notify the applicant, appropriate council members and any registered neighborhood organization which expressed concerns over the plan, either in writing or at the planning board public hearing, of the action taken.

D. Changes to the Plan

Any sign changes or additions requested for the facility after the approval of the comprehensive sign plan, must be reviewed according to the provisions of this Section 10.10.3.3.

E. Effect of the Comprehensive Sign Plan Approval

Once a comprehensive sign plan is approved for a large facility, all signs for that facility shall be reviewed to ensure compliance with the sign plan before a permit is issued.

F. Other Permitted Signs

Signs described and regulated by Section 10.10.3.2.E, signs giving parking or traffic directions, and inflatables and balloons and/or streamers/pennants as described and regulated by Section 10.10.3.2.I, need not be included in the comprehensive sign plan. However, other signs permitted by Section 10.10.3.2, signs subject to a permit, must be included in the comprehensive sign plan.

G. Projecting Signs

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV and D-AS 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, blinking, moving or fluctuating~~ **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.B-3C 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 fee for review of a comprehensive sign plan for large facilities is \$500.00 per facility.

SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT**10.10.4.1 General**

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

10.10.4.2 Sign With Backing

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

10.10.4.4 Projecting Signs

A. Sign Volume - Relationship to Maximum Sign Area Allowed

The sign area allowed for projecting signs shall be deducted from the permitted maximum sign area allowed in the applicable zone district. For these purposes, a cubic foot of projecting sign or graphic volume is considered to be equivalent to a square foot of sign area.

B. Calculation of Projecting Sign Volume - Minor Sign Elements

1. The volume of a projecting sign shall be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.
2. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the Zoning Administrator. Minor elements will be defined as those parts of the sign that add to the design quality without adding significantly to the perceived volume and mass of the sign.
3. No dimension (height, width, or depth) shall be considered to be less than 1 foot and 0 inches for the purposes of calculating projecting sign volume.

C. Allocation of Allowable Projecting Sign Volume

1. Applicability

This Section 10.10.4.4.C shall govern the allocation of allowable projecting sign volume among multiple tenants/uses in a single structure in the following zone districts only:

- a. All RX and RO Zone Districts
- b. All -CC Zone Districts
- c. All - MX Zone Districts
- d. All - MS Zone Districts
- e. All - CMP Zone Districts
- f. I-MX Zone District
- g. All Master Planned ("M") Zone Districts

2. Allocation of Allowable Projecting Sign Volume

(a) For uses that are located at the ~~street level-ground story~~ and have entries with direct access to a public sidewalk, court or plaza, or (b) uses located in the basement or on the second floor that have entries at the ~~street level-ground story~~ with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:

- a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
- b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
- c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
- d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.

SECTION 10.10.5 SINGLE UNIT ZONE DISTRICTS SIGN STANDARDS

10.10.5.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.6.
- B. The sign standards contained within this Section apply to the following Zone Districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT
S-SU-A	E-SU-A	U-SU-A
S-SU-D	E-SU-B	U-SU-A1
S-SU-Fx	E-SU-D	U-SU-A2
S-SU-F	E-SU-Dx	U-SU-B
S-SU-F1	E-SU-D1	U-SU-B1
S-SU-lx	E-SU-D1x	U-SU-B2
S-SU-I	E-SU-G	U-SU-C
	E-SU-G1	U-SU-C1
		U-SU-C2
		U-SU-E
		U-SU-E1
		U-SU-H
		U-SU-H1

10.10.5.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.
Sign Types	Wall, window and ground.
Maximum Number	2 signs for each front line of the zone lot on which the use by right is located.
Maximum Sign Area	Public and Religious Assembly or Elementary or Secondary School: 20 square feet or 2 square feet of sign area for each 1,000 square feet of zone lot area not, however, to exceed 80 square feet of total sign area for each zone lot. All Others: 20 square feet or 2 square feet of sign area for each 1,000 square feet of zone lot area not, however, to exceed 60 square feet of total sign area for each zone lot and provided that no one sign shall exceed 20 square feet.
Maximum Height Above Grade	Wall and window signs: 20 feet Ground signs: 6 feet
Location	Wall and window signs shall be set back from the boundary lines of the zone lot on which they are located the same distance as a building containing a use by right; provided, however, wall signs may project into the required setback space the permitted depth of the sign. Ground signs shall be set in at least 10 feet from every boundary line of the zone lot.
Illumination	May be illuminated but only from a concealed light source, <u>and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m., and shall not flash, blink or fluctuate. Flashing signs are prohibited.</u>
Animation	<u>Animated signs are prohibited. Shall not be animated.</u>

10.10.5.3 Temporary Signs

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

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 12 square feet plus 1 square foot per acre not to exceed 50 square feet for each zone lot or designated land area.
- D. Permitted maximum height above grade: 12 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination: May be illuminated but only from a concealed light source, ~~shall not flash, blink or fluctuate~~ and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.
- G. ~~Prohibited: Flashing signs are prohibited; and animated signs are prohibited. Animation: Shall not be animated.~~

SECTION 10.10.6 MULTI-UNIT ZONE DISTRICTS SIGN STANDARDS

10.10.6.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.6.
- B. The sign standards contained within this Section apply to the following Zone Districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
S-TH-2.5	E-TU-B	U-TU-B	G-RH-3	M-RH-3
S-MU-3	E-TU-C	U-TU-B2	G-MU-3	
S-MU-5	E-TH-2.5	U-TU-C	G-MU-5	
S-MU-8	E-MU-2.5	U-RH-2.5	G-MU-8	
S-MU-12		U-RH-3A	G-MU-12	
S-MU-20			G-MU-20	

10.10.6.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.
Sign Types	Wall, window and ground.
Maximum Number	2 signs for each front line of the zone lot on which the use by right is located.
Maximum Sign Area	<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 contiguous Campus only: 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 feet of the zone lot line or campus boundary.</p> <p>All Others: 20 square feet or two square feet of sign area for each 1,000 square feet of zone lot area; however, not to exceed 96 square feet of total sign area for each zone lot and provided that no 1 sign shall exceed 32 square feet.</p>
Maximum Height Above Grade	<p>Wall and window signs: 25 feet</p> <p>Ground signs: 12 feet</p>
Location	<p>Wall and window signs: Shall be set in from the boundary lines of the zone lot on which it is located, the same distance as a building containing a use by right; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot.</p>
Illumination	May be illuminated but only from a concealed light source and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u>
Animation	Animated signs are prohibited <u>Shall not be animated.</u>

10.10.6.3 Temporary Signs

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

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 15 square feet plus 1 square foot per acre not to exceed 100 square feet for each zone lot or designated land area.
- D. Permitted maximum height above grade: 12 feet.
- E. Permitted location of temporary signs: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination of temporary signs: May be illuminated but only from a concealed light source, and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m. ~~and shall not flash, blink or fluctuate.~~
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation of temporary signs: Shall not be animated.

SECTION 10.10.7 CAMPUS ZONE DISTRICTS SIGN STANDARDS

10.10.7.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.6.
- B. The sign standards contained within this Section apply to the following Zone Districts: CMP-H, CMP-H2, CMP-EI, CMP-EI2 and CMP-ENT

10.10.7.2 Permanent Signs

Permanent signs shall comply with the following standards:

	CMP-H CMP-EI	CMP-H2 CMP-EI2	CMP-ENT
Contents	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.
Sign Types	Wall, window, ground and projecting, except that projecting signs are prohibited for uses without direct street access on the street level ground story .	Wall, window, ground, projecting, and arcade, , except that projecting signs are prohibited for uses without direct street access on the street level ground story .	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the street level ground story .
Maximum Number	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code. All Other Signs, including a Mix of Projecting and Other Sign Types: 2 signs for each front line of the zone lot on which the use by right is located.	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code. All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.	Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code. All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.

	CMP-H CMP-EI	CMP-H2 CMP-EI2	CMP-ENT
Illumination	<p>All Sign Types: May be illuminated but only from a concealed light source and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited • Projecting signs may use a variety of illuminated colors. 	<p>All Sign Types: May be illuminated but only from a concealed light source and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. • Projecting signs may use a variety of illuminated colors. 	<p>All Sign Types: May be illuminated but shall not flash, blink or fluctuate. . All direct illumination shall not exceed 25 watts per bulb. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. • Projecting signs may use a variety of illuminated colors.
Animation	<u>Animated signs are prohibited. Shall not be animated.</u>	<u>Animated signs are prohibited. Shall not be animated.</u>	<u>Animated signs are prohibited. Shall not be animated.</u>

10.10.7.3 Temporary Signs

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

A. Permitted sign types:

1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: Wall and ground.
2. CMP-ENT: Wall, ground and window.

B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.

C. Permitted sign area:

1. CMP-H2 and CMP-EI2: 20 square feet or 2 square feet of sign area for each acre of zone lot or designated land area not to exceed 150 square feet.
2. CMP-H and CMP-EI: 15 square feet plus 1 square foot per acre not to exceed 100 square feet for each zone lot or designated land area.
3. CMP-ENT: The greater number of the following: 100 square feet; or 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:

1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: 12 feet.
2. CMP-ENT: 25 feet.

- E. Permitted location of temporary signs: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination of temporary signs:
 1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: May be illuminated but only from a concealed light source, and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m. ~~and shall not flash, blink or fluctuate.~~
 2. CMP-ENT: May be illuminated ~~but shall not flash, blink or fluctuate~~ and all direct illumination shall not exceed 25 watts per bulb.
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation of temporary signs: Shall not be animated~~

10.10.7.4 Joint Identification Signs - CMP-H2 and CMP-EI2

Subject to the conditions hereinafter set forth and upon application to and issuance a zoning permit therefore, joint identification signs are permitted for 3 or more primary uses on the same zone lot as the signs, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 wall sign or 1 ground sign for each front line of the zone lot.
- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.
- F. Permitted illumination: May be illuminated ~~but shall not flash, blink or fluctuate~~ and all direct illumination shall not exceed 25 watts per bulb.
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

SECTION 10.10.8 RESIDENTIAL MIXED USE ZONE DISTRICTS SIGN STANDARDS

10.10.8.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.6.

B. The sign standards contained within this Section apply to the following Zone Districts:

URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
E-RX-5	U-RX-5	G-RO-3	C-RX-5	M-RX-5
		G-RO-5	C-RX-8	M-RX-5A
		G-RX-5	C-RX-12	

10.10.8.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.
Sign Types	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the street level <u>ground story</u> .
Maximum Number	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>
Maximum Sign Area	<p>Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</p> <p>All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front:</p> <ul style="list-style-type: none"> For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used. For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.
Maximum Height Above Grade	<p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25 feet. Lodging accommodations, office and bank: The roof line of the building to which the sign is attached. <p>Ground signs: 25 feet.</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</p>
Location	<p>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart.

Illumination	<p>All Sign Types: May be illuminated but only from a concealed light source and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. • Projecting signs may use a variety of illuminated colors..
Animation	<u>Animated signs are prohibited. Shall not be animated.</u>

10.10.8.3 Temporary Signs

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

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 20 square feet or 2 square feet of sign area for each acre of zone lot or designated land area not to exceed 150 square feet.
- D. Permitted maximum height above grade: 12 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination: May be illuminated but only from a concealed light source; ~~and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m., and shall not flash, blink or fluctuate.~~
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

10.10.8.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right or conditional uses on the same zone lot as the signs, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 wall sign or 1 ground sign for each front line of the zone lot.
- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.

- F. Permitted illumination: May be illuminated ~~but shall not flash, blink or fluctuate~~ and all direct illumination shall not exceed 25 watts per bulb.
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

SECTION 10.10.9 MIXED USE 2X AND MAIN STREET 2X ZONE DISTRICTS SIGN STANDARDS

10.10.9.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right or conditional use in the district in which the signs are located; shall be located on the same zone lot as the use by right or conditional use and shall be clearly incidental, customary and commonly associated with the operation of the use by right or conditional use; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I, and signs identifying home occupations according to Section 11.9.2.6.
- B. The sign standards contained within this Section apply to the following Zone Districts: S-MX-2x; E-MX-2x; E-MS-2x; U-MX-2x; U-MS-2x

10.10.9.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.
Sign Types	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the street level ground story .
Maximum Number	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.</p>

<p>Maximum Sign Area</p>	<p>Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</p> <p>All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front:</p> <ul style="list-style-type: none"> • For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used. • For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.
<p>Maximum Height Above Grade</p>	<p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> • Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25 feet. • Lodging accommodations, office and bank: The roof line of the building to which the sign is attached. <p>Ground signs: 25 feet.</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</p>
<p>Location</p>	<p>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</p> <p>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> • Projecting graphics may project no more than 5 feet out from a building. • Projecting signs shall not exceed the height of the parapet of the building on which mounted. • Projecting signs shall not be placed less than 8 feet apart.
<p>Illumination</p>	<p>All Sign Types: May be illuminated but only from a concealed light source and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. • Projecting signs may use a variety of illuminated colors.
<p>Animation</p>	<p><u>Animated signs are prohibited. Shall not be animated.</u></p>

10.10.9.3 Temporary Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or conditional use or a designated land area;

each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than one successive period at the same location.

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 20 square feet or 2 square feet of sign area for each acre of zone lot or designated land area not to exceed 150 square feet.
- D. Permitted maximum height above grade: 12 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m., and shall not flash, blink or fluctuate.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

10.10.9.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right or conditional uses on the same zone lot as the signs, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 wall sign or 1 ground sign for each front line of the zone lot.
- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.
- F. Permitted illumination: May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

SECTION 10.10.10 MIXED USE COMMERCIAL ZONE DISTRICTS-TIER 1 SIGN STANDARDS

10.10.10.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.

B. The sign standards contained within this Section apply to the following Zone Districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
S-CC-3x	E-CC-3x	U-MX-2	G-MX-3	C-MX-3	M-MX-5
S-CC-5x	E-MX-2A	U-MX-3		C-MX-5	M-IMX-5
S-MX-2	E-MX-2	U-MS-2		C-MX-8	M-IMX-8
S-MX-3	E-MX-3A			C-MX-12	M-IMX-12
S-MX-5	E-MX-3			C-MX-16	M-GMX
S-MX-8	E-MS-2			C-MX-20	
S-MX-12					

10.10.10.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the uses by right by name, use, hours of operation, services and products offered, events and prices of products and services.
Sign Types	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the street level ground story .
Maximum Number	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located. Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>
Maximum Sign Area	<p>Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front and no sign shall exceed 300 square feet in size.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</p> <p>All Others: 50 square feet, or, the total permitted sign area of each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> • For a zone lot having but 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other shall be used. • For a zone lot having 2 or more uses by right. For each use by right, 1.5 square feet of sign area for each linear foot of that portion of building frontage occupied by the use by right, for the first 200 feet of building frontage, then 1 square foot of sign area for each linear foot of building frontage thereafter.
Maximum Height Above Grade	<p>Arcade signs: 20 feet. Ground signs: 32 feet.</p> <p>Wall or window signs: The roof line of the building to which the sign is attached.</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</p>

Location	Projecting Signs: <ul style="list-style-type: none"> Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart. All Other Signs: Shall be set in at least 5 feet from every boundary line of the zone lot in Zone Districts requiring structural setbacks; provided, however, wall signs may project into the required setback space the permitted depth of the sign. In no case shall there be more than 5 signs applied to any street front.
Illumination	All Sign Types: May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited. Additional Standards for Projecting Signs: <ul style="list-style-type: none"> Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors.
Animation	Animated signs are prohibited. Shall not be animated.

10.10.10.3 Temporary Signs

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

- A. Permitted sign types: Wall, window and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 32 square feet for each front line of the zone lot or designated land area on which the sign is located. Computations shall be made and sign area shall be applied to each front line separately.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area in Zone Districts requiring structural setbacks.
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.; ~~and shall not flash, blink or fluctuate.~~
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

10.10.10.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right 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 each front line of 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 in Zone Districts requiring structural setbacks.
- F. Permitted illumination: May be illuminated ~~but shall not flash, blink or fluctuate~~ and all direct illumination shall not exceed 25 watts per bulb.
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

SECTION 10.10.11 MIXED USE COMMERCIAL ZONE DISTRICTS-TIER 2 SIGN STANDARDS

10.10.11.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to the following Zone Districts:

SUBURBAN NEIGHBORHOOD CONTEXT	URBAN EDGE NEIGHBORHOOD CONTEXT	URBAN NEIGHBORHOOD CONTEXT	GENERAL URBAN NEIGHBORHOOD CONTEXT	URBAN CENTER NEIGHBORHOOD CONTEXT	MASTER PLANNED CONTEXT
S-CC-3	E-CC-3	U-MS-3	G-MS-3	C-MS-5	M-CC-5
S-CC-5	E-MS-3	U-MS-5	G-MS-5	C-MS-8	
S-MS-3	E-MS-5			C-MS-12	
S-MS-5					

10.10.11.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	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.
Sign Types	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the street level ground story .
Maximum Number	<p>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</p> <p>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.</p>

<p>Maximum Sign Area</p>	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100 feet 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"> • For a zone lot having 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100 feet 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. • 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 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.
<p>Maximum Height Above Grade</p>	<p>Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32 feet. Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</p>
<p>Location</p>	<p>Projecting Signs:</p> <ul style="list-style-type: none"> • Projecting graphics may project no more than 5 feet out from a building. • Projecting signs shall not exceed the height of the parapet of the building on which mounted. • Projecting signs shall not be placed less than 8 feet apart. <p>All Other Signs: Shall be set back at least 5 feet 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>Illumination</p>	<p>All Sign Types: May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. • Projecting signs may use a variety of illuminated colors.
<p>Animation</p>	<p>Animated signs are prohibited. Shall not be animated.</p>

10.10.11.3 Temporary Signs

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

- A. Permitted sign types: Wall, window and ground.
- B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- D. Permitted maximum height above grade: 25 feet.

- E. Permitted location: No limitations.
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.; shall not flash, blink or fluctuate.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

10.10.11.4 Joint Identification Signs

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

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

SECTION 10.10.12 INDUSTRIAL ZONE DISTRICTS SIGN STANDARDS

10.10.12.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to the I-MX-3, -5, -8; I-A, -B Zone Districts.

10.10.12.2 Permanent Signs

Permanent signs shall comply with the following standards:

	I-MX-3, -5, -8	I-A AND I-B
Contents	Identification by letter, numeral, symbol or design of the uses by right by name, use, hours of operation, services and products offered, events and prices of products and services.	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.
Sign Types	Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the <u>street-level ground story.</u>	Wall, window, ground and arcade.

	I-MX-3, -5, -8	I-A AND I-B
Location	<p>Projecting Signs:</p> <ul style="list-style-type: none"> Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart. <p>All Other Signs: Shall be set in at least 5 feet from every boundary line of the zone lot in Zone Districts requiring structural setbacks; provided, however, wall signs may project into the required setback space the permitted depth of the sign. In no case shall there be more than 5 signs applied to any street front.</p>	<p>Shall be set back at least 5 feet 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>
Illumination	<p>All Sign Types: May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. <u>Flashing signs are prohibited.</u></p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> Illumination of projecting signs shall be permitted by direct, indirect, neon tube, lightemitting 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. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors. 	<p>May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. <u>Flashing signs are prohibited.</u></p>
Animation	<u>Animated signs are prohibited. Shall not be animated</u>	<u>Animated signs are prohibited. Shall not be animated</u>

10.10.12.3 Temporary Signs

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

- A. Permitted sign types: Wall, window and ground.
- B. Permitted maximum number:
 1. I-MX Zone Districts: 1 signs for each front line of the zone lot or designated land area on which the sign is located.
 2. I-A, -B Zone Districts: 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. I-MX Zone Districts: 32 square feet for each front line of the zone lot or designated land area on which located. Computations shall be made and sign area shall be applied to each front lot line separately.
 2. I-A, -B Zone Districts: 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. I-MX Zone Districts: 20 feet
 2. I-A, -B Zone Districts: 25 feet
- E. Permitted location:

1. I-MX Zone Districts: Shall be set at least 5 feet from every boundary line of the zone lot or designated land area in zone districts requiring structural setbacks.
 2. I-A, -B Zone Districts: No limitations
- F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.; shall not flash, blink or fluctuate.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

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 but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.

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-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-C; D-TD
Location	Shall be set back at least 5 feet 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.	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.
Illumination	May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. <u>Flashing signs are prohibited.</u>	May be illuminated but shall not flash, blink or fluctuate and all direct illumination shall not exceed 25 watts per bulb. <u>Flashing signs are prohibited.</u>
Animation	<u>Animated signs are prohibited. Shall not be animated.</u>	<u>Animated signs are prohibited. Shall not be animated.</u>

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, and D-AS: 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, and D-AS: 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; ~~and shall not flash, blink or fluctuate.~~
 - 2. D-LD, D-CV, D-GT, and D-AS: 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.; ~~shall not flash, blink or fluctuate.~~
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited Animation: Shall not be animated.

10.10.13.4 Joint Identification Signs for D-LD; D-CV; D-GT; and D-AS

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 ~~but shall not flash, blink or fluctuate~~ and all direct illumination shall not exceed 25 watts per bulb.
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

SECTION 10.10.14 SIGN PLAN FOR D-TD

10.10.14.1 Signs Subject to a District Sign Plan

Notwithstanding more restrictive provisions of this Division 10.10, Signs, the D-TD district may have signs in accordance with a single approved district sign plan.

10.10.14.2 General Purpose

- A. Facilitate the creation and recognition of a unique downtown theater district and build on the character of the Denver Performing Arts Complex.
- B. Provide flexibility in the size, type and location of signs in exchange for a higher standard of design quality for signs within the district sign plan.
- C. Mitigate any possible adverse impacts of large format sign installations on surrounding uses.

10.10.14.3 Description of Qualifying Uses

These provisions shall apply to the D-TD district and signs may be erected, altered and maintained for a use by right in the district and may be used for outdoor general advertising devices, including, but not limited to, City of Denver services and events.

10.10.14.4 Permitted Sign Types

Wall, window, ground, arcade, and projecting.

10.10.14.5 Permitted Maximum Number

There is no maximum number of signs within the district sign plan.

10.10.14.6 Permitted Maximum Sign Area

No maximum signage area within the district sign plan.

10.10.14.7 Permitted Maximum Height Above Grade

- A. Wall, window, projecting and arcade signs may extend above the roof line of the building to which the sign is attached and must be in conformance with the approved district sign plan.
- B. Ground signs: Maximum of 50 feet.

10.10.14.8 Permitted Location

No setback for signage is required from any boundary line of the zone lot. Signs attached to walls that 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.

10.10.14.9 Permitted Illumination

May be illuminated, ~~and may flash, blink or fluctuate.~~ Flashing signs are allowed.

10.10.14.10 Animation Allowed

~~Signs may be animated.~~ Animated signs are allowed.

10.10.14.11 Permitted Sign Contents

As a matter of public necessity, the city must protect children and non-consenting adults in and on its public streets, sidewalks, transportation facilities and other public rights-of-way from viewing public displays of offensive sexual material. When such displays are thrust indiscriminately upon unwilling audiences of adults and children, such displays constitute assaults upon individual privacy. Therefore, signs subject to the district sign plan shall not be displayed or exhibited in a manner that exposes to public view from the street or sidewalk any of the following:

- A. Any material that exposes to public view any pictorial material that is obscene;
- B. Any statements or words describing explicit sexual acts, sexual organs, or excrement where such statements or words have as their purpose or effect sexual arousal or gratification;
- C. Any pictorial material depicting a person's genitals, pubic hair, perineum, anus, or anal region;
or
- D. Any pictorial material depicting explicit sexual acts.

10.10.14.12 Process to Establish a District Sign Plan

- A. Plan submittal. The applicant will submit the following items to community planning and development to establish a district sign plan for the D-TD district:
 1. A site plan or improvement survey of the district drawn to scale showing existing and proposed buildings within the D-TD district, residential uses within existing and proposed buildings, Off-Street Parking Areas, landscaped areas, streets and alleys, and residential uses adjacent to the D-TD district boundary;
 2. The district sign plan will include all properties within the D-TD district and clearly identify all buildings which are and are not participating within the district sign plan.
 3. The district sign plan will address design review for signage subject to the plan.
 4. A map of the D-TD district clearly identifying all landmark buildings, landmark districts, and designated parkways.
 5. Scaled drawings or other images showing the elevations of existing and proposed buildings within the D-TD district.
 6. Design descriptions of all allowable sign types, including sign shape, size typography, lighting, exposed structure, colors, and materials, and any information on the frequency of changeable graphics.
 7. All information on allowable sign locations shall be provided: wall elevations or other images drawn to scale showing locations of wall, window, arcade, and projecting signs, and site plans drawn to scale showing locations and heights of ground signs.
 8. Calculations of total sign area per building face.

- 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.
- E. Employ exceptional lighting design and represent exceptional graphic design, including the outstanding use of color, pattern, typography, and materials.
- F. Of high quality, durable materials appropriate to an urban setting.

10.10.15.4 Permitted Maximum Sign Area

The other Sections of this Division 10.10 pertaining to the D-GT district are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. For these purposes, a cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

10.10.15.5 Projecting Graphics Permitted

For the purposes of this Section, a projecting graphic is a sign or street graphic attached to and projecting from the wall of a building at 90 degrees, or the corner of a building at 45 degrees. The projecting graphic may be two- or three-dimensional, and regular or irregular in form.

- A. The following limitations apply to projecting graphics:
 - 1. Each user may display 1 projecting graphic adjacent to every street upon which the user has frontage and an entry or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
 - 2. Projecting graphics may project no more than 5 feet out from a building.
 - 3. The bottom of any projecting graphic must be at least 8 feet above the sidewalk or ground floor finished floor level, whichever is higher while the top of any projecting graphics may be no higher than 15 feet above the sidewalk or ground level finished floor level, whichever is higher.
 - 4. Allocation of allowable sign volume. For uses that are located at the ~~street level-ground story~~ and have entries with direct access to a public sidewalk, court or plaza, or uses located in the basement or on the second floor, that have entries at the ~~street level-ground story~~ with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:
 - a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
 - b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
 - c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
 - d. Uses that occupy over 50 linear feet of building frontage, that are located in the D-GT Zone District on either Broadway or Lincoln Streets and are south of 13th Avenue, may have up to 70 cubic feet of projecting sign volume.

- e. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.
- B. Calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.
- C. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the Zoning Administrator. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign.
- D. No dimension (height, width, or depth) shall be considered to be less than 1 foot and 0 inches for the purposes of calculating sign volume.
- E. Projecting signs are prohibited for uses without direct street access on the street level-ground story.
- 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, flashing illumination, animated graphics, and signs that blink, fluctuate or change graphics or messages more than once an hour are prohibited.

SECTION 10.10.16 SPECIAL PROVISIONS FOR D-C, D-TD, D-LD, D-CV, AND D-AS

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, and D-AS 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 and D-AS 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 and D-AS 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 poten-

tially 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 and D-AS 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-ground story 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.

vinyl type materials, may incorporate signage for 1 or more tenants as part of their design, subject to these regulations and committee review. Signage may occur on canopy surfaces which are parallel, perpendicular or at other angles to the building facade to which the canopy is attached. Because canopies are architectural features that may only incidentally incorporate signage, not all the area of the canopy will be counted as signage. The volume of the canopy to be calculated as signage will be confirmed by the review committee per the following criteria:

- b. The face area of typography and graphics.
 - c. The 2 maximum dimensions of iconographic three-dimensional sign figures.
9. Relationships to the building facade. Maximum projecting sign dimensions, volumes and locations may be additionally 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.
- a. Signs shall not exceed the height of the parapet of single story buildings unless it is found by the review committee to meet the criteria in item d., below.
 - b. Signs shall not extend more than 1 story above the building floor on which the use is located unless they are found by the review committee to meet the criteria in item d., below.
 - c. Signs for uses located below ~~street level-ground story~~ shall not be located or extend beyond the uppermost part of the second story without the approval of the review committee.
 - d. The following conditions will be taken into account when considering exceptions to items a. and b. above:
 - i. The additional height is found to be a factor in the success of the sign's design.
 - ii. The additional height is not a detriment to overall design of the building facade or its immediate context.
 - iii. The additional height will not overshadow or create glare in adjoining properties.
 - e. Signs shall not be placed less than 25 feet apart unless they are determined to meet the following criteria:
 - i. The signs work together to make a unified and compatible design that is stronger as a group than it would be as a single sign or multiple signs widely separated.
 - ii. The sign group is compatible with the building architecture, reinforcing the design intent of a significant building feature such as a primary entry.

B. Auxiliary Graphics

Auxiliary graphics are elements which are complementary but subsidiary to principal graphics. The following auxiliary graphics are permitted, subject to the limitations set forth herein:

1. Awnings. Signage on fabric or vinyl type non illuminated awnings that is located on a surface of that awning which is perpendicular to the face of the building will not be considered a projecting sign under this ordinance, but will be allowed, subject to staff review, provided that the total area of typography and graphics does not exceed 2 square feet.
2. Banners.
 - a. Short term banners and flags, which provide information related to a specific, temporary event (not more than 60 days in any 365-day period) are permitted provided that they are no more than 64 square feet. Projection shall not exceed 7'-0".
 - b. Permanent banners and flags which are graphic in nature, providing color and design interest only and do not directly represent actual goods, services, brands or

business names are permitted provided that they are no more than 32 square feet. These banners are not subtracted from the allowable sign area. Projection shall not exceed 7'-0".

C. Illumination

Illumination of graphics as defined herein shall be permitted by direct, indirect, and neon tube illumination. The following additional provisions also apply to the illumination of street graphics:

1. Color of light. Graphics as defined herein may use a variety of illuminated colors, provided they do not conflict with traffic signals.
2. ~~Flashing illumination and animated graphics~~ Flashing signs and animated signs are expressly limited to those properties which are contiguous to the 16th Street pedestrian and transit mall. All such signs must be readable from the 16th Street Mall. Bare bulb illumination is expressly discouraged.
 - a. [change in outline level] The appropriateness of ~~flashing illumination~~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. [change in outline level] Use of ~~flashing illumination~~flashing signs shall be is 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 (DRC) for each of the D-C, D-TD, D-LD and D-AS 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, and D-AS zone districts, when signage is proposed on ~~a structure a zone lot~~ with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the DRC.
- B. ~~Within the D-TD zone district, when signage is proposed on a historic facade of a structure with landmark designation, the Denver Landmark Preservation Commission shall be the DRC.~~
- C. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the DRC 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 DRC 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 DRC 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.

- D. Within the D-LD district, the lower downtown design review board shall comprise the DRC.
- E. Within the D-AS district, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the DRC.
- F. Each DRC shall meet monthly or within 14 calendar days of a special request.
- G. Authority is hereby expressly granted to the applicable DRC 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 DRC by the department of zoning administration. The applicable DRC shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable DRC, the Zoning Administrator shall approve or deny the permit, except that the Zoning Administrator may not approve a permit if the lower downtown design review board has recommended denial.

10.10.16.7 Review Provisions

- A. The applicable DRC may recommend approval of a sign permit for single or multiple uses if the sign(s) is compatible with the theme and overall character to be achieved in the area, and the committee shall base its compatibility determination on the following criteria:
 - 1. The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.
 - 2. The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.
 - 3. The similarity or dissimilarity of the sign's size and shape to the size and shape of other street graphics in the area.
 - 4. The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.
 - 5. The compatibility of the type of illumination, if any, with the type of illumination in the area.
 - 6. The compatibility of the materials used in the construction of the sign with the material used in the construction of other street graphics in the area.
 - 7. The aesthetic and architectural compatibility of the proposed sign to the building upon which the sign is suspended and the surrounding buildings.
 - 8. The proposed signs shall be of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.
- B. Submission of a single sign or multiple sign application:
 - 1. The application for sign permit shall be forwarded to the applicable DRC at least 2 weeks prior to the regularly scheduled DRC meeting.
 - 2. Recommendations to the Zoning Administrator will be made in writing with reasons for acceptance, rejection, or acceptance with changes within 15 days of each committee meeting; in the event a written recommendation is not made within said 15 days, the application shall be deemed to have a recommendation for rejection.

3. A graphics plan shall be submitted which shall contain visual representations of the lettering, illumination, color, area and height of graphics and may also indicate the areas and building where they may be placed and located.
 4. Submitted photographic or drawn elevations of a minimum of 266 feet of frontage (context of individual sign) photographic or drawn perspective with the individual sign superimposed and a drawing of the sign at 0.5-inch to 1-inch scale shall be submitted.
 5. Additionally, proof of consent or attempt to get consent, with reasons for failure, of the managers of all properties within the face block must be provided.
 6. The application may also contain such special requirements as approved by the applicable DRC.
- C. Adoption of rules and regulations. Each DRC shall have the authority to adopt rules and regulations concerning its administrative procedures provided that the provisions of Sections 10.10.16.7 A and B shall be adhered to.

10.10.16.8 Review of Permit for Flashing Signs

Every permit for a flashing sign issued pursuant to the provisions of this Section 10.10.16.8 shall be reviewed 10 years from the date the permit is issued by the department of zoning administration to determine if the flashing sign must be removed or not. In making such review, the review provision set forth in Section 10.10.16.7.A shall be followed, and the applicable design review committee (DRC) shall prepare a recommendation and submit it to the zoning administration. After taking into consideration the recommendation of the applicable design review committee, the Zoning Administrator shall determine if the flashing sign must be removed or not.

SECTION 10.10.17 OPEN SPACE, DENVER INTERNATIONAL AIRPORT AND O-1 ZONE DISTRICTS SIGN STANDARDS

10.10.17.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.
- B. The sign standards contained within this Section apply to OS-A, OS-B, OS-C, DIA and O-1 Zone Districts.

10.10.17.2 Permanent Signs

Permanent signs shall comply with the following standards:

Contents	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and price of products and services.
Sign Types	Wall, window and ground signs.
Maximum Number	1 sign for each front line of the zone lot on which the use by right is located.
Maximum Sign Area	Each use by right shall be permitted a sign area of 20 square feet or the total permitted sign area for any use by right may be determined by 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 no single sign area shall exceed 300 square feet in area: 1 square foot of sign area for each foot of street frontage of the zone lot on which the use by right is located. 1 square foot of sign area for each acre of the zone lot on which the use by right is located.

Maximum Height Above Grade	Wall and window signs: The roof line of the building to which the sign is attached. Ground signs: 25 feet.
Location	Wall and window signs: Shall be set back from the boundary lines of the zone lot on which it is located the same distance as a structure containing a use by right provided, however, wall signs may project into the required setback space the permitted depth of the sign. Ground signs: Any location provided that the sign is at least 10 feet from any boundary line of the zone lot on which the use by right is located.
Illumination	May be illuminated but only from a concealed light source, and shall not flash, blink or fluctuate. <u>Flashing signs are prohibited.</u>
Animation	Animated signs are prohibited. Signs shall not be animated.

10.10.17.3 Temporary Signs

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

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area: 32 square feet of sign area for a land area up to 5 acres and 64 square feet of sign area for a land area of 5 acres or more, provided that no sign shall exceed 100 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set back at least 25 feet from all boundary lines of the zone lot or designated land area on which the signs are located.
- F. Permitted illumination: May be illuminated but only from a concealed light source, ~~and shall not flash, blink or fluctuate.~~
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited. ~~Animation: Shall not be animated.~~

SECTION 10.10.18 CHERRY CREEK NORTH ZONE DISTRICTS SIGN STANDARDS

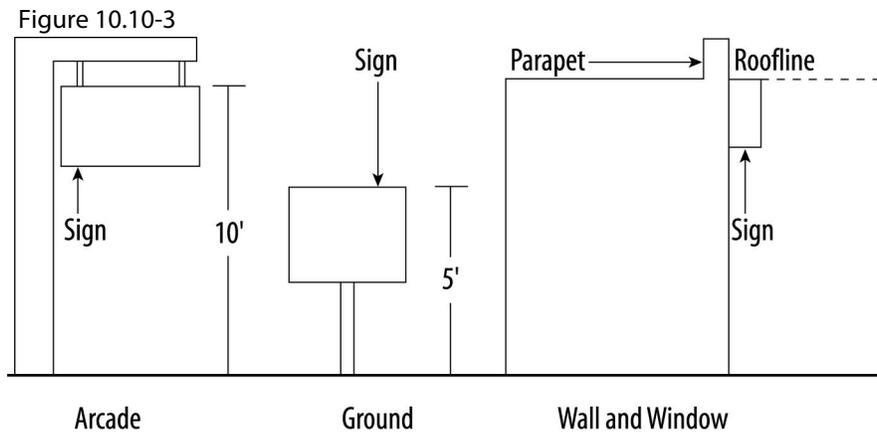
10.10.18.1 Purpose

The purpose of this Section is to create a comprehensive and balanced system of signs and street graphics, to facilitate the enhancement and improvement of the Cherry Creek North Zone Districts (C-CCN) through the encouragement of innovative signs and graphics which will aid in the creation of a unique mixed-use neighborhood, 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.

10.10.18.2 General

Signs may be erected, altered and maintained only for and by a use by right in the C-CCN Zone Districts; 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.

- A. Arcade signs: 10 feet.
- B. Ground signs: 5 feet.
- C. Wall and window signs: The roof line of the building to which the sign is attached.



10.10.18.11 Permitted Location

Shall be set in at least 5 feet from every boundary line of the zone lot; provided, however, wall or projecting signs may project into the required setback space the permitted depth of the sign.

10.10.18.12 Permitted Illumination

May be illuminated ~~but shall not flash, blink or fluctuate~~. Neon lighting is permitted, subject to design review as specified in Section 10.10.18.4 (design review) above. Flashing signs are prohibited.

10.10.18.13 Animation Prohibited

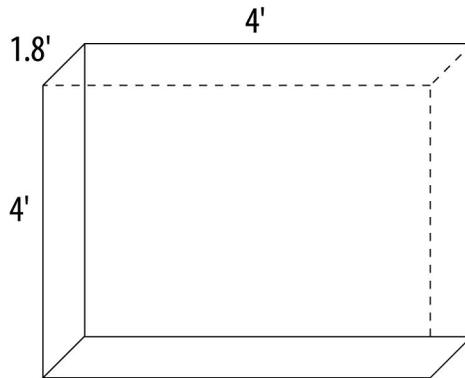
~~Signs shall not be animated.~~ Animated signs are prohibited.

10.10.18.14 Projecting Signs and Graphics

- A. Projecting sign volume. This volume is determined by a calculation using the smallest regular rectilinear geometrical shape encompassing the entire perimeters of the projecting sign. Minor sign elements may project beyond the primary boundaries of this volume subject to design review approval. Minor sign elements are those parts of the projecting sign that add to the design quality without adding significantly to the perceived volume and mass of the projecting sign.
 - 1. The minimum dimension used in calculating projecting sign volume is 1 foot.
 - 2. The maximum sign dimension shall be 4 feet.
- B. Permitted maximum projecting sign area. The permitted projecting sign area under this Section shall be deducted from the total permitted maximum sign area for each use as calculated in Section 10.10.18.9 (permitted maximum sign area) above. For the purposes of this Section, 1 cubic foot of projecting sign or graphic volume shall be considered equivalent to 1 square foot of sign area.
- C. Calculation of permitted maximum projecting sign volume. The maximum allowable size of individual projecting signs shall be based upon the horizontal linear feet of exterior building frontage facing directly upon the public right-of-way by the use by right. Buildings containing more than 1 use by right may be limited by the total allowable projecting sign volume for the building as allocated in a required comprehensive sign plan.

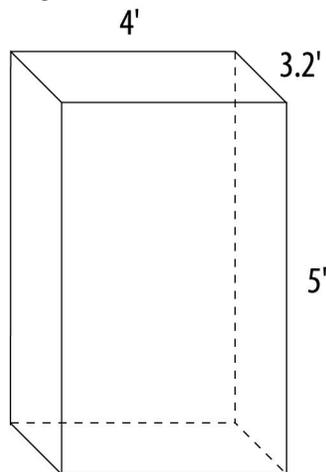
1. Single uses located at **street level ground story** having entries and/or windows facing onto a public sidewalk, court or plaza. The total permitted projecting sign volume shall be determined by one of the following provisions:
 - a. Uses by right occupying less than 50 linear feet of building frontage may be permitted up to 30 cubic feet of projecting sign volume, however not to exceed 4 feet in projecting sign height (See Figure 10.10-4).

Figure 10.10-4



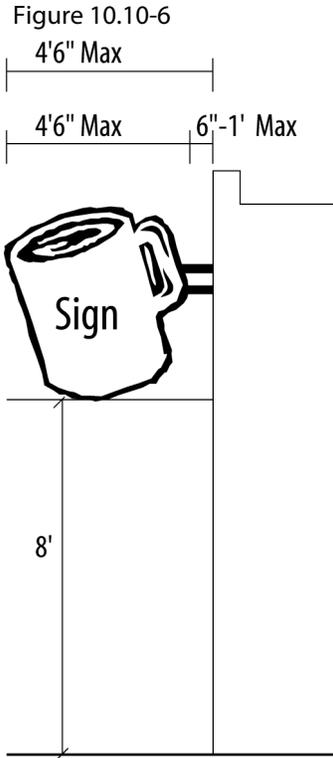
- b. Uses by right occupying more than 50 linear feet or more building frontage may utilize up to 64 cubic feet of projecting sign volume, however not to exceed 5 feet in projecting sign height (See Figure 10.10-5).

Figure 10.10-5

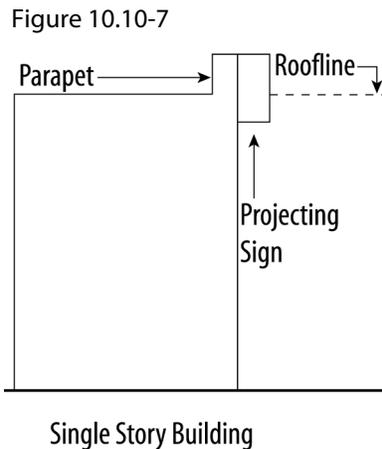


- c. For corner locations the maximum permitted volume of the projecting sign shall be calculated using only the length of the building front on which the projecting sign is attached.
 - d. For projecting signs attached directly on the corner of the building the maximum permitted volume of the projecting sign shall be calculated using the length of the longest building front of the 2 building fronts of the building to which the projecting sign is attached.

2. Total maximum permitted projecting sign volume for multiple use buildings. The sum total permitted projecting sign volume of all the uses in a building shall be limited by the following provisions:
 - a. Uses by right with building frontage. The maximum total volume of projecting signs allowed on the exterior of any building frontage facing onto a public street, court or plaza shall not exceed the sum total volume permitted for all the individual uses occupying that frontage and having direct exposure to the street, court or plaza.
 - b. Uses by right without building frontage. In order to accommodate projecting signs for all tenants including those located without direct ~~street level~~ ground story exposure, the sum total volume of permitted projecting sign volume as determined in Section 10.10.18.14.C.1 may be increased by the following amounts, and apportioned among the building tenants through a comprehensive sign plan:
 - i. 12 cubic feet for building frontages less than 75 linear feet.
 - ii. 20 cubic feet for building frontages 75 linear feet or greater.
- D. Permitted numbers of projecting signs.
 1. Permitted numbers of projecting signs for buildings containing a single use by right. Limited to 1 projecting sign for every 25 linear feet of exterior building frontage.
 2. Permitted numbers of projecting signs for buildings containing multiple uses by right. Uses occupying less than 30 linear feet of exterior building frontage are limited to either 1 projecting sign as permitted under these regulations or other non projecting signs as allowed under this Section. For uses occupying 30 or more linear feet of exterior building frontage, the permitted number of projecting signs or graphics in Section 10.10.18.14.D.1 shall apply.
- E. Projecting sign location and building attachment. The following limitations shall apply to the location and attachment of projecting signs and graphics to the building wall:
 1. Each use by right may display 1 projecting sign or graphic on each building front occupied by the use, provided all other criteria for approval are satisfied as required by Code;
 2. All projecting signs or supporting structures shall be located at least 8 feet above the sidewalk below;
 3. Each projecting sign shall extend not more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) adjacent to such projecting sign on the building facade; and
 4. The maximum projection of signs from the building wall to which it is attached, including all mounting accessories, shall not exceed 4 feet 6 inches as measured perpendicularly from the building wall (See Figure 10.10-6).

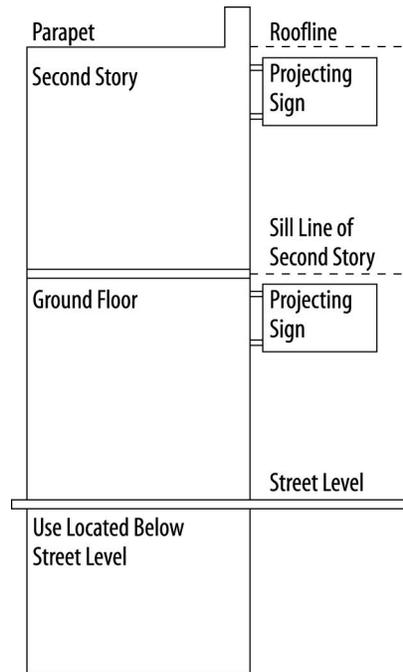


5. Maximum height of projecting signs. Maximum height of projecting signs dimensions, volumes and locations are restricted by the dimensions of the building facade on which projecting signs are located and the separations from other tenant projecting signs on the same building front. Projecting signs shall conform to the criteria in Section 10.10.18.14.E.6 below unless modified by design review in accordance with the criteria described in Section 10.10.18.14.E.7 below:
6. Projecting signs shall not exceed the height of the parapet of single story buildings (See Figure 10.10-7);



Projecting signs shall not extend above the sill line of the story above the building floor on which the use is located. Projecting signs for uses located below street level ground story shall not be located or extend above the sill line of the second story (See Figure 10.10-8); and

Figure 10.10-8



7. The following criteria will be considered by the design advisory board in making its recommendation to the Zoning Administrator who shall determine whether to grant an exception to Section 10.10.18.14.E.6 above:
 - a. The additional height is integral to the projecting sign's design;
 - b. The additional height is compatible with the overall design of the building facade; and
 - c. The additional height does not cast shadows or glare on adjoining properties.
- F. Separations between projecting signs. Projecting signs shall be placed not less than 25 feet apart without design review approval. In making its findings and recommendations for approval the design advisory board shall consider the following criteria for determining the location of multiple projecting sign groups:
 1. The projecting signs form a unified and compatible design that is stronger as a group than as a single projecting sign or multiple projecting signs widely separated; and
 2. The projecting sign group is compatible with the building architecture and/or reinforces a significant building feature such as a primary entry.
- G. Permitted illumination. Illumination of projecting signs and graphics is restricted as follows:
 1. Shall be illuminated by indirect sources, including, but not limited to, incandescent fixtures on the projecting sign mounting bracket, on the building face ~~and shall not flash, blink, or fluctuate;~~
 2. Shall be subject to review and recommendation of the design advisory board to the Zoning Administrator as to compatibility with the building, surrounding district and adjoining uses;
 3. ~~Flashing signs are prohibited and animated signs are prohibited. Shall not be animated.~~

lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs permitted by this Section 10.10.18:

- 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 each front line of 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 ~~but shall not flash, blink or fluctuate.~~
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

10.10.18.18 Temporary Signs

Signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area not exempted from permitting under Section 10.10.18.19 (signs not subject to a permit) below, shall be subject to the conditions hereinafter set forth and upon application to and issuance by the Zoning Administrator of a permit therefore. Each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than one successive period at the same location.

- A. Permitted sign types: Wall, window and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot or designated land area on which the sign is located.
- C. Permitted sign area: 32 square feet for each front line of the zone lot or designated land area on which the sign is located. Computations shall be made and sign area shall be applied to each front line separately.
- D. Permitted maximum height above grade: 20 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
- F. Permitted illumination: May be illuminated but only from a concealed light source; ~~and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.; and shall not flash, blink or fluctuate.~~
- G. ~~Prohibited: Flashing signs are prohibited and animated signs are prohibited. Animation: Shall not be animated.~~

10.10.18.19 Signs Not Subject to a Permit

- A. Section 10.10.3.1 (signs not subject to a permit), Sections A through E and G through J shall be in full force and effect in the C-CCN Zone Districts.
- B. Temporary commercial signs which identify, advertise or promote a temporary activity and/or sale of merchandise or service of a business use located on the same zone lot provided however that nothing in this Section 10.10.18.19.B shall allow the use of portable signs or the use

- R. No outdoor general advertising device shall be located within 100 feet of the edge of the right-of-way of West and East Colfax Avenue from Osage Street to Park Avenue.
- S. No outdoor general advertising device shall be located within 660 feet of the edge of the right-of-way of Walnut Street viaduct and Auraria Parkway from Colfax Avenue to Speer Boulevard.
- T. No outdoor general advertising device shall be located within 100 feet of the edge of the right-of-way of Lincoln Street from Speer Boulevard to Colfax Avenue.
- U. No outdoor general advertising device shall be located within 100 feet of the edge of the right-of-way of Alameda Parkway from Knox Court to Sheridan Boulevard.
- V. Outdoor general advertising devices shall be oriented to only 1 specific street or highway through the construction of 1 or more message surfaces which shall be aligned at a perpendicular angle to the specific street or highway. Outdoor general advertising devices shall not be oriented to local streets with an average daily traffic volume of less than 3,000 vehicles, parking lots, frontage roadways or access ramps to limited access highways.

10.10.20.8 Permitted Structures

The structural members, bracing and frame shall be constructed of noncombustible materials, and no ground outdoor general advertising device shall have more than 2 vertical structural members or poles.

10.10.20.9 Permitted Illumination

No outdoor general advertising device ~~shall fit the definition of "Flashing Sign" in this Code shall flash, blink or fluctuate~~; outdoor general advertising devices may be illuminated, but only from a concealed light source and shall not be illuminated between the hours of 1:00 a.m. and 6:00 a.m. Outdoor general advertising devices shall not have message surfaces made entirely or partly of light emitting diodes (LEDs). Any general outdoor advertising device with one or more LED message surfaces that was permitted prior to March 1, 2010, shall be considered a nonconforming outdoor general advertising device and shall be allowed to continue in operation and maintained in accordance with the provisions of Section 12.9.2. The LEDs on any such device may not flash, blink or fluctuate, or change in any manner more frequently than once per hour, must be dimmed at dusk, and may not be lit between the hours of 1:00 a.m. and 6 a.m.

10.10.20.10 Animation Prohibited

No outdoor general advertising device shall ~~fit the definition of "animated sign" in this Code be animated~~.

10.10.20.11 Nonconforming Devices

See Section 12.9.2., Nonconforming Outdoor General Advertising Devices.

DIVISION 11.1 GENERAL PROVISIONS

SECTION 11.1.1 INTENT

11.1.1.1 Article 11 sets forth the limitations specific to primary, accessory and temporary uses allowed permitted under this Code. Limitations in this Article 11 are generally intended to:

- A. Promote continued economic development while mitigating the potential for adverse impacts on surrounding properties, surrounding residential uses and neighborhoods, and the physical environment;
- B. Implement Comprehensive Plan and Blueprint Denver objectives to promote walkable, pedestrian environments in appropriate neighborhood contexts and Zone Districts;
- C. Encourage and facilitate the reuse of existing structures;
- D. Accommodate the special housing needs of segments of the resident population, while balancing those needs with a neighborhood's interest in notification and public input; and
- E. Encourage and facilitate implementation of sustainable activities or uses that promote long-term energy efficiency and reduce vehicle trips, such as urban agriculture, wind and solar energy facilities, and live-work and Home Occupation opportunities.

11.1.1.2 The hierarchy and structure of the use classifications, categories, and definitions in this Article 11 are intended to aid the City and code users in the interpretation of this Code over time.

SECTION 11.1.2 APPLICABILITY

All primary, accessory, and temporary uses subject to this Article's limitations shall be established, operated, and maintained only in compliance with such limitations.

SECTION 11.1.3 ORGANIZATION

Article 11 is organized into divisions and sections that track the organization of the Use and Parking Tables found in Articles 3 through 9, as follows:

11.1.3.1 Divisions in Article 11 correspond to the same order of the use classifications (e.g., residential primary uses) found in the Use and Parking Tables.

11.1.3.2 Sections in Article 11 correspond to the specific use types (e.g., multi-unit dwelling) found within each use classification (e.g., residential primary uses), organized within the sections first by use category (e.g., household living uses) and then by listing in alphabetical order.

SECTION 11.1.4 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.

DIVISION 11.2 RESIDENTIAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to primary residential uses ~~allowed~~ permitted across multiple Zone Districts and neighborhood contexts.

HOUSEHOLD LIVING USE CATEGORY

SECTION 11.2.1 DWELLING, SINGLE UNIT

11.2.1.1 ~~I-A, -B Zone Districts (moved from 9.1.5.1)~~

~~In the I-A, -B Zone Districts, where permitted with limitations, s~~Single unit dwellings uses are permitted ~~in the I-A and I-B Zone Districts~~ subject to compliance with the following limitations:

- A. There is an existing structure that was erected for single unit dwelling use prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the single unit dwelling shall comply with the provisions of the Denver Zoning Code as it applies to the urban house form in the U-SU-C Zone District.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by the Denver Zoning Code as it applies to a single unit dwelling use in the U-SU-C Zone District.
- D. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- E. The zone lot containing a single unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

SECTION 11.2.2 DWELLING, TWO UNIT

11.2.2.1 All SU Zone Districts

In all SU Zone Districts, where permitted with limitations:

- A. Two Unit Dwelling uses that were legally established and maintained on a zone lot shall be considered conforming uses in these districts.
- B. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards allowed in the subject SU Zone District without regard to the building form's use restrictions, or alternately in conformity with the duplex building form standards applicable in the U-TU-C Zone District, provided:
 1. The zone lot shall not be reduced, expanded or enlarged, and
 2. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- C. Variances may be granted according to Section 12.4.7, Variance.

11.2.2.2 U-SU-A2, -B2, -C2 Zone Districts

In U-SU-A2, -B2, -C2 Zone Districts, where permitted with limitations, new Two Unit Dwelling uses may be established only on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

11.2.2.3 I-A, -B Zone Districts (moved from 9.5.1.2)

In the I-A, -B Zone Districts, where permitted with limitations, Two Unit Dwelling uses are permitted ~~in the I-A and I-B Zone Districts~~ subject to compliance with the following limitations:

- A. There is an existing structure that was erected for two unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the two unit dwelling use shall comply with the provisions of this Code as it applies to the duplex or tandem house building forms in the U-TU-C Zone District.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a two unit dwelling use in the U-TU-C Zone District.
- D. A two unit dwelling use in an I-A or I-B Zone District shall be subject to the same limitations as a two unit dwelling use located in any Residential Zone District.
- E. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- F. The zone lot containing a two unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

SECTION 11.2.3 DWELLING, MULTI-UNIT**11.2.3.1 All SU and TU Zone Districts**

In all SU and TU Zone Districts, where permitted with limitations:

- A. Multi-Unit Dwelling uses that were legally established and maintained on a zone lot shall be considered conforming uses in these districts.
- B. A structure containing such a Multi-Unit Dwelling use may be modified or demolished and rebuilt according to the following limitations:
 1. In a SU Zone District, the rebuilt structure shall comply with either the building form standards in the subject SU Zone District without regard to the building form's use restrictions, or with the duplex building form standards in the U-TU-C Zone District without regard to the building form's use restrictions.
 2. In a TU Zone District, the rebuilt structure shall comply with the building form standards allowed in the subject TU Zone District without regard to the building form's use restrictions.
 3. The zone lot shall not be reduced, expanded or enlarged.
 4. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- C. Variances may be granted according to Section 12.4.7, Variances, except the number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.

11.2.3.2 I-A, -B Zone Districts

In the I-A, -B Zone Districts, where permitted with limitations, Multi-Unit Dwelling uses are permitted ~~in the I-A and I-B Zone Districts~~ subject to compliance with the following limitations: (moved From 9.1.5.3)

- A. There is an existing structure that was erected as a multiple unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.
- B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the multiple unit dwelling use shall comply with the provisions of this Code as it applies to a building form allowed in the G-MU-3 Zone District.
- C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a multi-unit dwelling use in the G-MU-3 Zone District.
- D. A multi-unit dwelling use in an I-A or I-B Zone District shall be subject to the same limitations as a multi-unit dwelling use located in any Residential Zone District.
- E. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.
- F. The zone lot containing a multi-unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

11.2.3.3 U-TU-B2 Zone District

In the U-TU-B2 Zone District, where permitted with limitations, new Multi-Unit Dwelling uses may be established only on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

SECTION 11.2.4 DWELLING, LIVE/WORK

11.2.4.1 All Zone Districts (Except I-A, -B Zone Districts)

In all Zone Districts, except in the I-A, -B Zone Districts, where permitted with limitations, a Live/Work Dwelling's commercial activity may be any nonresidential primary use permitted in the same Zone District that the Live/Work Dwelling is established, subject to compliance with this subsection's limitations. In addition, the following commercial activities, when not otherwise specifically listed as permitted in the applicable Zone District, are ~~allowed~~ permitted in a Live/Work Dwelling use:

- A. Art gallery;
- B. Artist studio;
- C. Professional studio;
- D. Office, not including dental/medical office and clinic; and
- E. Other similar activities as determined by the Zoning Administrator according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

11.2.4.2 I-A, -B Zone Districts

In the I-A, -B Zone Districts, where permitted with limitations:

- A. A Live/Work Dwelling's commercial activity shall be limited to an Artist Studio use only.
- B. The dwelling portion of a Live/Work Dwelling use shall be occupied by no more than 4 unrelated persons, or by any number of persons related by blood, marriage, or adoption.
- C. A Live/Work Dwelling use shall not be considered a "Residential Use" or "Residential Zone District" or "Protected District," nor in any other way be accorded residential protection (e.g.,

separation) against the effects of surrounding industrial uses as may otherwise be required by this Code.

11.2.4.3 All Zone Districts (Except I-MX, -A, -B; M-IMX Zone Districts)

In all Zone Districts where permitted with limitations, except in the I-MX, -A, -B; M-IMX Zone Districts, any repair, assembly, or fabrication of goods is limited to the use of hand tools or domestic mechanical equipment.

11.2.4.4 G-RO Zone District; All RX Zone Districts

In the G-RO Zone District and in all RX Zone Districts, where permitted with limitations:

- A. The commercial or nonresidential activity shall not exceed 50 percent of the gross floor area of the use.
- B. The commercial activity shall not have more than 2 employees or regular assistants on the premises at one time (such employees or regular assistants may be in addition to residents of the Live/Work Dwelling employed or working in the commercial activity portion of the use).
- C. Signs are limited to not more than 2 non-animated, non-illuminated wall or window signs not exceeding 20 square feet in total area.
- D. Outside storage of any flammable and combustible liquids and flammable gases is prohibited.
- E. Nonresidential storage in the Live/Work Dwelling shall be limited to no more than 10% of the space dedicated to the commercial or nonresidential activity.

SECTION 11.2.5 ALL HOUSEHOLD LIVING USES IN C-CCN ZONE DISTRICTS

In all C-CCN Zone Districts, where permitted with limitations, Household Living uses shall comply with the following limitations:

11.2.5.1 Intent

Improve the pedestrian experience along the ~~s~~Street ~~l~~Level in the Cherry Creek North mixed use shopping district by requiring ground-story, pedestrian-friendly uses in all development. Retain ground stories for nonresidential uses ~~allowed~~ permitted in the C-CCN Zone Districts that are more likely to invite high-intensity customer, visitor, and resident interactions and that contribute substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. ~~Ground-story Street Level~~ area set aside in buildings for uses other than household living according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly active uses.

11.2.5.2 Limitation on Location of Household Living Uses

- A. In a building that does not abut a named or numbered public street, household living uses may be located on any story of such building.
- B. In a building that abuts one or more named or numbered public streets, household living uses may be located:
 1. On any building story above or below the ~~ground-story Street Level~~; and/or
 2. On the ~~ground-story Street Level~~, but not along the building's street frontage. All of the building's street frontage(s) shall be occupied by one or more primary uses other than a household living use. However, residential lobbies or other similar internal access to the household living use are ~~allowed~~ permitted along street frontages.

See also C-CCN Zone District supplemental design standards in Section 7.3.5.2 related to ~~per-~~ mitted ground-story ~~active~~ uses in structures or buildings containing parking spaces.

GROUP LIVING USE CATEGORY

SECTION 11.2.6 COMMUNITY CORRECTIONS FACILITY (MOVED FROM 9.1.5.4)

11.2.6.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations, community corrections facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations

Community corrections facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.7 below, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.7, the more specific limitations in this subsection shall apply.

B. Moratorium on New Community Corrections Facilities

After April 30, 2008, no new community corrections facility shall begin operation until May 1, 2018.

C. Permitted Location

Community corrections facilities (for purposes of this subsection, hereinafter “facilities” or “facility”) shall be located more than:

1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
2. 1,500 feet from a Residential Zone District; and
3. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.

D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed the following limits:
 - a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents.
 - b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

E. Government Supervision Required for Transition Programs in a Community Corrections Facility

Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

SECTION 11.2.7 RESIDENCE FOR OLDER ADULTS

11.2.7.1 All SU Zone Districts

In all SU Zone Districts, where permitted with limitations, a Residence for Older Adults use shall include no more than 1 dwelling unit per zone lot.

4. Any change in the type of resident of a Residential Care use ~~allowed~~ permitted under the provisions of this section shall meet all applicable requirements except the requirements set forth in Section 11.2.6.1.D.3.

D. Limitations for Large Residential Care Use

All Large Residential Care uses shall comply with the following limitations:

1. Owner and operational limitations

- a. The applicant is the owner or has written approval of the owner of the property.
- b. The applicant and the owner have obtained or will obtain upon granting of the permit any licenses or certification required by the state and/or the city.
- c. The program and operational plan has been or will be approved by a licensing agency appropriate to the special population being served in the facility.
- d. The applicant and the operator will provide adequate measures for safeguarding the public and the facility residents. Such measures shall be appropriate to the special population including intake screening, supervision and security.
- e. The proposed use will not substantially or permanently injure the appropriate use of nearby conforming property.
- f. The number of beds in the proposed facility, in combination with the number of existing correctional institution and Residential Care use beds within the affected neighborhood, regardless of compliance with the spacing and density requirements set forth in this subsection, shall not substantially or permanently injure the neighborhood or shall not cause or add to the institutionalization of residential neighborhoods which would prevent all residents, including the special populations, from being able to reap the benefits of residential surroundings.

2. Property and building limitations

- a. The size and architectural style of new structures or additions to existing structures located in a residential zone shall not be substantially dissimilar from other structures in the surrounding residential neighborhood and shall comply with all other requirements of the Zone District in which they are located.
- b. The applicant and the operator will adequately maintain the building and grounds.

3. Spacing and ~~density, site and other~~ limitations

- a. All proposed Large Residential Care uses shall satisfy the following minimum requirements unless specifically exempt by other provisions herein. Provided, however, that the Zoning Administrator may approve the permit for a Large Residential Care use in a location in violation of the spacing and density regulations of ~~this Section 11.2.8.1.D.3.d below subsection~~ upon a determination that the spacing violation is less than 10 percent of the required spacing and that locating the proposed use will not substantially or permanently injure the neighborhood. Provided, further, that the Zoning Administrator may require up to 200 feet of additional spacing between Large Residential Care uses in impacted neighborhoods.
- b. "Impacted neighborhoods" for the purpose of this subsection shall be those neighborhoods that have more Residential Care uses within their boundaries than the city-wide average number per neighborhood. Community Planning and Development shall keep records of such "impacted neighborhoods".
- c. All existing Large Residential Care uses and any religious assembly use (as a "religious assembly" use is defined in Article 11) church ~~containing a shelter that exceeds the limits of this Section 11.2.9.3~~ shall be counted when the ~~following~~ spacing and density requirements in Section 11.2.8.1.D.3.d below are applied.

- e. Section 11.2.6.1.D.5, Limitations on external effects.
- 4. No conditions on the number of staff may be placed on the permit for transitional housing except for a condition requiring at least one staff person on-site.

F. Compliance with Denver Building and Fire Code

All Residential Care uses shall comply with applicable provisions of the Denver Building and Fire Code.

G. Approvals Personal to Applicant/Operator

The permit for an approved Residential Care use shall automatically expire at such time as the operator specified in the permit no longer operates the Residential Care use at the subject property.

SECTION 11.2.9 SHELTER FOR THE HOMELESS

~~All Zone Districts Except SU, TU, TH, RH, MS/MX-2x, and MS/MX-2 Zone Districts~~

~~In all Zone Districts, except the SU, TU, TH, RH, MS/MX-2x, and MS/MX-2 Zone Districts, where permitted with limitations:~~

11.2.9.1 Types of Shelters for the Homeless, Permitted Location, and Applicable Limitations

A. Types of Shelters for the Homeless

This Section 11.2.9 establishes the following 3 types of shelters for the homeless:

1. Shelter for the Homeless as a permanent, primary use.
2. Shelter for the Homeless as a primary or accessory use when operated by a place of religious assembly (as “religious assembly” use is defined in Article 11).
3. Shelter for the Homeless when operated in a building owned by a nonprofit corporation or by a governmental entity.

B. Permitted Locations and Applicable Use Limitations

The 3 types of shelters for the homeless identified in subsection 11.2.9.1.A above are permitted in the following zone districts, subject to compliance with the applicable use limitations:

Type of Shelter	Permitted/Prohibited Locations	Applicable Use Limitations
<u>Shelter for the homeless as a permanent, primary use</u>	<u>Permitted in all zone districts, except the SU, TU, TH, RH, E-MU-2.5, MS/MX-2x, MS/MX-2, MX-2A, CMP-H, CMP-H2, CMP-ENT, OS-B, and OS-C zone districts.</u>	<u>Section 11.2.9.1 Section 11.2.9.2 Section 11.2.9.5</u>
<u>Shelter for the homeless when operated by a religious assembly use</u>	<u>Permitted in all zone districts.</u>	<u>Section 11.2.9.1 Section 11.2.9.3 Section 11.2.9.5</u>
<u>Shelter for the homeless when operated in a building owned by a nonprofit corporation or by a governmental entity</u>	<u>Permitted in all zone districts.</u>	<u>Section 11.2.9.1 Section 11.2.9.4 Section 11.2.9.5</u>

11.2.9.2 Shelters for the Homeless as a Permanent, Primary Use

Shelters for the homeless that are permanent, primary uses, where permitted according to Section 11.2.9.1, Types of Shelters for the Homeless, Permitted Location, and Applicable Limitations, shall comply with all of the following limitations:

A. Limitations for Large Residential Care Use Apply

A Shelter for the Homeless shelter that is a permanent, primary use is a specific type of Large Residential Care use, and is therefore subject to all of the requirements of Section 11.2.68.1.D, Limitations for Large Residential Care Use. In addition, all Shelters for the Homeless such homeless shelters shall comply with following the special requirements in this Section 11.2.9.2. In case of conflict with the requirements of Section 11.2.68.1.D, Limitations for Large Residential Care Use, the provisions of this subSection 11.2.9.2 shall apply.

B. Number of Beds

The number of beds in the shelter shall not exceed 200. Notwithstanding the preceding sentence, for permanent homeless shelters having a zoning permit as of January 1, 2005, allowing 200 beds or more, the maximum number of beds in the shelter shall not exceed 350. In any one city council district, there shall be no more than 950 beds in permanent homeless shelters that are permanent, primary uses and subject to this Section 11.2.9.2 in any one council district.

C. Increase in Shelter Resident Population

Except for an increase in the number of beds up to 350, pursuant to Section 11.2.69.2.1.B, Number of Beds, and notwithstanding the restriction of Section 11.2.68.1.C.2, Continuation of Certain Existing Uses - Requirement for ZPIN Review for Floor Area Increases in Existing Structures, and Section 11.2.68.1.C.3, Continuation of Certain Existing Uses - Requirement for ZPIN Review for Increases in Number of Permitted Residents, the permanent increase in the number of Shelter for the Homeless shelter residents or in the amount of floor area of such shelter exceeding 10 percent shall require the approval of a zoning permit according to Section 12.4.2, Zoning Permit with Informational Notice.

D. Operations

1. Overnight sleeping accommodations shall be in undivided sleeping space, offered for little or no financial compensation, and shall be operated in a manner that encourages short-term occupancy by residents.
2. Such facility may include accessory support services but shall not be operated in such a manner that changes its primary function to a use classified as follows: community corrections facility, hospital, assisted living facility, nursing home, rehabilitation center for the handicapped, or residence for older adults.
3. Waiting areas shall be placed and supervised so that the operation of the shelter will not normally create obstructions or problems in the use of adjacent public rights-of-way.
4. Restroom facilities shall be made available to shelter residents while the shelter is closed. Such facilities may include restroom facilities provided by the city.

E. Spacing Required From a School

Proposed shelters for the homeless shall be located more than 500 feet from a school meeting all the requirements of the compulsory education laws of the state.

11.2.9.3 Shelters for the Homeless Operated by a Religious Assembly Use

Alternative Limitations for Shelters Allowed in Religious Assembly Buildings or Buildings Owned by Nonprofit Corporations or Governmental Entities

In all zone districts, homeless shelters operated within and by a religious assembly use (as a "religious assembly" use is defined in Article 11) church- need not comply with the provisions of Section 11.2.8, Residential Care Use, Small or Large or this Section 11.2.9.2's, Shelters for the Homeless as

~~a Permanent, Primary Use, Residential Care Use limitations, including the requirement for a zoning permit,~~ provided the following limitations are satisfied ~~instead:~~

- A. Such shelter may be operated for up to 120 days in either consecutive or nonconsecutive order per calendar year with any number of residents, or it may be operated throughout the entire year with one of the following: a maximum of 8 residents or any number of persons bearing to each other a relationship as stated in the definition of “household” in Division 11.2, Use Definitions.
- B. If ~~such the 120-day~~ limitation ~~or the number of residents limitation in Section 11.2.9.2.A.1 are~~ is exceeded, the shelter must comply only with the requirements of Section 11.2.58.1.D.3.d, Spacing ~~and;~~ density; ~~site and other~~ limitations, ~~and but~~ need not comply with any other requirements of ~~either Section 11.2.8, Residential Care, Large or Small, or this~~ Section 11.2.9.2, ~~Shelter for the Homeless as a Permanent, Primary Use s Residential Care Use limitations.~~

11.2.9.4 Shelters for the Homeless Allowed in Buildings Owned by Nonprofit Corporations or Governmental Entities

~~In all zone districts, Temporary homeless shelters operated in buildings owned by nonprofit corporations or by governmental entities need not comply with the provisions of Paragraph 1.a. above Section 11.2.8, Residential Care Use, Small or Large, or Section 11.2.9.2, Shelter for the Homeless as a Permanent, Primary Use, including the requirement for a zoning permit,~~ provided the following limitations ~~are is~~ satisfied ~~instead.~~ ~~The Zoning Administrator shall have the power to issue a cease and desist order or otherwise close temporary shelters not meeting these limitations:~~

- A. Such ~~temporary S~~shelter ~~for the Homeless~~ may be operated for up to 120 days in either consecutive or nonconsecutive order per calendar year with a maximum of 100 residents. If ~~such the 120-day limitation or the 100-resident cap~~ limitation is exceeded, the ~~temporary~~ shelter must comply only with the requirements of ~~s~~Section 11.2. 68.1.D.3.d, Spacing ~~and;~~ density ~~site and other~~ limitations, ~~and but~~ need not comply with any other requirements of Section 11.2.68, Residential Care Use, Small or Large, ~~or Section 11.2.9.2, Shelter for the Homeless as a Permanent, Primary Use.~~
- B. Prior to opening ~~the a temporary S~~shelter ~~for the Homeless in buildings owned by non-profit corporations or by governmental entities,~~ the operator of the ~~temporary S~~shelter ~~for the Homeless~~ shall submit to the Zoning Administrator evidence:
 1. That the Denver Department of Human Services is involved in the proposed ~~temporary~~ shelter;
 2. That a public meeting relating to opening the ~~temporary~~ shelter was held;
 3. That at least 7 days prior to the public meeting, notice of such public meeting was given to those neighborhood organizations registered according to D.R.M.C., Section 12-94, whose boundaries encompass or are within 700 feet of the proposed use and to the City Council member in whose district the proposed ~~Temporary~~ shelter will be located, and flyers announcing the public meeting were distributed at least 3 days prior to such public meeting to all properties within 3 blocks of the proposed ~~temporary~~ shelter; and
 4. That a community oversight committee has been created, consisting of the City Council member in whose district the proposed ~~temporary S~~shelter ~~for the Homeless~~ is located and at least 4 persons who reside within 1,500 feet of the proposed ~~temporary S~~shelter ~~for the Homeless~~, to address neighborhood issues relating to the ongoing operations of the ~~temporary S~~shelter ~~for the Homeless~~. The community oversight committee may encourage appropriate parties to enter into a community agreement to address such issues.

11.2.9.5 Suspension of Limitations in Emergency

The Zoning Administrator has the authority to suspend the terms of this Section 11.2.69's limitations for Shelters for the Homeless in emergency, life threatening situations as determined by the Zoning Administrator in consultation with the Manager.

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DIVISION 11.3 CIVIC, PUBLIC AND INSTITUTIONAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses within the primary Civic, Public and Institutional Primary Use Classification across multiple Zone Districts and neighborhood contexts.

BASIC UTILITIES USE CATEGORY

SECTION 11.3.1 UTILITY, MAJOR IMPACT

11.3.1.1 All Residential Zone Districts; All Mixed Use Commercial Zone Districts

In all Residential Zone Districts and in all Mixed Use Commercial Zone Districts, where permitted with limitations, Major Impact Utility uses are limited to water reservoir, which need not be enclosed.

11.3.1.2 All Open Space Context Zone Districts and O-1 Zone District

In all Open Space Context Zone Districts and the O-1 Zone District, where permitted with limitations, Major Impact Utility uses are limited to water reservoir or, in the OS-B and O-1 Zone District only, water filtration plant is also ~~allowed~~ permitted.

11.3.1.3 I-A, -B Zone Districts; All Downtown Neighborhood Context Zone Districts

In the I-A, -B Zone Districts and all Downtown Neighborhood Context Zone Districts, where permitted with limitations:

A. Sanitary Service

All sanitary service utilities shall be located a minimum 500 feet from any Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant can prove by a preponderance of evidence that a smaller separation will have no significant effect on the nearby Residential Zone District.

B. Solid Waste Facility

All solid waste facilities must be located in a completely enclosed structure and must be located a minimum of 500 feet from any Residential Zone District.

C. Above-Ground Power, Gas, and Other Facilities

~~Above-ground facilities include high-voltage transmission lines (115 kilovolts or more), electric substations, gas metering stations, and other similar facilities.~~—The expansion of transmission line capacity shall not require a zoning permit provided such expansion may be accomplished within an existing right-of-way or with existing structures or poles.

11.3.1.4 I-A, -B Zone Districts

In the I-A, -B Zone Districts, where permitted with limitations

A. Spacing Required

The following major impact utilities shall be located a minimum of 500 feet from any Residential Zone District:

1. Sewage disposal plant.
2. Incinerator, publicly operated.
3. Electric generation plant, excluding nuclear powered plants.

SECTION 11.3.2 UTILITY, MINOR IMPACT

11.3.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Electric substations are prohibited in a Residential Zone District; All MS Zone Districts; All Open Space Context Zone Districts; and all Downtown Neighborhood Context Zone Districts.
- B. In all Zone Districts except a Residential Zone District; MS Zone District; Open Space Context Zone District; or Downtown Neighborhood Context Zone District, if electric substation transformers are exposed, there shall be provided an enclosing fence or wall at least 6 feet high and adequate to obstruct view, noise, and passage of persons or materials.

11.3.2.2 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations:

- A. A minor impact utility use shall be located not less than 50 feet from the nearest boundary of any zone lot containing a single- or two-unit dwelling use existing at the time of application for the utility use unless such utility has been sited and designed to assure its compatibility with adjacent dwelling units.
- B. The adequacy of the siting and design for the purpose of achieving compatibility shall be determined by the Zoning Administrator as part of the zoning permit review.

11.3.2.3 C-CCN Zone Districts

In the C-CCN Zone Districts, where permitted with limitations, utility pumping stations are prohibited.

COMMUNITY/PUBLIC SERVICES USE CATEGORY

SECTION 11.3.3 COMMUNITY CENTER

11.3.3.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. A Community Center shall have no outdoor public address system or any type of amplified music or sound device.
- B. Overnight accommodations are prohibited.
- C. A Community Center use may include accessory outdoor recreation or entertainment services facilities, subject to the following limitations:
 1. If in a Residential Zone District, the **proposed** accessory outdoor facility shall comply with the limitations in Section 11.3.3.3; **and**
 2. If in a Residential Zone District or on a zone lot that abuts a Residential Zone District, the accessory outdoor facility shall comply with the outdoor lighting limitations in Section 11.3.3.4; and
 3. In all zone districts other than a SU or TU Zone District, no portion of the accessory outdoor facility shall be located nearer than 50 feet from the boundary of a SU or TU Zone District.

11.3.3.2 All SU and TU Zone Districts

In all SU and TU Zone Districts, where permitted with limitations, a Community Center use shall be established and/or operated only in an existing, nonresidential structure originally designed for a nonresidential use and not for residential occupancy.

11.3.3.3 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, a Community Center use may include accessory outdoor recreation or entertainment services facilities subject to compliance with the following conditions:

- A. Establishment of proposed facility, and any expansion of such facility, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
- B. The proposed facility shall be located on the same zone lot and operated by the same owner and/or operator of the Community Center and the applicant must be either the owner of record or has the permission of the owner of record to operate the proposed outdoor recreational or entertainment services facility.
- C. The facility occupies no more than 10 percent of the zone lot on which it is located.
- D. Adequate off-street parking is provided by the Community Center to support the needs of the outdoor recreational or entertainment services facility.
- E. No other such outdoor recreational or entertainment services facility on a different zone lot is located within 500 feet of the proposed use.
- F. The hours of operation shall be 8:00 a.m. to one-half hour after sunset.
- G. The facility shall be operated and controlled in such a manner to prevent unauthorized use of the facility outside of the permitted hours of operation.
- H. Signs visible from the public rights-of-way are limited to no more than 3 signs providing directional or cautionary information not exceeding 4 square feet per sign in area and not more than 6 feet in height above grade.

11.3.3.4 All Residential Zone Districts and on Zone Lots Abutting All Zone Districts Adjacent to Residential Zone Districts

In all Residential Zone Districts, where a Community Center is permitted with limitations, and where the subject zone lot abuts in all Zone Districts adjacent to a Residential Zone District, where a Community Center is permitted with limitations, all outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier.

SECTION 11.3.4 DAY CARE CENTER**11.3.4.1 All SU and TU Zone Districts**

In all SU and TU Zone Districts, where permitted with limitations:

- A. The Day Care Center shall be located either:
 1. In an existing structure originally designed for a nonresidential use and not for residential occupancy and operated by and used as a place for religious assembly; or
 2. Within an existing nonresidential structure originally designed for a nonresidential use and not for residential occupancy; or
 3. Within a structure used or formerly used as an elementary and/or secondary school meeting all the requirements of the compulsory education laws of the state.
- B. Daily operations of the center shall terminate by no later than 10:00 p.m.

SECTION 11.3.5 PUBLIC SAFETY FACILITY

11.3.5.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, an ambulance service use may be established only if located in the same building with a police or fire station.

CULTURAL/SPECIAL PURPOSE/PUBLIC PARK & OPEN SPACE USE CATEGORY

SECTION 11.3.6 CEMETERY

11.3.6.1 I-MX, -A, -B Zone Districts (moved from 9.1.5.5)

In the I-MX, -A, -B Zone Districts, where permitted with limitations, cCemeteries are allowed subject to compliance with the following limitations:

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

11.3.6.2 OS Zone Districts (moved from 9.3.5.1)

In the OS-B Zone District, where permitted with limitations, a Cemeteries are allowed subject to compliance with the following limitations:A cemetery may include a crematorium. Any such crematorium shall be a minimum of 500 feet from a Residential Zone District.

SECTION 11.3.7 CULTURAL/SPECIAL PURPOSE/PUBLIC PARKS & OPEN SPACE USES

11.3.7.1 OS-B Zone District (moved from 9.3.5.2)

In the OS-B Zone District, where permitted with limitations, all permitted cultural/special purpose/public parks and open space uses shall comply with the following limitations:

- A. Permitted accessory uses and structures are limited to:
 1. Swimming pools and customary associated buildings;
 2. Tennis, basketball, or other similar playing courts;
 3. Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;
 4. Playground or picnic shelters/areas; and
 5. Water features and public art.
- B. All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10:00 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.
- C. No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District.
- D. Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Section 11.7, Accessory Use Limitations and finds that the proposed structure or use will not adversely affect properties adjoining the OS-B Zone District. See Section 12.4.6, Code Interpretations and Determination of Uses, for the applicable procedure to determine unlisted uses.

EDUCATION USE CATEGORY

SECTION 11.3.8 ELEMENTARY OR SECONDARY SCHOOL, UNIVERSITY OR COLLEGE, VOCATIONAL OR PROFESSIONAL SCHOOL

11.3.8.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. An Elementary or Secondary School, University or College, or Vocational or Professional School shall comply with the following limitations:
 1. Permanent outdoor storage is prohibited.
 2. Residential accommodations or student housing as an accessory use is prohibited in all Zone Districts except in a MU Zone District or a Mixed Use Commercial Zone District.

11.3.8.2 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts

In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts, where permitted with limitations:

- A. Classes or other school activities in a Vocational or Professional School shall terminate by no later than 11:00 p.m.
- B. Repair as a commercial service or the commercial sale of repaired machinery or appliances is prohibited as part of a Vocational or Professional School use.

SECTION 11.3.9 UNIVERSITY OR COLLEGE

11.3.9.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, a University or College use shall be limited to those that include residential accommodations for at least 20 percent of its student body or 50 students, whichever is less.

PUBLIC AND RELIGIOUS ASSEMBLY USE CATEGORY

SECTION 11.3.10 PUBLIC OR RELIGIOUS ASSEMBLY, ALL TYPES

11.3.10.1 All Residential Zone Districts; All MX-2x, MS-2x Zone Districts

In all Residential Zone Districts and in all MX-2x, MS-2x Zone Districts, where Public or Religious Assembly uses are permitted with limitations, the following operations shall be terminated by 11:00 p.m.:

- A. Daily operations of uses and activities accessory to a primary Public or Religious Assembly use, including but not limited to accessory ~~use activities such as~~ recreation uses or activities; and or Day Care Centers, shall be terminated by 11:00 p.m.
- B. Daily operations of other primary uses located on the same zone lot as the Public or Religious Assembly use, including but not limited to Day Care Centers or Elementary or Secondary Schools, but not including a primary household living use located on the same zone lot.

11.3.10.2 All SU, TU, TH, RH Zone Districts

In all SU, TU, TH, RH Zone Districts, where permitted with limitations, Club or Lodge use is prohibited.

11.3.10.3 All SU, TU, TH, RH, MU, RO Zone Districts

In all SU, TU, TH, RH, MU, RO Zone Districts, where permitted with limitations, Conference Center use is prohibited.

DIVISION 11.4 COMMERCIAL SALES, SERVICE AND REPAIR PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses within the Commercial Sales, Service, and Repair Primary Use Classification across multiple Zone Districts and neighborhood contexts.

ARTS, ENTERTAINMENT AND RECREATION USE CATEGORY

SECTION 11.4.1 ARTS, ENTERTAINMENT AND RECREATION USES (MOVED FROM 9.3.5.3)

11.4.1.1 OS-B Zone District

In the OS-B Zone District, ~~where permitted with limitations~~, all permitted arts, entertainment and recreation uses shall comply with the following limitations:

- A. Permitted accessory uses and structures are limited to:
 1. Swimming pools and customary associated buildings;
 2. Tennis, basketball, or other similar playing court;
 3. Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;
 4. Playground or picnic shelters/areas; and
 5. Water features and public art.
- B. All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.
- C. No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.
- D. ~~Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Division 11.7, Accessory Use Limitations, and finds that the proposed structure or use will not adversely affect properties adjoining the Open Space Zone District. See Section 12.4.6, Code Interpretations and Determination of Unlisted Uses for the applicable procedure to determine unlisted uses.~~

SECTION 11.4.2 ARTS, RECREATION AND ENTERTAINMENT SERVICES, IN-DOOR

11.4.2.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts

In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts, where permitted with limitations, seating capacity in a permitted Arts, Entertainment and Recreation, Indoor, use shall be limited to no more than 100 persons.

11.4.2.2 G-RO Zone District

In the G-RO Zone District, where permitted with limitations, Arts, Recreation and Entertainment Services, Indoor, uses are limited to the following specific use types (as defined in Section 11.12.4.2.B, Specific Arts, Entertainment & Recreation Use Types and Definitions):

- A. Art Gallery;
- B. Artist Studio;
- C. Professional Studio; and
- D. Personal Instruction Studios.

SECTION 11.4.3 ARTS, RECREATION AND ENTERTAINMENT SERVICES, OUT-DOOR

11.4.3.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. If the Arts, Recreation and Entertainment Services, Outdoor use is located within 200 feet of a Residential Zone District, outdoor public address systems and all types of amplified music or sound devices are prohibited.
- B. A racquet/swim club type of outdoor recreation service use shall comply with the following additional standards:
 - 1. All outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier; and
 - 2. No portion of any court or swimming pool that is not in a completely enclosed structure shall be located nearer than 50 feet from the boundary of a SU or TU Zone District.
 - 3. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.6, Measurement of Separation or Distance.

SECTION 11.4.4 SPORTS AND/OR ENTERTAINMENT ARENA OR STADIUM

11.4.4.1 I-MX, -A, -B, and All OS Zone Districts (moved from 9.1.5.6 and 9.3.5.4)

In the I-MX, -A, -B, and all OS Zone Districts, where permitted with limitations, sSports and/or Entertainment Arena or Stadium uses shall comply with the following limitations:

- A. All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.
- B. The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONE DISTRICTS USE CATEGORY

SECTION 11.4.5 NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONES

11.4.5.1 Limited Nonresidential Uses **Allowed Permitted**

In all Residential Zone Districts, where permitted with limitations:

- A. Primary nonresidential and accessory uses **allowed permitted** in the MS-2x Zone District in the same neighborhood context as the subject property (e.g., U-MS-2x) may be operated in an existing business structure. If there is no MS-2x Zone District in the same neighborhood context, the primary and accessory uses established by the U-MS-2x Zone District shall apply.
- B. Any use established according to this Section 11.4.3 shall comply with the limitations and use review procedure applicable to such use indicated in the Use and Parking Table for the subject MS-2x Zone District.

11.4.5.2 Existing Business Structures Only

The primary nonresidential uses permitted under this Section shall be **allowed permitted** only within an existing structure meeting all of the following conditions:

- A. The applicant is the owner of the subject structure.
- B. The subject structure was legally erected.
- C. The applicant proves by a preponderance of evidence that the subject structure is a “business structure.” For purposes of this Section, “business structure” shall mean the subject structure was originally designed and constructed for a primary business use and occupancy, and not for residential occupancy. “Primary business use and occupancy” means any use **allowed permitted** in the U-MS-2x Zone District that falls within one of the following primary use classifications as defined in this Code:
 1. Commercial sales, service and repair primary use classification;
 2. Industrial, manufacturing and wholesale primary use classification; or
 3. Agricultural primary use classification.

11.4.5.3 Limitations

A nonresidential use proposed under this Section shall comply with the following limitations:

- A. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the Zone District in which the structure is located.
- B. All uses operated in the structure involved shall comply with Division 10.4, Parking and Loading, for each such use in the MS-2x Zone District; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according Section 12.4.5, Administrative Adjustment.
- C. All uses **allowed permitted** in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x district.

11.4.5.4 Modifications to the Business Structure

The business structure in which a nonresidential use is **allowed permitted** under this Section shall be occupied, operated, and maintained in a state of good repair. Modifications, alterations, and expansions of the subject business structure shall comply with the following limitations:

- A. Modifications and alterations are **allowed permitted** that do not change, alter, move, or remove an exterior load-bearing portion of the structure, except for minor alterations of exterior walls to replace or add new windows or doors. Modifications, alterations, or expansions that increase the gross floor area of the existing business structure are prohibited.

For example: (1) **Allowed Permitted** Modifications: Replacement of windows, repairs to an existing roof, or non-structural facade improvements. (2) Prohibited Modifications: Removal of an exterior, load-bearing wall, partial or complete demolition of the structure's roof framing, adding a new floor or adding additional ground-story floor area, or raising or modifying the existing roof line.

- B. For any modifications to the structure that require landmark approval, the modification shall be reviewed and approved by the Landmark Preservation Commission before submittal for zoning approval.

11.4.5.5 Effect of Approval

- A. The permit for a nonresidential use approved according to this Section 11.4.3 shall automatically expire at such time as the applicant specified in the permit no longer owns or operates the nonresidential use at the subject property.
- B. A zoning permit allowing a nonresidential use under this Section 11.4.3 may be rescinded according to Section 12.11.6, Enforcement Powers, Penalties and Remedies, upon a finding that the structure involved is obsolete or substandard under any applicable ordinance of the City to the extent that the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date of such finding.

PARKING OF VEHICLES USE CATEGORY

SECTION 11.4.6 PARKING, GARAGE

11.4.6.1 D-C and D-TD Zone Districts

In the D-C and D-TD Zone Districts, where permitted with limitations, Garage Parking use is **allowed permitted** provided it meets at least one of the following conditions:

- A. The use was operated in a structure before October 10, 1994; or
- B. The use is operated in a structure constructed or converted from other uses after October 10, 1994, that:
1. Was constructed or converted by or on behalf of a public entity to serve the general public; or
 2. Serves only buildings that do not contain office uses; or
 3. Serves 1 or more buildings that contain office uses and does not contain more than 2 parking space per 1,000 gross square feet of office space in the building or buildings served by the structure. Parking spaces restricted for use by non-office uses within the building or buildings served by the parking structure shall be exempt from such parking ratio restriction.

11.4.6.2 D-GT and D-AS Zone Districts

In the D-GT and D-AS Zone Districts, where permitted with limitations:

- A. Garage Parking is limited to enclosed structures, or structures that are enclosed except for portions of the parking structure over 45 feet above grade, provided that any unenclosed parking

deck must have screening walls at least 4 feet in height, and further provided that all lighting on the unenclosed parking deck shall be provided with fully shielded fixtures, none of which exceed 6,500 lumens per fixture and which are designed and installed so that they do not project glare off of the zone lot.

- B. Zoning permit review is required according to Section 12.4.2, Zoning Permit Review with Informational Notice, if the parking use is unenclosed and does not meet the criteria of Paragraph A above.

SECTION 11.4.7 PARKING, SURFACE

11.4.7.1 All TU, TH, RH, MU, RO Residential Zone Districts

In all TU, TH, RH, MU, RO Residential Zone Districts, where permitted with limitations, Surface Parking of vehicles as a primary use of land is ~~allowed~~ permitted only to serve a permitted Civic, Public and Institutional Use in the Zone District. Commercial Surface Parking lots are prohibited.

11.4.7.2 D-C and D-TD Zone Districts

In the D-C and D-TD Zone Districts, where permitted with limitations:

- A. Surface Parking lots are ~~allowed~~ permitted only if such use was in existence before May 25, 1990, and has been in continuous use as a parking lot since that date, provided, however, that a temporary use properly permitted under the provisions of this Article 11 shall not destroy the continuity of use; or
- B. The Surface Parking lot received a use permit between May 25, 1990, and October 10, 1994, and has been in continuous use as a parking lot since the date of such permit, provided, however, that a temporary use properly permitted under the provisions of Article 11 shall not destroy the continuity of use, and complies with all specifications for use and maintenance contained in Ordinance 140, series of 1986 and Ordinance 270, series of 1990; or
- C. Began operation after October 10, 1994, and meets the following conditions:
 1. Such use shall not be located within the area bounded by 14th Street, Colfax Avenue, Broadway Street, 18th Street, and the Larimer Street-Market Street alley; and
 2. Such use shall not be located where necessary curb cuts will interfere with pedestrian activity on Larimer Street, Curtis Street, Cleveland Place, or on any street frontage facing a light rail line.

11.4.7.3 D-GT Zone District

In the D-GT Zone District, where permitted with limitations, Surface Parking lots constructed after July 1, 1994, and not required to meet the requirements of this Subsection's requirements shall be ~~allowed~~ permitted according to Section 12.4.2, Zoning Permit Review with Informational Notice, and shall only be approved provided that the following limitations are met:

- A. Such parking lot shall serve a specific, identified business or residential facility that is a ~~allowed~~ permitted use then permitted and operating in the D-GT district.
- B. Any parking lot that is not located on the same zone lot as the use it serves, and that provides amounts of parking beyond those required to meet the minimum parking requirements for such use according to this Article 11 and Division 10.4, Parking and Loading:
 1. Shall have some portion of such parking lot located within 200 feet of the zone lot containing the use it serves; and
 2. Shall not offer parking to the public in return for a fee; and
 3. Shall include signage stating that parking is available only for the specific, identified business or residential facility that it serves and that public parking is not permitted.

11.4.7.4 CMP-H and CMP-EI Zone Districts

In the Campus Hospital CMP-H and CMP-EI Zone Districts, where permitted with limitations:

- A. Surface parking of vehicles is ~~allowed~~ permitted only to serve a use permitted in the district.
- B. Commercial Surface Parking lots are prohibited.

EATING AND DRINKING ESTABLISHMENTS USE CATEGORY**SECTION 11.4.8 EATING AND DRINKING ESTABLISHMENTS, ALL TYPES****11.4.8.1 All MX-2x, -2A, -2; MS-2x, -2 Districts**

In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts abutting a SU or TU Zone District, where permitted with limitations:

- A. Lighted signage for an Eating and Drinking Establishment shall be turned off during non-operating hours.
- B. All outdoor lighting for an Eating and Drinking Establishment shall be provided with full cut-off fixtures.

11.4.8.2 All MX-2x, MS-2x Zone Districts

In all MX-2x, MS-2x Zone Districts, where permitted with limitations, in addition to compliance with the use limitations in this Section 11.4.6, if the eating and drinking establishment is less than 100 feet from the boundary of any Protected District, all business activities open to the public shall cease by 10:00 p.m., except on Friday and Saturday nights when all business activities open to the public shall cease by 11:00 p.m.

OFFICE USE CATEGORY**SECTION 11.4.9 DENTAL/MEDICAL OFFICE OR CLINIC****11.4.9.1 G-RO Zone District**

In the G-RO Zone District, where permitted with limitations, Dental/Medical Office or Clinic use is ~~allowed~~ permitted provided, however, that such use that expands to create a gross floor area exceeding 10,000 square feet shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice. Any such use that contains a gross floor area in excess of 10,000 square feet and which was legally established on or before September 16, 1994, shall be considered a legal, conforming use and does not need to comply with Section 12.4.2, Zoning Permit Review with Informational Notice. This limitation shall not apply to rehabilitation centers for handicapped persons.

11.4.9.2 All Zone Districts (Except RO, RX, MX-2x, MS-2x, I-B Zone Districts)

In all Zone Districts, where permitted with limitations:

- A. In all Zone Districts, except the RO, RX, MX-2x, MS-2x, and I-B Zone Districts, up to 20 patients or clients may stay overnight at any one time in a Dental/Medical Office or Clinic use.
- B. In the RO, RX, MX-2x, MS-2x and I-B Zone Districts, overnight patient or client stays are prohibited.

RETAIL SALES, SERVICE AND REPAIR USE CATEGORY**SECTION 11.4.10 RETAIL SALES, SERVICE AND REPAIR, ALL SPECIFIC USE**

TYPES

11.4.10.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts

In all MX-2x, -2A, -2; and MS-2x, -2 Zone Districts, where permitted with limitations:

- A. Lighted signage shall be turned off during non-operating hours.
- B. All outdoor lighting shall be provided with full cut-off fixtures.

11.4.10.2 I-B Industrial Zone District

In the I-B Industrial Zone District, where permitted with limitations

- A. Retail Sales are ~~allowed~~ permitted only if:
 1. The commodity sold is manufactured, processed, or fabricated on the site; or
 2. The commodity sold is not manufactured, processed, or fabricated on the site, but is warehoused on the site. Such retail sales use is limited to a maximum of 20 percent of the gross floor area of the warehouse; or
 3. The Retail Sales use or uses is a minimum of 20,000 square feet GFA in any single primary structure on a zone lot and complies with the following limitations:
 - a. The primary structure(s) containing the proposed Retail Sales use shall be located a minimum of 500 feet from any Residential Zone District, and vehicle traffic generated by the proposed Retail Sales use shall not create adverse impacts on nearby residential access streets.
 - b. The Retail Sales use shall comply with the following parking standard instead of the minimum parking required in the Use and Parking Table in Article 9:
 - i. The use shall provide a minimum of 1 parking space for each 600 square feet of Gross Floor Area.
 - ii. The Zoning Administrator may reduce the required parking to 1 space per 1,200 square feet upon finding that characteristics of the proposed Retail Sales use justify a reduction in the parking requirement.
 - c. No Liquor Store, including drugstores licensed to sell liquor, not existing or operating on August 31, 1997, shall be established, operated, or maintained within 1,000 feet of another Liquor Store or drugstore licensed to sell package liquors.
 - d. No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on July 31, 2000, shall be established, operated, or maintained within 1,000 feet of a Community Corrections Facility.
- B. Retail Repair Services are limited to the following:
 1. Repair of any commodity manufactured, processed, fabricated, stored or sold in the I-B Zone District;
 2. Vehicle body shop;
 3. Upholstery or top shop;
 4. Paint shop;
 5. Refrigeration and air conditioning service and repair; or
 6. Disinfecting and pest control service.

SECTION 11.4.11 ANIMAL SERVICES AND SALES, HOUSEHOLD PETS ONLY

11.4.11.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. All sales and services shall be for household pets only. Wild or dangerous animal services and sales are prohibited.
- B. Overnight boarding is allowed permitted within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales, shall have no more than 15 percent of their gross floor area devoted to overnight boarding.
- C. The use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter "outdoor run") are allowed permitted subject to compliance with the following conditions:
 1. Outdoor runs, including the addition, expansion, or relocation of an existing outdoor run, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
 2. Outdoor runs shall not be permitted within 20 feet of a habitable residential structure on a zone lot in a SU, TU, TH, or RH Zone District.
 3. The outdoor run may operate only between the hours of 6:30 a.m. and 9:00 p.m.
 4. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.
- D. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other zone lots provided, however, that existing facilities may continue to be maintained and operated as previously permitted.

SECTION 11.4.12 ANIMAL SERVICES AND SALES, ALL OTHERS (MOVED FROM 9.1.5.7)

11.4.12.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. Wild or dangerous animal boarding and breeding services are prohibited.
- B. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.
- C. Overnight accommodations are allowed.
- D. Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.

SECTION 11.4.13 BODY ART ESTABLISHMENT

11.4.13.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. No more than 2 Body Art Establishments shall be established, operated, or maintained within 1,000 feet of each other.

SECTION 11.4.17 RETAIL SALES, SERVICES AND REPAIR, OUTDOOR

11.4.17.1 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts where permitted with limitations:, Outdoor Retail Sales only are permitted, and Outdoor Retail Repair or Service uses are prohibited.

11.4.17.2 Industrial Zone Districts

In the Industrial Zone Districts, where permitted with limitations:

- A. All Outdoor Retail Repair and Service uses located within 500 feet of a Residential Zone District or Mixed Use Commercial Zone District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.6, , Measurement of Separation or Distance.

VEHICLE / EQUIPMENT SALES, RENTALS, SERVICE AND REPAIR USE CATEGORY

SECTION 11.4.18 AUTOMOBILE EMISSIONS INSPECTION FACILITY

11.4.18.1 All MX-2A, -2; MS-2; Downtown Neighborhood Context Zone Districts

In all MX-2A, -2; MS-2; and Downtown Neighborhood Context Zone Districts, where permitted with limitations, all Automobile Emissions Inspection Facility uses shall be totally enclosed with no outdoor displays, sales, or storage.

SECTION 11.4.19 AUTOMOBILE SERVICES, LIGHT OR HEAVY

11.4.19.1 All RX Zone Districts

In all RX Zone Districts, where permitted with limitations,

- A. All Automobile Services uses, including the sale of automotive fuel and associated fuel pumps, shall be completely enclosed.

11.4.19.2 All MX-2A, -2; MS-2 Zone Districts

In all MX-2, -2A; MS-2 Zone Districts, where permitted with limitations, automobile wash, laundry, detail or polishing shops (a specific type of Automobile Services, Light use) are prohibited.

11.4.19.3 All C-CCN Zone Districts

In all C-CCN 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 11.4.16.4:

A. Intent

Improve the pedestrian experience along the ~~s~~Street ~~l~~Level in the Cherry Creek North mixed-use shopping district by requiring ground-story, pedestrian-friendly uses in all new development or redevelopment. 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 contribute substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. ~~Ground-story 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 pedestrian-friendly active uses.

B. Limitations

1. ~~Allowed 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.
3. 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 ground-story Street Level, and/or
 - b. On the ground-story 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 allowed permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% ground-story Street Level use frontage requirement.

See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.4, and C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story active uses in structures or buildings containing parking spaces.

4. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
5. Accessory trailer rental is prohibited.
6. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is allowed permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.

11.4.19.4 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.
- B. Rental or sale of motor vehicles is prohibited, unless otherwise allowed permitted as a primary use in the subject Zone District.
- C. Fuel pumps and permitted accessory trailer storage need not be enclosed, except in a RX Zone District.
- D. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.
- E. Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks or public park strips.
- F. The use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles; outdoor lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic.
- G. All outdoor lighting shall be provided with full cut-off fixtures. The use shall extinguish all outdoor lighting that is not fully shielded at close of business or 11:00 p.m., whichever is earlier.
- H. Trailer rentals are permitted as an accessory use subject to the following limitations:

1. One trailer is permitted on the zone lot for each 4,000 square feet of land area in the zone lot, not, however, exceeding 5 trailers at any one time; and
 2. Each trailer shall not exceed 8 feet in height, length and width.
- I. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the accessory use standards in Division 11.7, Accessory Use Limitations, and in Division 11.10, Uses Accessory to Nonresidential Uses - Limitations.
 - J. An automobile services use may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles as regulated by the Denver Fire Code. Any above-ground fuel tanks shall be located a minimum of 1,000 feet from a protected use, as “protected use” is defined by the Denver Fire Code.

SECTION 11.4.20 AUTOMOBILE SERVICES, LIGHT

11.4.20.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Automobile wash, laundry, detail or polishing shops are ~~allowed~~ **permitted** as a type of Automobile Service, Light, use, subject to compliance with the following standards:
 1. An automobile wash, laundry, detail or polishing shop shall be sited on a zone lot and constructed, operated, and maintained in compliance with the building form standards stated in the applicable Zone District.
 2. The structure housing the primary use shall be setback a minimum 8 feet from any abutting Residential Zone District.
 3. Adequate landscaping and solid fencing shall be installed to control the effects of noise where such bay is located adjacent to a residential use or a Residential Zone District.
 4. If the zone lot containing the use abuts a SU or TU Zone District, the hours of operation shall be limited to the time period between 7:00 a.m. and 10:00 p.m.
 5. The use shall provide, in addition to any other required off-street parking, sufficient hard-surfaced and dust-free space on the same zone lot to accommodate at least 3 vehicles waiting to be washed for each washing stall.

SECTION 11.4.21 AUTOMOBILE SERVICES, HEAVY

11.4.21.1 All Zone Districts

In all Zone Districts, where permitted with limitations, review is required according to Section 12.4.9, Zoning Permit with Special Exception Review, for facilities that involve an environmental hazard as determined by the Denver Fire Code, including but not limited to the following:

- A. Vehicle body shop,
- B. Upholstery or top shop, and
- C. Paint shop.

11.4.21.2 All CC, MS; I-MX, -A; M-IMX Zone Districts

In all CC, MS; I-MX, -A; and M-IMX Zone Districts, where permitted with limitations:

- A. The zone lot for all automobile services, heavy, uses shall be enclosed with a solid fence or wall except for the following excluded areas:
 1. The Primary Street frontage of the zone lot directly in front of the Primary Street facing building wall or a Primary Street facing entrance of the primary structure, and in no

case shall such fence or wall be required along more than 40 percent of the length of the Primary Street frontage of the zone lot described in this Section 11.4.18.2;

2. The Primary Street frontage of the zone lot directly in front of an automobile retail display area; or
 3. Any portion of a zone lot line containing a building wall.
- B. Such fence or wall shall be constructed to a height adequate to conceal any vehicles, equipment, or parts located on the zone lot; provided, the height and location of such wall or fence shall not interfere with clear sight at the intersection with a right-of-way and complies with the Denver Building and Fire Code.
 - C. Permitted fence or wall materials shall consist of wood, brick, masonry or other similar durable materials as approved by the Zoning Administrator
 - D. Prohibited fence or wall materials include salvaged doors and corrugated or sheet metal.

SECTION 11.4.22 AUTOMOBILE / MOTORCYCLE, LIGHT TRUCK SALES, RENTAL AND/OR LEASING; PAWN LOT OR VEHICLE AUCTIONEER

11.4.22.1 All Downtown Neighborhood Context Zone Districts and All C-CCN Zone Districts

In all Downtown Neighborhood Context Zone Districts and in all C-CCN Zone Districts, where permitted with limitations:

- A. The use shall be operated in a Completely Enclosed Structure with no outdoor displays, sales, or storage.
- B. Automobile pawn lots are prohibited.

11.4.22.2 All RX and MS Zone Districts

In all RX and MS Zone Districts, where permitted by limitations, all Automobile / Motorcycle, Light Truck Sales, Rental and/or Leasing uses and all Pawn Lot or Vehicle Auctioneer uses shall be operated in a Completely Enclosed Structure, with no outdoor displays, sales, or storage.

11.4.22.3 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.
- B. Accessory uses and activities may include the retail sale of vehicle accessories, oil, grease, antifreeze, tires and batteries, and other similar products; and provision of services to the extent of installing the foregoing items, making minor mechanical adjustment, washing and polishing vehicles.
- C. The facility shall not include Heavy Automobile Service uses, either as an accessory or primary use, unless otherwise ~~allowed~~ permitted as a primary use in the subject Zone District.
- D. Adjoining Residential Zone Districts shall be protected from the external effects of permitted outdoor vehicle or equipment display or storage areas by the establishment of landscaped buffers or an opaque fence or wall at least 5 feet high, by the location of landscaped employee or public parking areas, or by other means to achieve the same protection purpose.
- E. Vehicles being displayed, serviced or stored shall not be parked on streets, alleys, public sidewalks or public park strips.
- F. As permitted, vehicles displayed outside a Completely Enclosed Structure may have individual signs and, when provided, such signs shall be located only inside such vehicles.

DIVISION 11.5 INDUSTRIAL, MANUFACTURING AND WHOLESALE PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses within the Industrial, Manufacturing and Whole Primary Use Classification across multiple Zone Districts and neighborhood contexts.

COMMUNICATIONS AND INFORMATION USE CATEGORY

SECTION 11.5.1 COMMUNICATION SERVICES

11.5.1.1 All RX, CC, MX, MS Zone Districts

In all RX, CC, MX, MS Zone Districts, where permitted with limitations, where the permitted maximum building height in the Zone District is 3 stories or less, a transmitter shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

11.5.1.2 All Downtown Neighborhood Context Zone Districts

In all Downtown Neighborhood Context Zone Districts, where permitted with limitations, this use is limited to radio and television broadcasting, including transmitter.

SECTION 11.5.2 TELECOMMUNICATIONS TOWERS; TELECOMMUNICATIONS TOWER - ALTERNATIVE STRUCTURE; TELECOMMUNICATION FACILITIES - ALL OTHERS

11.5.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

A. Intent

The intent of this Section 11.5.2 is to establish regulations for telecommunications facilities to achieve the following goals:

1. To protect residential areas and lands by minimizing adverse impacts of towers;
2. To encourage the location of towers in nonresidential Zone Districts;
3. To minimize the total number of towers in the community;
4. To encourage the joint use of new and existing tower locations;
5. To ensure that towers are located in areas that minimize adverse impacts;
6. To ensure towers and antennas are configured in a way that minimizes adverse visual impacts by careful design, appropriate siting, landscape screening, and innovative camouflaging techniques;
7. To enhance the ability to provide telecommunications services to the community quickly, effectively and efficiently;
8. To consider public health and safety of telecommunications facilities;
9. To avoid damage to adjacent properties from tower failure through careful engineering and locating of tower structures;
10. To encourage the attachment of antennas to existing structures; and
11. To facilitate the provision of telecommunications services throughout the city.

B. Applicability and Exceptions

These regulations shall apply to all towers and antennas as defined, except:

1. Any tower, or antenna, not more than 70 feet in height, owned and operated by a federally licensed amateur radio station operator or used exclusively as a receive only facility.
2. High tension electric transmission or distribution line support towers used as mounts for antennas not more than 12 feet in height above the highest point of the said tower shall be permitted in all Zone Districts and are exempt from the separation requirements contained in this section. However, the requirements in Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities, shall apply.
3. **Alternative Tower Structure Exception**
Alternative tower structures not more than 50 feet in height shall be permitted in all Zone Districts subject to:
 - a. Section 11.5.2.1.A, Intent;
 - b. Section 11.5.2.1.C.7, Design Review;
 - c. The setback requirements for like structures in the Zone District; and
 - d. Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities.
 - e. If such an alternative tower structure is in, or, as measured from the base of the tower to the nearest part of the Zone District, within 200 feet of a Residential Zone District, MX-2x, -2A, -2; or MS-2x, -2 Zone District, the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice, shall apply.
4. The provisions of this Section 11.5.2.1 shall be of no force and effect in the Open Space Context Zone Districts.

C. General Requirements**1. Not Utilities**

Towers, antennas and telecommunications support facilities shall be regulated and permitted pursuant to this Section and shall not be considered utilities.

2. Permitted Uses

Towers, antennas and telecommunication support facilities shall be considered permitted uses and the existence of another structure or use on the same zone lot shall not preclude the installation of towers, antennas and telecommunications support facilities.

3. Towers in Nonresidential Zone Districts

Towers are ~~allowed~~ **permitted** in nonresidential Zone Districts and shall:

- a. Comply with the regulations contained herein and the Zone District regulations for permitted structures in the Zone District in which it is located. The dimensions of the entire zone lot shall apply and not the dimensions of the leased parcel; and
- b. Have a diameter of not more than 48 inches measured at the base of the tower.

4. Antennas

Antennas not attached to a tower and their associated telecommunications support facilities may be located in any Zone District on:

- a. Any nonresidential structure; or
- b. A multi-unit dwelling structure containing 8 or more dwelling units that is at least 35 feet in height; or
- c. A residential structure other than as provided in 4.b. above, provided any antenna is camouflaged or obscured so as to resemble architectural or natural features commonly associated with the site and district where located.

tion 11.5.2.5.C.1, Findings Required, Section 11.5.2.5.C.2., Considerations, and Section 11.5.2.5.C.3, Conditions.

4. Zoning Administrator's Decision

Within a reasonable time of receiving the recommendation of the committee, the Zoning Administrator shall make a decision according to Section 11.5.2.5.C, If No Public Meeting is Requested, above.

11.5.2.6 Telecommunications Towers In and Adjacent to Residential Zone Districts or within 500 Feet of Another Tower

Subject to Section 12.4.9, Zoning Permit with Special Exception Review, telecommunication towers that are either in or within 100 feet of Residential Zone District or within 500 feet of another tower, but not including alternative tower structures not more than 50 feet in height, may be ~~allowed~~ permitted subject to compliance with the following standards:

- A. The placement of towers and their associated telecommunications support facilities in Residential Zone Districts, within 100 feet of a Residential Zone District, or within 500 feet of another tower, shall be ~~allowed~~ permitted only if the Board of Adjustment finds that the proposed tower is necessary and essential to providing the applicant's telecommunication service.
- B. The Board of Adjustment may place such conditions on the use as will advance the goals contained in Section 11.5.2.1.A, Intent, including but not limited to:
 1. Moving the location of the tower or antenna to a more appropriate available site;
 2. Using a different technology that will lessen the impact of the tower or antenna;
 3. Requiring an appropriate alternative tower structure; or
 4. Other actions that will disguise or otherwise lessen the impact of the tower or antenna.

INDUSTRIAL SERVICES USE CATEGORY

SECTION 11.5.3 CONTRACTORS, SPECIAL TRADE, GENERAL

11.5.3.1 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

- A. Trucks having a manufacturer's capacity of more than 2 tons shall not remain on the premises except as necessary to load and discharge contents.
- B. Any unenclosed areas ~~allowed~~ permitted shall be provided with:
 1. A fence or wall constructed to a height adequate to conceal any vehicles, equipment or supplies located on the zone lot;
 2. Proper grading for drainage; and
 3. Asphalt, oil or any other dust-free surfacing. These areas shall be maintained in good condition, free of weeds, dust, trash and debris.

11.5.3.2 All Downtown Neighborhood Context Zone Districts

In all Downtown Neighborhood Context Zone Districts, where permitted with limitations, this use shall be operated within a completely enclosed structure.

11.5.3.3 All Industrial Context Zone Districts

In all Industrial Context Zone Districts, where permitted with limitations:

- A. The use shall be located at least 500 feet from any Residential Zone District.

- B. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

SECTION 11.5.4 CONTRACTOR, SPECIAL TRADE-HEAVY/CONTRACTOR YARD (MOVED FROM 9.1.5.8)

11.5.4.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations, a contractor, special trade/heavy use shall be located at least 500 feet from a Residential Zone District. This 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.

SECTION 11.5.5 FOOD PREPARATION AND SALES, COMMERCIAL

A. All Zone Districts

In all zone districts, where permitted with limitations, a Food Preparation and Sales, Commercial use engaged in the production of marijuana-infused products shall be allowed to produce marijuana concentrate through the use of the following extraction processes, provided all of the marijuana concentrate produced shall be incorporated into food products made on site:

1. Water-based extraction;
2. Food-based extraction; or
3. Alcohol- or ethanol-based extraction, but only if the production of marijuana concentrate is done without the application of any heat from a fuel-fired or electrified source and uses no more than 16 ounces of alcohol or ethanol during each extraction process.

SECTION 11.5.6 LABORATORY, RESEARCH, DEVELOPMENT, TECHNOLOGICAL SERVICE

A. All Zone Districts

In all Zone Districts, where permitted with limitations, a Laboratory, Research, Development, Technological Service use may include sales facilities limited to non-retail sales and sales activities, which shall occupy no more than 20 percent of the gross floor area of the structure. Such use may include indoor storage space for parts and supplies.

SECTION 11.5.7 SERVICE/REPAIR, COMMERCIAL

11.5.7.1 All CC, MX, MS Zone Districts

In all CC, MX, MS Zone Districts, except in the M-IMX Zone Districts, where permitted with limitations, Commercial Service/Repair uses are limited to building maintenance service uses only. All other Commercial Service/Repair uses are prohibited.

11.5.7.2 All Downtown Context Zone Districts

In all Downtown Context Zone Districts, where permitted with limitations, Service/Repair, Commercial uses are limited to: diaper service, linen supply, laundry, metal sharpening, and mirror silvering.

11.5.7.3 All I-A, -B; M-IMX Zone Districts

In all I-A, -B and M-IMX Zone Districts, where permitted with limitations:

- A. Commercial Service/Repair uses are limited only to the following specific types:

1. Repair, rental and servicing of any commodity that is manufactured, processed, fabricated, stored or sold in the zone, and which may involve an environmental hazard as determined by the Denver Fire Code, including but not limited to the following:
 - a. Vehicle body shop,
 - b. Upholstery or top shop,
 - c. Paint shop,
 - d. Refrigeration and air conditioning service and repair,
 - e. Disinfecting and pest control service.
 2. Autoclave;
 3. Laundry, dry cleaning, commercial, industrial.
- B. All Commercial Service/Repair uses shall be located at least 500 feet from any Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

MANUFACTURING AND PRODUCTION USE CATEGORY

SECTION 11.5.8 MANUFACTURING, FABRICATION, AND ASSEMBLY - CUSTOM

11.5.8.1 All Zone Districts

In all Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. On-site manufacturing of malted barley is prohibited.
- B. Unenclosed outdoor storage is prohibited.
- C. Outdoor tasting, serving, and seating areas are **allowed permitted** as common and customary accessory uses, provided in all zone districts, except in the I-A Zone District, such areas shall comply with the limitations stated in Section 11.10.12, for Outdoor Eating and Serving Areas Accessory to Eating/Drinking Establishment Use.

11.5.8.2 All RX and All MX -2x, -2A, -2; MS -2x, -2 Districts

In all RX, and MX-2x, -2A, -2, and MS-2x, -2 Zone Districts abutting a SU or TU Zone District, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. Lighted signage shall be turned off during non-operating hours; and
- B. All outdoor lighting shall be provided with full cut-off fixtures.

11.5.8.3 All RX and MX -2x, MS -2x Zone Districts

In all RX, MX-2x, and MS-2x Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. If the use is less than 100 feet from the boundary of any Protected District, all business activities open to the public shall cease by 10:00 p.m., except on Friday and Saturday nights when all business activities open to the public shall cease by 11:00 p.m.

SECTION 11.5.9 MANUFACTURING, FABRICATION, AND ASSEMBLY - GENERAL

11.5.9.1 All Zone Districts

In all Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - General uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator, if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District.

11.5.9.2 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

1. A Manufacturing, Fabrication and Assembly - General use on a zone lot greater than 60,000 square feet or operating 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.
2. A Manufacturing, Fabrication and Assembly - General use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
3. A Manufacturing, Fabrication, and Assembly - General use involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following additional limitations:
 - a. On-site manufacturing of malted barley is prohibited.
 - b. Unenclosed outdoor storage is prohibited.
 - c. Outdoor tasting, serving, and seating areas are **allowed permitted** as common and customary accessory uses, provided such areas shall comply with the limitations stated in Section 11.10.12 for Outdoor Eating and Serving Areas Accessory to Eating/Drinking Establishment Use.

SECTION 11.5.10 MANUFACTURING, FABRICATION, AND ASSEMBLY - HEAVY

11.5.10.1 All Zone Districts

- A. In all Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Heavy uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator, if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District.
- B. Special Exception review is required for the manufacturing, fabrication, and assembly of:
 1. (SIC 3631) Household cooking equipment;
 2. (SIC 3632) Household refrigerators and freezers;
 3. (SIC 3633) Household laundry equipment; or
 4. (SIC 3639) Household appliances.
- C. Petroleum refining is prohibited except for the following activities, which are **allowed permitted** only in the I-B Zone District:

1. (SIC 295) Asphalt paving and roofing materials; or
 2. (SIC 299) Miscellaneous products of petroleum and coal.
- D. Outdoor tasting, serving, and seating areas are ~~allowed~~ **permitted** as common and customary accessory uses to a Manufacturing, Fabrication, and Assembly - Heavy use involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors.

MINING & EXTRACTION AND ENERGY PRODUCTION SYSTEMS USE CATEGORY)

SECTION 11.5.11 OIL, GAS, PRODUCTION, DRILLING

11.5.11.1 I-MX, -A, -B Zone Districts (moved from 9.1.5.10)

~~In the I-MX, -A, -B Zone Districts, where permitted with limitations, o~~oil gas, production, drilling uses area limited to geophysical services only. As part of the Site Development Plan review process, the Zoning Administrator shall determine the separation between the proposed use and any adjacent Residential Zone District based on the external effects of the proposed use.

11.5.11.2 O-1 and DIA Zone Districts (moved from 9.5.6.1)

~~In the O-1 and DIA Zone Districts, where permitted with limitations:~~

- A. ~~In the O-1 and DIA Zone Districts, a~~All site plan applications for oil and gas uses shall be reviewed according to Section 12.4.3, Site Development Plan Review, with the addition of a representative from the building inspection division of Community Planning and Development, designated by the Manager, and a representative from the Department of Aviation, designated by the Manager of Aviation.
- B. As part of the Site Development Plan Review, the Manager may recommend conditions on the approval of any oil and gas permit application to ensure the following public health, safety, and welfare objectives:
 1. There shall be adequate financial assurances to insure the city against any claims which may arise due to the applicant's operation under any and all permits issued by the city;
 2. The applicant shall provide appropriate protection of the natural environment and adjacent land uses; and
 3. The applicant shall assure avoidance of any adverse impact on other permitted uses in the subject Zone District.

SECTION 11.5.12 SAND OR GRAVEL QUARRY (MOVED FROM 9.1.5.11)

11.5.12.1 I-MX, -A, -B Zone Districts

~~In the I-MX, -A, -B Zone Districts, where permitted with limitations, a~~A sand or gravel quarry use shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

SECTION 11.5.13 WIND ENERGY CONVERSION SYSTEM ("WECS")

11.5.13.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. **Zone Lots Containing or Adjacent to Single-Unit or Two-Unit Dwelling Uses or Town**

House or Row House Building Forms

Establishment of a wind conversion energy system use on a zone lot, or adjacent to a zone lot, that contains a single unit dwelling use or two-unit dwelling use, or that contains a Townhouse or Row House Building Form, is ~~allowed~~ permitted according to Section 12.4.9, Zoning Permit with Special Exception Review. The Board of Adjustment may approve such use only upon findings that the proposed wind energy conversion system complies with the following standards:

1. The applicant is the owner of the property and has submitted a site plan of the property that shows the location of the proposed system;
2. The proposed system, including guy wires, will not encroach into any setback space and will be no closer than 10 feet to any property line; provided, however, that for any zone lot not containing a single unit or two-unit dwelling use, or a Townhouse or Row House Building Form, the 10 foot setback only applies to zone lot lines abutting such residential zone lots; other setbacks shall be as per the applicable Zone District and building form regulations.
3. The proposed system will extend no further than 30 feet above the highest point of existing buildings on the zone lot, unless the zone lot does not have a single unit or two unit dwelling use or townhouse or row House building form, in which case the proposed system will extend no further than 35 feet above the highest point of existing buildings on the zone lot, or 60 feet above the ground, whichever is higher;
4. All power transmission lines shall be located underground or inside a structure and that the proposed system, will consist of a tubular pole tower if the proposed system is to be a horizontal axis system;
5. Climbing access to the structure shall be limited by means of a fence 6 feet high around the tower base with a locking gate or by limiting tower climbing apparatus to no lower than 13 feet from the ground, and that at least one sign shall be posted at the base of the tower with the following warning: "WARNING: Wind Energy Electrical Generating System";
6. Any system with a capacity in excess of 100 kilowatts shall not be installed in a Residential Zone District and shall not be located along the major axis of an existing microwave communications link where the operation of the system is likely to produce an unacceptable level of electromagnetic interference;
7. The proposed system will not create a detrimental effect on nearby properties through electromagnetic interference, physical appearances or noise, either by loudness or frequency; and
8. The proposed system will not substantially or permanently injure the appropriate use of adjacent conforming property.

B. All Other Zone Lots - Systems Not Subject to Special Exception Review

A wind energy conversion system may operate on any zone lot that is not adjacent to and does not have a single-unit dwelling or two-unit dwelling use. A wind energy conversion system may be **allowed permitted** according to Section 12.4.2, Zoning Permit Review with Informational Notice, and subject to compliance with the following conditions:

1. The applicant is the owner of the property and has submitted a site plan of the property which shows the location of the proposed system.
2. The proposed system, including guy wires and blades, shall not encroach into any setback space, and in no event shall be within 10 feet of the front zone lot line.
3. The proposed system, including blades, shall extend no further than 35 feet above the highest point of existing buildings on the zone lot or any building within 100 feet of the zone lot or 60 feet above the ground, whichever is higher, provided, however that in no event may the system extend more than 75 feet above the building on which it is mounted.
4. All power transmission lines shall be located underground or inside a structure.
5. Climbing access to the structure shall be limited by means of a fence six feet high around the tower base with a locking gate or by limiting tower climbing apparatus to no lower than 13 feet from the ground, and that at least one sign shall be posted at the base of the tower with the following warning: "WARNING Wind Energy Electrical Generating System".
6. Any system with a capacity in excess of 100 kilowatts shall not be located along the major axis of an existing microwave communications link where the operation of the system is likely to produce an unacceptable level of electromagnetic interference.
7. The proposed system shall not create a detrimental effect on nearby properties through electromagnetic interference, physical appearances or noise, either by loudness or frequency.
8. The proposed system shall not substantially or permanently injure the appropriate use of adjacent conforming property.

TRANSPORTATION FACILITIES USE CATEGORY**SECTION 11.5.14 HELIPAD, HELISTOP, HELIPORT****11.5.14.1 All Residential Zone Districts**

In all Residential Zone Districts, where permitted with limitations, the use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.

11.5.14.2 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

- A. The use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.
- B. The Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses; except that helipads or helistops in the CMP-H and CMP-H2 Zone Districts and in the D-GT Zone District located south of 8th Avenue shall not be subject to this 1,000 feet distance requirement.

11.5.14.3 I-A, -B Zone Districts

In the I-A, -B Zone Districts, where permitted with limitations, the Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses.

SECTION 11.5.15 RAILROAD FACILITIES (MOVED FROM 9.1.5.12)**11.5.15.1 I-MX, -A, -B Zone Districts**

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. A railway facility proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.
- B. All mass transit railroad facilities located within 200 feet of a conforming residential structure shall be reviewed according to Section 12.4.3, Site Development Plan Review.

SECTION 11.5.16 TERMINAL, STATION OR SERVICE FACILITY FOR PASSENGER TRANSIT SYSTEM**11.5.16.1 All Residential Zone Districts**

In all Residential Zone District, where permitted with limitations, the use shall be limited to a stop or station for the mass passenger transit system only; and parking provided for the use of passengers or employees of the passenger transit provider.

SECTION 11.5.17 TERMINAL FREIGHT, AIR COURIER SERVICE (MOVED FROM 9.1.5.13)**11.5.17.1 I-MX, -A, -B Zone Districts**

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

WASTE RELATED SERVICES**SECTION 11.5.18 AUTOMOBILE PARTS RECYCLING BUSINESS (MOVED FROM 9.1.5.14)****11.5.18.1 I-MX, -A, -B Zone Districts**

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. The use shall be located no less than 500 feet from a Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance

of the evidence that the proposed use, its traffic generation and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

- B. The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.
- C. Vehicle parts and bodies shall be arranged and/or stacked in an orderly manner. Outdoor aisles shall be graveled or covered with a dust-free surface material, and the site along with abutting street right-of-way areas shall be kept free of weeds and litter. The dismantling area shall not be visible from the street or from abutting residential or business zoned properties. Outdoor storage areas shall be enclosed by a solid wall or fence, except where such business adjoins a similar use along a side or rear lot line. Provision shall be made to control, contain and collect for proper disposal oil, antifreeze and other liquids generated by the dismantling or storage of motor vehicles or parts. Disposal of CFC's (chlorofluorocarbons) from vehicle air conditioners shall be done in accordance with chapter 4 of the Revised Municipal Code and applicable rules and regulations.

SECTION 11.5.19 JUNKYARD (MOVED FROM 9.1.5.15)

11.5.19.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. **Separation**
The use shall be a minimum of 1,000 feet from any Residential Zone District, Mixed Use Commercial Zone District, or Downtown Neighborhood Context Zone District.
- B. **Screening**
The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure. The height of such fence or wall shall screen the view from an abutting Primary Street of the stored material and shall not exceed a height of 10 feet. Existing solid walls or fences consisting of prohibited materials shall be replaced with approved materials no later than June 15, 1993.

SECTION 11.5.20 RECYCLING CENTER (MOVED FROM 9.1.5.16)

11.5.20.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

- A. **Separation**
The recycling center facility shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.
- B. **Screening**
The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

SECTION 11.5.21 RECYCLING PLANT, SCRAP PROCESSOR (MOVED FROM 9.1.5.17)

11.5.21.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations:

A. Separation

The recycling plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

B. Screening

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

WHOLESALE, STORAGE, WAREHOUSE AND DISTRIBUTION USE CATEGORY**SECTION 11.5.22 AUTOMOBILE TOWING SERVICE STORAGE YARD (MOVED FROM 9.1.5.18)****11.5.22.1 I-MX, -A, -B Zone Districts**

In the I-MX, -A, -B Zone Districts, where permitted with limitations, aAn automobile towing service storage yard plant shall be located at least 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

SECTION 11.5.23 MINI-STORAGE FACILITY**11.5.23.1 All MX, MS Zone Districts**

In all MX and MS Zone Districts, 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, -B Zone Districts

In I-A, -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 (MOVED FROM 9.1.5.19)

11.5.25.1 I-MX, -A, -B Zone Districts

In the I-MX, -A, -B Zone Districts, where permitted with limitations, aAll 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 Zone Districts

In all CC, MX, MS 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.

DIVISION 11.6 AGRICULTURAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations and standards applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations and standards applicable to specific uses within the Agricultural Primary Use Classification across multiple Zone Districts and neighborhood contexts.

SECTION 11.6.1 AQUACULTURE

In all Zone Districts, where permitted with limitations, the outdoor storage of waste material from fish processing is prohibited.

SECTION 11.6.2 GARDEN, URBAN

11.6.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations, bee keeping is ~~allowed~~ permitted as accessory to the Urban Garden use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.6, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District or Open Space Context Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

SECTION 11.6.3 HUSBANDRY, ANIMAL

11.6.3.1 I-MX, -A, -B Zone Districts (moved from 9.1.5.20)

~~In the I-MX, -A, -B Zone Districts, where permitted with limitations, a Husbandry, Animal~~ This use shall be located at least 500 feet from a Residential Zone District.

11.6.3.2 OS-B Zone Districts (moved from 9.3.5.5)

In the OS-B Zone District, ~~where permitted with limitations, a Husbandry, Animal~~ this use is limited to the raising and/or grazing of livestock animals and any confinements for such animals, provided such use is located at least 500 feet from a Residential Zone District.

SECTION 11.6.4 HUSBANDRY, PLANT (MOVED FROM 9.1.5.21)

11.6.4.1 All Zone Districts

~~In all Zone Districts, where permitted with limitations, g~~ Growing of marijuana is permitted only as a "husbandry, plant" use, and shall occur only within a completely enclosed structure.

11.6.4.2 I-A Zone District

~~In the I-A Zone District, where permitted with limitations, w~~ When not operated inside a completely enclosed structure, the Plant Husbandry use shall be located at least 500 feet from a Residential Zone District.

SECTION 11.6.5 PLANT NURSERY

11.6.5.1 In All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. The outdoor storage of waste material from accessory fish processing (Aquaculture) is prohibited.
- B. Bee keeping is ~~allowed~~ permitted as accessory to a Plant Nursery use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.6, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District or Open Space Context Zone District, the

number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

- C. When not operated inside a completely enclosed structure, the Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

11.6.5.2 I-MX Zone Districts (moved from 9.1.5.22)

In the I-MX Zone District, where permitted with limitations, a Plant Nursery use shall be operated within a completely enclosed structure.

11.6.5.3 I-A, -B, OS-B, O-1, and DIA Zone Districts (moved from 9.1.5.22, 9.3.5.6, and 9.5.6.2)

In the I-A, -B, OS-B, O-1, and DIA Zone Districts, where permitted with limitations, ~~a~~An unenclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

DIVISION 11.7 ACCESSORY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains general standards applicable to all accessory uses across multiple Zone Districts and neighborhood contexts.

SECTION 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES

11.7.1.1 General Allowance for Accessory Uses

- A. Accessory uses shall be clearly incidental, subordinate, customary to, and commonly associated with operation of a primary use. Accessory uses may be incidental to a primary use permitted without limitations, or a permitted use with limitations.
- B. The Use and Parking Tables in Articles 3 through 9 list specific accessory uses ~~allowed~~ permitted in each zone district; applicable limitations may further restrict the type or operations of an accessory use.

11.7.1.2 Limitations Applicable to All Accessory Uses

A. General Limitations

All accessory uses, except accessory dwelling unit uses, shall comply with all of the following general limitations. Accessory dwelling units, where permitted, shall comply with the specific conditions stated in Section 11.8.2, Accessory Dwelling Units, instead of these general limitations.

1. Such use shall be clearly incidental and customary to and commonly associated with the operation of the primary use.
2. Such accessory use shall be operated and maintained under the same ownership and on the same zone lot as the primary use; provided, however, that in all Mixed Use Commercial Zone Districts, lessees or concessionaires may operate the accessory use; and provided further that in nonresidential structures owned and operated by a place for religious assembly in a Residential Zone District, non-profit lessees or concessionaires may operate the accessory use.
3. Such use shall not include residential occupancy in a detached accessory structure offered for rent or for other commercial gain. Residential occupancy in a detached accessory structure is ~~allowed~~ permitted by members of a household occupying the primary structure, or domestic employees and the immediate families of such employees.
4. The area of specific accessory uses shall be calculated as follows:
 - a. **Pool tables.** The area occupied shall be calculated by adding 3 feet to each dimension of such pool table to include the area of play.
 - b. **Pinball, video games and other similar Amusement Devices.** The area occupied shall be calculated by adding three feet to the area directly in front of the device.
 - c. **Dance floors.** The area shall be the sum total of all of the areas of the dance floor and any stage or area used for the playing or performance of recorded or live music.

B. Limitations in the Primary Structure

1. Applicability

This Section 11.7.1.2.B's limitations on accessory uses in the primary structure shall apply to all accessory uses. A limitation in this Section 11.7.1.2.B shall not apply when it conflicts with a limitation specific to an accessory use found in Divisions 11.8, Uses Ac-

DIVISION 11.8 USES ACCESSORY TO PRIMARY RESIDENTIAL USES - LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses accessory to primary residential uses across multiple Zone Districts and neighborhood contexts. In addition to meeting the general conditions and standards applicable to all accessory uses in Division 11.7 above, the following specific accessory uses shall comply with this Division's use-specific standards.

SECTION 11.8.1 [RESERVED]

SECTION 11.8.2 ACCESSORY DWELLING UNIT ("ADUS")

11.8.2.1 All Zone Districts

In all Zone Districts where permitted with limitations:

A. Accessory to Primary Single Unit Dwelling Uses Only

1. An Accessory Dwelling Unit is ~~allowed~~ permitted as accessory only to a primary Single Unit Dwelling use according to the following requirements, except that an Accessory Dwelling Unit use is not ~~allowed~~ permitted as accessory to a Single Unit Dwelling use in a Tandem House building form.
2. In case of conflict between the requirements for Accessory Dwelling Units stated in this Section 11.8.2.1 and the general conditions stated in Division 11.7, Accessory Use Limitations, the requirements in this subsection shall apply.

B. General Building Requirements

1. Mobile homes, recreational vehicles, and travel trailers shall not be used as Accessory Dwelling Units.
2. All Accessory Dwelling Units shall comply with the Denver Building and Fire Code.
3. ADUs established in a detached accessory structure shall comply with the Detached ADU Building form standards in the applicable Zone District.

C. Structural and Location Requirements

All Accessory Dwelling Unit uses shall meet the following requirements:

1. The primary Single Unit Dwelling use shall not be altered in any way so as to appear from a public street to be a multiple-unit dwelling use.
2. The structure housing an Accessory Dwelling Unit shall not be served by a driveway separate from that serving the primary Single Unit Dwelling except to utilize a new access from an alley.
3. The Accessory Dwelling Unit may be accessed by a separate outside stairway located in conformance with all building and zoning requirements, except outside access stairways shall not be located on the front facade of the building housing the primary Single Unit Dwelling use.
4. Roof and exterior wall materials and finishes for a detached structure housing the Accessory Dwelling Unit use shall be comparable in composition and appearance to that of the primary single unit dwelling structure on the zone lot.

5. Wherever feasible, water and sewer shall be supplied to both the primary Single Unit Dwelling use and the Accessory Dwelling Unit use through single taps, and electric and/or gas utilities shall be supplied through a single meter.

D. Special Allowance for ADUs on Existing Carriage Lots

Accessory Dwelling Unit uses may be established on a carriage lot, even in the absence of a primary Single Unit Dwelling use on such carriage lot, provided the Accessory Dwelling Unit use complies with the standards in this Section 11.8.2 and with all applicable standards in Section 12.10.4, Development on Carriage Lots.

11.8.2.2 All SU Zone Districts

In all SU Zone Districts, where permitted with limitations:

1. The Accessory Dwelling Unit use shall be operated and maintained under the same ownership as the primary Single Unit Dwelling use.
2. No more than one Accessory Dwelling Unit shall be established on the same zone lot as the primary Single Unit Dwelling use.
3. Accessory Dwelling Units shall not be sold apart from the primary dwelling unit.
4. The owner of the zone lot on which an Accessory Dwelling Unit use is maintained shall occupy either the primary dwelling unit or the ADU as the owner’s legal and permanent residence. For purposes of this provision, “the owner’s legal and permanent residence” shall mean a property owner who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means.
5. An Accessory Dwelling Unit use, whether detached or attached, shall not exceed a maximum size as stated in the following table, unless otherwise specifically ~~allowed~~ permitted by this Code.

ZONE LOT OR CARRIAGE LOT SIZE	MAXIMUM FLOOR AREA OF ACCESSORY DWELLING UNIT USE
6,000 ft ² or less	650 ft ²
Greater than 6,000 ft ² and up to 7,000 ft ²	864 ft ²
Greater More than 7,000 ft ²	1,000 ft ²

6. In order to avoid overcrowding of the accessory dwelling unit, the Accessory Dwelling Unit use shall contain a minimum of 200 square feet of gross floor area per occupant.

SECTION 11.8.3 DOMESTIC EMPLOYEES

In all Zone Districts, where permitted with limitations, housing of one or more domestic employee(s) is ~~allowed~~ permitted as accessory to all primary residential household living uses.

SECTION 11.8.4 GARDEN

11.8.4.1 All Zone Districts

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

- A. No more than 6 plants may be grown for each ~~patient~~ registry identification card holder or for each adult 21 years or older residing in a dwelling unit, not to exceed 12 plants per dwelling unit.
- B. Growing and/or storage of marijuana shall occur within a completely enclosed structure.
- C. Growing and/or storage of marijuana shall not occur in a common area associated with the dwelling unit.

- D. Growing shall be for personal use only by persons residing in the dwelling unit; retail or wholesale sales of goods or products derived from the growing of marijuana and any off-site distribution of such plants or derived products are prohibited.

11.8.4.2 All Residential Zone Districts

In a Residential Zone District, where permitted with limitations, retail or wholesale sales of goods or products derived from a Garden accessory to a primary residential use are prohibited in a Residential Zone District unless permitted as a Fresh Produce and Cottage Foods Sales Home Occupation.

SECTION 11.8.5 KEEPING OF HOUSEHOLD ANIMALS

11.8.5.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

A. Animals ~~Allowed~~ Permitted Without a Zoning Permit

The keeping of domestic or household animals is ~~allowed~~ permitted as accessory to a primary dwelling unit use, subject to compliance with the following standards regarding number and kinds of animals:

KIND OF ANIMAL ALLOWED PERMITTED	PERMITTED NUMBER OF ANIMALS ALLOWED / STANDARDS
Dogs	3 maximum
Cats	5 maximum
Combination of dogs and cats	No more than 5 dogs and cats combined provided there are no more than 3 dogs as part of the total.
Rabbits	2 maximum
Pigeons or doves	25 maximum
Horses	No more than 1 horse for each 1/2 acre of zone lot area
Small rodents--Rats, mice, guinea pigs, hamsters and other similar animals	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
Fish	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
Small reptiles and amphibians. The types of these animals is regulated by chapter 8 of the Revised Municipal Code	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
Domestic Honey Bees	<ul style="list-style-type: none"> • 2 hives per zone lot; • Hives must be in rear 1/3 of zone lot with a 5 foot setback from side and rear zone lot lines; • Hives must be screened so that the bees must surmount a 6 foot barrier, which may be vegetative, before leaving the property; • No outdoor storage of any bee paraphernalia or hive materials not being used as a part of a hive.
Chickens and Ducks	<ul style="list-style-type: none"> • No more than 8 chickens and ducks combined per zone lot. • No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot. • On any residential zone lot, the animals shall be maintained in the rear 50% of the Zone Lot Depth. • Slaughtering of the animals as part of keeping such animals is prohibited.
Dwarf Goats	<ul style="list-style-type: none"> • No more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, may be kept per zone lot. • No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot. • On any residential Zone Lot, the goats shall be maintained in the rear 50% of the Zone Lot Depth. • Slaughtering of the animals as part of keeping such animals is prohibited.

B. Animals ~~Allowed Permitted~~ With a Zoning Permit

The Zoning Administrator may allow the accessory keeping of animals of a type or number other than ~~allowed permitted~~ in Section 11.8.5.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following limitations:

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

11.8.5.2 Related Animal-Keeping Provisions

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

SECTION 11.8.6 KENNEL OR EXERCISE RUN**11.8.6.1 All Zone Districts**

In all Zone Districts, where permitted with limitations:

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

SECTION 11.8.7 LIMITED COMMERCIAL SALES, SERVICE ACCESSORY TO MULTI-UNIT DWELLING USE**11.8.7.1 All Zone Districts**

In all Zone Districts, where permitted with limitations:

A. Specific Accessory Uses ~~Allowed Permitted~~

One or more of the following Commercial Sales or Service uses may be operated as accessory to a primary Multi-Unit Dwelling use in a single structure containing 50,000 square feet or more gross floor area, provided a zoning permit is obtained according to Section 12.4.1, Zoning Permit Review, before the establishment of such accessory use or activity:

1. Banking and Financial Services.
2. Retail Sales, Repair, Service uses, provided such use contains no greater than 10,000 square feet of gross floor area.

3. Eating and Drinking Establishments, completely enclosed, provided no live entertainment or accessory Amusement Devices are **allowed permitted**; and
4. Office, but not including Dental/Medical Office and/or Clinic.

B. Applicable Limitations

The specific accessory uses listed above may be **allowed permitted**, provided such uses:

1. Are provided principally for the convenience of the owner or owners of the zone lot and the tenants thereof;
2. Do not have outdoor signs of any type;
3. Do not have separate outside entrances to the accessory use facing any street;
4. Are not evident from any street; and
5. Are incidental to the primary use.

SECTION 11.8.8 SECOND KITCHEN ACCESSORY TO SINGLE UNIT DWELLING USE

11.8.8.1 Intent

The allowance for a second kitchen accessory to a single-unit dwelling use is intended to accommodate additional indoor cooking and food preparation areas to supplement a home's primary kitchen.

11.8.8.2 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. A second kitchen in a primary single unit dwelling building, not otherwise **allowed permitted** as part of a permitted attached Accessory Dwelling Unit use, is **allowed permitted** as an accessory use provided a zoning permit is procured according to Section 12.4.1, Zoning Permit Review, prior to establishment of the accessory kitchen and subject to compliance with the following limitations:
 1. The applicant is the owner of the subject structure and uses the structure as his/her primary residence;
 2. The second kitchen shall be used only by the residents or domestic servants; and
 3. The applicant complies with all provisions of the Denver Building and Fire Code in the construction of the kitchen.
- B. An approved zoning permit for a second kitchen shall not be valid until the applicant has executed an agreement listing the terms and conditions fixed by the Zoning Administrator and the conditions set forth above. Such agreement shall be recorded with the Denver City Clerk and Recorder.
- C. The permit for an approved exception shall automatically expire at such time as the applicant no longer resides at the subject property.

DIVISION 11.9 HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES - ALL ZONE DISTRICTS

SECTION 11.9.1 INTENT

- 11.9.1.1 Home Occupations are a type of accessory use that accommodates limited business activities conducted incidental to a primary residential use. This Division's allowance for Home Occupations is intended to achieve multiple city goals and objectives, including reducing the number of home-to-work vehicle trips with related improvements in air quality; facilitating small business ventures that contribute to the city's overall economic health; and accommodating demand for certain business services convenient to where prospective clients or customers live. The standards and review procedures applicable to Home Occupations are generally intended to minimize the impact such uses may have on the character and enjoyment of the surrounding residential neighborhood, while furthering the goals and objectives stated herein.
- 11.9.1.2 The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to **allowed, permitted** primary, accessory, or temporary uses. This Division contains limitations applicable to Home Occupation uses accessory to primary residential uses across multiple Zone Districts and neighborhood contexts.

SECTION 11.9.2 LIMITATIONS APPLICABLE TO ALL HOME OCCUPATIONS - ALL ZONE DISTRICTS

In addition to any use-specific limitations in this Division 11.9, all Home Occupations in all Zone Districts shall comply with the following general limitations. In case of any conflict between the general limitations in this Section and a more specific use limitation, the more specific use limitation shall apply to the Home Occupation.

11.9.2.1 Residential Use

A Home Occupation legally operated in a dwelling unit according to this Section shall be considered, in combination with the primary dwelling unit use, a residential use for all purposes of this Code.

11.9.2.2 Location

- A. All Home Occupations shall operate in a completely enclosed structure, except that:
1. A child care home (small or large) may include outdoor play and/or seating areas.
 2. For Fresh Produce and Cottage Foods Sales, retail sales may operate unenclosed.
- B. Home Occupations may operate in the primary dwelling unit structure, or in a detached accessory structure, allowed under this Code.

11.9.2.3 Personal to Applicant

- A. Only the person or persons maintaining the dwelling unit as their primary place of residence shall operate the Home Occupation. For purposes of this provision only, "person" shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity.
- B. A zoning permit for an approved Home Occupation shall automatically expire at such time as the applicant no longer resides at the subject property.

11.9.2.4 External Evidence and Signage

- A. If operated inside the primary dwelling unit structure, the Home Occupation shall not have a separate external entrance serving the Home Occupation.

- B. The Home Occupation shall not display or create outside the building any external evidence of the operation of the Home Occupation, except for the following:
1. A child care home (small or large) may include outdoor play and/or seating areas.
 2. For Fresh Produce and Cottage Foods Sales, retail sales may operate unenclosed and utilize temporary, portable furniture such as tables, chairs, and umbrellas during permitted operating hours only.
 3. One non-animated, non-illuminated flat wall or window sign having an area of not more than 100 square inches is allowed permitted for each street frontage of the subject zone lot.

11.9.2.5 Size

One or more Home Occupation(s), whether located within a primary dwelling unit or a detached accessory structure, shall not in the aggregate utilize more than 20 percent of the gross floor area of the dwelling unit primary use, but in no case shall exceed 300 square feet. However, this limitation shall not apply to Foster Family Care, Adult Care Home, Child Care Home, Small or Large, Craft Work, or Artist Studio, or to portions of a Home Occupation allowed permitted to operate unenclosed.

11.9.2.6 Other Limitations

- A. The Home Occupation shall not have any employees or regular assistants not residing in the primary or accessory dwelling unit located on the subject zone lot, unless specifically allowed permitted or required by the terms of a state or city license necessary to operate the permitted Home Occupation.
- B. The use of hand tools is allowed permitted without limitation.
- C. The use of mechanical equipment is limited to the use of electric motors for power, with a total limitation of not greater than 3 horsepower.

SECTION 11.9.3 CHILD CARE HOME – LARGE

Large Child Care Home, where allowed permitted with limitations, is allowed permitted as a Home Occupation subject to compliance with the following limitations:

- 11.9.3.1 The applicant shall be the owner or the applicant has written permission of the owner of the subject property.
- 11.9.3.2 The proposed Large Child Care Home is the applicant's primary place of residence.
- 11.9.3.3 The applicant has obtained or will obtain upon granting of the zoning permit all licenses and certifications required by the state and the city.
- 11.9.3.4 The proposed Large Child Care Home complies with the building and fire codes and all regulations established by the City.
- 11.9.3.5 No other Large Child Care Home is located within 400 feet of the proposed Large Child Care Home.
- 11.9.3.6 The proposed Large Child Care Home complies with all the requirements of the Zone District in which it is located, excepting for any legally nonconforming structure.
- 11.9.3.7 The applicant shall implement and maintain an ongoing traffic management program that ensures that the operation of the proposed Home Occupation will not create traffic or parking problems in the neighborhood as a result of either the additional traffic introduced or the drop-off and pick-up of children, and that off-street parking shall be provided for each member of the staff on duty unless it is clearly proven that such off-street parking provisions should be modified by the Zoning Administrator.

- 11.9.3.8 The Zoning Administrator may fix such reasonable terms and conditions to the granting of a zoning permit found necessary to mitigate adverse impacts on adjacent properties. In addition, each zoning permit approved for a Large Child Care Home shall include the following conditions and requirements:
- A. The proposed home shall provide full-time supervision of the children in the home during hours of operation; and
 - B. The proposed home shall comply with the limitations on external effects as established for primary uses in the district in which it is located.

SECTION 11.9.4 ALL OTHER TYPES

In all Zone Districts, where permitted with limitations, the following types of Home Occupations are allowed permitted subject to compliance with the use-specific limitations listed below.

11.9.4.1 Adult Care Home

In Zone Districts where Home Occupations of Foster Family Care, rooming and/or boarding and adult care home are permitted, only one such Home Occupation will be permitted in any single-unit dwelling or dwelling unit.

11.9.4.2 Animal Care Services

Animal Care Services, including grooming, care, or boarding of domestic or household animals (but not including retail sales), are allowed permitted as a Home Occupation provided the total number of animals in the dwelling unit is no greater than the maximum number of animals permitted as accessory uses in Section 11.8.6, Keeping of Household Animals, above.

11.9.4.3 Artist Studio

- A. An Artist Studio is allowed permitted as a Home Occupation only to create individual works of art, except that Art Galleries, Retail Sales, and other commercial retail or wholesale sales activities are not allowed permitted as part of the permitted Artist Studio Home Occupation.
- B. In all MU Zone Districts, the restoration of individual works of art is permitted as part of the Artist Studio Home Occupation, provided the use of hazardous or toxic materials within the dwelling unit shall be subject to review and approval by the Fire Department for compliance with the Denver Fire Code.

11.9.4.4 Beauty Shop or Salon

Retail sales of related beauty and grooming supplies and products are prohibited as part of the Home Occupation.

11.9.4.5 Child Care Home, Small

11.9.4.6 Clock and Watch Repair

Retail sales are prohibited as part of the Home Occupation.

11.9.4.7 Craft Work

Retail sales of such craft work are prohibited as part of the Home Occupation.

11.9.4.8 Custom Dressmaking, Millinery, Tailoring, Sewing

Custom dressmaking, millinery, tailoring, or sewing of fabric for custom apparel and custom home furnishings is permitted as a Home Occupation.

11.9.4.9 Food Preparation

On-premises retail sales direct to consumers are not permitted as part of this Home Occupation. (For retail sales see Fresh Produce and Cottage Foods Sales Home Occupation).

11.9.4.10 Foster Family Care

Foster Family Care is allowed permitted as a Home Occupation subject to compliance with the following standards:

- A. The dwelling unit in which the Foster Family Care is proposed is located in a Residential Zone District or Mixed Use Commercial Zone District.
- B. In Zone Districts where Home Occupations of Foster Family Care, rooming and/or boarding, and adult care home are permitted, only one such Home Occupation will be permitted in any one dwelling unit.
- C. The permit is necessary and desirable to provide a service or a facility that would contribute to the general wellbeing of the community.

11.9.4.11 Fresh Produce and Cottage Foods Sales

Fresh Produce and Cottage Foods Sales is allowed permitted as a Home Occupation subject to compliance with the following standards:

- A. Items for sale are limited to the products defined in Subsection 11.12.8.2.9 Fresh Produce and Cottage Food Sales;
- B. Sales are allowed permitted only from 8:00 a.m. until dusk daily; and
- C. The home occupation permittee must have grown, cultivated, and/or prepared all items for sale.

11.9.4.12 Laundering and Pressing

11.9.4.13 Office, Non-Medical, Non-Dental

Office, not including Dental/Medical Office and/or Clinic, is allowed permitted as a Home Occupation subject to compliance with the following standards:

- A. No goods, wares or merchandise shall be commercially created, displayed, exchanged, stored or sold as part of a permitted office Home Occupation.
- B. Professional and personal services provided shall be by appointment only. Walk-in appointments are prohibited.

11.9.4.14 Professional Studio

- A. Retail sales are prohibited as part of a Professional Studio Home Occupation use.
- B. Instructional or other services provided shall be by appointment only. Walk-in appointments are prohibited.

11.9.4.15 Rooming and/or Boarding

Rooming and/or Boarding is allowed permitted as a Home Occupation subject to compliance with the following standards:

- A. The dwelling unit shall contain not more than one kitchen.
- B. Number of roomers/boarders allowed permitted - see table below:

PRIMARY RESIDENTIAL USE - ZONE DISTRICT	MAXIMUM NUMBER OF ROOMERS/BOARDERS <u>ALLOWED PERMITTED</u> AS HOME OCCUPATION
Single Unit Dwelling Use - All SU Zone Districts	1
Single Unit Dwelling Use - All Other Zone Districts	2
Two-Unit Dwelling Use - All Zone Districts	2
Multi-Unit Dwelling Use - All Zone Districts	2

- C. The number of roomers/boarders ~~allowed~~ permitted under this subsection shall not affect the number of Domestic Employees ~~allowed~~ permitted to reside in the same dwelling unit. See Section 11.8.3, Domestic Employees, for provisions allowing domestic employees as an accessory use to all primary residential use.
- D. In Zone Districts where Home Occupations of Foster Family Care, rooming and/or boarding and adult care home are permitted, only one such Home Occupation will be permitted in any single-unit dwelling or dwelling unit.

11.9.4.16 Tutoring Services

Tutoring services are ~~allowed~~ permitted as a Home Occupation, provided no more than 4 students shall be tutored simultaneously.

SECTION 11.9.5 UNLISTED HOME OCCUPATIONS

Generally, an accessory home occupation use not listed as specifically ~~allowed~~ permitted in this Division 11.9 is prohibited. However, the Zoning Administrator may approve Home Occupation uses not specifically listed in this Division 11.9 according to the general provisions stated in Section 11.8.1, Unlisted Accessory Uses, except that all determinations shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice. The Zoning Administrator shall not allow any of the following uses as Home Occupations:

- 11.9.5.1 Adult business uses.
- 11.9.5.2 Animal services and sales, except as specifically permitted in Section 11.9.4, Home Occupations - All Other Types.
- 11.9.5.3 Commercial parking.
- 11.9.5.4 Commercial warehousing or storage uses.
- 11.9.5.5 Industrial, manufacturing and wholesale uses, except as specifically permitted in Section 11.9.4, Home Occupations - All Other Types.
- 11.9.5.6 Retail or wholesale sales.
- 11.9.5.7 Vehicle or equipment sales, rentals, and services, including repairs.

DIVISION 11.10 USES ACCESSORY TO PRIMARY NONRESIDENTIAL USES - LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses accessory to primary nonresidential uses across multiple Zone Districts and neighborhood contexts. In addition to meeting the general conditions and standards applicable to all accessory uses in Division 11.7 above, the following specific accessory uses shall comply with this Division's general and specific standards.

SECTION 11.10.1 UNLISTED ACCESSORY USES

11.10.1.1 All Zone Districts

- A. ~~Generally, an accessory use not listed as specifically allowed in this Division 11.10 is prohibited. However, t~~The Zoning Administrator shall determine and impose limitations on accessory uses not otherwise listed as allowed permitted in an applicable Use and Parking Table in Articles 3 through 9, or not otherwise covered by the standards in this Article 11.
- B. All such determinations shall be reviewed according to the procedures and review criteria stated Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory use is common and customary to a specific use by right, and if the use or structure is incidental to the specific use by right.
- C. The Zoning Administrator may impose limitations on the proposed accessory use, which shall be uniform throughout the Zone District, and taking into consideration the intensity of the accessory use, the numbers of accessory uses, the space required by the accessory use, and the effect on adjacent property.
- D. Matters that may be regulated according to this Section 11.10.1 shall include, but shall not be limited to the types and intensity of repairs accessory to a use by right.

SECTION 11.10.2 AMUSEMENT DEVICES ACCESSORY TO EATING/DRINKING ESTABLISHMENTS, COLLEGE/UNIVERSITY AND THEATER USES

11.10.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Notwithstanding more restrictive provisions of this Code, any establishment holding a beer and wine license, a hotel and restaurant license, or a club or tavern license, as issued by the State Department of Revenue, may maintain as an accessory use a number of Amusement Devices as follows:
 1. 10 devices or that number which occupies no more than 10 percent of the gross floor area of the Eating and Drinking Establishment, whichever is more restrictive. This allowance excludes adult amusement or entertainment.
- B. No Amusement Device serving as an accessory use to a primary use located within 1,000 feet of a school meeting the compulsory education laws of the state shall be operated by children under the age of 18 years old during the following described periods: between 8:00 a.m. and 4:00 p.m., Monday through Friday, from September 1 to June 15, excluding holiday vacations observed by such schools.
- C. Amusement devices may be operated and maintained as a part of a primary Theater and/or Performance Space use under the following limitations:

1. Shall be operated within the same structure and under the same management as the theater;
 2. Shall occupy a floor area not exceeding ten percent of the lobby area or shall contain no more than ten Amusement Devices, whichever is more restrictive;
 3. Shall be used by theater customers who have purchased a ticket and shall not be made available to the general public; and
 4. Shall be operated in compliance with all other applicable ordinances of the city.
- D. Amusement devices may be maintained and operated as a part of a permitted College or University use, provided such devices are located in the student center, lounge or residential dormitories and do not occupy an area more than 10 percent of the ground level floor area of the structure.

SECTION 11.10.3 AUTOMOBILE RENTAL SERVICES ACCESSORY TO CERTAIN RETAIL USES

11.10.3.1 S-CC-3x, -5x; E-CC-3x Zone Districts

In S-CC-3x, -5x; E-CC-3x Zone Districts, where permitted with limitations:

- A. The automobile rental services shall be accessory to a primary Retail Sales, Service, & Repair, All Other use containing 20,000 or more square feet of Gross Floor Area, or to a primary Automobile/Motorcycle/Light Truck Sales, Rentals, Leasing use;
- B. Storage of all rental automobiles shall be located on the same zone lot as the office for the automobile rental service;
- C. Not more than 15 rental automobiles shall be stored at any one location;
- D. Servicing and maintenance work on automobiles is permitted only as limited to Automobile Services, Light, uses ~~allowed~~ permitted in the zone district;
- E. The land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space; and
- F. Truck rental is not permitted.

SECTION 11.10.4 BOOK OR GIFT STORE; MEDIA RECORDING AND PRODUCTION FACILITIES ACCESSORY TO LIBRARY, MUSEUM, ASSEMBLY, AND COLLEGE/UNIVERSITY USE

11.10.4.1 All Residential Zone Districts

- A. In a Residential Zone District, where permitted with limitations, the following are ~~allowed~~ permitted as accessory to a primary public Library, Museum, Place of Religious Assembly, or University or College use:
 1. Book or gift store; and
 2. Media recording and production facilities.
- B. All such accessory uses shall not occupy more than 10 percent of the gross floor area occupied by the primary use or uses.

SECTION 11.10.5 CAR WASH BAY ACCESSORY TO AUTOMOBILE SERVICES OR HOTEL USES

11.10.5.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. A car wash bay is ~~allowed~~ permitted as accessory to an Automobile Services, Light or Heavy, use only. The car wash bay shall be limited in capacity to one vehicle and may be operated with either manual or automatic equipment;
- B. An accessory car wash bay shall be sited on a zone lot and constructed, operated, and maintained in compliance with the standards stated in this subsection, and shall comply with the building form standards in the applicable Zone District;
- C. The car wash bay shall be set back a minimum 8 feet from any abutting residential use or Residential Zone District;
- D. Adequate landscaping and solid fencing shall be installed to control the effects of noise where such bay is located adjacent to a residential use or a Residential Zone District;
- E. If the zone lot containing the car wash bay abuts a residential use or Residential Zone District, the hours of operation of the car wash bay shall be limited to the time period between 7:00 a.m. and 10:00 p.m.; and
- F. Sufficient space on the same zone lot shall be provided to accommodate 3 vehicles waiting for the car wash bay, in addition to the required off-street parking for the primary use.

SECTION 11.10.6 COLLEGE ACCESSORY TO A PLACE FOR RELIGIOUS ASSEMBLY

11.10.6.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. A College is ~~allowed~~ permitted as accessory to a primary Religious Assembly use only;
- B. The accessory College use shall not have an enrollment greater than 75 students;
- C. The accessory College use shall provide no student or faculty housing;
- D. The accessory College use shall not operate any activities before 8:00 a.m. or after 6:00 p.m.; and
- E. The accessory College use shall provide off-street parking according to the parking requirements for university or college uses in the Urban Neighborhood Context (See Article 5).

SECTION 11.10.7 CONFERENCE FACILITIES ACCESSORY TO HOTEL USE

11.10.7.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Conference facilities are ~~allowed~~ permitted as accessory to a primary hotel use.
- B. Notwithstanding the gross floor limitations for accessory uses, conference facilities not exceeding 20 percent of the gross floor area of the hotel are permitted in addition to the floor area occupied by all other accessory uses.
- C. For purposes of this allowance for accessory conference facilities, "gross floor area" shall include net meeting space plus related service and pre-function space.

SECTION 11.10.8 DRIVE-THROUGH FACILITY ACCESSORY TO EATING/DRINKING ESTABLISHMENTS AND TO RETAIL SALES, SERVICE, AND REPAIR USES

11.10.8.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

A. General Limitations

1. Drive-Through Facilities shall be ~~allowed~~ permitted as accessory to a primary Eating and Drinking Establishment or to a primary Retail Sales, Service, or Repair use only.
2. Drive-Through Facilities accessory to a primary Eating and Drinking Establishment shall comply with all applicable use limitations for Eating and Drinking Establishments found in this Article 11. In case of conflict with the use standards stated in this Section specific to Drive-Through Facilities, the standards in this Section shall apply.
3. Accessory Drive-Through Facilities shall be sited on a zone lot and constructed, operated, and maintained in compliance with the building form standards allowed in the applicable Zone District, and with these use-specific standards.

B. Site Design Standards

1. Any Drive-Through Facility visible from a public street or from a Residential Zone District shall provide an opaque screen along the visible portion of the drive through queuing and operating lane. Such screen shall at least meet the requirements for screening found in Section 10.5.4.3, Perimeter Surface Parking Lot Landscaping Standards.
2. All parts of any Drive-Through Facility shall be separate from parking circulation aisles.
3. Vehicle access to the site shall not unreasonably interfere with automobile or pedestrian traffic. Queuing lanes shall be adequate to prevent backups onto public streets.
4. This subsection's Drive-Through Facility standards apply only to drive through facilities that commence operations after June 1, 2006.

C. Drive-Through Facilities Adjacent to a Residential Zone District

Accessory Drive-Through Facilities on a zone lot adjacent to a Residential Zone District shall comply with the following additional standards:

1. There shall be no glare from permanent lighting or vehicle headlights projected onto an abutting Residential Zone District. To ensure glare is controlled, all external lights shall have fully shielded fixtures. Light trespass onto ~~abutting~~ adjacent residential uses shall not exceed 0.3 footcandles.
2. No device that amplifies sound shall be so designed or operated that the amplified sound exceeds the City's noise ordinance standards on any private property zone lot located within a Residential Zone District beyond the boundaries of the zone lot on which the Drive-Through Facility is operated.
3. Any Drive-Through Facility located on a zone lot that is adjacent to a Residential Zone District and which has any portion of the facility located 85 feet or less from the Residential Zone District may only be open during the hours of 5:30 a.m. to 11:00 p.m., Sunday through Thursday, and 5:30 a.m. to midnight Friday and Saturday.
4. This subsection's Drive-Through Facility standards apply only to drive through facilities that commence operations after June 1, 2006.

SECTION 11.10.9 GARDEN

11.10.9.1 All Zone Districts

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

- A. The growing of marijuana in an accessory garden is prohibited when the marijuana is made available for use in a marijuana establishment requiring a license by the City or made available for sale. Any growing of marijuana in an accessory garden shall occur inside a completely enclosed structure and shall not exceed the number of plants allowed under the laws and rules and regulations of the City.
- B. Bee keeping is **allowed permitted** as incidental to the accessory Garden use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.6, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District or Open Space Context Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.
- C. In a Residential Zone District, retail or wholesale sales of goods or products derived from a Garden are **allowed permitted** when such use is accessory to a primary nonresidential use, including but not limited to a permitted Public, Institutional and Civic Use. In all other Zone Districts, retail or wholesale sales of goods or products derived from a Garden are **allowed permitted** when such use is accessory to a primary nonresidential use.

SECTION 11.10.10 KEEPING OF ANIMALS

11.10.10.1 All Zone Districts

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

- A. **Animals Allowed Permitted Without a Zoning Permit**
Keeping of no more than 8 chickens and ducks combined per zone lot, and no more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, per zone lot may be kept, provided:
 1. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and
 2. Slaughtering of the animals as part of keeping such animals is prohibited.
- B. **Animals Allowed Permitted With a Zoning Permit**
The Zoning Administrator may allow the accessory keeping of animals of a type or number other than **allowed permitted** in Section 11.10.10.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following additional limitations:
 1. Section 12.4.2, Zoning Permit Review with Informational Notice, is required when the subject property is in a:
 - a. Residential Zone District;
 - b. MS-2x and MX-2x Zone District; or
 - c. Mixed Use Commercial Zone District where the subject property is adjacent to a Residential Zone District.
 2. For all other requests, Section 12.4.1, Zoning Permit Review, is required.
 3. The Zoning Administrator may not approve the keeping of animals otherwise prohibited by federal, state, or other city law;

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

11.10.10.2 Related Animal-Keeping Provisions

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

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

11.10.11.1 All Zone Districts

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

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

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

11.10.12.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor Eating and Serving Areas are ~~allowed~~ permitted as accessory to an Eating and Drinking Establishment use, and shall comply with all applicable limitations stated for primary Eating and Drinking Establishments in Section 11.4.6, Eating and Drinking Establishments - All Types. In case of conflict with the use limitations stated in this section specific to Outdoor Eating and Serving Areas, the more restrictive limitation shall apply.
- B. All Outdoor Eating and Serving Areas shall comply with the following limitations:
 1. The Outdoor Eating and Serving Area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.
 2. The Outdoor Eating and Serving Area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 42 inches tall, except for the following:
 - a. Temporary canvas awnings or umbrellas may serve as sun shades.
 - b. ~~Temporary or p~~ermanent structures that form a covering over the Outdoor Eating and Serving Area, provided:
 - i. ~~t~~he entire area of the surface of such covering shall be at least 50% permanently open to the sky and openings shall be evenly dispersed across the surface of the covering; and
 - ii. A detached permanent structure shall comply with the applicable Detached Accessory Structure building form standards except the detached building form's setback standards shall not apply.
 3. Any part of the Outdoor Eating and Serving Area located outside of a completely enclosed structure shall have a hard, all weather surface.

4. No required off-street parking spaces shall be used for the Outdoor Eating and Serving Area.

C. Specific Limitations When Located Less than 50' from a Protected District

1. Applicability

This Section 11.10.12.1.C's use standards shall apply to all accessory Outdoor Eating and Serving Areas, where **allowed permitted** with limitations, in the following Zone Districts:

- a. All RX Zone Districts
- b. All CC-3x, -5x Zone Districts
- c. All CC-3, -5 Zone Districts except when Zone District abuts a Commercial Arterial Street as designated in Blueprint Denver
- d. All MX-2x, -2A, -2 Zone Districts
- e. All MX-3A, -3, -5 Zone Districts except when Zone District abuts a Commercial Arterial Street as designated in Blueprint Denver
- f. All MS-2x, -2 Zone Districts
- g. All MS-3, -5 Zone Districts except when Zone District abuts a Commercial Arterial Street as designated in Blueprint Denver
- h. All C-CCN Zone Districts
- i. All I-MX, -A, -B Zone Districts
- j. All M-RX, -IMX, -GMX Zone Districts

2. Use Limitations

- a. In all C-CCN Zone Districts, Outdoor Eating and Serving Areas are not permitted when located above the **ground-story Street Level** and less than 50 feet from the nearest boundary of a Protected District.
- b. In all other Zone Districts, and in all C-CCN Zone Districts when not located above the **ground-story Street Level**, Outdoor Eating and Serving Areas located less than 50 feet from the nearest boundary of a Protected District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- c. The Board of Adjustment, in addition to compliance with the general limitations for Outdoor Eating and Seating Areas stated in this Section 11.10.12, shall allow the operation of the Outdoor Eating and Seating Area beyond 6 p.m. only upon consideration of the following factors:
 - i. Neighboring uses;
 - ii. Seating capacity of the outdoor eating and seating area;
 - iii. Type of food or drink being served; and
 - iv. The ambient noise generated by activity on the eating and seating area, including whether outdoor speakers will be authorized.
- d. All distance and spacing requirements shall be measured according to Section 13.1.9, Measurement of Separation or Distance.

D. Specific Limitations When Located Between 50' and Less than 100' from Protected District

1. Applicability

This Section 11.10.12.1.D's limitations shall apply to all accessory Outdoor Eating and Serving Areas, where **allowed permitted** with limitations, in the following Zone Districts:

- a. All RX Zone Districts,

- b. All CC-3x, -3, 5x Zone Districts, except when Zone District abuts an Arterial Street as designated in Blueprint Denver;
- c. All MX-2x, -2A, -2 Zone Districts,
- d. All MX-3A, -3 Zone Districts, except when Zone District abuts an Arterial Street as designated in Blueprint Denver;
- e. All MS-2x, -2 Zone Districts,
- f. All MS-3 Zone Districts except when Zone District abuts an Arterial Street as designated in Blueprint Denver;
- g. All I-MX, -A, -B Zone Districts,
- h. All M-RX, -IMX, -GMX Zone Districts.

2. Use Limitations

- a. When the Outdoor Eating and Serving Area is between 50 feet and less than 100 feet from the boundary of a Protected District, the use of the Outdoor Eating or Serving Area shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the Outdoor Eating and Serving area shall cease by 11:00 p.m.
- b. All distance and spacing requirements shall be measured according to Section 13.1.9, Measurement of Separation or Distance.

SECTION 11.10.13 OUTDOOR ENTERTAINMENT ACCESSORY TO AN EATING/ DRINKING ESTABLISHMENT USE

11.10.13.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor Entertainment uses are ~~allowed~~ permitted accessory to a primary eating and drinking establishment use only.
- B. Outdoor Entertainment uses are subject to compliance with all applicable standards stated for primary Eating and Drinking Establishments in Section 11.4.6, Eating and Drinking Establishments - All Types. In case of conflict with the use standards stated in this Section specific to Outdoor Entertainment, the standards in this Section shall apply.
- C. All Outdoor Entertainment areas shall comply with the following standards:
 - 1. The Outdoor Entertainment area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.
 - 2. The Outdoor Entertainment area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 6 feet tall, except that temporary canvas awnings or umbrellas may serve as sun shades.
 - 3. Any part of the Outdoor Entertainment area located outside of the completely enclosed structure shall have a hard, all weather surface.
 - 4. No required off-street parking spaces shall be used for an Outdoor Entertainment area.
- D. If the Outdoor Entertainment area is less than 100 feet from the boundary of a Protected District (measured according to Section 13.1.6, Measurement of Separation or Distance), the use of the Outdoor Entertainment area and all activities therein shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the outdoor eating area and all activities therein shall cease by 11:00 p.m.

- E. If the Outdoor Entertainment area is less than 50 feet from the nearest boundary of any Protected District (measured according to Section 13.1.6, Measurement of Separation or Distance), it shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

SECTION 11.10.14 OUTDOOR RETAIL SALE AND DISPLAY

11.10.14.1 All Zone Districts

In all Zone Districts, where permitted with limitations, Outdoor Retail Sales and Display shall comply with the following limitations:

A. Exemption

Vehicles for sale, lease, or rent as part of a permitted use (including boats and manufactured housing) shall not be considered merchandise, material, or equipment subject to the requirements of this Section 11.10.14.1.

B. Location and Placement Standards

1. Outdoor retail sales and display areas are permitted adjacent to the building façade containing an entrance, and shall extend no further from such facade than the inside edge of the required fire access lane or drive aisle abutting such facade.
2. Outdoor retail sales and display areas shall not exceed 20 feet in height.
3. Outdoor retail sales and display areas shall not obstruct the ingress/egress paths to the public way. Display of highly combustible goods shall be located at least 5 feet from ingress/egress paths.
4. Outdoor retail sales and display areas shall not obscure visibility of exits or address numbers (premises identification) from the primary street frontage.
5. If located beneath building projections, the outdoor retail sales and display areas area shall be protected by sprinklers if the primary building is protected by sprinklers.
6. Outdoor retail sales and display areas shall be located such that ADA standards are met.

11.10.14.2 All C-CCN Zone Districts

A. Intent

To ensure that outdoor retail and display areas are located, contained, and designed to be consistent with the intent of the C-CCN Zone Districts, to promote pedestrian and retail shopping activity at the ~~s~~Street ~~l~~Level, to ensure continuity of storefronts located at the setback line, and to use outdoor spaces to provide settings for activities that contribute to a high-quality pedestrian experience.

B. Limitations

In all C-CCN Zone Districts, where permitted with limitations, Outdoor Retail Sale and Display accessory to a primary nonresidential use shall comply with the limitations in Subsection 11.10.14.1 All Zone Districts, in addition to the following limitations:

1. Location on Zone Lot

Outdoor retail sale and display shall be located within the boundaries of the subject zone lot. Structures for the outdoor retail sale and display use shall not encroach into the minimum street setback(s) applicable to the primary building. Encroachment of outdoor retail sale and display into the public right-of-way is also prohibited.

2. Relation to Temporary Outdoor Retail Sales

This section's limitations on accessory outdoor retail sale and display do not apply to *temporary* outdoor retail sales ~~allowed~~ ~~permitted~~ in the C-CCN Zone Districts and subject to Section 11.11.11, Outdoor Retail Sales.

2. Liquefied petroleum gases shall be stored no closer to any boundary line of a zone lot on which they are located than that ~~allowed~~ permitted by the Denver Fire Code.
3. Explosives shall be stored no closer to any boundary line of the zone lot on which they are located than that ~~allowed~~ permitted by the Denver Fire Code.

SECTION 11.10.16 OUTDOOR STORAGE, LIMITED

11.10.16.1 All Zone Districts

In all Zone Districts, where permitted with limitations, Limited Outdoor Storage uses shall comply with the following limitations:

- A. Shall only be permitted following approval of a site development plan illustrating the extent of the permitted area for limited outdoor storage and compliance with these limitations.
- B. Shall be limited in area to no more than 10% of the gross floor area of the Primary Structure on the Zone Lot.
- C. Stored materials and products shall not be more than 12 feet in height.
- D. Shall be fully screened from view from the public right-of-way, public Off-Street Parking Areas, or adjacent Residential Zone Districts by a 100 percent opaque visual barrier or screen. Chain-link fencing with slats inserted may be considered acceptable for this screening, except where located abutting or across the street from a Residential Zone District. See also Section 10.5.5, Fences and Walls.
- E. **Location on Zone Lot**
The location of limited outdoor storage on a zone lot is subject to the following conditions:
 1. Shall be located at least 15 feet from the public right-of-way and any abutting Residential Zone District;
 2. Shall be located behind the Primary Street facing facade of a Primary Structure on the same zone lot;
 3. May be located to the side of a building, provided it is not located within the required side interior or side street setback.
- F. Vehicles awaiting repair may be stored up to 14 days within the required screened limited outdoor storage area.
- G. Shopping cart storage areas located within a surface parking lot for the convenience of the primary land use's customers are exempt from the location and screening standards in Sections 11.10.16.1.B, D, and E above.
- H. No materials or wastes shall be deposited upon a zone lot in such form or manner that they may be transferred off the zone lot by natural causes or forces.
- I. All materials or wastes that may cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise be attractive to rodents or insects, shall be stored outdoors only in closed containers.
- J. The following limitation shall apply to the above-ground storage of certain materials:
 1. No flammable gases or solids, combustible or flammable liquids or explosives shall be stored in bulk above ground except that:
 - a. Railroad locomotive fueling, fuel tanks for energy or heating devices or appliances, tanks containing compressed natural gas and the fueling of vehicles operated in association with a permitted use may utilize above-ground tanks, provided they are located a minimum of 1,000 feet from a Protected District protected use.

- b. Vaulted tanks as approved by the Fire Department may be located above ground.
 - c. The parking of railroad tank cars containing explosive or flammable materials shall be located at least 1,000 feet from a protected use. The 1,000-foot spacing may be reduced by the Zoning Administrator with review and concurrence of the Fire Department, provided the owner proves by a preponderance of the evidence that the proposed storage facility will not create a hazard for nearby protected uses.
 - d. For purposes of this provision only, a “protected use” is any residential use, a hospital, or an auditorium or other building used for public assembly.
2. Liquefied petroleum gases shall be stored no closer to any boundary line of a zone lot on which they are located than that ~~allowed~~ permitted by the Denver Fire Code.
 3. Explosives shall be stored no closer to any boundary line of the zone lot on which they are located than that ~~allowed~~ permitted by the Denver Fire Code.

SECTION 11.10.17 RENTAL OR SALES OF ADULT MATERIAL ACCESSORY TO RETAIL SALES OF BOOKS

11.10.17.1 All Zone Districts

In all Zone Districts, where permitted with limitations, if a bookstore rents or sells adult materials, as described in the definition of “Bookstore, Adult,” (see Article 13, Rules of Measurement and Definitions), as an accessory use, such accessory use shall comply with the following limitations:

- A. The quantity of adult materials displayed or sold shall not exceed the numerical limitations specified in the definition for “Bookstore, Adult”;
- B. All adult materials shall be segregated into a separate section of the bookstore and screened from public view; and
- C. Access to the adult materials shall be denied to all persons under the age of 18 years.

DIVISION 11.11 TEMPORARY USE ~~AND STRUCTURE~~ LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to ~~allowed~~ permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific temporary uses ~~and structures~~ across multiple Zone Districts and neighborhood contexts. Temporary uses are permitted according to Section 12.4.1, Zoning Permit Review, and subject to compliance with this Division's use-specific standards, as applicable.

SECTION 11.11.1 UNLISTED TEMPORARY USES ~~AND STRUCTURES~~

11.11.1.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. ~~Generally, a temporary use or structure not listed as specifically allowed in the Use and Parking Tables in Articles 3 through 9, or not otherwise covered by the standards in this Article 11, is prohibited. However, t~~The Zoning Administrator may allow and impose limitations on unlisted temporary uses ~~and structures~~ according to this subsection 11.11.1.
- B. All such determinations shall be reviewed according to the procedures and review criteria stated Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

SECTION 11.11.2 AMBULANCE SERVICE

11.11.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Not more than 2 ambulances at any one location;
- B. Vehicles to be parked in completely enclosed structure when not in use;
- C. No mechanical or maintenance work is to be done on premises and no gasoline is to be stored there;
- D. No office is to be maintained in connection with the temporary ambulance service use; and
- E. Each permit shall be valid for a period of not more than 6 months, but may be renewed; provided, however, that failure to comply with any of these standards shall be cause for revocation of any permit.

SECTION 11.11.3 AMUSEMENT / ENTERTAINMENT USES

11.11.3.1 All Industrial Context Zone Districts; O-1 Zone District; CMP-H Zone District

In all Industrial Context Zone Districts, the O-1 Zone District, and the CMP-H Zone District, where permitted with limitations, a temporary amusement, entertainment or recreational use on the payment of a fee or admission charge shall comply with the following standards:

- A. The temporary use shall not be enclosed.
- B. The temporary use shall be a minimum of 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.
- C. Each permit shall be valid for a period of not more than 6 calendar months, but may be renewed.

SECTION 11.11.4 BAZAAR, CARNIVAL, CIRCUS OR SPECIAL EVENT

11.11.4.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations:

- A. Such temporary use is limited to a place for the display and sale of miscellaneous goods and for entertainment sponsored by a nonprofit organization or governmental entity, not including motorized amusement rides.
- B. The temporary use may be operated only between 9:00 a.m. and 11:00 p.m.
- C. A temporary bazaar, carnival, circus or special event permitted under this subsection shall be valid for a period not to exceed 12 consecutive days and a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location.

11.11.4.2 All Mixed Use Commercial Zone Districts; OS-B Zone District

In all Mixed Use Commercial Zone Districts and in the OS-B Zone District, where ~~allowed~~ permitted with limitations:

- A. The temporary use may be operated only between 9:00 a.m. and 11:00 p.m.
- B. The temporary use may have motorized rides only if located at least 500 feet from a Residential Zone District.
- C. Each permit for such temporary use shall be valid for a period of not more than 12 consecutive days and a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location.

SECTION 11.11.5 BUILDING OR YARD FOR CONSTRUCTION MATERIALS

11.11.5.1 All Zone Districts

In all Zone Districts where permitted with limitations, temporary building or yard for construction materials, which is the storage of equipment and/or excavated materials both incidental and necessary to a construction project, and which may include temporary parking for construction and/or temporary parking to replace parking temporarily displaced by construction, are ~~allowed~~ permitted, subject to compliance with the following limitations:

- A. Every such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than three successive periods at the same location; however, site cleanup shall be completed within 30 days after completion of the project, regardless of the length of the permit.
- B. Each permit shall specify the location of the building, yard and/or parking and the location of the permitted operation.
- C. Construction materials, equipment, excavated materials and/or parking shall be stored a minimum of 100 feet from a residential use within a residential structure. This spacing requirement may be reduced if concurrence is obtained from the residents living on zone lots within 100 feet of and abutting to the proposed site.
- D. Such materials, equipment and/or parking shall be screened from the view of abutting residents to the maximum extent possible as determined by the Zoning Administrator; providing, however, that no screening fence or wall shall be required that is taller than 8 feet.
- E. Such materials shall be piled no higher than 20 feet above grade and any piles above 4 feet in height shall be protected by a 7 foot high security fence with controlled access. This requirement may be modified by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the modification will provide security and controlled access to the materi-

als, and the proposed method to pile or store the excavated materials is certified by a licensed engineer or other qualified professional.

- F. A temporary building shall comply with the most restrictive building setback requirements of the Zone District in which it is located.
- G. Temporary parking for construction and temporary parking to replace parking temporarily displaced by construction shall not be subject to Article 10 General Design Standards.

SECTION 11.11.6 CONCRETE, ASPHALT, AND ROCK CRUSHING FACILITY

11.11.6.1 All Zone Districts

In all Zone Districts, where permitted with limitations, temporary concrete, asphalt, and rock crushing facilities, both incidental and necessary to a specific construction or demolition project, shall comply with the following limitations:

- A. Equipment and/or excavated materials shall be stored a minimum of 100 feet from a residential use within a residential structure. This spacing requirement may be reduced if concurrence is obtained from the residents living on zone lots within 100 feet of and abutting the proposed site.
- B. Such materials and/or equipment shall be screened from the view of abutting residents to the maximum extent possible as determined by the Zoning Administrator; providing, however, that no screening fence or wall shall be required in excess of eight feet in height.
- C. Such materials shall be piled no higher than 20 feet above grade and any piles above 4 feet in height shall be protected by a 7 foot high security fence with controlled access. This requirement may be modified by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the modification will provide security and controlled access to the materials, and the proposed method to pile or store the excavated materials is certified by a licensed engineer or other qualified professional.
- D. Any temporary buildings shall comply with the most restrictive building setback requirements of the Zone District in which they are located.
- E. Each permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than 10 successive periods at the same location.
- F. Site cleanup, shall be completed within 30 days after completion of the project, regardless of the length of the permit.

SECTION 11.11.7 FENCE FOR DEMOLITION OR CONSTRUCTION WORK

11.11.7.1 All Zone Districts

In all Zone Districts, where permitted with limitations, temporary fences for demolition or construction work are ~~allowed~~ permitted subject to compliance with the following limitations:

- A. Notwithstanding other limitations on fence heights in setback areas, a 6 foot high security fence may be installed around the boundary of a zone lot where demolition or construction is to occur.
- B. Each permit shall be valid for 6 months and shall not be renewed for more than 2 successive periods.

SECTION 11.11.8 HEALTH CARE CENTER

11.11.8.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, temporary health care centers are ~~allowed~~ permitted subject to compliance with the following standards:

- A. Such use shall be operated by a political subdivision of the State of Colorado and shall provide a service but not a commodity; and
- B. Each permit shall be valid for a period of 1 calendar year and may be renewed.

SECTION 11.11.9 NONCOMMERCIAL CONCRETE BATCHING PLANT

11.11.9.1 All Zone Districts

In all Zone Districts where permitted with limitations, temporary noncommercial Concrete Batching Plants, both incidental and necessary to a specific construction project, are ~~allowed~~ permitted subject to compliance with the following standards:

- A. Each permit shall specify the location of the plant and the area, within the same Zone District, of the permitted operation, no part of which area shall be a distance of more than two miles from the plant.
- B. Each such permit shall be valid for a period of not more than 6 calendar months and shall not be renewed for more than six successive periods at the same location.

OUTDOOR RETAIL SALES, TEMPORARY - ALL TYPES

SECTION 11.11.10 OUTDOOR RETAIL SALES - PEDESTRIAN /TRANSIT MALL

11.11.10.1 All Mixed Use Commercial Zone Districts; All Downtown Neighborhood Context Zone Districts

In all Mixed Use Commercial Zone Districts and in all Downtown Neighborhood Context Zone Districts, where permitted with limitations, temporary outdoor retail sales of articles such as books, artwork, craft work, food, flowers, clothing, newspapers and similar articles, within 125 feet of a pedestrian and/or transit mall, are permitted subject to compliance with the following standards:

- A. The use will not obstruct the movement of pedestrians through plazas or other areas intended for public usage, and shall not create congestion on adjoining public sidewalks;
- B. The use will not generate an undue amount of noise, fumes, glare or other external effects; and
- C. The use will not create a debris or litter problem.

SECTION 11.11.11 OUTDOOR RETAIL SALES

11.11.11.1 All Mixed Use Commercial Zone Districts; OS-B Zone District

In all Mixed Use Commercial Zone Districts and in the OS-B Zone District, where permitted with limitations, temporary outdoor sales involving the sale and display of goods and merchandise as an extension of a primary use operating on the same zone lot, shall comply with the following standards:

- A. Each permit for the proposed use shall be valid for a period of not more than 45 days with one renewal for a period of not more than 30 days during any six month period, if all requirements hereof have been complied with during the original permit period.
- B. No required off-street parking space will be used for such merchandise display, storage or dispensing.

- C. The proposed use must be set back at least 30 feet from the curb of a public street and at least 150 feet from a single unit or two unit dwelling use.
- D. No part of the proposed use shall obstruct visibility of motorists if located near a street corner or driveway entrance, nor shall such use obstruct the parking lot circulation system or block access to a public street.
- E. No temporary structure erected in conjunction with the proposed use shall be built out of used or unpainted lumber or rusty metal, or similar material as determined by the Zoning Administrator. Tents are permitted, subject to Fire Department regulations.
- F. Notwithstanding more restrictive signage regulations found elsewhere, a maximum of 24 square feet of sign area is permitted for each use. Signage shall be limited to the walls or side of a tent, or structure or to a single freestanding sign which is not more than 24 square feet in area per sign face. The maximum sign area provisions of Division 10.10, Signs, shall not apply to this use.
- G. The applicant shall be responsible for the storage and daily removal of all trash, refuse and debris occurring on the site. All trash storage areas shall be screened from the view of persons using adjacent rights of way.
- H. This provision shall in no way be deemed to authorize the outdoor sale of used furniture, used appliances, used plumbing, used housewares, used building materials or similar items.

SECTION 11.11.12 OUTDOOR SALES, SEASONAL

11.11.12.1 All RX Zone Districts, All Mixed Use Commercial Zone Districts, I-A Zone District, and OS-B Zone District

In all RX Zone Districts, all Mixed Use Commercial Zone Districts, the OS-B Zone District, and the I-A Zone District, where permitted with limitations, temporary seasonal outdoor sales, not limited to the sale and display of goods and merchandise as an extension of a permitted use operating on the same zone lot, are ~~allowed~~ permitted subject to compliance with the following limitations.

A. Sale of Christmas Trees and Related Holiday Items

In all Zone Districts, where temporary seasonal outdoor sales are permitted with limitations, the seasonal outdoor retail sales of Christmas trees, wreaths, and other related holiday goods shall comply with the following limitations:

1. In all RX Zone Districts, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
2. In the MX-2x and MS-2x Zone District, when located within 500' of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.
3. No permit shall be effective prior to the 1st day of November in each calendar year;
4. No permit shall be valid for a period of more than 60 days; and
5. Site cleanup shall be completed no later than 5 days after Christmas day.

B. Sale of Plants or Plant Sales Facilities

In all Zone Districts, where temporary seasonal outdoor sales are permitted with limitations, seasonal plant sales facilities shall comply with the following limitations:

1. In all RX Zone Districts, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
2. In a MX-2x and MS-2x Zone District when located within 500' of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
3. The applicant is the owner of the subject property or has written consent of the owner.
4. The proposed temporary use shall be operated wholly or partially within ~~an approved~~ temporary structure, which is not a motor vehicle or trailer.
5. The proposed temporary use, not including parking, encompasses an area of no more than one acre.
6. Permits shall be valid from April 1 through October 31 of each calendar year.
7. Parking shall be provided to encompass a minimum area equal to one-half the covered and uncovered retail sales area proposed at the facility. The Zoning Administrator may reduce or eliminate this off-street parking requirement if the applicant shows by a preponderance of the evidence that alternative parking is available and convenient to the proposed use, including but not limited to nearby on-street parking, public parking facilities, or commercial parking lots or garages. If provided on-site, parking surfaces shall be either paved or shall consist of a dust-free road base or acceptable gravel base material; and the ground area to be occupied by the proposed use shall not reduce the area occupied by the required parking of an existing permitted use on the zone lot by more than ten percent.
8. Vehicle access to the proposed facility shall provide appropriate ingress and egress areas to preclude traffic congestion on adjacent streets.
9. A security fence shall be installed around the entire area of the proposed facility consisting of an approved fencing material such as wire mesh at a height of not less than 6 feet.
10. Any advertising signage at the proposed facility shall be in place only during the proposed operations of the facility; signage shall be limited to a maximum of 50 square feet per face with no more than two signs for each street frontage of the proposed facility; and all signs shall be non-portable and shall conform to Zone District setback requirements.
11. Adequate utilities including water and electricity, as well as restroom facilities for the employees of the applicant, are available at or can be provided to the facility.
12. Lighting shall be provided for evening and night operations.
13. The proposed temporary use shall be operated in a manner that does not emit any obnoxious or dangerous degrees of heat, light, glare, or fumes beyond any boundary line encompassed by the facility.

C. All Other Types of Temporary Outdoor Sales, Seasonal

1. In all RX Zone Districts, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.
2. In all MX-2x, -2A, -2 and MS-2x, -2 Zone Districts, when located within 500 feet of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.

3. Permits shall be valid for no longer than 6 consecutive months of any one calendar year, unless more specifically restricted in this Section.
4. Hours of operation are limited to 8:00 a.m. to 8:00 p.m. daily.
5. The temporary use shall provide off-street parking in an amount equal to one-half of the covered and uncovered retail sales area proposed at the facility. The Zoning Administrator may reduce or eliminate this off-street parking requirement if the applicant shows by a preponderance of the evidence that alternative parking is available and convenient to the proposed use, including but not limited to nearby on-street parking, public parking facilities, or commercial parking lots or garages. If provided on-site, parking surfaces shall either be paved or consist of a dust-free road base or acceptable gravel base material; and the ground area to be occupied by the proposed temporary use shall not reduce the area occupied by the required parking of an existing permitted use on the zone lot.
6. The temporary use shall comply with the setback requirements for the Zone District in which it is located and shall be at least 50 feet from any Residential Zone District.
7. The temporary use shall not obstruct the visibility of motorists, nor obstruct the parking lot circulation or block access to a public street.
8. Temporary structures associated with the temporary seasonal outdoor use shall be limited to no more than 200 square feet in gross floor area and shall obtain all required building and safety permits from the Fire Department, Environmental Health Department, and Community Planning and Development.
9. Any electrical work shall be duly permitted by the City prior to operation of the temporary use and related structures.
10. Signs shall be limited to not more than two ground or wall signs as defined in Article 13, Rules of Measurement and Definitions, with a total area not exceeding 24 square feet and located on the same zone lot as the seasonal outdoor sales. Such signs shall meet the most restrictive setback requirements of the Zone District in which they are located.
11. The applicant shall be responsible for the daily storage and removal of all trash, refuse, and debris. All trash storage facilities shall be provided with screening adequate to fully conceal such facilities from adjacent properties.
12. No truck-tractors or semi-trailers shall be parked or stored on or adjacent to the seasonal outdoor sales area.
13. No seasonal outdoor sales of fruits or vegetables shall be permitted on any zone lot where any types of chemicals or gasoline are stored or sold.

SECTION 11.11.13 PARKING LOT DESIGNATED FOR A SPECIAL EVENT

11.11.13.1 All Residential Zone Districts

In Residential Zone Districts, where permitted with limitations, a temporary Off-Street Parking Area designated for a special event may be ~~allowed~~ permitted by ~~temporary~~ zoning permit on zone lots occupied by a nonresidential use, including but not limited to a Civic, Public and Institutional use, subject to compliance with the following limitations:

- A. The Off-Street Parking Area, enclosed or unenclosed, may be used for parking for a special event only if the Off-Street Parking Area was legally established as Accessory Parking.
- B. A surface Off-Street Parking Area shall be surfaced with an all-weather surfacing material, but need not include any screening or landscaping as required by Division 10.4, Parking and Loading, or by Division 10.5, Landscaping, Fences, Walls and Screening.

- C. A parking lot manager or attendant shall either be present on the zone lot or shall make periodic, regular inspections of the zone lot (e.g., once every 30 - 60 minutes) during the entire period of each special event.
- D. The applicant shall be the owner of the property, or the owner's authorized agent.
- E. The zone lot shall be maintained in a manner that mitigates any adverse impacts on the surrounding neighborhood, including but not limited to the effect of dust, erosion and litter, and from damage caused by automobiles. The property shall be cleaned up within 24 hours after its use.
- F. Violation of any of the requirements of this section shall result in the cancellation of the ~~temporary~~ zoning permit, and no new ~~temporary~~ zoning permit for special event parking shall be issued for the subject zone lot until after a six-month period of time has transpired.
- G. Each zoning permit shall be valid only for a calendar year or remaining portion thereof, and shall allow parking only for the designated special events or series of special events as listed in the application for the permit.

11.11.13.2 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations, a temporary Off-Street Parking Area designated for a special event may be ~~allowed~~ permitted by ~~temporary~~ zoning permit on a zone lot, subject to compliance with the following limitations:

- A. Each zoning permit shall be valid only for the duration of the designated special event; provided, however, that if the designated special event is a seasonal activity, the permit may be valid for the entire season but shall be restricted in use to designated dates and times during which the event is occurring.
- B. For Developed Zone Lots Containing a Structure:
 - 1. The Off-Street Parking Area, enclosed or unenclosed, may be used for parking for a special event only if the Off-Street Parking Area was legally established as Accessory Parking.
 - 2. A temporary surface Off-Street Parking Area shall be improved according to Section 10.4.7, Use and Maintenance of Parking Areas, and the dimensions for and the arrangement of parking spaces and driving aisles shall comply with the requirements of Section 10.4.6, Vehicle Parking Design.
- C. For Vacant Zone Lots:
 - 1. The surface Off-Street Parking Area shall be improved with an all-weather surfacing material comprised, at a minimum, of gravel or road base material with a thickness of at least 4 inches.
 - 2. The dimensions for and the arrangement of parking spaces and driving aisles shall comply with Section 10.4.6, Vehicle Parking Design.

11.11.13.3 All I-A, I-B, OS-B, and O-1 Zone Districts

In all I-A, I-B, OS-B, and O-1 Zone Districts, where permitted with limitations:

- A. Each permit for temporary surface Off-Street Parking Area for a designated special event shall be valid only for the duration of the designated event; provided, however, if the designated special event is a seasonal activity, the permit may be granted for the entire season but restricted in use to designated dates and times in which the event is occurring.
- B. Except in the O-1 and OS Zone Districts, a temporary surface Off-Street Parking Area shall be improved with an all-weather surfacing material comprised, at a minimum, of gravel or road base material with a thickness of at least 4 inches.

11.11.13.4 All Zone Districts - Posted Sign Required

- A. At each legal vehicle entry from the public street, no more than one advertising or directional sign may be installed, which shall be limited in size to 12 square feet.
- B. All signs related to the temporary surface Off-Street Parking Area shall be installed only during the time of the special event, shall not exceed a height of 6 feet, and need not be set back from any property line.
- C. Each parking lot shall have one sign 6 square feet in area which is installed on the front property line and which contains the following information printed in letters 2 inches high:
 - 1. Owner's name
 - 2. The temporary permit number
 - 3. Number of cars permitted in the lot
 - 4. The designated special event for which the parking is permitted

SECTION 11.11.14 RETAIL FOOD ESTABLISHMENT, MOBILE

11.11.14.1 All Mixed Use Commercial Zone Districts; I-A, -B Zone Districts; OS-B Zone District

In all Mixed Use Commercial Zone Districts; I-A, -B Zone Districts; and OS-B Zone District, where permitted with limitations, mobile retail food establishments are **allowed permitted** subject to compliance with the following standards:

- A. Permits shall be valid for 12 consecutive months and shall be renewed annually.
- B. Permits shall be valid for 4 consecutive hours for each day at each zone lot.
- C. No more than 1 retail food establishment, mobile shall be permitted to operate per day at each zone lot.
- D. Hours of operation shall be between 8:00 a.m. and 9:00 p.m.
- E. Operations shall only occur on zone lots and shall not reduce the area required for parking for any other use on the zone lot.
- F. Operations shall be at least 200 feet from any eating and drinking establishment lawfully existing at the time the permit or renewal permit was issued, and at least 200 feet from any other retail food establishment, mobile.
- G. Operations shall not obstruct the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley or sidewalk.
- H. The permit authorized hereby shall be permanently displayed to the public in the food handling area of the retail food establishment, mobile during operation.
- I. Operations shall not occur outside of the retail food establishment, mobile.
- J. Structures, canopies and outdoor tables and chairs are prohibited.
- K. Signs must be permanently affixed to or painted on the retail food establishment, mobile.
- L. Signs shall not project from the retail food establishment, mobile and shall not illuminate.
- M. Operators shall be responsible for the storage and daily disposal of all trash, refuse, and litter.

DIVISION 11.12 USE DEFINITIONS

This Division 11.12 contains definitions of primary, accessory and temporary uses allowed permitted in this Code. The Division is organized in the same order as uses are presented in the Use and Parking Tables in Articles 3 through 9, with specific use definitions organized by sections and sub-sections that align with the primary use classifications and use categories, followed by sections for accessory uses and temporary uses.

SECTION 11.12.1 PRIMARY USE CLASSIFICATION

11.12.1.1 All primary or principal land uses in Denver are organized into one of the following five general land use classifications:

- A. Residential Uses
- B. Civic, Public & Institutional Uses
- C. Commercial Sales, Service & Repair Uses
- D. Industrial, Manufacturing & Wholesale Uses
- E. Agriculture Uses

11.12.1.2 Uses are further organized into use categories and specific use types listed under each general land use classification. A definition of a specific use type shall also meet the definition of the use category in which it falls. The Use and Parking Tables in Articles 3 through 9 are all similarly organized into the above five general land use classifications, use categories and specific use types.

11.12.1.3 The general land use classifications and use categories listed in this Division 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 permitted by this Code.

SECTION 11.12.2 PRIMARY RESIDENTIAL USES

11.12.2.1 Definition of Household Living Use Category

A. Definition of Category

1. Household Living is defined as residential occupancy of a “dwelling unit” by a single “household”. Tenancy is arranged on a month-to-month or longer basis.

B. Definitions of Related Terms

1. Dwelling Unit

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

2. Household

A dwelling unit occupied by persons in any one of the following four categories living as a single non-profit housekeeping unit, including any allowed permitted domestic employees:

- a. A single person plus, if applicable, any number of persons bearing to each other the relationship of: mother, father, grandmother, grandfather, son, daughter, brother, sister, stepson, stepdaughter, stepbrother, stepsister, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew or niece; or

- b. A husband and wife plus, if applicable, any number of persons bearing to either the relationship of: mother, father, grandmother, grandfather, son, daughter, brother, sister, stepson, stepdaughter, stepbrother, stepsister, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew or niece; or
- c. In a single unit dwelling use only: Two unrelated adults over the age of 18 years plus, if applicable, any persons bearing to either of the two unrelated adults the relationship of mother, father, grandmother, grandfather, son, daughter, brother, sister, stepson, stepdaughter, stepbrother, stepsister, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew or niece; or
- d. In a two-unit dwelling use or multi-unit dwelling use only: Four unrelated adults over the age of 18 years plus, if applicable, any persons bearing to either of the four unrelated adults the relationship of mother, father, grandmother, grandfather, son, daughter, brother, sister, stepson, stepdaughter, stepbrother, stepsister, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew or niece.

C. Specific Household Living Use Types and Definitions

1. Dwelling, Single Unit

One dwelling unit contained in a single structure.

2. Dwelling, Two Unit

Two dwelling units contained in one structure located on a single zone lot.

3. Dwelling, Multi-Unit

Three or more dwelling units contained in a single structure.

4. Dwelling, Live/Work

A combination of residential occupancy and commercial activity located within the same dwelling unit. In a "Live/Work Dwelling," the commercial activity is a primary use in combination with a primary residential occupancy use, and the commercial occupancy shall not be considered a "Home Occupation" or other accessory use.

11.12.2.2 Definition of Group Living Use Category

Group Living is defined as residential occupancy of a structure by a group of people that does not meet the definitions of "household living," "lodging," or "correctional institution". Tenancy is arranged on a monthly or longer basis, [except as permitted in a Shelter for the Homeless group living use](#), and the size of the group may be larger than a single household, and may include supervisory employees who reside on-site. Often, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not reside at the site. "Group living" includes the term "group home".

A. Specific Group Living Use Types and Definitions

1. Assisted Living Facility

A residential structure or structures licensed by the state as an assisted living residence and housing more than 8 adults. This use is a residential facility that makes available to more than 8 adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a 24-hour basis, but not to the extent that regular 24-hour medical or nursing care is required.

- a. Such a use shall not include residential treatment facilities for substance abusers or the mentally ill.

- b. This use shall not include the uses nursing home, hospice or residence for older adults.
- c. An assisted living facility shall not be considered a Residential Care use.
- d. A facility that otherwise meets this definition but has 8 or fewer residents shall be considered a Residential Care use, small, and not an assisted living facility.

2. **Community Corrections Facility**

A structure which provides a residence for three or more persons who have been placed in a community corrections program of correctional supervision, including a program to facilitate transition to a less-structured or independent residential arrangement; and residents of such facilities shall be those persons placed in the community corrections program by the judicial or correctional departments of the city, the state or the federal government. A community corrections facility shall be considered a Large Residential Care use.

3. **Nursing Home, Hospice**

An establishment licensed by the state department of public health, which establishment maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care, including hospices, specifically excluding, however, hospitals. A nursing home, hospice shall not be considered a Residential Care use.

4. **Residence for Older Adults**

A single unit dwelling or multi-unit dwelling housing a number of unrelated mobile older adults (individuals fifty-five (55) or more years of age) in excess of the number of unrelated persons ~~allowed~~ permitted per dwelling unit, receiving fewer services than a special care home or assisted living facility. A residence for older adults shall not be considered a Residential Care use.

5. **Residential Care Use**

a. **Definition**

A specific type of group living use where the residents are provided supervised medical, psychological, or developmental care or treatment on a daily, regular basis.

b. **Types of Residential Care Uses**

“Residential care use” is limited to the following specific types of group living uses:

- i. **Transitional housing:** A residential structure housing a number of unrelated persons in excess of the number of unrelated persons ~~allowed~~ permitted per dwelling unit in the Zone District, where such persons are provided with individual bedrooms, where the primary service offered at the facility is related to transitioning into permanent housing and all services provided are not sufficient to constitute a “special care home” and where occupancy of such housing is primarily made available for more than 30 days and less than 2 years. Transitional housing shall be considered a Small Residential Care use.
- ii. **Shelter for the homeless:** See definition of “shelter for the homeless” in subsection 11.12.2.2.A.7.
- iii. **Community corrections facility:** See definition of “community corrections facility” in subsection 11.12.2.2.A.2.
- iv. **Special care home:** A special care home is a residential structure housing a number of unrelated persons in excess of the number of unrelated persons ~~allowed~~ permitted per dwelling unit in the Zone District in which the dwelling unit is located, where such persons are living as a single housekeeping unit and are receiving more than 12 hours per day of on-premises treatment, supervision, custodial care or special care due to physical condition or illness,

mental condition or illness, or behavioral or disciplinary problems. A special care home, depending on its size, shall be considered a large or Small Residential Care use.

c. Exclusions

Residential care uses shall NOT include any of the following types of group living or institutional uses:

- i. Assisted living facility
- ii. Foster family care
- iii. Nursing home or hospice
- iv. Residence for older adults
- v. Rooming and/or boarding house.
- vi. A residential structure containing residents whose principal form of support is financial assistance.
- vii. **Safe house:** A residential structure that provides residents a place of refuge from abusive people or dangerous social situations. Such structure does not provide refuge for fugitives from justice. Such use may be allowed permitted as a “multi unit dwelling” use.

d. Residential Care Use, Large

A Residential Care use that is the primary residence of 9 or more persons. “Large Residential Care use” shall include a shelter for the homeless of any size, or a community corrections facility of any size.

e. Residential Care Use, Small

A residential structure that is the primary residence of 8 or fewer persons, but housing a number of unrelated persons in excess of the number of unrelated persons allowed permitted per dwelling unit in the Zone District or transitional housing of any size. This use shall not include a community corrections facility, shelter for the homeless, rooming and/or boarding house, nursing home, safe house, or large special care home.

6. Rooming and Boarding House

A residential building containing one or more guest rooms that are used, rented, or hired out, with or without meals, for permanent occupancy. A Rooming and Boarding House makes no provision for cooking in any of the guest rooms occupied by paying guests.

- a. A Rooming and Boarding House use shall not be considered a Residential Care use.
- b. A Rooming and Boarding House use shall not be considered a Student Housing use.

7. Shelter for the Homeless

A facility that has as its primary function the provision for overnight sleeping accommodations for homeless people. Tenancy may be shorter than a monthly basis in a shelter for the homeless. A shelter for the homeless shall be considered a Large Residential Care use.

8. Student Housing

A structure used for long-term group residential accommodations for students of a college, university or seminary, and where such structure is related to the college, university or seminary. Common cooking facilities and common gathering rooms for social purposes may also be included. May include a building used for group living quarters for members of a fraternity or sorority that has been officially recognized by the college, university or seminary.

SECTION 11.12.3 PRIMARY CIVIC, PUBLIC & INSTITUTIONAL USES

11.12.3.1 Basic Utilities

A. Definition of Basic Utilities Use Category

Basic Utilities is defined as buildings, structures, or other facilities used or intended to be used by any private or governmental utility, not including telecommunications. This category includes buildings or structures that house or contain facilities for the operation of water, wastewater, waste disposal, natural gas or electricity services. This use also includes water storage tanks; electric or gas substations, water or wastewater pumping stations, or similar structures used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, or wastewater. This category includes passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, water, sewage, or other similar services on a local level.

B. Specific Basic Utilities Use Types and Definitions

1. Utility, Major Impact

“Major impact utility” shall mean a utility that falls into one or more of the following descriptions:

- a. Above-grade utilities exceeding 10,000 square feet of gross site area that have a substantially larger-than-local impact; or:
- b. ~~This definition includes all~~ Any above-ground utility uses in the following SIC groups:
 - 4911 Electric services, including high-voltage transmission lines (115 kilovolts or more), including solar generating stations with a gross site area of 10,000 square feet or greater, and wind generating stations, but not including electrical substations with a gross site area of less than 10,000 square feet (which are defined as Minor Impact Utility);
 - 4922 Natural gas transmission;
 - 4923 Natural gas transmission and distribution;
 - 4924 Natural gas distribution;
 - 4925 Mixed, manufactured, or liquefied petroleum gas production and/or distribution;
 - 493 Combination electric and gas, and other utility services;
 - 494 Water supply;
 - 495 Sanitary services;
 - 496 Steam and air-conditioning supply;
 - 497 Irrigation systems; or:
- c. ~~This definition shall include t~~The following specific uses:
 - i. **Sanitary Service Facility**
Establishments primarily engaged in sewage systems or sewage waste treatment facilities that collect, treat and dispose of waste.
 - ii. Other similar facilities, as determined by the Zoning Administrator.

2. Utility, Minor Impact

- a. Above-grade utilities of less than 10,000 square feet of gross site area that have a localized impact on surrounding properties and are necessary to provide essential services, including, but not limited to, above-ground utilities of less than 10,000 square feet of gross site area uses in the following SIC groups:
 - i. 4813 Telephone communications, except radiotelephone, limited to telephone switching stations;

11.12.3.5 Public and Religious Assembly**A. Definition of Public and Religious Assembly Use Category**

Public and religious assembly uses are ~~permanent places defined as one or more buildings, together with accessory buildings and uses,~~ where persons regularly assemble for religious worship or secular activities, and which ~~building together with its accessory buildings and uses,~~ is are maintained and controlled by a body organized to sustain the religious or public assembly. Public assembly uses include civic and social organizations such as private lodges, clubs, fraternities, and similar private membership organizations.

B. Specific Public and Religious Assembly Use Types and Definitions**1. Religious Assembly**

A building ~~, together with its accessory buildings and uses,~~ where persons regularly assemble for religious worship and which building ~~, together with its accessory buildings and uses,~~ is maintained and controlled by a religious body organized to sustain public worship.

2. Club or Lodge

A building or land used for the activities of an association of persons for the promotion of a private or nonprofit common objective, such as literature, science, politics, and good fellowship. A club or lodge is not accessory to, or operated as, or in connection with a tavern, eating or drinking place, or other commercial establishment open to the general public.

SECTION 11.12.4 PRIMARY COMMERCIAL SALES, SERVICES, & REPAIR USES**11.12.4.1 Adult Business****A. Definition of Adult Business Use Category**

Adult Business are characterized by commercial establishments where the primary use is the sale, rental, display or other offering of live entertainment, dancing, or material characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. For purposes of this use definition, the following terms shall mean:

1. Specified Sexual Activities: Shall include:

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse, oral or anal sex, or sodomy; or
- c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

2. Specified Anatomical Area: Shall include less than completely and opaquely covered:

- a. Human genitals and/or pubic region;
- b. The area of the buttock which is located around the lower backbone between straight lines drawn from the outermost point of the pelvis on the side of the body to the ischial tuberosity;
- c. The area of the female breast described as follows: the areola and the lower quadrant of each breast as defined by two (2) lines which crisscross the breast and intersect at right angles at the areola. Such lines also intersect at a forty-five-degree angle the vertical axis of the body as represented by the backbone when viewed from the front of the body; or
- d. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

2. Arts, Recreation and Entertainment Services, Outdoor

Commercial establishments engaged in providing outdoor amusement, recreation, or entertainment services by and for participants, for the payment of a fee or admission charge, excluding Community Center and adult business uses. Any spectators would be incidental and on an irregular basis. This definition includes, but is not limited to:

a. Amusement/Special Interest Parks

A complex with both indoor and Outdoor Entertainment, eating places/restaurants and/or limited retail uses, open to the public upon payment of a fee or admission charge.

b. Batting Cages

c. Go-Cart Raceway

d. Ice Rinks, Outdoor

e. Miniature Golf Course

f. Private Golf Course

Private golf course, defined to mean an area of land laid out for the game of golf with a series of holes each including tee, fairway, and putting green and often one or more natural or artificial hazards.

g. Skateboard Centers or Parks

h. Swimming Pools, Outdoor

i. Tennis Clubs, Outdoor

j. Outdoor Theaters, Amphitheaters, or Other Permanent Outdoor Performance Spaces

3. Sports and/or Entertainment Arena or Stadium

Commercial establishments designed, intended, or used primarily for indoor or outdoor large-scale spectator events including, but not limited to, professional and amateur sporting events, concerts, theatrical presentations, or motor vehicle racing. Typical uses include coliseums, arenas and sports stadiums.

11.12.4.3 Parking of Vehicles

A. Definition of Parking of Vehicles Use Category

Parking of Vehicles is a use category including the commercial assembly or standing of vehicles, either in a garage structure or on a surface lot.

B. Specific Parking of Vehicles Use Types and Definitions

1. Parking, Garage

- a. Any structure, other than a private garage, for the assembling, or standing of vehicles in a structure for relatively temporary periods of time, either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.
- b. The term "Garage Parking" includes underground parking, which means a parking surface that is located a minimum of 8 feet below the street level ground story and is covered by a structure which provides a surface for another use.
- c. A parking garage may include accessory off-street parking spaces required or at-
lowed permitted under this Code.

2. Parking, Surface

The assembling or standing of vehicles on a surface parking lot for relatively temporary periods of time either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.

11.12.4.4 Eating & Drinking Establishments**A. Definition of Eating & Drinking Establishments Use Category**

Commercial establishments engaged primarily in the sale of food or drink to consumers for on-premises or off-premises consumption.

B. Specific Eating & Drinking Establishments Use Types and Definitions**1. Eating and Drinking Establishment**

A retail establishment primarily engaged in the sale of prepared, ready-to-consume food and/or drinks within a completely enclosed structure. Typical uses include restaurants, fast-food outlets, snack bars, taverns, bars and brewpubs.

2. Brewpub

A specific type of eating and drinking establishment. A facility at which malt, vinous, or spirituous liquors are manufactured on the premises, bottled, and sold on the same premises as where the eating and drinking services are provided. No more than 30% of the manufactured product may be sold to off-premises customers. The volume of liquor manufactured on the premises of the brewpub shall not exceed 300 gallons per day each calendar year.

11.12.4.5 Lodging Accommodations**A. Definition of Lodging Accommodations Use Category**

Lodging accommodations uses are characterized by visitor-serving facilities that provide temporary lodging in guest rooms or guest units, for compensation, and with an average length of stay of less than 30 days except as specifically **allowed permitted** for a Single Room Occupancy (SRO) Hotel. Accessory uses may include pools and other recreational facilities for the exclusive use of guests, limited storage, restaurants, bars, meeting facilities, and offices.

B. Specific Lodging Accommodations Use Types and Definitions**1. Bed and Breakfast Lodging**

An owner-occupied or manager-occupied residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests.

2. Extended Stay Hotel

A hotel containing guest rooms oriented to allow independent housekeeping for occupancy by the week or by the month, or some portion thereof, with facilities for sleeping, bathing, and cooking.

3. Hotel

One or more buildings providing temporary lodging primarily to persons who have residences elsewhere, or both temporary and permanent lodging in guest rooms, or apartments. The building or buildings have an interior hall and lobby with access to each room from such interior hall or lobby.

4. Hostel

A nonprofit facility located in a residential structure and associated with a national or international hostel organization, which facility has but one kitchen and provides sleeping accommodations for not more than 25 persons. All housekeeping duties are shared by the occupants under the supervision of a resident manager.

are a subordinate part of sales. In most cases, rRelatively few customers come to the manufacturing site.

B. Specific Manufacturing and Production Use Types and Definitions

1. Manufacturing, Fabrication & Assembly, Custom

Custom Manufacturing, Fabrication and Assembly uses are defined as either 1.a. or 1.b. below:

- a. Establishments engaged in the on-site assembly of completely hand-fabricated parts, or engaged in the on-site hand-manufacture or hand-fabrication of custom or craft goods. Goods are predominantly manufactured and fabricated involving only the use of hand tools or domestic-scaled mechanical equipment and kilns not exceeding 20 square feet in size. Typical uses include ceramic studios, fabrics, inlays, needlework, weaving, leather work, woodwork, metal or glass work, candle making facilities, or custom jewelry makers.
- b. Establishments that fall into one of the following SIC groups shall be categorized as Custom Manufacturing, Fabrication and Assembly uses; this use does not include or permit the manufacture or production of marijuana concentrate:
 - i. 2082 Malt beverage manufacturing of no more than 110,000 gallons per calendar year not otherwise defined as a “General” or “Heavy” Manufacturing, Fabrication and Assembly use.
 - ii. 2084 Wines, brandy and brandy spirits manufacturing of no more than 100,000 gallons per year , or a manufacturing operation licensed by the State of Colorado as a “Limited Winery”, provided the wines/brandy spirits manufacturing or Limited Winery use are not otherwise defined as a “General” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided brandy and brandy spirits manufacturing uses shall be subject to the same limits on flammable liquids applicable to SIC Code 2085 (Distilled and Blended Liquor) uses in paragraph B.1.b.iii. below.
 - iii. 2085 Distilled and blended liquors manufacturing of no more than 11,000 gallons per year not otherwise defined as a “General” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided no more than 960 gallons of Class 1B Flammable Liquids (ethanol) with an alcohol by volume (ABV) content of greater than 19% may be produced or utilized in production within a single building at any point in time, including bulk storage for the purposes of aging or awaiting shipment. Bottled distilled spirits and blended liquors are excluded from this limitation.

2. Manufacturing, Fabrication & Assembly, General

General Manufacturing, Fabrication and Assembly uses are defined as:

- a. A manufacturing establishment primarily engaged in the fabrication or assembly of products from prestructured materials or components; or a manufacturing establishment whose operations include storage of materials; processing, fabrication, or assembly of products; and loading and unloading of new materials and finished products, and does not produce or utilize in large quantities as an integral part of the manufacturing process, toxic, hazardous, or explosive materials. Because of the nature of its operations and products, little or no noise, odor, vibration, glare, and/or air and water pollution is produced, and, therefore, there is minimal impact on surrounding properties.
- b. Establishments that fall into one of the following SIC groups shall be categorized as General Manufacturing, Fabrication and Assembly uses, provided the operations of such use are consistent with Paragraph 2.a. above:

- i. 2082 Malt beverage manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use;
 - ii. 2084 Wines, brandy and brandy spirits manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided: (a) wine manufacturing uses shall be limited to no more than 100,000 gallons per year, or a manufacturing operation licensed by the State of Colorado as a “Limited Winery”; and (b) brandy and brandy spirits manufacturing uses shall be subject to the same limits on flammable liquids applicable to SIC Code 2085 (Distilled and Blended Liquor) uses in paragraph B.2.b.iii. below.
 - iii. 2085 Distilled and blended liquors manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided no more than 960 gallons of Class 1B Flammable Liquids (ethanol) with an alcohol by volume (ABV) content of greater than 19% may be produced or utilized in production within a single building at any point in time, including bulk storage for the purposes of aging or awaiting shipment. Bottled distilled spirits and blended liquors are excluded from this limitation.
- c. This definition includes all uses or products in the following SIC groups except as noted:
- i. 20 Food and kindred products, **except:**
 - a) 2011 Meat packing plants;
 - b) 2015 Poultry slaughtering;
 - c) 2061 Sugar cane;
 - d) 2062 Sugar cane refining;
 - e) 2063 Sugar beet refining;
 - f) 2076 Vegetable oil mill;
 - g) 2077 Animal and marine fats and oils;
 - h) 22 Textile mill products
 - i) 23 Apparel and other textile products
 - ii. 24 Lumber and wood products except furniture, **except:**
 - a) 2491 Wood preserving;
 - iii. 25 Furniture and fixtures
 - iv. 26 Paper and allied products, **except:**
 - a) 261 Pulp mills;
 - b) 262 Paper mills; and
 - c) 263 Paper board mills
 - v. 27 Printing, heat set web process only
 - vi. 28 Chemicals and allied products, **except:**
 - a) 281 Industrial inorganic chemicals;
 - b) 282 Plastic materials and synthetic resins, synthetic rubber, cellulose, and other man-made fibers, except glass;
 - c) 2822 Synthetic rubber;
 - d) 2836 Biological products;
 - e) 284 Soap; detergents and cleaning preparations, perfumes, cosmetics, and other toilet preparations;

- f) 2851 Paints, varnishes, lacquers, enamel, and allied products;
- g) 286 Industrial organic chemicals;
- h) 287 Agricultural chemicals; and
- i) 289 Miscellaneous chemical products.
- vii. 30 Rubber and miscellaneous plastics and products **except:**
 - a) 301 Tires and inner tubes.
- viii. 31 Leather and leather products
- ix. 34 Fabricated metal products except machinery and transportation equipment **except:**
 - a) 3462 Iron and steel forgings;
 - b) 3463 Nonferrous forgings; and
 - c) 3465 Automotive stampings.
- x. 35 Industrial and commercial machinery and computer equipment
- xi. 36 Electronic and other electrical equipment and components **except:**
 - a) 3612 Power, distribution, and specialty transformer;
 - b) 3613 Switchgear and switchboard apparatus;
 - c) 3621 Motors and generators;
 - d) 3624 Carbon and graphite products;
 - e) 3625 Relays and industrial;
 - f) 3629 Electrical industrial apparatus;
 - g) 3631 Household cooking equipment;
 - h) 3632 Household refrigerators and freezers;
 - i) 3633 Household laundry equipment; and
 - j) 3639 Household appliances.
- xii. 37 Transportation equipment
- xiii. 375 Motorcycles, bicycles, and parts
- xiv. 38 Measuring, analyzing and controlling instruments, photographic, medical and optical goods, watches and clocks
- xv. 39 Miscellaneous manufacturing industries
- d. Establishments engaged in the production of marijuana concentrate through the use of water-based extraction, food-based extraction, and/or solvent-based extraction, where no more than 3,000 square feet of gross floor area is used in the solvent-based extraction process. This definition shall not include marijuana concentrate production that complies with the definition and limitations for a “Food Preparation and Sales, Commercial” land use under this Code.
 - i. For purposes of this definition, “gross floor area” shall be the sum of all floor area within a completely enclosed structure where any step in the extraction process occurs, including related storage space for equipment, chemicals or other materials used in the extraction process or space for storage of waste and by-products. However, “gross floor area” shall not include floor area devoted to offices, restrooms, or other primary land use(s) operating within the same structure. All such “gross floor area” may or may not be contiguous with each other.

- xxx. 322 Glass and glassware, pressed or blown;
 - xxxi. 324 Cement, hydraulic;
 - xxxii. 325 Structural clay products;
 - xxxiii. 3291 Abrasive products;
 - xxxiv. 3295 Minerals and earths, ground or otherwise treated;
 - xxxv. 3297 Non-clay refractories;
 - xxxvi. 33 Primary metal industries;
 - xxxvii. 3462 Iron and steel forgings;
 - xxxviii. 3463 Nonferrous forgings;
 - xxxix. 3465 Automotive stampings;
 - xl. 3612 Power, distribution, and specialty transformer;
 - xli. 3613 Switchgear and switchboard apparatus;
 - xlii. 3621 Motors and generators;
 - xliii. 3624 Carbon and graphite products;
 - xliv. 3625 Relays and industrial;
 - xlv. 3629 Electrical industrial apparatus;
 - xlvi. 3631 Household cooking equipment;
 - xlvii. 3632 Household refrigerators and freezers;
 - xlviii. 3633 Household laundry equipment;
 - xlix. 3639 Household appliances;
 - l. 3711 Motor vehicles;
 - li. 3713 Truck and bus bodies;
 - lii. 3715 Truck trailers;
 - liii. 3716 Motor homes;
 - liv. 3721 Aircraft;
 - lv. 3724 Aircraft engines;
 - lvi. 3728 Aircraft parts and auxiliary equipment;
 - lvii. 373 Ship and boat building;
 - lviii. 374 Railroad equipment;
 - lix. 376 Guided missiles and space vehicles and parts;
 - lx. 3792 Travel trailers and campers;
 - lxi. 3795 Tanks and tank components.
 - lxii. Asphalt and concrete plant;
 - lxiii. Concrete, asphalt, and rock crushing facility.
- e. Establishments engaged in the production of marijuana concentrate through the use of water-based extraction, food-based extraction, and/or solvent-based extraction, where more than 3,000 square feet of gross floor area is used for the solvent-based extraction process. This definition shall not include marijuana concentrate production that complies with the definition and limitations for a “Food Preparation and Sales, Commercial” land use under this Code.
- i. For purposes of this definition, “gross floor area” shall be the sum of all floor area within a completely enclosed structure where any step in the extraction process occurs, including related storage space for equipment, chemicals or

other materials used in the extraction process or space for storage of waste and by-products. However, “gross floor area” shall not include floor area devoted to offices, restrooms, or other primary land use(s) operating within the same structure. All such “gross floor area” may or may not be contiguous with each other.

11.12.5.4 Mining & Extraction and Energy Producing Systems

A. Definition of Mining & Extractions and Energy Producing Systems Use Category

Mining, Extraction and Energy Producing Systems include the process of removing or extracting minerals and building stone from naturally occurring veins, deposits, bodies, beds, seams, fields, pools or other concentrations in the earth’s crust. This term also includes the preliminary treatment of such ore or building stone.

B. Specific Mining & Extractions and Energy Producing Systems Use Types and Definitions

1. Oil, Gas - Production, Drilling

Production of and drilling for gas and oil, along with the installation of pumps, tanks, pits, treaters, separators and other equipment, transportation of petroleum products, and natural gas and natural gas liquids processing.

2. Sand or Gravel Quarry

An open pit from which sand, gravel is taken to be processed for commercial purposes.

3. Wind Energy Conversion Systems

Any mechanism including blades, rotors and other moving surfaces designed for the purpose of converting wind into mechanical or electrical power.

11.12.5.5 Transportation Facilities

A. Definition of Transportation Facilities Use Category

Transportation Facilities Category includes a variety of facilities, generally open to the public, related to the movement of passengers and goods, whether by private auto or public transportation. Typical uses include airports, mass transit facilities, and parking facilities for vehicles.

B. Specific Transportation Facilities Use Types and Definitions

1. Airport

A facility operated by an airport authority or governmental entity that provides infrastructure and services for air travel, together with all activities necessary for, directly related to, or commonly associated with the operation of a major air carrier facility. Such services, infrastructure, and activities may include but are not limited to the following uses:

- a. Landing fields;
- b. Facilities for the parking, storage, fueling, repair, and rental of aircraft;
- c. Passenger and baggage terminals;
- d. Air cargo operations and associated facilities;
- e. Public transportation infrastructure, including terminals and stations;
- f. Safety facilities such as fire and police stations;
- g. Open space uses such as agriculture, parks, golf courses, and recreation;
- h. Energy production;
- i. Retail, concessions, and other uses designed primarily to serve airline passengers, other airport users, and space.

iii. The raising of swine under any conditions.

4. Husbandry, Plant

An agricultural use, other than a Plant Nursery, in which plants are cultivated or grown for the sale of such plants or their products, or for their use in any other business, research, or commerce; excluding, however, forestry and logging uses. This use includes the cultivation or growing of marijuana.

5. Plant Nursery

An agricultural use in which plants are grown, cultivated, produced, or managed for the on-site or off-site sale of such plants or their products, or for their use in any other business, research, or commerce. Other customarily incidental products may be sold with the plants. A Plant Nursery may include accessory Aquaculture use, when the Aquaculture is integral to the growing and maintenance of the plants, and provided the accessory Aquaculture occurs within a completely enclosed structure. This use does not include or permit the growing of marijuana.

Examples of Plant Nursery uses include, but are not limited to: wholesale or retail plant nurseries with greenhouses or garden stores; retail nurseries where plant inventory and related plant products are sold, but which may not be grown or produced on-site; tree farms; vineyards and orchards; flower farms; field nurseries; and sod farms. Plant Nursery uses do not include forestry or logging uses, or the keeping of animals or livestock except where expressly ~~allowed~~ permitted as an accessory use.

SECTION 11.12.7 DEFINITIONS OF USES ACCESSORY TO PRIMARY RESIDENTIAL USES

11.12.7.1 Accessory Dwelling Unit

A second dwelling unit located on the same zone lot as a primary single unit dwelling use. An accessory dwelling unit is a type of accessory use. An accessory unit may be either “attached” or “detached”, defined as follows:

A. Dwelling, Accessory unit, Attached

An accessory dwelling unit that is connected to or an integrated part of the same structure housing the primary single unit dwelling (for example, an attached accessory dwelling unit may be located in the basement level of a structure also housing a single-unit dwelling use).

B. Dwelling, accessory unit, Detached

An accessory dwelling unit that is located within an accessory structure detached from the structure housing the primary single unit dwelling use.

11.12.7.2 Domestic Employee

A person or persons living in the household of another, paying no rent for such occupancy and paying no part of any household utilities; where such person or persons perform household and/or property maintenance duties for the general care, comfort and convenience of the household occupants.

11.12.7.3 Garden

The growing and cultivation of fruits, flowers, herbs, vegetables, and/or other plants. An accessory Garden use may operate as either an enclosed or unenclosed use.

11.12.7.4 Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use

Commercial sales, service, and repair uses limited to the following:

- A. Banking and Financial Services as defined in Section 11.12.4.7.C.1, Banking and Financial Services.

- B. Eating and Drinking Establishment as defined in Section 11.12.4.4.B.1, Eating and Drinking Establishment.
- C. Office as defined in Section 11.12.4.6.A, Definition of Office Use Category.
- D. Retail Sales, Service & Repair uses as defined in Section 11.12.4.7.A, Retail Sales, Service & Repair Use Category.

11.12.7.5 Second Kitchen, Accessory to Single Unit Dwelling Use

A second kitchen accessory to a primary single-unit dwelling use and located in the same primary structure.

11.12.7.6 Vehicle Storage, Repair and Maintenance

1. Storage of operable automobiles or trucks but not “Large-Scale Motor Vehicles and Trailers,” as defined in this Code, except as specifically **allowed permitted** in Division 10. 9, Parking, Keeping and Storage of Vehicles.
2. Routine maintenance and minor repair servicing of automobiles or trucks that are not “Large-Scale Motor Vehicles and Trailers,” as defined in this Code, where such vehicles are owned by occupants of the primary residential use. Routine maintenance and repair may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing.

11.12.7.7 Wind Energy Conversion Systems

See Section 11.12.5.4 for definition of “Wind Energy Conversion System.”

SECTION 11.12.8 DEFINITIONS OF HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES

11.12.8.1 General Definition of Home Occupation

A business use (e.g., personal care services or, office), accessory to a primary residential use, which is conducted entirely within a Dwelling Unit, or in a detached structure accessory to such Dwelling Unit, which is carried on by the occupants thereof, and which is clearly incidental and secondary to the primary use of the Dwelling Unit for Residential Occupancy.

11.12.8.2 Specific Home Occupation Use Types and Definitions

1. **Adult Care Home**
A Home Occupation providing less than 24-hour care of 4 or fewer clients, over the age of 16 years.
2. **Animal Care Service**
A Home Occupation that provides for the keeping and day-time care only of household animals of a type and number specifically **allowed permitted** under Section 11.8.5. The number of such animals shall not exceed the number(s) **allowed permitted** under Section 11.8.5 including any animals kept by the resident(s) of the primary dwelling unit. As a home occupation, Animal Care Services may also include cleaning and grooming services.
3. **Artist Studio**
See definition of “Artist Studio” in Section 11.12.4.2.B, Specific Arts, Entertainment & Recreation Use Types and Definitions.
4. **Child Care Home, Small**
A Home Occupation providing the care and education for periods of less than 24 hours of not more than 6 children, plus 2 additional children who attend either before or after school hours, subject to the licensing requirements of the state and the city.

cal or maintenance work on automobiles shall be done on the premises, and (3) the land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space.

11.12.9.3 Car Wash Bay

Washing, cleaning, and/or waxing of private automobiles, light trucks and vans, but not commercial fleets, by hand or with manually operated equipment or automatic machinery.

11.12.9.4 College Accessory to a Place for Religious Assembly

A post-secondary education facility operated by a place for religious assembly and physically located on a zone lot occupied by such place for religious assembly.

11.12.9.5 Conference Facilities

A facility which provides meeting halls, trade centers, merchandise marts, or convention centers for training and other gatherings for large numbers of people for similar functions; may be developed separately or in combination with another permitted use.

11.12.9.6 Drive Through Facility

An accessory use designed and operated to enable persons to receive a service or purchase goods while remaining within a motor vehicle. The facility includes the area of the drive aisle dedicated to placing orders or picking up such goods or services, as well as the actual facility for placing orders and picking up of such goods or services.

11.12.9.7 Garden

The growing and cultivation of fruits, flowers, herbs, vegetables, and/or other plants. An accessory Garden use may operate as either an enclosed or unenclosed use.

11.12.9.8 Occasional Sales, Services Accessory to Places of Religious Assembly

Retail sales of goods to the general public for a time period not to exceed 6 consecutive months in any one calendar year, and which sales are made from the same zone lot that contains a permitted religious assembly use.

11.12.9.9 Outdoor Eating and Serving Area Accessory to an Eating/Drinking Establishment Use

An unenclosed area containing only tables and chairs where food and drinks are served to patrons of the primary eating and drinking establishment.

11.12.9.10 Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use

An accessory use allowing the provision of live and/or Outdoor Entertainment to the general public for a fee. The use is conducted in open or partially enclosed or screened facilities. This use does not include adult businesses or any ~~allowed~~ permitted primary land uses.

11.12.9.11 Outdoor Retail Sale and Display

An accessory use; an outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the display, sale and/or advertising of a business, product, or service. The outdoor location of soft drink or similar vending machines shall be considered outdoor retail sales and display. Outdoor retail sales and display shall not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (such merchandise shall be considered "outdoor storage" as defined herein). Temporary outdoor retail sales and displays are regulated as temporary uses and structure according to Division 11.11, Temporary Use ~~and Structure~~ Limitations.

11.12.9.12 Outdoor Storage

The permanent placement or deposit of any equipment, furniture, machine, material, merchandise, or supplies in an outside location or outside an enclosed structure, except objects that are customarily placed outside and clearly incidental and commonly associated with the permitted

person is presumed to be the owner of record, purchaser under a sale with the owner's consent, or the duly authorized agent of the owner of record, unless otherwise authorized in Division 12.4.

12.3.3.2 Applications

Applications shall be submitted only after a pre-application meeting or concept plan review, if mandatory. All applications shall be submitted to Community Planning and Development.

12.3.3.3 Application Contents

A. Application Contents—General

The Manager is authorized to establish submittal requirements for all applications required by this Code, and to update and amend such requirements as necessary to ensure effective and efficient review.

B. Submittal Waivers

The Manager may waive certain application submittal requirements:

1. To tailor the requirements to the information necessary to review a particular application; or
2. Where the Manager finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly justify such waiver.

C. Additional Information Requested

The Manager shall have the authority to request additional information from the applicant when necessary to complete review of the application.

12.3.3.4 Application Fees

- A. Except as specified in paragraph B. below, the Manager shall adopt, and may amend from time to time, a fee schedule setting forth an assessment of fees to defray the cost of processing applications under this Code.
- B. The Board of Adjustment shall recommend, and the City Council shall approve, processing fees for all applications determined by the Board of Adjustment, including applications for variances, zoning permit with special exception reviews, and appeals from administrative decisions. The application fee schedule for Board of Adjustment applications, as may be amended from time to time, can be found in the rules of the Board of Adjustment.
- C. At the time of submittal, all applications shall include payment of the application fee, except that application fees are not required for an application initiated by the City Council, an individual City Council member, the Manager, or the manager of a city agency or department.
- D. An applicant may submit a written request to the Manager for the waiver of all or a portion of fees. Upon a finding by the Manager that, owing to exceptional or extraordinary circumstances, collection of the required fees will result in unnecessary hardship, the fees may be reduced or waived by the Manager.
- E. Other fees, such as recording fees, may be applicable in addition to Community Planning and Development application fees.

12.3.3.5 Statements During Review Are Part of Application

Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, all statements made in an application required by this Code that are necessary for compliance with this Code's regulations are binding. As applicable, all statements made by the applicant in the course of public hearings that are not in the application shall be considered a part of the application, shall be written as part of the application, or the review- or decision-making body should take action to bind such applicant statements by expressing them as specific conditions of approval.

12.3.3.6 False or Misleading Information

Any false or misleading information given by the applicant in an application, or in other statements to staff, or in a public hearing as applicable, may result in suspension or rescission of a permit, as permitted under Division 12.11, Enforcement, Violations and Penalties, of this Article.

12.3.3.7 Complete Applications Required for Processing

- A. All applications shall be complete and sufficient for processing before any review of the application will begin.
- B. An application is complete when the Manager finds that it is submitted in the required form, includes all information necessary to decide whether the application will comply with the requirements of this Code, including all items or exhibits specified during a pre-application meeting or concept plan review, and is accompanied by the applicable fee or fees.
- C. An application shall be considered incomplete if the Manager determines that the submittal is inconsistent or contrary to a previous plan or permit approval that is regulatory and controlling.
- D. An application for an official map amendment (rezoning) shall be considered incomplete if the Manager determines that the submittal does not meet the minimum land area or any other minimum requirements for rezoning to the proposed Zone District. See Section 12.4.10, Official Map Amendments.

12.3.3.8 Determination of Complete Application

- A. Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, the Manager shall review the application and make a determination of completeness by no later than 15 days from the date of receipt of the applicant's submittal. Failure to make a determination of completeness within the requisite 15-day time period shall automatically deem the application "complete."
- B. A "complete" application shall be processed according to this Article.
- C. If the Manager determines that the application is incomplete, the Manager shall notify the applicant and specifically identify how the application is deficient and state that Community Planning and Development will not process incomplete applications. The application shall then be classified as "Incomplete."
- D. Community Planning and Development shall not review an incomplete application, and shall not forward such application to any review or decision-making bodies, until the application is made complete. Wherever this Code refers to the forwarding or referral of an application to any review or decision-making body, the obligation to forward or refer the application shall not arise until the application is determined to be complete.

12.3.3.9 Concurrent Applications

- A. Applications may be filed and reviewed concurrently, at the option of the applicant, and with the approval of the Manager. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
- B. Applications submitted concurrently may be subject to approval of all other related applications. Disapproval of any concurrently submitted application may stop consideration of a related applications until the disapproved application is resolved.
- C. Notwithstanding Section 12.4.10.2, Zone Districts Not Available for Rezoning, creation of a new zone district by text amendment according to Section 12.4.11, Text Amendment, may, with the Manager's approval, be filed and reviewed concurrent with a map amendment according to Section 12.4.10, Official Map Amendment (Rezoning). In no case, however, shall a map amendment

rezoning land into a new zone district be approved until the text amendment creating the new zone district is approved.

12.3.3.10 Modification of a Pending Application

With the Manager's approval, a pending application may be modified at the applicant's request at any time before public notice of a public hearing, as applicable, is given. After public notice for a public hearing has been given, the applicant may request modifications to the application at the public hearing, which the review- or decision-making body may accept as conditions of approval.

12.3.3.11 Withdrawal of Pending Applications

- A. Except where otherwise expressly provided (e.g., see Section 12.3.3.12, Inactive Applications), only the applicant may withdraw an application. The applicant shall request the withdrawal in writing, and after such withdrawal, the Manager will not take further action on the application. To re-initiate review after withdrawal, the applicant shall resubmit the application, which in all respects shall be treated as a new application for purposes of review, scheduling, and payment of fees.
- B. Withdrawal from consideration of an application from a public meeting or hearing agenda is discretionary with the applicable review or decision-making body.

12.3.3.12 Inactive Applications

Except as otherwise expressly stated in this Code or in any supplementary rules or regulations for administering this Article 12, the following provisions shall apply to inactive applications:

- A. The Manager shall notify the applicant in writing that an application is considered inactive and will be automatically withdrawn unless the applicant takes action to revive the application according to the Manager's direction within thirty (30) days, if at any point in a review process either:
 1. The Manager has notified the applicant that additional or corrected materials are required, and the applicant has not submitted such materials or responded with a request for a reasonable extension within 45 days after the date of such notification; or
 2. As applicable, the applicant has not responded to a staff report, or has not agreed to a date for a required meeting or hearing before the Planning Board, City Council, or Board of Adjustment, or has not given proper public notice as required by this Code, or has not taken other affirmative steps within a reasonable time frame that is within the applicant's control and is necessary to advance the application for a final determination.
- B. No further processing of an inactive application shall occur until the deficiencies are corrected and the application revived. If the applicant does not correct the deficiencies or take other substantial action to address the deficiency within the 30-day correction period, the inactive application shall be considered automatically withdrawn. Any re-submittal of the application thereafter by the applicant will be treated as a new application for purposes of review, scheduling, and payment of application processing fees.

SECTION 12.3.4 PUBLIC NOTICE REQUIREMENTS

12.3.4.1 General Provisions and Intent

All applications that require public hearings before the Planning Board, the Board of Adjustment, or the City Council shall be subject to this Section's public notice of hearing requirements. In addition, certain applications require public notice of receipt of such application and/or notice of the final decision or appeal opportunities. Public notice is intended to provide an the opportunity for public participation or public information regarding land use and development applications under this Code.

hearing regarding the adequacy of notice, the review or decision-making body shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before proceeding with the hearing.

B. Posted Notice of Public Hearings

When required by Section 12.2.8, Summary Table of Authority and Notice, posted notice of a required public hearing shall be provided in compliance with the following standards:

1. No later than 15 days prior to the required Planning Board public hearing, and no later than 21 days prior to the required City Council public hearing, the applicant shall be responsible for posting signs on the subject property providing public notice thereof.
2. Posted notice shall be in number, size, location, and content as prescribed by the Manager and shall indicate the time and place of the public meeting or hearing, and any other information prescribed by the Manager.
3. The applicant shall take all reasonable efforts to assure that posted signs remain on the site in the number and location prescribed by the Manager, and in good condition to maintain legibility, during the posting period.
4. Posted notices shall be removed by the applicant from the subject property no later than 15 days after the public hearing has been held. Failure to do so shall constitute a violation of this Code.

C. Published Notice of City Council Public Hearing

No later than 21 days prior to the required City Council public hearing, the Office of the City Council, together with the Denver City Clerk's Office, shall publish notice of the time and place of a required public hearing before the City Council in the official newspaper.

12.3.4.5 Informational Notice – General Provisions

A. Written Notice of Receipt of Application

When required by Section 12.2.8, Summary Table of Authority and Notice, written notice of receipt of application shall be provided in compliance with the following standards:

1. Official Map Amendment (Rezoning) - Timing of Notice

For an official map amendment (rezoning) application, Community Planning and Development shall cause written informational notice to be provided no later than 10 days after the determination that a complete application has been received in accordance with Section 12.3.3.8, Determination of Complete Application~~no later than receipt of the applicant's revised rezoning application after completion of the first round of review according to the review and referral step outlined in Section 12.4.10.4.D, Review and Referral by the Manager.~~ Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

2. All Other Applications - Timing of Notice

Except for an official map amendment (rezoning) application, no later than 10 days after receipt of a complete application, Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

SECTION 12.3.7 MODIFICATION OR AMENDMENT OF APPLICATIONS, PLANS AND PERMITS

12.3.7.1 Modifications to Pending or Approved Applications, Plans or Permits

This Section 12.3.7.1 shall not apply to modifications to GDPs; instead see Section 12.4.12.17.

The following types of minor modifications, changes, removal, or release of either (1) the Code standards applicable to a pending application; or (2) the Code provisions applicable to, or the conditions attached to, an approved application, plan or permit, shall be treated as "modifications" rather than "amendments," and may be approved administratively by the Zoning Administrator according to this Section.

A. Modifications to Regulating Plans, Site Development Plans or Zoning Permits

1. Modifications to a pending or approved regulating plan, site development plan or zoning permit application that are expressly **allowed permitted** as "administrative adjustments" under Section 12.4.5 (Administrative Adjustments) of this Code, may be approved by the Zoning Administrator according to the procedures and criteria in Section 12.4.5.
2. The Zoning Administrator may allow minor changes to an approved regulating plan, site development plan or zoning permit provided such minor changes do not constitute an "amendment" under Section 12.3.7.2.B, "Amendments to Approved Regulating Plans, Site Development Plans and Zoning Permits," below.
3. All modifications to an approved regulating plan, site development plan or zoning permit shall be submitted to the Zoning Administrator as "redline" edits to the previously approved plan or permit documents. After approval, the Zoning Administrator shall record a modified regulating plan or site development plan in the records of the Denver County Clerk and Recorder's Office, and shall register a modified zoning permit in the records of Community Planning and Development.

B. Other Modifications to Approved Applications, Plans, or Permits

Changes, modifications, removal, or release of all or some of the provisions of an approved application, plan or permit, which do not otherwise qualify as "modifications" under Section 12.3.7.1.A above, or as an "amendment" under Section 12.3.7.2, Amendment to Approved Applications, Plans and Permits, below, may be approved by the Manager, using the same review process and criteria applicable to Administrative Adjustments stated in Section 12.4.5 of this Code.

12.3.7.2 Amendments to Approved Applications, Plans and Permits

This Section 12.3.7.2 shall not apply to amendments to GDPs. See Section 12.4.12.17.

A. Procedure for Amendments

1. An "amendment" to an approved application, plan or permit shall be reviewed according to the same procedures and subject to the same limitations and requirements, including the payment of fees, as if it were a new application, including, where applicable, review at a public hearing before the Planning Board.
2. Unless otherwise allowed by this Code, each application for amendment shall include the entire land area of the original approved application, plan or permit, and may be initiated by the owner(s) or agent of the owner(s) of the property to which the amendment applies.
3. The Manager shall record all amendments to a site development plan approved according to this Section in the records of the Denver County Clerk and Recorder's Office.

12.4.1.5 Review Criteria

The Zoning Administrator shall use the following criteria in making a decision on an application for zoning permit review:

- A. The zoning permit is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, all zoning permits shall be consistent with a previously approved General Development Plan, Regulating Plan, or Site Development Plan.
- B. The zoning permit complies with all applicable regulations in this Code.

12.4.1.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration

1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.
2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing an ~~allowed~~ permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land.
3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or an ~~allowed~~ permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission

The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit

Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.2 ZONING PERMIT REVIEW WITH INFORMATIONAL NOTICE

12.4.2.1 Purpose

The purpose of the zoning permit review with informational notice process is to ensure compliance with the standards and provisions of this Code, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Zoning permit review with informational notice is intended for specific types of development or establishment of specific permitted uses that are consistent with the intent of the Zone District and generally compatible with surrounding building forms and uses, but which have the potential for adverse off-site impacts. Zoning permit review with informational notice provides an opportunity for potentially affected parties to be notified of the city's receipt of the application, the process for making comments, the final decision, and appeal opportunities.

12.4.2.2 Applicability

Zoning permit review with informational notice is required for the following types of development:

- A. Establishment, expansion or enlargement of a primary, accessory, or temporary use ~~allowed~~ permitted subject to informational notice, as indicated by the designation "ZPIN" (Zoning Permit with Informational Notice) in the applicable Use and Parking Tables found in Articles 3 through 9 of this Code.

- B. Establishment, expansion or enlargement of a primary, accessory, or temporary use ~~allowed~~ permitted in a Zone District under Articles 3 through 9 or under any other provision in this Code, where such provision explicitly requires zoning permit review with informational notice and approval prior to establishment of the use.
- C. Deviations from the Sign Code permitted with a Comprehensive Sign Plan for Large Facilities authorized under Division 10.10, Signs.

12.4.2.3 Prohibitions and Requirements Prior to Zoning Permit Issuance

A. Prohibitions on Activities Prior to Zoning Permit

No development shall occur on property subject to these requirements for zoning permit review until a zoning permit has been approved, unless the Zoning Administrator allows an exception in writing.

B. Payment of Gateway Regional Systems Development Fee

No zoning permit for an applicable zone lot, except a zoning permit only for a sign or fence and wall, shall be issued until the regional systems development fee established by the Gateway Regional Metropolitan District on land within the Gateway Regional Metropolitan District has been paid for the subject zone lot.

C. Denver International Airport (DIA) Approval of Uses and Development in the DIA Influence Area Overlay District

No zoning permit shall be issued for any use, development, or structure in the DIA Influence Area Overlay District until the Manager of Aviation, or designee, has found that the proposed use, development, or structure complies with the DIA Influence Area Overlay District standards in Article 9 of this Code and has agreed to the approval of the zoning permit in writing.

12.4.2.4 Review Process

A. Initiation

The owner[s] of the subject property or the owner's or owners' authorized agent may initiate an application for zoning permit review with informational notice.

B. Pre-Application Meeting

A pre-application meeting is mandatory before submittal of an application for zoning permit review with informational notice. See Section 12.3.2, Pre-Application Meetings.

C. Application and Fees

1. Submittal in Writing

All applications for zoning permit review with informational notice shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

2. Concurrent Applications

The applicant may submit a zoning permit review with informational notice application concurrent with other required applications according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit, as applicable, be issued until the zoning permit is issued according to this Section, unless the Zoning Administrator allows an exception in writing.

D. Informational Notice

1. Written and Posted Notice of Receipt of Application

Written and posted notice of receipt of application shall be provided according to Sections 12.3.4.5.A and 12.3.4.5.B.

substantially or permanently injure the appropriate use of conforming residential properties located within 500 feet of the proposed use. Evidence of such injury shall clearly establish the anticipated specific problems attributed to residents of the proposed shelter for the homeless while in or around the shelter as distinct from the general problems attributed to persons using or passing through the subject area.

12.4.2.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration

1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.
2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing ~~an allowed~~ permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land.
3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or ~~an allowed~~ permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission

The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit

Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.3 SITE DEVELOPMENT PLAN REVIEW

12.4.3.1 Purpose

The purpose of the site development plan review process is to ensure compliance with the standards and provisions of this Code and other applicable city standards, rules and regulations, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Site development plan review is generally reserved for development with the potential for significant on-site and off-site impacts necessitating inter-departmental and inter-agency referral, review, and, in some cases, approval prior to final action by Community Planning and Development. After the City's approval of a site development plan, Community Planning and Development is authorized to issue requisite zoning permits under this Code.

12.4.3.2 Applicability

- A. Site development plan review is required for the following (see Article 13, Division 13.3, for definition of the term "development" as used below):
 1. Development in all Zone Districts, including development of a Detached Accessory Dwelling Unit building form or development of a Tandem House building form on a single zone lot, but not including the following types of residential development:
 - a. Establishment of a single-unit or two-unit dwelling use on a single zone lot in a SU, TU, TH, RH, RO, or MU Zone District; or

- b. Construction of a suburban house, urban house, or duplex building form on a single zone lot.
 2. Creation of or development on a flag lot.
 3. Development subject to an approved General Development Plan (GDP).
 4. Development within a PUD District; however, development within a PUD District subject to an approved Detailed PUD District Plan under Section 9.6.1.3, Requirement for a PUD District Plan, is exempt from this requirement for site development plan review.
 5. Development on a Parkway designated according to Chapter 49 of the D.R.M.C.
 6. Establishment of a primary, accessory, or temporary use ~~allowed~~ permitted in a Zone District under Articles 3 through 9, Article 11, or any other provision of this Code, where such provision explicitly requires site development plan review and approval prior to establishment of the use.
 7. Requests for shared parking or participation in an off-site car-sharing program to meet minimum parking requirements, as specified in Article 10, Section 10.4.4.3, Shared Vehicle Parking, and Section 10.4.4.4, Off-Site Car Sharing Program.
- B. The Zoning Administrator may require site development plan review for any development not listed in subsection A. above, where the proposed development requires approval by a city agency or department other than Community Planning and Development.
- C. No development shall occur on property subject to these requirements until a site development plan has been approved and requisite zoning and building permits issued, unless the Zoning Administrator expressly allows an exception.

12.4.3.3 Review Process

A. Initiation

The owner(s) of the subject property or the owner's or owners' authorized agent may initiate an application for site development plan review.

B. Pre-Application Concept Plan Review

1. A pre-application concept plan review is mandatory before submittal of a formal site development plan application. During the concept plan review, the DRC will confirm the applicability of site development plan review to the proposed development activity and the specific procedure steps and submittal requirements the applicant will follow. See also Section 12.3.2, Pre-Application Meetings.
2. During the concept plan review, the DRC may waive an otherwise mandatory requirement for site development plan review if the DRC finds that the nature and complexity of the proposed development, and the development's compliance with this Code, can be fully addressed through the zoning permit review procedure in Section 12.4.1.

C. Application and Fees

1. Submittal in Writing

All applications for site development plan review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

2. Concurrent Applications

Concurrent applications may be allowed according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit, as applicable, be issued until the

ZONING STANDARD	MAXIMUM PERMITTED ADJUSTMENT "NA" = NOT APPLICABLE OR AVAILABLE	
	Suburban House, Urban House, Duplex, Tandem House and Any Associated Detached Accessory Structure Building Forms Only	All Other Building Forms
HEIGHT AND BULK STANDARDS:		
1. NON-HISTORIC STRUCTURES		
• Maximum height (in stories or feet)	May exceed maximum standards, but the subject building and its elements shall be no taller in feet than a similar building form located within the "existing neighborhood" as defined in Section 12.4.7.5.C.2, "Compatibility with Existing Neighborhood." In addition, a height adjustment to a Detached Accessory Dwelling Unit building shall not result in more than 2 stories.	na
• Bulk Plane Dimensions		na
2. NON-HISTORIC STRUCTURES IN THE D-GT ZONE DISTRICT ONLY		
• Maximum height (in feet)	Up to an additional 25 feet allowed permitted , according to Section 8.6.1.3 (Maximum Height) of this Code.	
3. HISTORIC STRUCTURES		
• Maximum height (in stories or feet) • Bulk Plane Dimensions	The Zoning Administrator may approve an adjustment that results in a structure taller than a similar building form located within the existing neighborhood, as defined in Section 12.4.7.5.C.2, "Compatibility with Existing Neighborhood," if the landmark approving authority (pursuant to D.R.M.C., Chapter 30, Landmarks) finds specifically that development on the lot or parcel conforming to this Code's height or bulk regulations would have an adverse impact upon the historic character of the individual landmark or the historic district, if a historic district is involved.	
SITING STANDARDS:		
Determination of Primary Street Zone Lot Line(s) on Corner Lots of Oblong Blocks or Square Blocks	Zoning Administrator may designate either or both zone lot lines parallel to the intersecting streets as a Primary Street Zone Lot Line, provided the resulting street setback standards shall be more compatible with an established pattern of street setbacks for buildings on the same face blocks containing the subject property.	
Minimum zone lot width requirements	5%	5%
Block sensitive primary street setback	No limit, provided the resulting primary street setback range (min/max) shall be more compatible with an established pattern of primary street setbacks for buildings on the same face block as the subject building.	
Side Interior Setback requirements on Zone Lots from 31 to 40 feet wide	No limit when based on a finding of neighborhood compatibility (see Section 12.4.7.5.C), provided the adjustment results in a side interior setback no less than 3 feet.	na
Setback requirements, all others, except primary street setback in the C-CCN Zone Districts	10%	20%
Build-to requirement -- Adjustment applies only to the min/max range of required build-to (e.g., an adjustment is allowed permitted to the 0' to 5' range, but not to the minimum 70% build-to portion of the standard).	na	Adjustment for irregularly shaped lots only, not to exceed a min/max build-to range of 0' to 15'

ZONING STANDARD	MAXIMUM PERMITTED ADJUSTMENT "NA" = NOT APPLICABLE OR AVAILABLE	
	Suburban House, Urban House, Duplex, Tandem House and Any Associated Detached Accessory Structure Building Forms Only	All Other Building Forms
Build-to requirement to accommodate required water quality and/or detention/retention facilities.	na	Adjustment to allow a build-to alternative (e.g., a garden wall) to count up to 40% (e.g., a standard states up to 25% of the 70% build-to may be met by a garden wall - with adjustment, 25% may be increased to 40%)
Build-to requirement - Adjustment applies only to zone lots that are 80 feet wide or less.	na	Adjustment to the required minimum internal drive dimension for the purposes of public street access required by the City.
Build-to requirement - Adjustment applies only to sites with gas station uses existing on June 25, 2010.	na	Adjustment not to exceed 40%. The adjustment is allowed permitted only when compliance with the build-to requirement is not feasible because of the impracticality of moving existing underground fuel tanks.
Maximum building coverage	5%	na
DESIGN ELEMENT STANDARDS:		
Building Configuration	na	15%
Attached Garage	Attached garage may be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) of the primary structure enclosing the primary use, provided the resulting attached garage shall be more compatible with a predominant established pattern on the same or opposite face block as the subject property.	na
OTHER STANDARDS:		
Garden wall alternative to build-to standards	na	Adjustment allowed permitted for use of alternative garden wall materials when Zoning Administrator finds alternative garden wall materials will better complement primary building materials.
Required Amount of Parking in the Historic Structure Use Overlay District (UO-3) Only	<ul style="list-style-type: none"> Required parking for office/art studio use in a landmark structure: no maximum limit if applicant can show compliance with required parking is physically impossible. Required parking for bed and breakfast use in a Historic Structure: 20% See Section 9.4.4.8 	
Required Parking for Limited Non-residential Uses Allowed Permitted in Existing Business Structures	Adjustment allowed permitted to relieve hardship due to physical limitations of the site <ul style="list-style-type: none"> See Section. 11.4.3 	na
Required Amount of Parking to Preserve Mature Trees	na	Adjustment allowed permitted when Zoning Administrator finds the adjustment is necessary to preserve existing, mature trees See Section 10.4.4. and Section 10.5.3
Required Bicycle Parking and Required Mix of Bicycle Parking Facilities	na	20% See Section 10.4.3.3.

ZONING STANDARD	MAXIMUM PERMITTED ADJUSTMENT "NA" = NOT APPLICABLE OR AVAILABLE	
	Suburban House, Urban House, Duplex, Tandem House and Any Associated Detached Accessory Structure Building Forms Only	All Other Building Forms
Minimum Width of Parking Aisles or Internal Drives in Off-Street Parking Areas	na	Adjustment allowed permitted when Zoning Administrator finds adjustment is necessary to relieve hardship associated with providing safe vehicle access and circulation on unusually small or narrow lots.
Minimum Landscaping Standards	na	Adjustment allowed permitted when Zoning Administrator finds the adjustment is necessary to: (1) preserve existing, mature trees; (2) mitigate excessive improvement costs; (3) relieve impractical hardship due to physical limitations of the site. See Section 10.5.3.1.
As expressly allowed permitted in other parts of this Code, the Zoning Administrator may grant administrative adjustments according to the allowances and limits expressed, and according to the procedures in this Section 12.4.5.		

B. Administrative Adjustments to Ensure Compliance with Federal Law

1. Compliance with Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)

a. General

The Zoning Administrator may grant administrative adjustments to any use, building form, or design standard stated in Articles 3 through 9, Contexts and Zone Districts, Article 11, Use Limitations, or Article 10, General Design Standards in order to eliminate a substantial burden on religious exercise as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act of 2000, as amended.

b. Limitations

In no circumstance shall the Zoning Administrator approve an adjustment that allows a religious assembly use, or any uses/structures/activities accessory to it, in a Zone District where Articles 3 through 9 prohibit such use or accessory use/structure/activity.

c. Conditions of Approval

In granting an administrative adjustment, the Zoning Administrator may require conditions that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties, including but not limited to additional landscaping or screening.

2. Reasonable Accommodations under Federal Fair Housing Act (FFHA)

- a. The Zoning Administrator may grant administrative adjustments to provide reasonable accommodations under the Federal Fair Housing Act. In the application for an administrative adjustment under this subsection, the applicant shall identify the type of housing being provided and cite the specific provisions of the Federal Fair Housing Act that require reasonable accommodations be made for such housing. The Zoning Administrator may grant the following types of administrative adjustments to assure reasonable accommodations required by law:

2. In all other cases, an administrative adjustment shall be valid for the same time frame and have the same effect as the zoning application with which it is joined, as such application is ultimately approved.

SECTION 12.4.6 CODE INTERPRETATIONS AND DETERMINATION OF UNLISTED USES

12.4.6.1 Purpose and Applicability

- A. This Section establishes a procedure whereby interpretation of this Code's provisions may be sought and determined, including but not limited to:
 1. Interpretations of terms, words, and phrases not otherwise defined in this Code;
 2. Interpretations of Code provisions when additional clarity is required to apply such provisions to a specific case or to guide general application of the Code;
 3. Determination which of two or more conflicting provisions apply generally or to a specific case;
 4. Determination of whether a specific unlisted primary, accessory, or temporary uses type may be allowed permitted in one or more Zone Districts, and what type of use review is required (i.e., no zoning permit, ZP, ZPIN, or ZPSE); and
 5. Interpretations regarding disputed boundaries of Zone Districts shown on the Official Zone Map.
- B. The provisions of this Section shall not apply to permit any specific use that is expressly prohibited in a Zone District or by this Code's provisions. If, pursuant to this Section, a specific use type cannot clearly be determined to be in a use classification or category permitted in a particular Zone District or by this Code's provisions, such use may be incorporated into the zoning regulations only by a text amendment to this Code, as provided in Section 12.4.11.

12.4.6.2 Authority to Make Code Interpretations

The Zoning Administrator shall be the final decision-maker for all Code Interpretations and Determinations of Unlisted Uses.

12.4.6.3 Review Process

A. Initiation

Any of the following persons may initiate a request for ~~a~~ Code Interpretations and Determinations of Unlisted Uses:

1. A member of the City Council;
2. A member of the Planning Board;
3. The City Attorney;
4. The Manager;
5. The manager or director of any other city department or agency; or
6. A private party with an interest in the subject real property when the Code Interpretation would affect the status or treatment of a proposed or submitted zoning application, or the status of an existing or proposed use, related to such property.

B. Pre-Application Meeting

A pre-application meeting is optional prior to submittal of a request for Code Interpretations and Determinations of Unlisted Uses. See Section 12.3.2, Pre-Application Conference/Concept Plan Review.

C. Application and Fees

All applications for Code Interpretations and Determinations of Unlisted Uses shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

D. Review by Zoning Administrator

Within 30 days of receipt of a complete application for a Code Interpretations and Determinations of Unlisted Uses, the Zoning Administrator shall:

1. Review and evaluate the application in light of this Code, the Comprehensive Plan, established administrative practices and past interpretations, the potential for establishing a precedent with the interpretation, and any other relevant policy and regulatory documents;
2. Review and evaluate the application with consideration of the general rules of interpretation specified in this Section 12.4.6.3.F, as applicable; and
3. Consult with the Manager, City Attorney, other agencies and staff, as necessary.

E. Final Decision by Zoning Administrator

1. Timing of Final Decision

Within 30 days of receipt of a complete application for Code Interpretations and Determinations of Unlisted Uses, the Zoning Administrator shall complete the review and make a final interpretation or determination unless the applicant agrees to an extension of time.

2. Authority to Impose Reasonable Conditions

In making a determination to allow an unlisted use, the Zoning Administrator may impose reasonable conditions on such use, which conditions shall be uniform throughout the Zone District. In imposing conditions, the Zoning Administrator shall consider, at a minimum, the compatibility of the use within the Zone Districts in which the use may be allowed permitted, the intensity of the use, the amount and configuration of physical space occupied by the use, and the potential for adverse impacts on adjacent properties.

3. Determination of Applicable Zoning Procedure

As part of a Code Interpretation or Determination of Unlisted Uses, the Zoning Administrator shall, as applicable, make a determination whether one or more of this Code's zoning procedures apply. For example, in determining that an unlisted use is allowed permitted as a primary use in a zone district, the Zoning Administrator shall also determine what zoning procedure applies (e.g., ZP, ZPIN or ZPSE). The Zoning Administrator's determination of applicable zoning procedure shall be based on consideration of the zoning procedure(s) applicable to similar land uses or subject matter, and/or the degree to which the zoning procedure may inform mitigation of possible adverse impacts from the subject Code Interpretation or Use Determination.

4. Form of Determination

The Zoning Administrator shall provide the Code Interpretation or Determinations of Unlisted Uses to the applicant in writing. Such interpretation or determination shall also be kept in the files of the Zoning Administrator.

F. General Rules of Interpretation

When making a Code Interpretation or Determination of Unlisted Uses, the Zoning Administrator shall employ the following general rules, as applicable:

1. Employ the definitions contained in Article 13 to determine the meaning of words and phrases, or if not defined in Article 13, apply the plain meanings of all other words and phrases. When not defined in Article 13, if a word or phrase is subject to differing interpretations, then the Zoning Administrator shall apply the meaning assigned first by the D.R.M.C., as applicable, and then by a dictionary in general use.
2. Employ the definitions of land uses in Article 11 to determine the appropriate use classification, use category and/or specific use type in which to classify an unlisted use.
3. Where more than one interpretation of required procedures is possible, the Zoning Administrator shall select the interpretation of procedures that requires the lesser time and expense to the applicant consistent with the provisions of the charter, the D.R.M.C., and this Code.
4. Where more than one interpretation of required provisions or procedures is possible, the Zoning Administrator shall choose that interpretation that best implements the Comprehensive Plan and/or this Code in a manner consistent with applicable law.
5. In the case of any conflict between the General Rules for Interpretation in this Section 12.4.6.3.F and the Rules of Interpretation found in Division 13.2 of this Code, the General Rules for Interpretation in this Section 12.4.6.3.F shall apply.

12.4.6.4 Review Criteria

A. General Review Criteria for All Code Interpretations and Determinations of Unlisted Uses

The Zoning Administrator shall make Code Interpretations and Determinations of Unlisted Uses only upon finding that the interpretation or determination is:

1. Consistent with the intent of this Code; and
2. Consistent with the intent of the subject Neighborhood Context and Zone District(s), and with the intent of any specific Code provision(s) at issue.

B. Additional Review Criteria for Unlisted Use Determinations

In addition to applying the general review criteria stated in Section 12.4.6.4.A, the Zoning Administrator shall apply the following criteria for a Determination of Unlisted Use:

1. The proposed use has a character and impact that are similar in nature, function, and duration to the other uses **allowed permitted** in the Zone District(s). In making such finding, the Zoning Administrator shall assess all relevant characteristics of the proposed use, including but not limited to the following, as applicable:
 - a. The typical volume and type of sales (retail or wholesale); size and type of items sold; and nature of inventory on the premises;
 - b. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution; and any dangerous, hazardous, toxic, or explosive materials used in the processing;
 - c. The nature and location of storage and outdoor display of merchandise; whether storage is enclosed, open, inside, or outside the principal building; and predominant types of items stored (such as business vehicles, work-in-process, inventory, and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders hazardous or not);
 - d. The type, size, and typical massing of buildings and structures associated with the unlisted use;
 - e. Transportation requirements, including the modal split for people and freight, by volume type and characteristics of traffic generation to and from the site; trip purposes and whether trip purposes can be shared by other uses on the site;

- f. Parking requirements, turnover and generation, ratio of the number of spaces required per unit area or activity, and the potential for shared parking with other uses;
- g. The amount and nature of any external effects generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation and fumes;
- h. Any special public utility requirements for serving the proposed use, including but not limited to water supply, waste water, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and
- i. The type and extent of impacts on adjacent properties created by the proposed use in comparison to impacts from other uses ~~allowed~~ permitted in the Zone District.

SECTION 12.4.7 VARIANCE

12.4.7.1 When Authorized

The Board of Adjustment may authorize variances from the terms of this Code pursuant to the charter, subject to terms and conditions fixed by the Board of Adjustment, as will not be contrary to the public interest where, owing to unusual conditions or disability or owing to a property's historic designation, or where a variance would produce a more compatible development, literal enforcement of the provisions of this Code will result in unnecessary hardship.

12.4.7.2 Related Procedure

Under certain circumstances, modifications of this Code's standards may be permitted according to the Administrative Adjustment procedure in Section 12.4.5, without resort to this Variance procedure. The Zoning Administrator may grant administrative adjustments to relieve unnecessary hardship and practical difficulties, without review by the Board of Adjustment for a variance.

12.4.7.3 Limitations on Variances for Signs

A. General Limitations on Sign Variances

No variance from the provisions of Division 10.10, Signs, on permitted signs shall be granted or authorized by the Board of Adjustment, which would result in any of the following:

1. Any variance from the provisions of Section 10.10.20, Outdoor General Advertising Devices;
2. An existing roof sign that is higher than 32 feet above grade or a new or existing projecting sign that is higher than 32 feet above grade;
3. A new roof sign;
4. A new projecting sign that exceeds 20 square feet in sign area in a Residential Zone District or in the MX-2x, MS-2x, or O-1 Zone Districts; or that exceeds 50 square feet in sign area in the MX-2A, MX-2, MX-3A, MX-3, MS-2, MS-3, I-MX, I-A, or M-IMX Zone Districts; or that exceeds 80 square feet in sign area in all other Zone Districts;
5. A new or existing projecting sign where more than 1 other sign is maintained or is to be maintained for the same primary use on the same building front;
6. A new or existing ground sign that is higher than 32 feet above grade, except that a variance permitting the maintenance of an existing ground sign that is not higher than 35 feet above grade may be granted where said ground sign and all other signs for the same primary use comply with all other applicable provisions of Division 10.10, Signs;
7. A new or existing sign with a sign area larger than that which is permitted under the provisions of Division 10.10, Signs, for the primary use in the Zone District in which the primary use is or will be maintained, except that a variance permitting the maintenance

1. The use is a nonconforming or compliant use, as defined in this Code, and such use is in full compliance with all requirements under this Code applicable to nonconforming or compliant uses and is authorized to continue in operation and to exist;
2. The structure in which an increase in floor area is sought was in existence on the date on which the nonconforming or compliant use became nonconforming or compliant, and is in existence at the time of the hearing;
3. On the date on which the use became nonconforming or compliant, the use was in occupancy and in operation on a portion of the floor area of the structure in which an increase in floor area is sought;
4. The applicant does not propose or intend to enlarge the existing structure, does not propose or intend to increase the floor area of such structure, and that any authorized increase in occupancy of floor area by the nonconforming or compliant use will not involve remodeling, changing or altering any load-bearing member of such structure; and
5. That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Code will result in unnecessary hardship.

12.4.7.6 Review Criteria - Applicable to All Variance Requests

The Board of Adjustment may grant a variance only if the Board finds that, if granted, the variance:

- A. Would not authorize the operation of a primary use other than those uses specifically enumerated as **allowed permitted** primary uses for the Zone District in which the property is located.
- B. Would not grant a change to either (a) a waiver or condition attached to an approved rezoning, or (b) an approved PUD District plan that would constitute an "amendment" under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits, or (c) an approved GDP that would constitute an "amendment" under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits.
- C. Would not, other than allowed in Section 12.4.7.5.A. above to accommodate persons with disabilities, relate to either the persons, or the number of persons, who do, will, or may reside in a residential structure.
- D. Would not substantially impair the intent and purpose of this Code.
- E. Would not substantially impair the intent and purpose of the applicable Zone District.
- F. Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property.
- G. Would be the minimum change that would afford relief and would be the least modification of the applicable provisions of this Code.
- H. Would adequately addresses any concerns raised by the Zoning Administrator or other city agencies in their review of the application.

12.4.7.7 Requirements and Limitations After Variance Approval

A. Expiration

1. A variance authorizing construction shall expire unless substantial construction has started within 3 years and is completed within 5 years from the date the variance was granted. Upon the completion of construction, the variance shall run with the land.
2. For variances unrelated to construction, the variance shall run with the land unless the Board of Adjustment specifies otherwise as a condition of the variance.

comments, in addition to the review criteria below, and approve, approve with conditions, or deny the application for a zoning permit with special exception review.

2. The Board of Adjustment may place conditions and restrictions upon the establishment, location, construction, maintenance, and operation of a special exception use as it deems necessary to promote the public health, safety, and general welfare of the community.

G. Issuance of Zoning Permits after BOA Final Decision

After the Board of Adjustment's final decision on an application for a zoning permit with special exception review, Community Planning and Development shall either issue or deny a zoning permit consistent with the Board of Adjustment's final decision. Community Planning and Development shall expressly note on the face of the zoning permit any conditions or restrictions approved by the Board of Adjustment.

12.4.9.3 Review Criteria

No application for a zoning permit with special exception review shall be approved by the Board of Adjustment unless the Board finds that all of the following conditions are met or can be met through conditions placed on approval of the application:

- A. The special exception is consistent with the Comprehensive Plan;
- B. The proposed special exception shall be consistent with the purposes and objectives of the Zone District in which it is located;
- C. If located within a GDP area, the special exception shall be consistent with the GDP;
- D. The special exception is in compliance with all applicable regulations in this Code, including but not limited to, any specific use limitations stated in Articles 3 through 9, and in Article 11, Use Limitations and Definitions;
- E. The establishment, maintenance, and operation of the special exception will not be detrimental to or endanger the public health, safety, or general welfare of the community;
- F. The use and enjoyment of other existing uses on the surrounding property will not be substantially impaired by the establishment, maintenance, and operation of the special exception;
- G. The establishment of the special exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- H. The aggregate impacts of similar special exceptions shall not result in harmful external effects or environmental impacts; and
- I. Any potential adverse impacts from the proposed special exception can and will be adequately mitigated.

12.4.9.4 Requirements and Limitations After Zoning Permit Issuance

A. Expiration and Extensions

1. Except as otherwise allowed in subsection A.2. below, a zoning permit with special exception review shall expire 12 months from the date of the Board of Adjustment's decision unless the special exception use begins operating, or a valid building permit is issued. Upon a showing of good cause, the Zoning Administrator may extend the permit for the special exception for additional time periods not to exceed a total of 12 additional months.
2. If a zoning permit with special exception review is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or an ~~allowed~~ **permitted** use shall expire at the same time as the approved Site Development Plan.

B. Limit on Reapplication for Denied Special Exceptions

No application for a zoning permit with special exception review denied by the Board of Adjustment shall be considered for a period of 1 year from the date of the original denial unless the Zoning Administrator determines that the application contains substantial changes that address the reasons for denial of the application.

SECTION 12.4.10 OFFICIAL MAP AMENDMENT (REZONING)

12.4.10.1 Applicability

An official map amendment may be required to correct an error in the map or, because of changed or changing conditions in a particular area or in the city generally, to rezone an area to implement adopted plans, or to change the regulations and restrictions of an area as reasonably necessary to promote the public health, safety or general welfare.

12.4.10.2 Zone Districts Not Available for Rezoning

~~Except as otherwise provided in Section 9.4.2.1 and Section 12.3.3.9, n~~No land may be rezoned into any Zone District not established in this Code. In addition, the following Zone Districts established in this Code, while mapped on the Official Zoning Map, shall not be applied to any lands after June 25, 2010:

- A. D-GT Downtown Golden Triangle Zone District
- B. D-AS Downtown Arapahoe Square Zone District
- C. O-1 Zone District
- D. Adult Use Overlay District (UO-1)
- E. Billboard Use Overlay District (UO-2)

12.4.10.3 Minimum Area Requirements

A. Applicability

This section's minimum area requirements shall apply to all applications for Official Map Amendments to this Code adopted after June 25, 2010, unless specifically exempted in Paragraph B. below.

B. Exemptions from Minimum Area Requirements

In addition to any exemptions specified in Section 12.4.10.3.D's summary table, the following applications for an official map amendment are exempt from this section's minimum area requirements:

1. An official map amendment determined by the City Attorney to be a legislative zone map amendment.
2. The subject property ~~abuts~~ is adjacent to the same Zone District designation sought for the subject property (for example, the subject property seeks a rezoning to G-MU-5 and ~~abuts~~ is adjacent to property already zoned G-MU-5). For the purposes of this provision, ~~abutment adjacency~~ shall not be destroyed by the existence of a dedicated public right-of-way.
3. The subject property abuts property with the same zone classification except for the permitted maximum height, and the Official Map Amendment seeks a lower building height maximum than such abutting property (for example, the subject property seeks a rezoning to G-MU-5 and abuts property zoned G-MU-12).
4. An official map amendment applying zoning to lands newly included within the city's corporate boundaries after City Council approval of a minor boundary adjustment.

C. Calculation of Minimum Area

1. For the purpose of computing the size of an area for compliance herewith, there shall be added to the minimum area calculations the following:
 - a. All land area, including public rights-of-way, within and extending to the centerline of the abutting right-of-way.
 - b. The area of any land within the corporate limits of the city that ~~abuts~~ is adjacent to the area being changed and which land already bears the zoning classification sought for the area being changed. For the purposes of this provision, ~~abutment adjacency~~ shall not be destroyed by the existence of a dedicated public right-of-way.

2. For the purpose of computing the size of an area for compliance herewith, there shall be excluded from the minimum area calculation the following:
 - a. That portion of public rights-of-way in excess of 60 feet in width;
 - b. Water reservoirs, including supporting land, owned by the city, the state, the Denver Water Board, or any agency of the federal government;
 - c. All land owned by Denver School District No. 1 which is used for school purposes; and
 - d. All land owned by the city, the state, or any agency of the federal government which is used for public park or recreational purposes.

D. Minimum Area Requirements for Rezoning

Subject to the foregoing limitations, an area proposed to bear the following zoning classifications shall contain at least the following area:

ZONE DISTRICT CLASSIFICATION PROPOSED	MINIMUM AREA REQUIRED
SU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. SU zone to "A1", "B1", "C1" etc. SU Zone District: minimum 1 block • Rezone from "A", "B", "C", etc. SU zone to "A2", "B2", "C2" etc. SU Zone District: 8 acres
TU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. TU zone to "A1", "B2", "C1" etc. TU Zone District: 8 acres

TH	2 acres, or at least one face block
RH	2 acres, or at least one face block
MU	2 acres, or at least two facing block faces or one block
RO	No requirement

CC	No requirement
RX	No requirement
MX	No requirement
MS	No requirement
CCN	No requirement

D-C	Must abut an existing D-C District
D-TD	Must abut an existing D-TD district
D-LD	Must abut an existing D-LD district
D-CV	Must abut an existing D-CV district

ZONE DISTRICT CLASSIFICATION PROPOSED	MINIMUM AREA REQUIRED
I-MX	No requirement
I-A	8 acres
I-B	8 acres
CMP-H, H2	6 acres or no minimum if abutting an existing CMP-H or CMP-H2 district
CMP-EI, EI2	CMP-EI: 6 acres or no minimum if abutting an existing CMP-EI district CMP-EI2: 70,000 square feet or no minimum if adjacent to or across the street from an existing CMP-EI or CMP-EI2 district
CMP-ENT	6 acres
OS-A	No requirement
OS-B	No requirement
OS-C	No requirement
All Master Planned Context Zone Districts	Must be located within a General Development Plan area where the GDP area is a minimum of 50 acres, and shall not include lands located within ¼ mile of an existing or planned rail transit station.
DIA	No requirement if rezoning is initiated by the Manager of Aviation, otherwise must abut an existing DIA district
-AIO Overlay	8 acres
-CO	2 acres and at least two facing block faces
-DO	2 acres and at least two facing block faces
PUD	No requirement
Any Zone District in the Denver Zoning Code when Land is Currently Zoned Under Former Chapter 59	No requirement

12.4.10.4 Review Process

A. Initiation

1. By City Council

- a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate an official map ~~application~~ **amendment**.
- b. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.10.4. However, the City Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for an official map amendment (rezoning).

2. By Other Parties

Other than City Council or an individual ~~C~~city ~~C~~ouncil member, only the following parties may initiate an official map amendment:

- a. The Manager.

- b. All official map amendment applications for a PUD District, or for a Zone District with waivers and/or conditions under Section 12.4.10.6, shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.
- c. For official map amendment applications for other than a PUD District or Zone District with waivers and/or conditions, an application for an official map amendment may be initiated by either:
 - i. All of the owners of the entire land area subject to the application for an official map amendment or their representatives authorized in writing to do so; or
 - ii. One or more of the owners of the real property subject to the application for amendment, or their representatives authorized in writing to do so, accompanied by a petition requesting the amendment and which petition, at the time of submittal, contains the signatures of the owner or owners of 51 percent or more of the total area of the zone lots subject to the application for amendment.

B. Pre-Application Meeting

1. A pre-application meeting is mandatory for an official map amendment (Rezoning). See Section 12.3.2, Pre-Application Conference/Concept Plan Review.
2. The Manager shall determine at the pre-application meeting whether a General Development Plan (GDP) is required under Section 12.4.12, General Development Plan. If the Manager determines a GDP is required by Section 12.4.12, the applicant shall be advised that an official map amendment application will not be approved until a GDP is approved according to Section 12.4.12.

C. Application and Fees - General

1. All applications for official map amendments shall be filed in writing with the Manager. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications. This provision does not apply to applications, map amendments initiated by ~~the City Council~~ or the Manager.
2. ~~If City Council submits an official map amendment it may, but is not required to, follow these procedures, including the pre-application meeting.~~

D. Review and Referral by Manager

All applications for official map amendments shall be subject to the following review process:

1. Referral and Examination of Application

Upon receipt of a complete application, the Manager shall transmit copies of the application to other agencies that might be affected by the proposed application. If considered necessary, any such agency may require the applicant to furnish additional information of a pertinent and reasonable nature. Any such agency may transmit comments and recommendations concerning the application to the Manager. Any agency wishing to comment shall do so within 21 days from the referral of the complete application. Non-response by a reviewing agency within the 21-day time period, or any extension agreed to by the Manager, shall be deemed a recommendation of approval by such agency.

2. Disposition of Application

- a. Except as allowed in subsection D.2.b. below, when the Manager determines an application for an official map amendment, including agency comments and recommendations, is ready for Planning Board action, the Manager shall submit the application to the Planning Board together with the Manager's written recommendation to the Planning Board.

- b. Where an amendment is necessary only to correct an error in the official map, the Manager may submit the application, including agency comments and recommendations, directly to the Council Committee for its consideration under Section 12.4.10.4.F, below.

E. Public Hearing and Recommendation by Planning Board

1. The Planning Board shall notice and hold a public hearing on the application for an official map amendment according to Section 12.3.4, Public Notice Requirements. The Planning Board shall consider the recommendation of the Manager and any comments, in addition to the review criteria below, in recommending approval, approval with conditions, or denial of an official map amendment.
2. The Planning Board's recommendation shall be forwarded to the City Council for consideration within 30 calendar days after the closing of the public hearing, unless the applicant consents to an extension of such time.

F. Consideration of Application by Council Committee

1. City Council shall appoint a committee of its members to examine all applications for official map amendment and the related department reports, Manager's recommendation, and the Planning Board's recommendation. The Council committee may at that time require additional information from the applicant, from anyone submitting comments, or from city agencies, including information previously waived.
2. The Council committee shall direct any further action on the application under this Section and, when deemed ready for hearing, shall forward the application to the City Council.

G. Public Hearing and Final Decision by City Council

1. The Manager shall submit the complete application with such supporting material as designated by the Council committee.
2. ~~Following appropriate public notice, t~~The City Council shall notice and hold a public hearing on the proposed official map amendment according to Section 12.3.4, Public Notice Requirements. The City Council shall consider the recommendations of the Planning Board and Manager, and any other comments received, in addition to the review criteria below, in approving, approving with conditions, or denying an official map amendment.

12.4.10.5 Protest Petition

A. Effect of Protest to Amendment

1. If a protest to an official map amendment signed by the owners of 20 percent or more either of (1) the total gross land area included in such proposed change; or (2) the total land area from the perimeter of the area proposed for change to a distance of 200 feet outside of the perimeter of the area proposed for change, is filed with the City Council per subsection B. below, then the amendment shall not become effective except by the favorable vote of 10 members of the City Council.
2. For the purpose of defining owners and the area of land represented by the owner, land owned by more than one owner shall be divided to the extent of each owner's percentage of ownership interest in determining whether a protest has the required percentage of signatures.
3. The Manager shall determine the adequacy of all protest petition signatures.

12.4.10.8 Additional Review Criteria for Non-Legislative Rezonings

In addition to compliance with the general review criteria stated in Section 12.4.10.7, the City Council may approve an official map amendment that the City Attorney has determined is not a legislative rezoning only if the City Council finds the application meets the following criteria:

A. Justifying Circumstances

One of the following circumstances exists:

1. The existing zoning of the land was the result of an error;
2. The existing zoning of the land was based on a mistake of fact;
3. The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;
4. The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or
5. It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.

B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

12.4.10.9 Additional Review Criteria for Rezoning to PUD District

In addition to the general review criteria stated in Section 12.4.10.7, for all proposed official map amendments requesting a PUD District, the City Council shall find:

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. The development proposed on the subject property is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD District; and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District; and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).

12.4.10.10 Appeal

A decision by the City Council on a proposed official map amendment may be appealed to District Court.

12.4.10.11 Requirements and Limitations After Rezoning Approval

A. Registration and Recording of Official Map Amendments

1. Recording Required

The Manager shall record the final action of the City Council on an official map amendment in the real property records of the Denver County Clerk and Recorder, and shall cause the amendment of the official zone map to designate the subject property according to the amendment.

2. Approved PUD District Plans

The Manager shall ~~register and~~ record all approved PUD District Plans in the real property records of the Denver County Clerk and Recorder along with the ordinance approving such PUD District Plan, and the Manager shall cause the amendment of the official zone map to designate the area included in the approved PUD District Plans as follows:

- a. For approved PUD Districts with General PUD District Plans: "PUD-G # _____."
- b. For approved PUD Districts with Detailed PUD District Plans: "PUD-D # _____."

B. Effect and Limitations on Approval

1. Effect of Rezoning Approval - In General

Approval of an official zone map amendment does not automatically confer any right to development or construction. Development shall comply with all applicable standards and procedures in this Code and the D.R.M.C.

2. Effect of Approved Detailed PUD District Plans

- a. The standards and provisions of an approved Detailed PUD District Plan shall constitute the zoning regulations for use and development of the subject property. Approval of a Detailed PUD District Plan shall constitute site development plan review for zoning compliance purposes only under Section 12.4.3, and zoning permits may be issued and site work commenced according to the approved Detailed PUD District Plan.
- b. An approved Detailed PUD District Plan shall expire after 18 months from the date of City Council approval if an approved zoning permit and building permit (as applicable) has not been obtained and if construction (as applicable) has not started. See Article 13, for definition of "start of construction."
- c. The Zoning Administrator may extend the original 18-month expiration time frame for Detailed PUD District Plans for up to an additional 12 months according to Section 12.3.6.3., Extension of Approval Period.

3. Effect of Approved General PUD District Plans

- a. Within a PUD District subject to an approved General PUD District Plan, no zoning permits may be issued and no work may commence until a site development plan has been approved according to Section 12.4.3, Site Development Plan Review, or unless a Detailed PUD District Plan for a portion or portions of the PUD District has been approved by City Council according to Section 9.6.1.3.A of this Code.
- b. A site development plan within a PUD District may be for the entirety of the district, or for only one or more phases of the entire PUD District area. The approval of a site development plan for any one phase of the PUD District may be contingent on improvements that involve other or all phases. In any site development plan application for less than the entirety of the PUD District, the applicant shall submit plan exhibits that clearly show the relation of the subject site development phase(s) to the remainder of the PUD District area.
- c. The standards and provisions of the approved PUD District subject to a General PUD District Plan, together with all approved site development plans for the PUD

District, shall constitute the zoning regulations regulating all use and development of the subject property.

4. City Council Authority to Rezone in Case of No Progress in a PUD District with a General PUD District Plan

Areas covered by an approved PUD District with a General PUD District Plan may be considered by City Council for rezoning to a more appropriate classification under this Section if a complete site development plan for ~~one or more phases at least one phase~~ of the PUD District has not been submitted within 30 months following approval of the PUD District with a General PUD District Plan; provided all owners of property subject to such amendment or rezoning have been first notified in writing by Community Planning and Development that the City Council is considering such rezoning.

5. Modifications or Amendments to Approved PUD Districts

- a. See Section 12.3.7, Modification or Amendment of Applications, Plans and Permits, for regulations governing permitted modifications and amendments to approved PUD Districts and associated PUD District Plans.
- b. All approved amendments to a recorded PUD District Plan shall be recorded ~~within 30 days of the amendment's approval.~~

12.4.10.12 Limits on Re-Application for Denied Official Map Amendments

No application for an official map amendment shall be made concerning any land area, or any portion thereof, that was the subject of a public hearing conducted by City Council within the immediately preceding 12 months period and which public hearing resulted in a rejection of the proposed official map amendment. However, this limitation shall not apply to those land areas or portions thereof for which a different Zone District classification is proposed than that which was denied by City Council.

SECTION 12.4.11 TEXT AMENDMENT

12.4.11.1 Applicability

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the text of this Code shall not be amended except to correct a manifest error in the chapter, or because of changed or changing conditions in a particular area or in the city generally, including any change to the regulations and restrictions of an area thereof, or to implement adopted plans, or as otherwise reasonably necessary to the promotion of the public health, safety or general welfare.

12.4.11.2 Text Amendments to Create New Use Overlay Zones Not Allowed

After June 25, 2010, no new Use Overlay District may be established through a text amendment to this Code.

12.4.11.3 Review Process

~~All proposed text amendments to this Code, unless initiated by City Council, shall be subject to the following review process:~~

A. Initiation

An application for a text amendment may be initiated by:

1. ~~The~~ By City Council ~~or any individual member of the City Council;~~
 - a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate An application for a text amendment. may be initiated by:
 - b. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.11.3. However, the City

Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for a text amendment.

2. By Other Parties
 - a. The Manager on the Manager's initiative or upon request of private parties may initiate a text amendment; or
 - b. The manager of any city department or agency may initiate a text amendment.

B. Application and Fees

1. All applications for text amendments shall be filed in writing with the Manager. ~~The applicant shall pay all required fees at the same time the application is submitted.~~ See Section 12.3.3, Submission of Applications. This provision does not apply to text amendments initiated by the Manager.
2. ~~If the City Council or an individual City Council member submits a text amendment, it may, but is not required to, follow these procedures.~~

C. Agency Referral and Recommendation

1. Upon receipt of an application for a text amendment, the Manager shall transmit copies of the application to any other agencies, either public or private, which might be affected by the amendment. Any such agency may transmit comments and recommendations concerning the application to the Manager. Any agency wishing to comment shall do so within 21 days from the referral of the complete application. Non-response by a reviewing agency within the 21-day time period, or any extension agreed to by the Manager, shall be deemed a recommendation of approval by such agency.
2. No text amendment shall be forwarded for City Council consideration until the amendment has been referred to affected agencies and the recommendations of those agencies, if any, considered.

D. Disposition of Applications

1. Except as allowed in subsection D.2 below, when an application for a text amendment, including agency comments and recommendations, is completely assembled, the Manager shall submit it, along with the Manager's written recommendation, to the Planning Board for the Planning Board's review and recommendation.
2. Where ~~the applicant for~~ a text amendment states in the application that the amendment is necessary only to correct an error or mistake in fact in the Code language, the Manager may submit the application, including agency comments and recommendations, directly to the Council Committee for its consideration under Section 12.4.11.3.F, below.

E. Public Hearing and Recommendation by Planning Board

The Planning Board shall notice and hold a public hearing on the proposed text amendment following public notice according to Section 12.3.4, Public Notice Requirements, ~~the Planning Board shall hold a public hearing on the proposed text amendment.~~ The Planning Board shall consider the recommendation of the Manager and any comments received, in addition to the review criteria below, in recommending approval, recommending approval with conditions, or recommending denial of a text amendment. The Planning Board shall forward its recommendation to City Council.

F. Consideration of Application by Council Committee

1. City Council shall appoint a committee of its members to examine all text amendment applications and agency reports. The Council committee may at that time require additional information from the applicant or from city agencies, including information previously waived.

2. The Council committee shall direct any further action on the application under this Section and, when deemed ready for hearing, shall forward the application to the City Council.

G. Public Hearing and Final Decision by City Council

1. The Manager shall submit the complete application with such supporting material as designated by the Council committee to the City Council for Council action.
2. ~~The City Council shall notice and hold a public hearing on the proposed text amendment according to Section 12.3.4, Public Notice Requirements. Following required public notice, the City Council shall hold a public hearing on the proposed text amendment.~~ The City Council shall consider the recommendations of the Planning Board and Manager, comments received, and the review criteria below, in approving or denying a text amendment.

12.4.11.4 Review Criteria

A. Consistency With Adopted Plans

All text amendments shall be consistent with the City's adopted plans, or the proposed text amendment is necessary to provide for a community need that was not anticipated at the time of the adoption of the Comprehensive Plan.

B. Public Health, Safety and General Welfare

All text amendments shall further the public health, safety and general welfare of the City.

C. Uniformity of District Regulations and Restrictions

A text amendment to this Code shall result in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

12.4.11.5 Appeal

A decision ~~by the City Council~~ on a text amendment may be appealed to District Court.

SECTION 12.4.12 GENERAL DEVELOPMENT PLAN

12.4.12.1 Intent

A. General Intent

A General Development Plan (GDP) establishes a framework for future land use and development and resulting public infrastructure. The GDP provides an opportunity to identify issues and the development's relationship with significant public infrastructure improvements such as major multi-modal facilities and connections thereto, major utility facilities, and publicly accessible parks and open spaces. An approved GDP provides a master plan for coordinating development, infrastructure improvements, and regulatory decisions as development proceeds within the subject area. An approved GDP also constitutes a master plan that is a prerequisite to zoning within the Master Plan neighborhood context, as described in Division 9.7, Master Planned Context, of this Code.

B. Intent of the GDP Review Process

The review process for a GDP is intended to:

1. Provide for the coordinated assessment of general land development proposals by the City and other interested public agencies;
2. Ensure that the GDP is consistent with the Comprehensive Plan;

2. **Applicability**

Any of the following changes to an approved GDP, if included in the GDP, shall be considered amendments subject to this Section 12.4.12.17.A. The DRC shall decide if the proposed change falls within any of the following:

- a. Significantly modifying or reallocating the ~~allowed~~ permitted height, mix of uses, or density of development;
- b. Significantly altering the location or amount of land area intended for publicly accessible open space or other public purposes required by this Code or by other City ordinances, rules, or regulations;
- c. Substantially moving or altering the vehicle access and circulation to or within the development;
- d. Changing or negating a condition of approval; or
- e. Modifying any other element of the approved GDP that would substantially change its character or impacts on surrounding property, as determined by the Manager.

3. **Procedure for Amendments**

An amendment to an approved GDP may be reviewed concurrently with other applications according to Section 12.3.3.9, Concurrent Applications. An amendment to an approved GDP shall be reviewed according to the same procedures and subject to the same limitations and requirements contained in Section 12.4.12.1 and Sections 12.4.12.4 through 12.4.12.16, with the following exceptions:

a. **Initiation**

In place of Section 12.4.12.4, a GDP amendment may be initiated by any one or combination of the following parties:

- i. One or more property owners or their authorized agent(s) within the area being amended;
- ii. The Manager;
- iii. The manager of Parks and Recreation; or
- iv. The manager of Public Works.

b. **Public Meeting and Public Notice**

In place of Section 12.4.12.10.C.1, upon the Manager's determination that the application for preliminary review of the GDP amendment is complete (see Section 12.3.3.8, Determination of Complete Applications), and at least 21 days prior to such meeting, the applicant shall schedule a public meeting to take place 21 to 45 days hence and send written notice of submittal of the preliminary GDP amendment application and public meeting to:

- i. The City Council member(s) in whose district the approved GDP is located and the at-large Council members;
- ii. All property owners within the GDP area being amended who are not co-applicants for the GDP amendment;
- iii. All property owners within 200 feet of the GDP area being amended;
- iv. Denver Public Schools if the approved GDP anticipates residential development;
- v. Any special district of which any part of the district's boundaries is included in the approved GDP boundaries; and
- vi. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the approved GDP boundary.

c. Planning Board Meeting Notice

In place of Section 12.4.12.11.B.2, written and posted notice of the Planning Board public hearing shall be provided according to Section 12.3.4, Public Notice Requirements, and such written notice shall also be sent to the following:

- i. All owners of land included in the boundaries of the GDP area being amended other than the applicant;
- ii. Owners of real property located within 200 feet of the GDP area being amended;
- iii. The City Council members in whose districts the approved GDP area is located, and the at-large Council persons;
- iv. Any neighboring municipality or county which is contiguous to any boundary of the approved GDP;
- v. Denver Public Schools if the approved GDP anticipates residential development.
- vi. Any special district of which any part of the district's boundaries is included in the approved GDP boundaries; and
- vii. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the approved GDP boundary.

d. Review Criteria

In addition to the review criteria in Section 12.4.12.12, the DRC shall approve the GDP amendment only if the DRC finds the amendment will not result in any material adverse effects on the remainder of the approved GDP.

B. Minor Deviations to an Approved GDP

The DRC may authorize minor deviations from a previously approved General Development Plan (GDP). Minor deviations are allowed provided such deviation does not constitute an "amendment" to a GDP under Section 12.4.12.17.A, Amendments. All minor deviations to a GDP approved by the DRC shall be submitted as "redline" edits to the previously approved electronic GDP, which, after approval, shall be recorded by the Manager in the records of the Denver County Clerk and Recorder's Office.

SECTION 12.4.13 REGULATING PLAN

12.4.13.1 Intent

A. General Intent of a Regulating Plan

A Regulating Plan is used to apply ~~allowed~~ **permitted** building forms, building heights and land uses to specific street frontages and specific blocks and/or zone lots within a Zone District. A Regulating Plan is also a vehicle for the designation of Primary Streets and Side Streets in advance of site development to increase the predictability and certainty of future development under this Code. A Regulating Plan is an optional step and process in all Zone Districts except in the M-GMX Zone District. An approved Regulating Plan provides a binding plan that narrows the broad flexibility otherwise ~~allowed~~ **permitted** in the Zone District as site specific development proceeds within the subject area.

B. Intent of Regulating Plan in the M-GMX Zone District

For properties zoned to a Master Planned General Mixed Use ("M-GMX") District, a Regulating Plan is mandatory prior to site development. The M-GMX Zone District allows a broad menu of potential building forms and land uses, which are intended to allow flexibility to create places with a specific character, as described in an approved General Development Plan. The broad menu of building forms and land uses must be restricted in their geographic location in order to successfully implement the approved General Development Plan, and to provide predictability and certainty for future property owners within the M-GMX Zone District. The geographic ap-

plication of specific building forms, building heights and land uses is shown through a Regulating Plan, which ensures the character described in the General Development Plan is implemented throughout the M-GMX Zone District.

12.4.13.2 When Required & General Allowances

A. When Required

1. Mandatory in the M-GMX Zone District

Preparation of a Regulating Plan is mandatory in the M-GMX Zone District, except when the subject property is included in a General Development Plan, which includes the same level of detail and information as required by this Section 12.4.13, including but not limited to the designation of Primary Streets.

2. Mandatory for Development within Certain General Development Plan Areas

Preparation of a Regulating Plan is mandatory prior to site development subject to a General Development Plan where the GDP does not include designation of Primary Streets.

3. Optional in All Other Cases

In all Zone Districts other than in the M-GMX Zone District, and when a Regulating Plan is not otherwise mandatory under this Section, preparation of a Regulating Plan is optional.

B. General Allowances

1. A Regulating Plan may encompass all or a portion of the area within a General Development Plan, as applicable; in addition, there may be multiple Regulating Plans within the same GDP area.
2. There is no minimum area required for submittal of a Regulating Plan.

12.4.13.3 Review Process

A. Intent of the Regulating Plan Review Process

The review process established in this Section 12.4.13 for a Regulating Plan is intended to:

1. Narrow the application of the ~~allowed~~ permitted building forms, land uses, and building heights within a Zone District to specific geographic sites; and
2. Ensure that the implementation of the Zone District standards are consistent with the approved General Development Plan.

B. Timing of Regulating Plan Review

When preparation of a Regulating Plan is required according to this Section, the Regulating Plan shall be approved before approval of any of the following zoning applications, as applicable, unless the Manager agrees to concurrent processing of such applications according to Section 12.3.3.9, Concurrent Applications. A Regulating Plan may also be incorporated into or a part of a Site Development Plan if applicable.

1. Special Exception Review
2. Variances
3. Site Development Plan Review
4. Zoning Permit

C. Initiation

A Regulating Plan may be initiated by any one or combination of the following parties:

1. All of the owners of the entire land area subject to the application for a regulating plan, or their representatives authorized in writing to do; or

2. The Manager.

D. Pre-Application Meeting

A pre-application meeting is mandatory. See 12.3.2, Pre-Application Meeting/ Concept Plan Review.

E. Application and Fees

1. Submittal in Writing

All applications for Regulating Plan review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

F. Regulating Plan Contents

1. Regulating Plan

- a. The regulating plan shall be provided in a digital format acceptable to the Manager.
- b. A regulating plan shall be produced at a scale appropriate for review, but at no less than 1"=200' scale.
- c. The regulating plan shall show:
 - i. The land area that is the subject of the Regulating Plan, including 250 additional feet beyond the plan area to establish context, and shall also show the immediately adjoining land uses, roads, water bodies, and other rights-of-way or easements.
 - ii. The boundaries of the area within the M-GMX Zone District, as applicable.
 - iii. Proposed size and layout of blocks.
 - iv. The location of all streets, alleys and drives with the street type specification and width of each.
 - v. Designation of Primary Streets and Side Streets.
 - vi. The location of all publicly accessible open spaces, including public parks or open space, common open space, and schools.
 - vii. The assignment of one or more **allowed permitted** building form standards (e.g., urban house building form, general building form), including the maximum or range of heights **allowed permitted** for such building forms, to each face block or zone lot. Building forms to apply within the Regulating Plan may be chosen from any of the building forms **allowed permitted** in the applicable Zone District.
 - viii. The land use or land uses **allowed permitted** on each face block or zone lot.
 - ix. Where applicable, the location of dwelling units meeting the developer's affordable housing obligations under the Denver Revised Municipal Code.
 - x. The applicant may also assign supplemental building form standards to specific face blocks or zone lots to achieve urban design objectives for the proposed development, provided such supplemental standards shall be no less restrictive than otherwise applicable building form standards.

For example, while the applicable building form standards may limit a building's height to a *maximum* of 5 stories, a Regulating Plan may require a building located at a critical focal point within the development to have a *minimum* height of 2 stories. On the other hand, a Regulating Plan in the same instance cannot allow a maximum building height of 8 stories.

DIVISION 12.5 COMPLIANT USES

SECTION 12.5.1 INTENT

The creation in this Division of the legal status of "compliant use" is intended to provide greater flexibility than the category of "nonconforming uses" in the continuation, expansion or enlargement of existing land uses still permitted in the subject zone district, but which no longer comply with this Code's use limitations.

SECTION 12.5.2 DEFINITION

See Article 13 for definition of "Use, Compliant," and "Use, Conforming."

SECTION 12.5.3 EFFECT

12.5.3.1 Right to Continue

Compliant uses are legal uses for all purposes under this Code, and may continue to operate indefinitely.

12.5.3.2 General Allowance and Limitation on Expansion

- A. Provided it continues to comply with all provisions of this Division, any compliant use may continue in operation on the same zone lot and on the same floor area in a structure that was occupied by the compliant use on the date the use first became a compliant use.
- B. Except as authorized in this Division 12.5, the zone lot or the floor area in a structure devoted to the operation and maintenance of a compliant use shall not be increased if the extent or degree of noncompliance with this Code is increased.
- C. Continuance authorized in this Division shall not be construed to permit an increase in the number of dwelling units, a reduction of the ratio of land area to the number of dwelling units, or ~~any a change whatsoever~~ in any aspect of ~~and feature of~~ or ~~in~~ the character of the ~~nonconforming~~ compliant use that increases the amount, extent, or degree of noncompliance. This subsection shall not be construed to prohibit changes in the compliant use that result in a decrease in the amount, extent or degree of noncompliance (e.g., a reduction in the floor area of the compliant use that results in a decrease in the amount of parking required).

12.5.3.3 Zoning Administrator Authority to Allow Limited Expansions

A. Zoning Administrator Authority in Special Cases Only

1. The Zoning Administrator may authorize, upon application in specific cases, an exception permitting an increase in either or both the zone lot area or the floor area in a structure or structures occupied by a compliant use as are necessary and essential to enable the owner of the use to comply with lawful requirements of the federal, state, or municipal governments; or
2. As a result of an act of government through vacation of right-of-way that creates private land area ~~abutting an existing immediately adjacent to an abutting~~ zone lot, for that newly created private land, the Zoning Administrator may authorize, upon application in specific cases, an exception permitting the existing compliant use on the existing zone lot to expand in zone lot area, but not floor area in a structure or structures, onto the newly created private land.

B. Procedure and Required Findings

All applications for an allowance under this Section 12.5.3.3 shall be reviewed according to the procedures stated in Section 12.4.1, Zoning Permit Review. In addition to the review criteria stated in Section 12.4.1, the Zoning Administrator shall grant an allowance only upon finding the following conditions exist:

1. That the use is a compliant use as defined in this Code, and is in full compliance with all requirements of this Code applicable to compliant uses, and
2. The Zoning Administrator has found that the application complies with Section 12.5.3.3.A.

C. Allowance Personal to Owner

Every allowance authorized by this Section 12.5.3.3 shall be personal to the applicant and shall not be transferable, and shall run with the land only after construction of any authorized structure or structures and only for the life of such structure or structures.

12.5.3.4 Board of Adjustment Authority to Grant Variances for Expansion

The Board of Adjustment is authorized under its power to grant variances to permit an increase in the floor area occupied by a compliant use in an existing structure, subject to the procedures and applicable criteria stated in Section 12.4.7, Variance.

SECTION 12.5.4 TERMINATION OF COMPLIANT USES

12.5.4.1 By Changes in Use

A. To a Conforming Use

Changing a compliant use to a conforming use shall terminate the rights of the compliant use, and any re-establishment of the compliant use shall comply with all applicable use limitations in this Code.

B. To a Temporary Use

Changing a compliant use to a temporary use properly permitted under the provisions of this Code shall not terminate the rights of the compliant use.

12.5.4.2 By Abandonment

Abandonment of a compliant use shall terminate immediately the right to operate such compliant use.

12.5.4.3 By Violation of this Code

- A. Unless remedied according to Subsection 12.5.4.3.B below, any one of the following violations of this Code shall terminate the right to operate a compliant use:
 1. Failure to make a compliant use comply with the limitations on external effects of uses as established by this Code;
 2. Increasing the floor area occupied by a compliant use without the approval of the Board of Adjustment or the Zoning Administrator for such increase, as applicable; or
 3. Changing a compliant use to an unlawful use.
- B. Any of the following actions shall allow continuance of a compliant use in the event of a violation of this Code:
 1. Approval of a zoning variance that grants specific relief from compliance with the provision of the Code at issue in the use termination case. The Board of Adjustment shall act on such variance application within 120 days from the date the Zoning Administrator ~~of the city~~ determines such use is in violation of this Code. For good cause, the Zoning Administrator may grant an extension of the 120-day period for up to one additional 90-day period. Grant of a variance according to this subsection shall not change the legal status of the use as "compliant."
 2. The Zoning Administrator finds that the violation is completely remedied within 90 days from the date the Zoning Administrator determines such use is in violation of this Code.

3. The subject property owner submits a mitigation plan to the Zoning Administrator that proposes specific steps and time frames the owner will take to remedy the violation by a date certain, but in no case longer than 180 days from the date the Zoning Administrator of the City determines such use is in violation of this Code. The Zoning Administrator shall take final action to either approve, approve with conditions, or deny the mitigation plan. For good cause, the Zoning Administrator may grant an extension of the mitigation period for up to one additional 180-day period.
4. This Section 12.5.4.3.B, which allows continuance of a compliant use if a violation of a type listed in Section 12.5.4.3.A is remedied, may be invoked and applied only one time to the same compliant use. After remedying a violation of the Code according to this Section 12.5.4.3.B, any future Code violation of a type prohibited in Section 12.5.4.3.A shall result in the automatic termination by law of the compliant use.

12.5.4.4 By Vacancy

Vacancy for a period of 12 or more successive calendar months of the structure or that part of a structure occupied by the compliant use shall terminate immediately the right to operate such compliant use.

12.5.4.5 By Destruction, Damage or Obsolescence of Structure Housing Compliant Use

A. Involuntary Destruction or Damage

The right to operate and maintain any compliant use shall terminate and shall cease to exist whenever the structure in which the compliant use is operated and maintained is damaged or destroyed, from any cause whatsoever, and the cost of repairing such damage or destruction exceeds 50 percent of the replacement cost of such structure on the date of such damage or destruction; provided, however, that the right to operate and maintain a compliant residential use located in a Residential Zone District or a compliant use located in a C-CCN Zone District shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

B. Obsolete or Substandard Structure

The right to operate and maintain any compliant use shall terminate and shall cease to exist whenever the structure in which the compliant use is operated and maintained becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the Zoning Administrator determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

C. Voluntary Demolition

Nothing in this subsection shall be deemed to permit the reconstruction or reestablishment of all or any part of a compliant use whenever the structure in which the compliant use is operated and maintained has been voluntarily demolished.

SECTION 12.5.5 DETERMINATION OF COMPLIANT STATUS

Compliant status shall be determined by the Zoning Administrator.

DIVISION 12.6 COMPLIANT STRUCTURES

SECTION 12.6.1 INTENT

The creation in this Division of the legal status of "compliant structures" is intended to provide greater flexibility than the more restrictive category of "nonconforming structures" in the continuation, expansion or enlargement of existing structures that no longer comply with certain of this Code's building form standards.

SECTION 12.6.2 DEFINITION

See Article 13 for definitions of "Structure, Compliant," "Structure, Conforming," and "Structure, Nonconforming."

SECTION 12.6.3 EFFECT

12.6.3.1 Right to Continue

Compliant structures are legal structures for all purposes under this Code, and may continue to be occupied, operated, and maintained as is, subject to any limitations in this Division 12.6 or unless terminated as provided in this Division 12.6.

12.6.3.2 Expansions, Alterations, Enlargements to Compliant Structures

A. Applicability

1. This Section 12.6.3.2 applies to any compliant structure in all Zone Districts.
2. This Section 12.6.3.2 applies to any compliant structure that was rebuilt under Section 12.6.3.3, Voluntary Demolition and Reconstruction.

B. General Allowance

1. Subject to all limitations of this Division 12.6, any compliant structure may be occupied, operated, and maintained in a good state of repair.
2. Subject to all limitations of this Code, compliant structure may be altered or enlarged if either of the following conditions exist:
 - a. No existing compliant element of the structure is increased and no new compliant element or nonconformity is created; or
 - b. An allowance under Sections 12.6.3.2.D through F. applies.

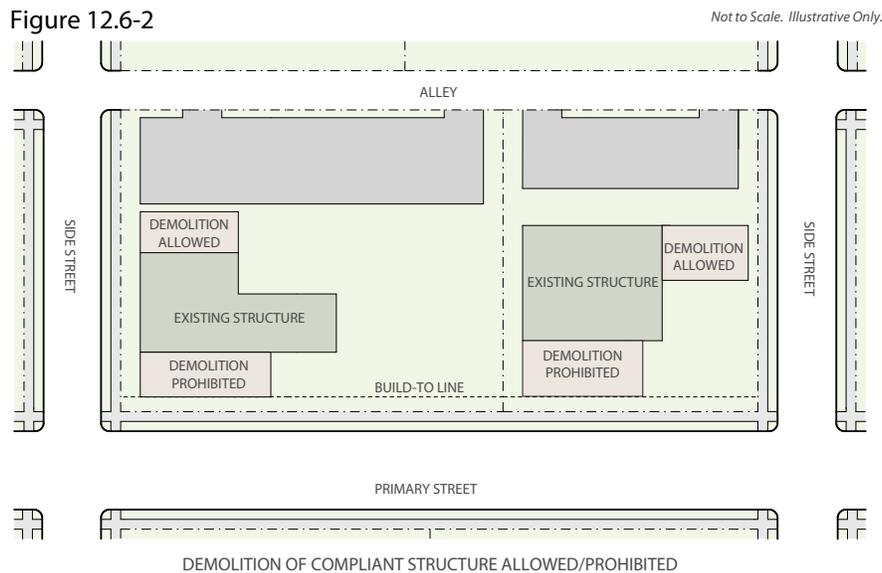
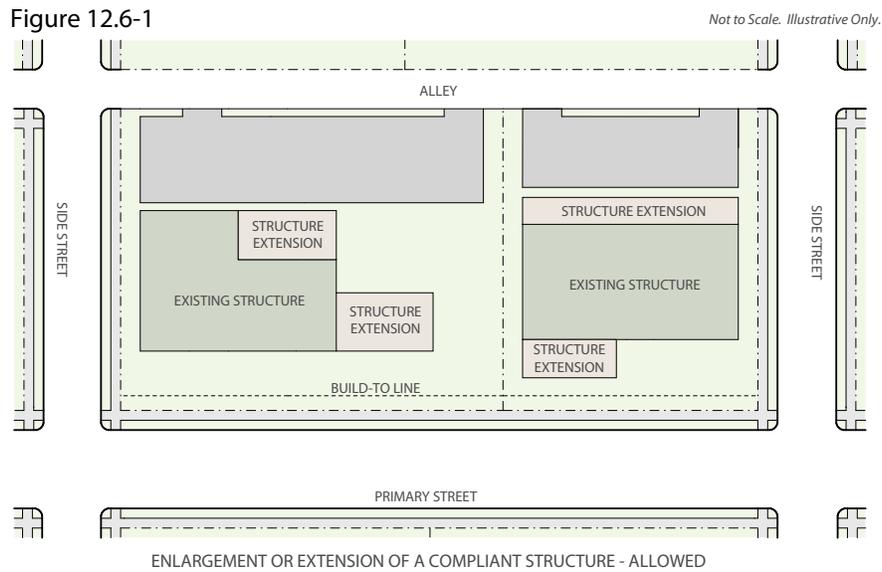
C. Documentation Required

In addition to the general submittal requirements under this Code and pursuant to the Denver Building and Fire Code, an application to permit expansions, alterations, or enlargements to a compliant structure according to Section 12.6.3.2.D-E below shall include the documentation described in Section 12.6.3.3.B.3.b below.

D. Required Build-to Standards - Expansions, Enlargements and Alterations Allowed without Full Compliance

1. Compliant structures that do not meet the requirements of the Primary or Side Street build-to standards may be altered without fully complying with the Primary or Side Street build-to standards provided that, if some portion of the compliant structure meets the build-to requirement, no alteration (including demolition) is ~~allowed~~ permitted that would reduce the amount of that existing facade meeting the build-to requirement.
2. For any expansion or enlargement that does not fully comply with the Primary or Side Street build-to standards, and that expands the building's gross floor area by more than 25% cumulatively after June 25, 2010, shall comply with perimeter parking lot landscaping standards for surface parking located between the building and the Primary Street set

forth in Division 10.5. See Figures 12.6-1 and 12.6-2 illustrating permitted alterations to compliant structures that do not meet Primary or Side Street build-to standards.



E. Required Ground-Story Street Level Activation Standards - Expansions, Enlargements and Alterations Allowed without Full Compliance

Compliant structures that do not meet the Ground-Story Street Level activation standards of this Code may be expanded without fully complying with the Ground-Story Street Level activation standards; however, any addition to the structure located within 80 feet of the Primary Street or Side Street where a Ground-Story Street Level activation standard applies must meet the Ground-Story Street Level activation standard and no alteration may be made that further reduces the structure's compliance with the transparency requirement. See Figure 12.6-3. Name at bottom of figure 12.6-3 to be edited to replace "Ground Story" with "Street Level"

DIVISION 12.7 NONCONFORMING USES

SECTION 12.7.1 INTENT

The creation in this Division of the legal status of "nonconforming use" assures that land uses no longer ~~allowed~~ permitted in a zone district are strictly limited in their right to continue, expand, or enlarge. Such nonconforming land uses are presumed to be incompatible with ~~allowed~~ permitted uses in the zone district, typically because the nature or scale of the nonconforming use's operation create adverse impacts on surrounding properties or the character of the surrounding neighborhood context. Accordingly, the provisions in this Division 12.7 encourage nonconforming uses, over time, to terminate or relocate to a zone district where they are ~~allowed~~ permitted.

SECTION 12.7.2 APPLICABILITY

12.7.2.1 Division 12.7 applies to all nonconforming uses. For purposes of this Code, "nonconforming use" means any use which, at the time the use was first permitted or initiated, was lawfully operated, and has since that time been continuously lawfully operated, but which use is not a "conforming use" as defined in this Code and is not a "compliant use" as defined in this Code.

12.7.2.2 Nonconforming outdoor general advertising devices (billboards) and other nonconforming signs shall be subject to the nonconforming sign provisions in Division 12.9 of this Article instead of the nonconforming use standards stated in this Division 12.7.

SECTION 12.7.3 LIMITED CONTINUANCE OF NONCONFORMING USES ALLOWED

12.7.3.1 General Allowance and Limitation on Expansion

- A. Provided it continues to comply with all provisions of this Section, any nonconforming use may be continued in operation on the same zone lot and on the same floor area in a structure that was occupied by the nonconforming use on the date the use first became a nonconforming use.
- B. Except as authorized in Section 12.7.3.2 below, the zone lot or the floor area in a structure devoted to the operation and maintenance of a nonconforming use shall not be increased.
- C. The continuance authorized hereunder shall not be construed to permit an increase in the number of dwelling units, a reduction of the ratio of zone lot area to the number of dwelling units, or any a change ~~whatsoever~~ in any aspect ~~and feature of~~ or ~~in~~ the character of the nonconforming use that increases the amount, extent, or degree of nonconformity. This subsection shall not be construed to prohibit changes in the nonconforming use that result in a decrease in the amount, extent or degree of nonconformity (e.g., a reduction in the floor area of the nonconforming use that results in a decrease in the amount of parking required).

D. Limitations on Continuance of a Nonconforming Trailer Camp or Court (Mobile Home Park) Uses

A nonconforming trailer camp or court, also commonly known as a mobile home park, may continue subject to the provisions of this Section 12.7.3, except that any one of the following actions shall be considered a prohibited expansion of the nonconforming use and shall subject the use to the termination provisions in Section 12.7.~~78~~ below:

1. An increase in the total number of individual trailers or mobile homes sited within the nonconforming camp, court or park.
2. A reduction in an existing separation of less than 10 feet between individual trailers, mobile homes, or manufactured homes
3. Replacement of an individual trailer or mobile home with a manufactured home, regardless of size, if the manufactured home is constructed in compliance with U.S. Housing and

Urban Development (HUD) standards and is labeled as HUD compliant. Replacement of an individual trailer or mobile home with a trailer or mobile home of substantially similar construction and size (not including HUD labeled and HUD compliant manufactured homes) may be ~~allowed~~ permitted only if the Zoning Administrator first approves a zoning permit for the replacement trailer or mobile home,

4. Replacement of an individual trailer or mobile home with a trailer, mobile home, or other manufactured or modular home that is placed on a permanent foundation (the use of tie-downs or ground anchors only is not considered a "permanent foundation").

12.7.3.2 Zoning Administrator Authority to Allow Limited Expansions

A. Zoning Administrator Authority in Special Cases Only

1. The Zoning Administrator may authorize, upon application in specific cases, an exception permitting an increase in either or both the zone lot area or the floor area in a structure or structures occupied by a nonconforming use as are necessary and essential to enable the owner of the use to comply with lawful requirements of the federal, state, or municipal governments; or
2. As a result of an act of government through vacation of right-of-way that creates private land area ~~immediately adjacent to an~~ abutting an existing zone lot, for that newly created private land, the Zoning Administrator may authorize, upon application in specific cases, an exception permitting the existing nonconforming use on the existing zone lot to expand in zone lot area, but not floor area in a structure or structures, onto the newly created private land.

B. Procedure and Required Findings

All applications for an allowance under this Section 12.7.3.2 shall be reviewed according to the procedures stated in Section 12.4.1, Zoning Permit Review. In addition to the review criteria stated in Section 12.4.1, the Zoning Administrator shall grant an allowance only upon finding the following conditions exist:

1. That the use is a nonconforming use as defined in this Code, is in full compliance with all requirements of this Code applicable to nonconforming uses, and is not a nonconforming use which, by the provisions of this Code, is to be terminated by operation of law; and
2. The Zoning Administrator has found that the application complies with Section 12.7.3.2.A.

C. Allowance Personal to Owner

Every allowance authorized by this Section 12.7.3.2 shall be personal to the applicant and shall not be transferable, and shall run with the land only after construction of any authorized structure or structures and only for the life of such structure or structures.

12.7.3.3 Board of Adjustment Authority to Grant Variances for Expansion

The Board of Adjustment is authorized under its power to grant variances to permit an increase in the floor area occupied by a nonconforming use in an existing structure, subject to the procedures and applicable criteria stated in Section 12.4.7, Variance.

SECTION 12.7.4 COMPLIANCE WITH LIMITATIONS ON EXTERNAL EFFECTS OF USES

Every nonconforming use shall comply with the limitations on external effects of uses established for the Zone District in which such use is located.

SECTION 12.7.5 ZONE LOT FOR STRUCTURES CONTAINING NONCONFORMING USES

Whenever a nonconforming use or uses is operated in a structure, a separate zone lot shall be designated, provided, and continuously maintained for the structure containing the nonconforming use or uses. Each zone lot shall have at least one Primary Street zone lot line. Upon application to and approval by the Zoning Administrator, the boundaries and area of a designated zone lot may be amended if full compliance with all requirements of this Code can be maintained.

SECTION 12.7.6 MAINTENANCE OF OFF-STREET PARKING AND LOADING SPACES

All off-street parking and loading space operated by, in connection with, or accessory to a nonconforming use shall be maintained in accordance with all specifications for maintenance of off-street parking space as established by this Code.

SECTION 12.7.7 TERMINATION OF NONCONFORMING USES

12.7.7.1 By Change in Use

A. To a Conforming Use

Changing any nonconforming use to a conforming use shall terminate the nonconforming use and the nonconforming use shall not be reestablished.

B. To a Temporary Use

Changing a nonconforming use to a temporary use properly permitted under the provisions of this Code shall not terminate the nonconforming use.

12.7.7.2 By Abandonment

Abandonment of a nonconforming use shall terminate immediately the right to operate such use.

12.7.7.3 By Violation of this Code

- A. Unless remedied according to Subsection 12.7.7.3.B below, any one of the following violations of this Code shall terminate the right to operate a nonconforming use:
 1. Failure to make a nonconforming use comply with the limitations on external effects of uses as established by this Code;
 2. Increasing the floor area occupied by a nonconforming use without the approval of the Board of Adjustment or the Zoning Administrator for such increase, as applicable;
 3. Increasing the number of dwelling units in the nonconforming use; or
 4. Changing a nonconforming use to an unlawful use.
- B. Any of the following actions shall allow continuance of a nonconforming use in the event of a violation of this Code:
 1. Approval of a zoning variance that grants specific relief from compliance with the provision of the Code at issue in the use termination case. The Board of Adjustment shall act on such variance application within 120 days from the date the Zoning Administrator ~~of the city~~ determines such use is in violation of this Code. For good cause, the Zoning Administrator may grant an extension of the 120-day period for up to one additional 90-day period. Grant of a variance according to this subsection shall not change the legal status of the use as "nonconforming."
 2. The Zoning Administrator finds that the violation is completely remedied within 90 days from the date the Zoning Administrator determines such use is in violation of this Code.

3. The subject property owner submits a mitigation plan to the Zoning Administrator that proposes specific steps and time frames the owner will take to remedy the violation by a date certain, but in no case longer than 180 days from the date the Zoning Administrator of the City determines such use is in violation of this Code. The Zoning Administrator shall take final action to either approve, approve with conditions, or deny the mitigation plan. For good cause, the Zoning Administrator may grant an extension of the mitigation period for up to one additional 180-day period.
4. This Section 12.7.7.3.B, which allows continuance of a nonconforming use if a violation of a type listed in Section 12.7.7.3.A is remedied, may be invoked and applied only one time to the same nonconforming use. After remedying a violation of the Code according to this Section 12.7.7.3.B, any future Code violation of a type prohibited in Section 12.7.7.3.A shall result in the automatic termination by law of the nonconforming use.

12.7.7.4 By Vacancy

Vacancy for a period of 12 or more successive calendar months of the structure or that part of a structure occupied by the nonconforming use shall terminate immediately the right to operate a nonconforming use.

12.7.7.5 By Destruction, Damage or Obsolescence of Structure Housing Nonconforming Use

A. Involuntary Destruction or Damage

The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the structure in which the nonconforming use is operated and maintained is damaged or destroyed, from any cause whatsoever, and the cost of repairing such damage or destruction exceeds 50 percent of the replacement cost of such structure on the date of such damage or destruction; provided, however, that the right to operate and maintain a nonconforming residential use located in a Residential Zone District or a nonconforming use located in a C-CCN Zone District shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

B. Obsolete or Substandard Structure

The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the structure in which the nonconforming use is operated and maintained becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the Zoning Administrator determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

C. Voluntary Demolition

Nothing in this subsection shall be deemed to permit the reconstruction or reestablishment of all or any part of a nonconforming use whenever the structure in which the nonconforming use is operated and maintained has been voluntarily demolished.

SECTION 12.7.8 SIGNS FOR NONCONFORMING USES

12.7.8.1 As accessory to a nonconforming use, no sign shall be erected except in compliance with the following regulations:

- A. Accessory to a nonconforming use which is a use by right for the MU districts, but which is located in a SU, TU, TH, or RH Zone District, signs shall comply with the regulations herein established for permitted signs in the lowest-height multi-unit (MU) Zone District allowed in the applicable neighborhood context.

DIVISION 12.9 NONCONFORMING SIGNS

SECTION 12.9.1 NONCONFORMING ON-PREMISE SIGNS

12.9.1.1 Intent and Declaration of Public Policy

It is reasonable that a time limit be placed upon the continuance of existing nonconforming signs. An amortization program permits the owner to plan during a period when the owner is ~~allowed~~ permitted to continue the nonconforming signs while at the same time assuring that the district in which the nonconforming signs exist will eventually benefit from a substantial uniformity of permanent signs.

12.9.1.2 Definition of Nonconforming On-Premise Signs

A nonconforming sign shall be any sign other than an outdoor general advertise device, which:

- A. On March 19, 1971, was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior zoning ordinance but which sign does not conform to the limitations established by this Code on March 19, 1971, in the Zone District in which the sign is located; or
- B. On or after March 19, 1971, was lawfully maintained and erected in accordance with the provisions of this Code effective March 19, 1971, but which sign, by reason of amendment to this chapter effective March 19, 1971, after the effective date, does not conform to the limitations established by the amendment to this chapter effective March 19, 1971, in the Zone District in which the sign is located.

12.9.1.3 Continuance of Nonconforming Signs

Subject to the termination hereinafter provided, any nonconforming sign may be continued in operation and maintained after March 19, 1971; provided, however, that no such nonconforming sign shall be changed in any manner that increases the noncompliance of such nonconforming sign with the limitations established by the this Code effective March 19, 1971, or any amendment to this Code in the Zone District in which the sign is located; and provided further, that the right to continue in operation and maintain any nonconforming sign shall be conditioned on the use by right not having more signs than ~~allowed~~ permitted for the particular Zone District in which the use by right is located, and that no such nonconforming sign shall flash, blink, fluctuate, be animated or portable.

12.9.1.4 Determination of Nonconforming Status

Nonconforming status shall be determined by the Zoning Administrator.

12.9.1.5 Termination of Nonconforming Signs

The following actions shall result in the termination immediately of the right to maintain a nonconforming sign:

A. By Abandonment

Abandonment of a nonconforming sign shall terminate immediately the right to maintain such sign.

B. By Violation of this Code

1. Unless remedied according to Section 12.9.1.5.B.2. below, any violation of this Code's sign regulations shall terminate immediately the right to maintain a nonconforming sign.
2. The following actions shall allow continuance of a nonconforming sign otherwise terminated pursuant to this Section 12.9.1.5.B., provided the nonconforming sign was not finally terminated prior to July 20, 2012:
 - a. The violation is completely remedied within 15 days from the date the Zoning Administrator gives notice that there is a violation of this Code's sign regulations, and the violation does not thereafter reoccur.

DIVISION 12.10 NONCONFORMING ZONE LOTS

SECTION 12.10.1 INTENT

This Division 12.10 is intended to promote the use, development, and redevelopment of pre-existing zone lots throughout the City of Denver, while recognizing that such zone lots do not generally fit the predominant lot patterns of their surrounding neighborhood context. Accordingly, this Division makes clear that nonconforming zone lots can be used and developed in compliance with existing zoning rules, but the range of ~~allowed~~ permitted building forms is limited to mitigate possible adverse impacts on surrounding properties.

SECTION 12.10.2 DEFINITION

See Article 13 for definition of "Zone Lot, Nonconforming."

SECTION 12.10.3 USE & DEVELOPMENT ALLOWED

12.10.3.1 Applicability

This Section 12.10.3 applies to all nonconforming zone lots except for a nonconforming zone lot that qualifies as a "carriage lot", as defined in Article 13 of this Code. All carriage lots shall comply with the standards in Section 12.10.4 below.

12.10.3.2 Use of Nonconforming Zone Lots

A nonconforming zone lot may be used only for uses ~~allowed~~ permitted in the Zone District in which the zone lot is located. Establishment of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that Zone District and for the specific use.

12.10.3.3 Development of Nonconforming Zone Lots in a Residential Zone District

Development of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that Zone District, except any applicable minimum zone lot area or minimum zone lot width standard, and except as prohibited in Section 12.10.3.3.B below. Development on a nonconforming zone lot shall comply with the following:

- A. Compliance with one of the following primary building forms, as permitted in the Zone District, according to the Setback and Building Coverage by Zone Lot Width form standards that align with the nonconforming zone lot's width:
 1. Suburban House building form;
 2. Urban House building form;
 3. Duplex building form; or
 4. Tandem house building form, excluding in the S-SU-F1 Zone District.
- B. Compliance with the accessory building forms, as permitted in the Zone District, with the following exception:
 1. Where permitted, the Detached Accessory Dwelling Unit building form may only be constructed on a nonconforming zone lot that meets the minimum zone lot size standards for the detached accessory dwelling unit building form within the Zone District.

12.10.3.4 Examples

- A. For example, in the U-SU-C1 Zone District, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The owner may develop an Urban House building form on the nonconforming zone lot, despite the lot's noncompliance with the 5,500 square foot area and 50 foot width standards otherwise required for an Urban House form in that Zone District. Development of the urban house on the existing 4,500 square foot zone lot must still comply with all other building height, siting, and design element form standards. Certain siting form standards, such as primary street and rear building setbacks or building coverage for an Urban

House, are keyed to the lot width of the subject zone lot, including a nonconforming zone lot. In this example, the Urban House would be subject to setback and building coverage standards key a 40-foot wide zone lot, as shown in the Urban House Building Form Table in Article 5 of this Code.

- B. For example, in the U-SU-C1 Zone District, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The building form standards for a Detached Accessory Dwelling Unit building requires a minimum of 5,500 square feet of zone lot area as a prerequisite for development of such form. In this case, the owner could not develop a Detached Accessory Dwelling Unit building on her lot because the lot is less than the 5,500 square feet required in the U-SU-C1 Zone District for that form.

SECTION 12.10.4 DEVELOPMENT ON CARRIAGE LOTS

Notwithstanding the requirement for zone lots to have frontage on a named or numbered public street, the Zoning Administrator may grant a zoning permit for detached accessory structures used for the noncommercial parking of motor vehicles (residential vehicle garages) or used to house accessory dwelling units on carriage lots in specific cases, provided the following procedures and conditions are satisfied:

- 12.10.4.1 The permit application under this subsection shall be subject to Zoning Permit Review with Information Notice, according to Section 12.4.2 of this Code.
- 12.10.4.2 In deciding to approve, approve with conditions, or deny the application, the Zoning Administrator shall consider written comments of all interested parties and the impact of the proposed detached accessory structure and proposed use on adjoining properties.
- 12.10.4.3 The Zoning Administrator may grant the zoning permit provided the proposed detached accessory structure complies with the following standards:

- A. Ownership of the Subject Carriage Lot**

- The applicant shall be the owner of the subject carriage lot or portion thereof, and shall have their principal residence located in the block surrounding the subject carriage lot or portion thereof. The granting of the zoning permit shall be personal to the applicant.

- B. Accessory Dwelling Unit Use of Detached Structure**

- The detached accessory structure may be used for an accessory dwelling unit provided such accessory dwelling unit use is ~~allowed~~ permitted in the applicable Zone District, and provided the proposed accessory dwelling unit use complies, to the maximum extent feasible, with the accessory dwelling unit standards in Section 11.8.2, except as stated in this Section 12.10.4.3.

- C. Compliance with Building Form Standards**

- A detached accessory structure on a carriage lot shall comply with the applicable Zone District building form standards for either a detached garage or a detached accessory dwelling unit building form, except that such structure shall comply with the following lot area and setback standards instead of the otherwise applicable building form standards.

- 1. Minimum Lot Area**

- The carriage lot or portion thereof used for the detached accessory structure shall be at least 25 feet wide at the alley line and shall contain not less than 1,000 square feet in area.

- 2. Setbacks**

- Detached accessory structures shall set back from the alley line the minimum distance necessary to provide a total alley or aisle width of 20 feet for structures that are entered or accessed directly from the alley, and shall set back not less than 5 feet from every other boundary line of the carriage lot or portion thereof.

SECTION 13.1.2 HEIGHT FOR ALL SU, TU, TH, RH, E-MU-2.5, MU-3, AND RO-3 ZONE DISTRICTS

13.1.2.1 Applicability

This Section 13.1.2 applies to all SU, TU, TH, RH (excluding M-RH), E-MU-2.5, MU-3 and RO-3 Zone Districts.

13.1.2.2 Base Plane

A. Intent

The purpose of a dual base plane associated with a front and rear percentage of lot depth is to accommodate changes in slope from the front to rear across a zone lot.

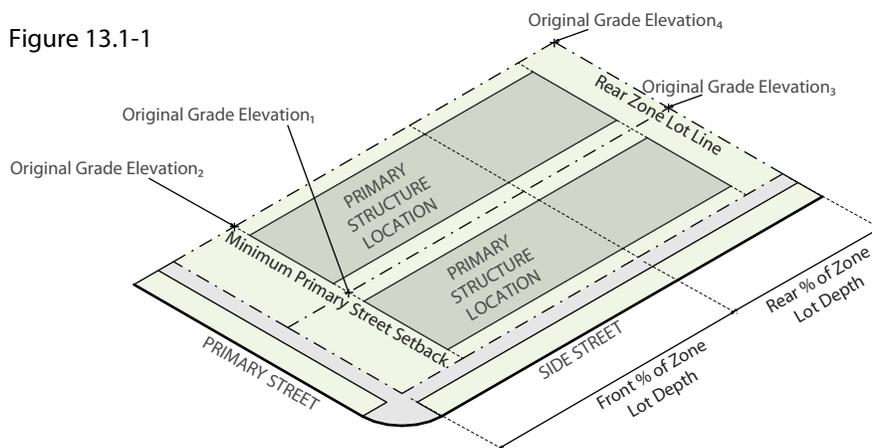
B. Rule

Two base planes or a building specific base plane are used for measuring overall height for all primary and accessory structures:

1. Two Base Planes

- a. A Front Base Plane shall be the area described below:
 - i. The front 65% of the Zone Lot Depth for all S-SU, S-TH, S-MU-3, E-SU, E-TU, E-TH, E-MU, U-SU, U-TU and U-RH Zone Districts
 - ii. The front 80% of the Zone Lot Depth in the G-RH, G-MU-3 and G-RO-3 Zone Districts
- b. The Front Base Plane is a horizontal plane established at the average elevation of original grade of two Side Interior Zone Lot Lines, or the elevation of original grade of one Side Interior Zone Lot Line when two are not present, measured at the minimum primary street setback line. See Figure 13.1-1. In any case where a Side Interior Zone Lot Line does not intersect with a Primary Street Zone Lot Line, the Zoning Administrator shall determine the points where the Front Base Plane shall originate based on the criteria for determining zone lot lines in Section 13.1.5.2.C, Criteria for Zoning Administrator Determination.

Figure 13.1-1



- c. A Rear Base Plane will be the base for measuring overall building height in the rear 35% (or the rear 20% in the General Urban (G-) Residential Zone Districts).
- d. The Rear Base Plane is a horizontal plane established at the average elevation of the original grade of the two Side Interior Zone Lot Lines, or the elevation of original grade of one side interior zone lot line when two are not present, measured at the Rear Zone Lot Line. See Figure 13.1-2.

13.1.2.3 Height in Stories

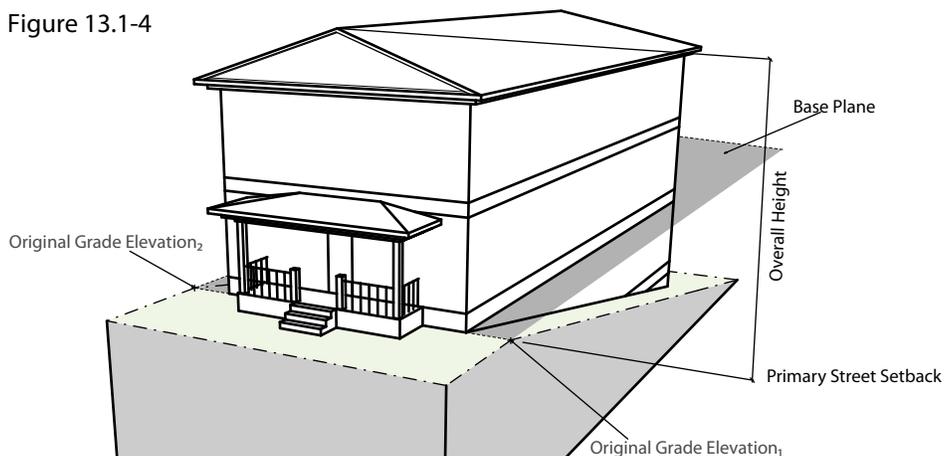
A. Intent

To provide an easy reference for visualizing building height, to provide an appropriate consistency of building scale and to shape and/or maintain neighborhood character.

B. Stories (max) Rule of Measurement

1. Overall height in stories shall be measured as the total number of stories. See Figure 13.1-4.
2. A Story shall count towards the total number of stories when:
 - a. The Story has its finished floor surface entirely above the Front Base Plane; or
 - b. The Story is located below a story which has its finished floor surface more than 6' above the Front base plane; or
 - c. The Story is located below a story which has its finished floor surface more than 6' above the finished grade for more than 50% of the total building perimeter; or
 - d. The Story is located below a story which has its finished floor surface more than 12' above finished grade at any point.

Figure 13.1-4



3. Half Story

a. Intent

To allow for additional floor area while minimizing additional bulk.

b. Rule of Measurement

Where a half story is ~~allowed~~ permitted, it shall meet the following:

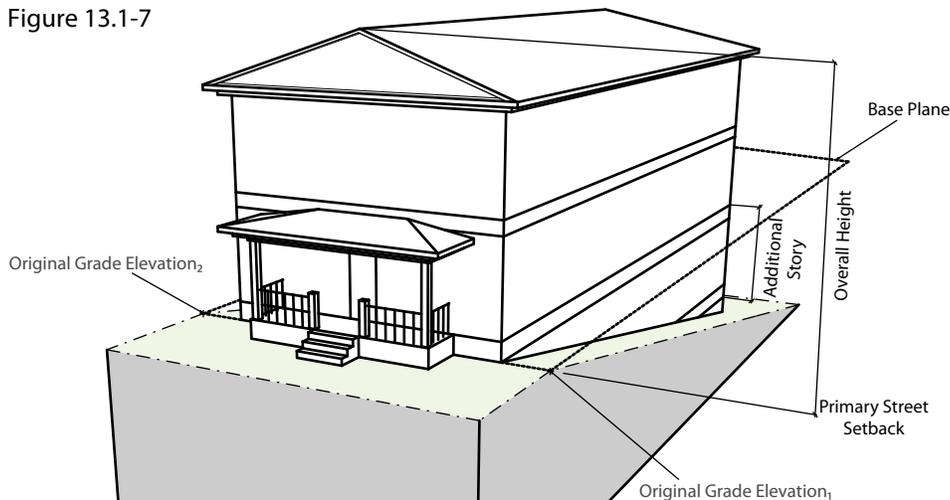
- i. The space meets the definition of Story, Habitable stated in this Article 13.
- ii. The total gross floor area of the half story, not counting floor area with a net floor-to-ceiling distance less than 5', shall be no greater than 75 percent of the floor below.

See Figure 13.1-5

5. Overall Height in Stories for Sloping Lots

For Primary Structures only, where a lot slopes downward from the Primary Street zone lot line, one story that is additional to the specified maximum number of stories may be built below the base plane on the lower, rear portion of the lot. This section shall not apply to zone lots that do not have a rear zone lot line. See Figure 13.1-7.

Figure 13.1-7



C. Exceptions From Stories (Max)

Exceptions from overall height in stories are found in each of Articles 3-9 of this Code.

13.1.2.4 Height in Feet

A. Feet (max) Rule of Measurement

Overall height in feet shall be measured as the vertical distance in feet from a base plane to the highest point of a building or structure, including parapet walls or safety railings. See Figure 13.1-8 and 13.1-9.

B. Exceptions From Feet (max)

Exceptions from overall building height in feet are found in each of Articles 3-9 of this Code.

Figure 13.1-8

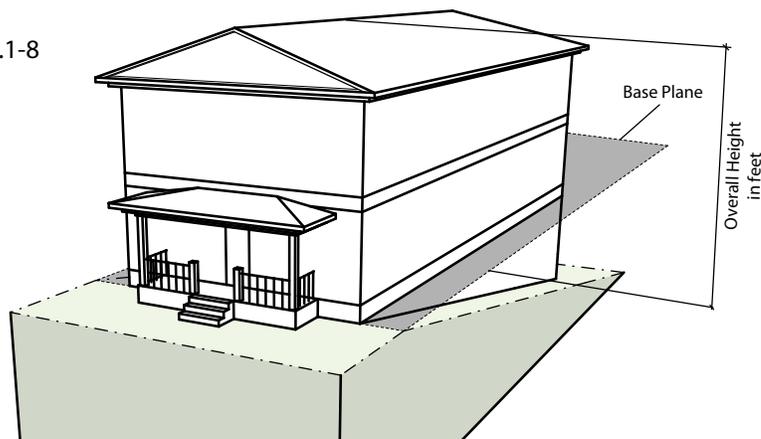
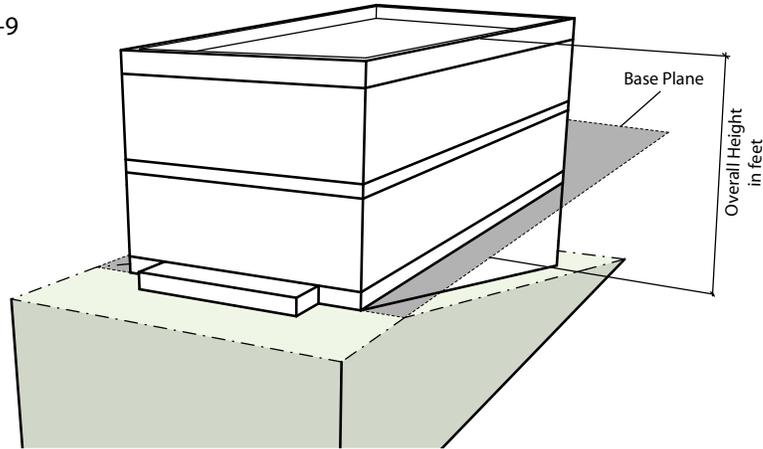


Figure 13.1-9

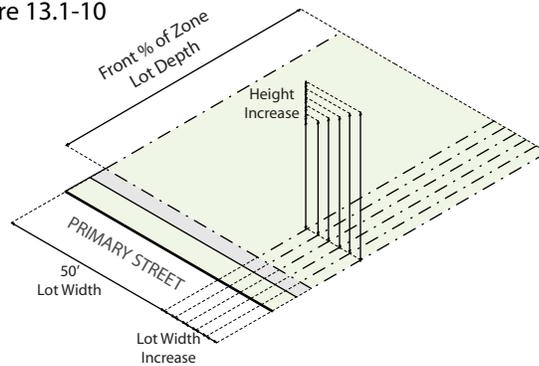


13.1.2.5 Feet, **Allowed Permitted** height increase

A. Feet, Front Percentage of Zone Lot Depth, **allowed permitted** height increase

The overall height of a structure may increase in feet in the front percentage of the zone lot depth, as specified in the building form tables, when the overall zone lot width increases. See Zone Lot Width for how to measure. See Figure 13.1-10.

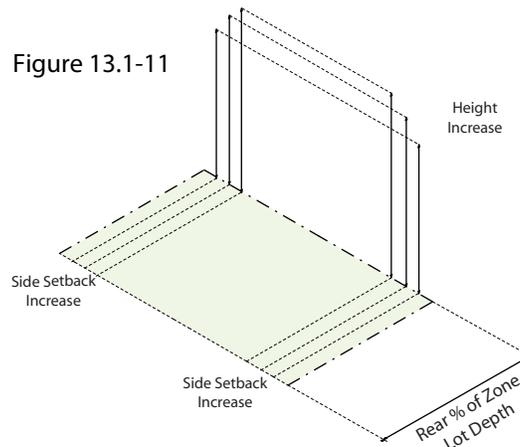
Figure 13.1-10



B. Feet, Rear Percentage of Zone Lot Depth, **allowed permitted** height increase

The overall height of a structure may increase in feet in the rear percentage of the zone lot depth, as specified in the building form tables, when one side interior setback is increased in the rear percentage of the zone lot depth, in excess of the required minimum side interior setback. See Figure 13.1-11.

Figure 13.1-11



SECTION 13.1.3 HEIGHT FOR ALL OTHER ZONE DISTRICTS

13.1.3.1 Applicability

This Section 13.1.3 shall apply to all Zone Districts except SU, TU, TH, RH (excluding M-RH), E-MU-2.5, MU-3, and RO-3 Zone Districts.

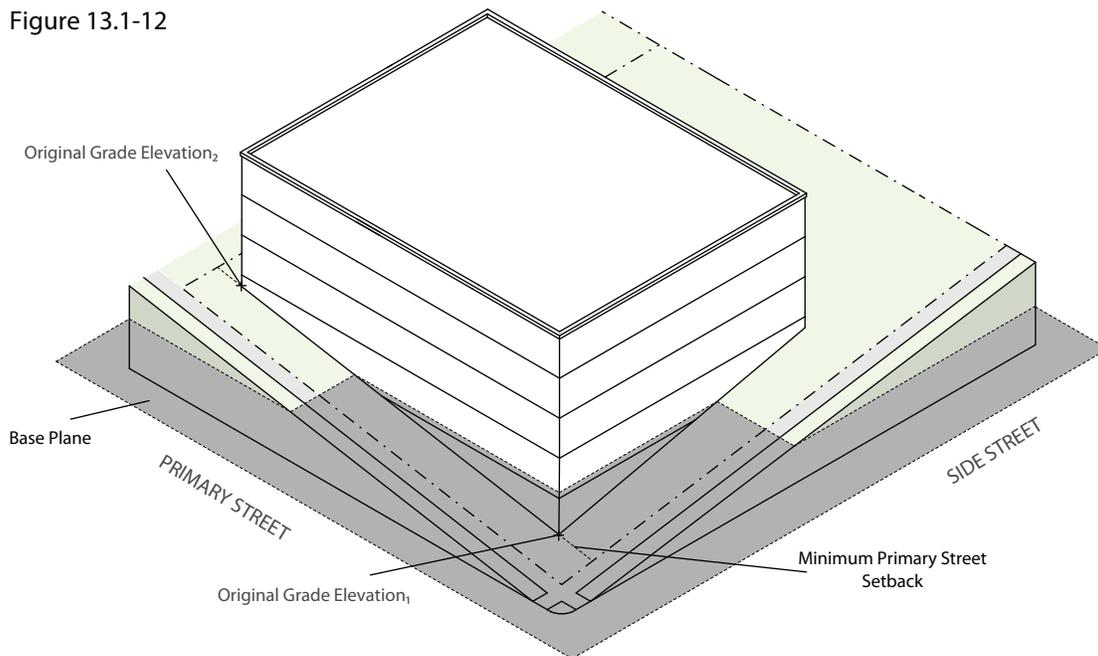
13.1.3.2 Base Plane

Overall height for all buildings and structures on the zone lot shall be measured from a base plane. The applicant shall apply either a single base plane for the entire zone lot or a building-specific base plane:

A. Single Base Plane

A single base plane shall be a horizontal plane established at the average elevation of the original grade of the two side interior zone lot lines, or the elevation of original grade of one side interior zone lot line when two are not present, measured at the minimum primary street setback line. See Figure 13.1-12. In any case where a Side Interior Zone Lot Line does not intersect with a Primary Street Zone Lot Line, the Zoning Administrator shall determine the points where the Front Base Plane shall originate based on the criteria for determining zone lot lines in Section 13.1.5.2.C, Criteria for Zoning Administrator Determination.

Figure 13.1-12

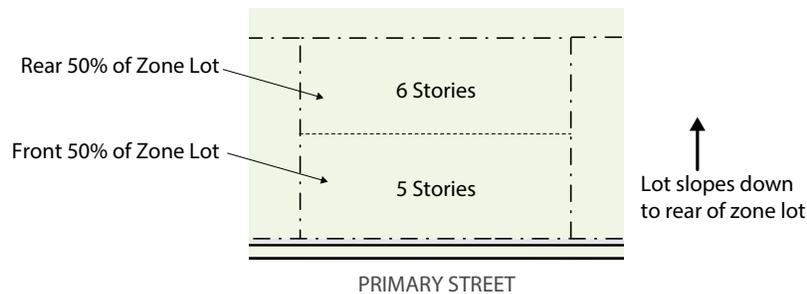


3. Overall Height in Stories for Sloping Lots

Where a lot slopes downward from the ~~front property~~ primary street zone lot line, one story that is additional to the specified maximum number of stories may be built ~~on the lower, in the rear~~ 50% depth portion of the zone lot. This section shall not apply to zone lots that do not have a rear zone lot line.

Figure 13.1-16B

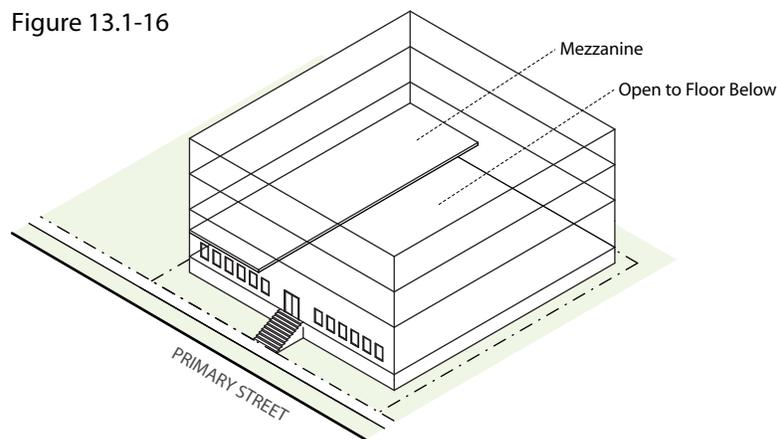
**Graphic is illustrative of a 5-Story Zone District.*



4. Mezzanine

- a. Intent: From the primary street building elevation it should read as a single story and an extruded volume from the space below
- b. A mezzanine is floor space within a building that has all of the following features:
 - i. The space meets the definition of Story, Habitable stated in this Article 13; and
 - ii. The total gross floor area of the mezzanine story, not counting floor area with a net floor-to-ceiling distance less than 5 feet, shall be no greater than 33% of the floor below, in the room in which the mezzanine is located.
 - iii. The mezzanine shall be open and unobstructed to the room in which such mezzanine is located except for walls not more than 42 inches high, columns and posts.
 - iv. Such floor space shall not count as a story or towards F.A.R. See Figure 13.1-16.

Figure 13.1-16



5. Parking Structure Stories

a. Intent

To promote a high-quality pedestrian experience along the Street Level of a structure containing vehicle parking by providing an exception to the allowed height in stories, but not to height in feet.

b. Applicability

This section 13.1.2.3.B.5 shall apply to multi-story structures that contain both vehicle parking and at least one primary Street Level active use other than Garage Parking.

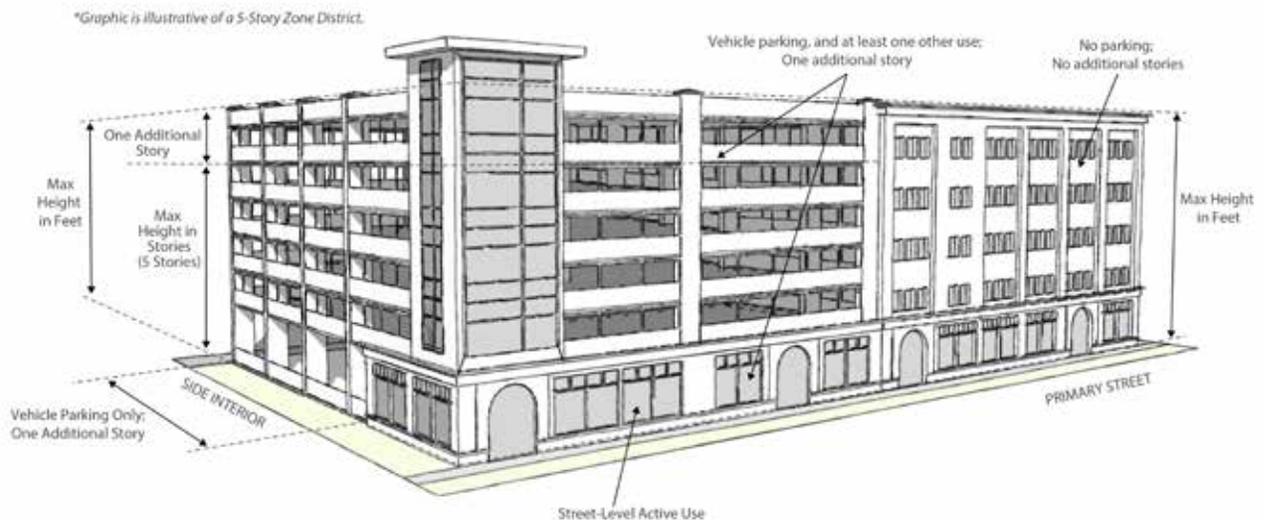
c. Standards

i. If no design standard alternatives are used to meet any of the required Building Form Standards, and a structure meets the Street Level active use requirements of the Shopfront building form in the C-MS zone districts, then the structure may exceed the maximum height in stories allowed by the applicable Building Form by one additional story at such locations as:

- a) The structure contains vehicle parking and at least one other use, or
- b) The structure contains vehicle parking.

For example, in a 5-story zone district, a structure meeting the Street Level active use requirements may have 6 stories of vehicle parking, or 6 stories of a combination of vehicle parking and office uses. However, a structure may only have 5 stories at such locations as all of the stories contain office uses with no vehicle parking. Stories containing vehicle parking may be sandwiched between stories containing other uses.

Fig. 13.1-NEW1.

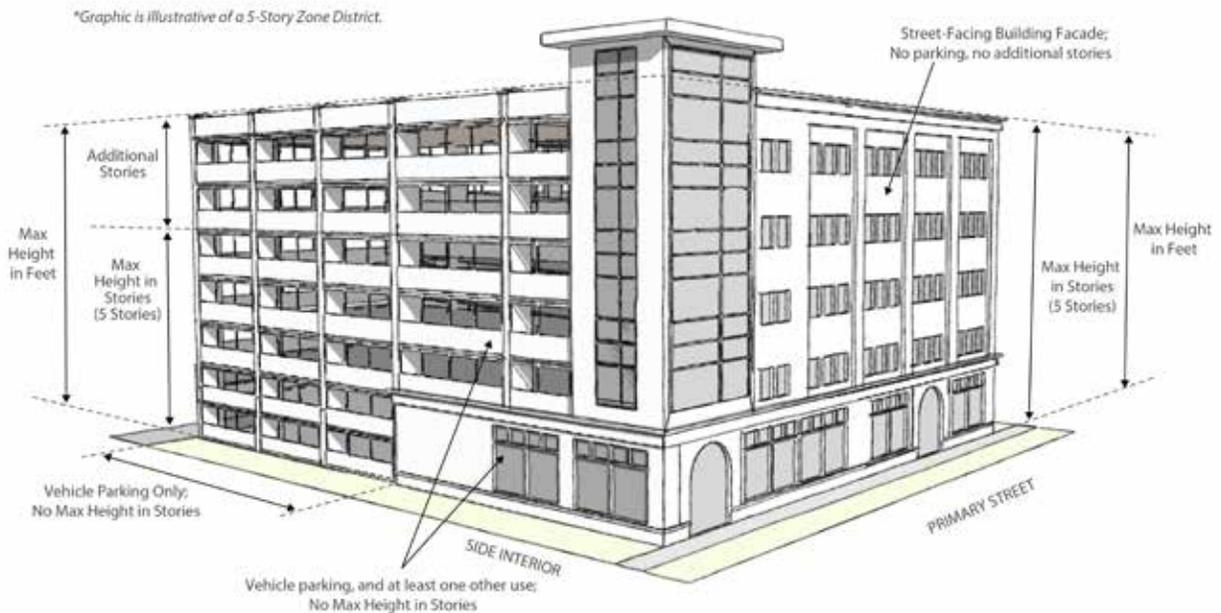


- ii. If a structure meets the Street Level active use requirements of the Shopfront building form in the C-MS zone districts and such Street Level active uses are provided on all stories along each street-facing building façade, then the structure shall have no maximum height in stories at such locations as:
 - a) The structure contains vehicle parking and at least one other use, or
 - b) The structure contains vehicle parking.

A building facade is “street-facing” if it faces a named or numbered street, which shall be determined by extending a line the width of the facade and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a named or numbered street at the zone lot boundary, then said facade is “street-facing.” See Figure 13.1-73

For example, in a 5-story district, a structure meeting the Street Level active use requirements on all stories along all street-facing building facades may have an unlimited number of stories containing vehicle parking, or the structure may have an unlimited number of stories containing both vehicle parking and office uses. However, the structure may have only 5 stories at such locations as all of the stories contain office uses with no vehicle parking.

Fig. 13.1-NEW2



- iii. Notwithstanding Sections 13.1.2.3.B.5.c.i and ii:
 - a) No additional stories shall be allowed at such locations as none of the stories contains vehicle parking; and
 - b) A structure shall not be exempt from the maximum height in feet allowed by the applicable Building Form.

C. **Exceptions From Stories (Max)**

Exceptions from overall height in stories are found in each of Articles 3-9 of this Code.

13.1.3.4 Height in Feet

A. **Feet (max)**

1. **Rule of Measurement**

- a. Overall height in feet shall be measured as the vertical distance in feet from a base plane to the highest point of a building or structure. See Figures 13.1-17 and -18.
- b. **Exceptions From Feet (max)**
Exceptions from overall height in feet are found in each of Articles 3-9 of this Code.

Figure 13.1-17

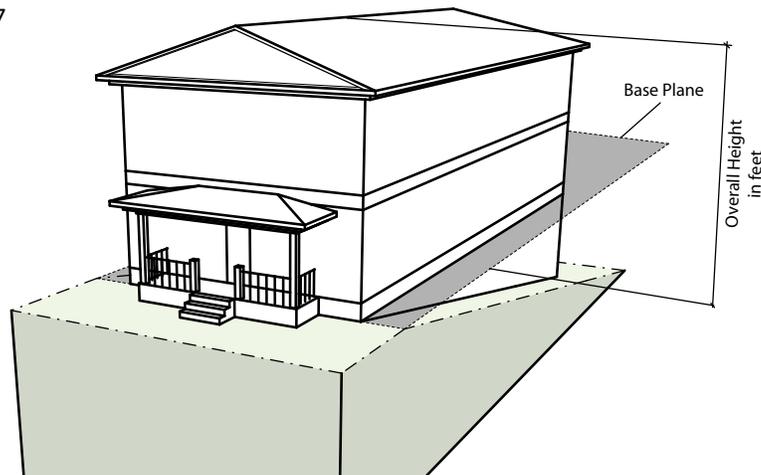
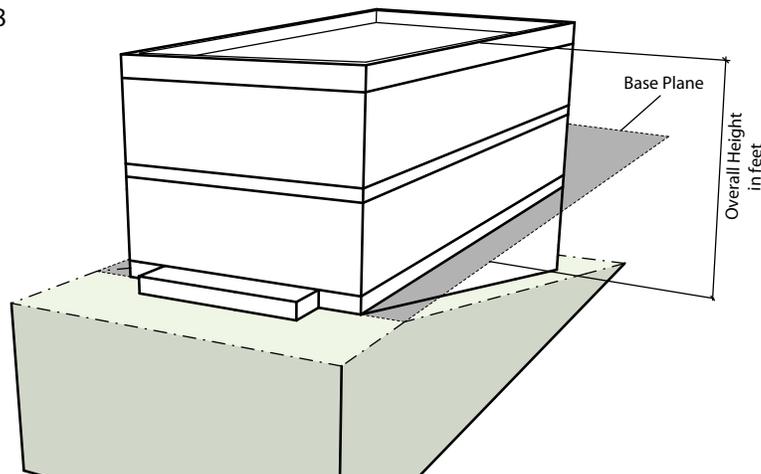


Figure 13.1-18



13.1.4.5 3rd Avenue CCN Bulk Plane Exception

A. Intent

To encourage small lot reinvestment by enabling certain small zone lots on the south side of 3rd Avenue in the Cherry Creek North mixed use shopping district to be partially exempt from the 3rd Avenue CCN Bulk Plane.

B. Applicability

This section 13.1.4.5 shall apply to zone lots with a total gross area of 6,250 SF or less, as of October 27, 2014, and located to the south of 3rd Avenue in a C-CCN Zone District, where this exemption is allowed ~~permitted~~ in the applicable building form standards.

C. Rule of Measurement

The 3rd Avenue CCN Bulk Plane Exception defines a non-fixed portion or portions of a zone lot that are exempt from the 3rd Avenue CCN Bulk Plane. It is measured along the zone lot line abutting the south side of the 3rd Avenue right-of-way and extends for the full depth of the zone lot measured perpendicular to 3rd Avenue. The exempt area extends from the finished grade to the sky. See Figure 13.1-27. One or more portions of the zone lot may be included in the 3rd Avenue CCN Bulk Plane Exception provided the total width of the zone lot area exempted shall not exceed the maximum established in the building form standards. See Figure 13.1-28.

Figure 13.1-27

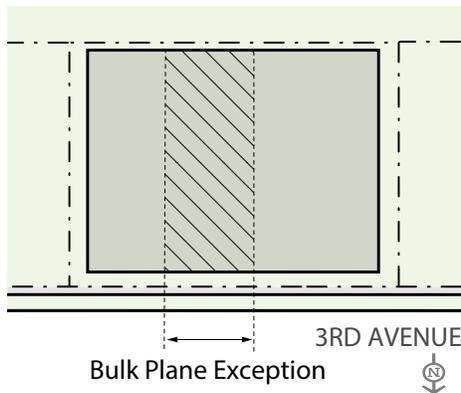
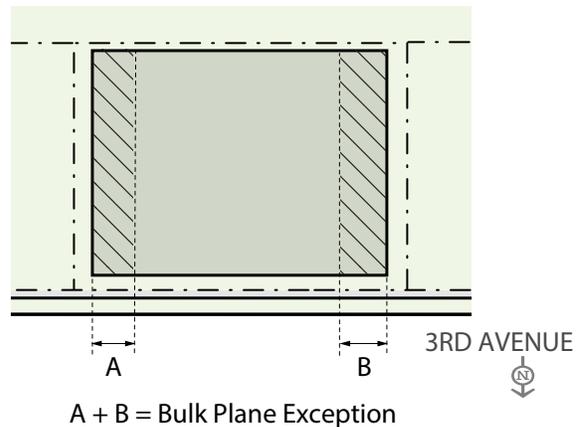


Figure 13.1-28



D. Interior Zone Lots: Primary Street, Side Street, Side Interior and Rear Zone Lot Lines

On an interior zone lot, the following figures shall be used to determine the Primary Street or Block Sensitive Primary Street (“P”), Side Street (“SS”), Side Interior zone lot line (“SI”), and Rear zone lot line (“R”). See Figure 13.1-32.

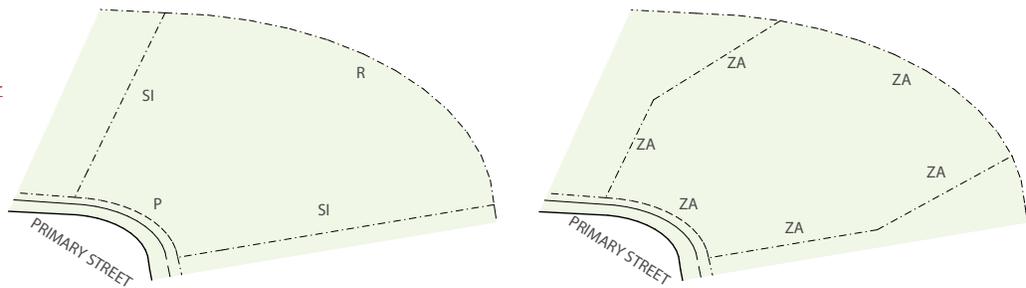
1. The Primary Street shall be the zone lot line abutting the name or numbered street.
2. The Rear shall be the zone lot line opposite the Primary Street.
3. The remaining zone lot lines shall be Side Interior.
4. There shall be no Side Street designation.
5. For zone lots which have unique conditions such as, but not limited to, more than four zone lot lines, two or more abutting alleys, or irregular shaped lots, the Zoning Administrator may designate the zone lot lines, following criteria listed above. See Figure 13.1-33.

Figure 13.1-32



Figure 13.1-33

P - Primary Street
SI - Side Interior
R - Rear
ZA - Zoning Administrator



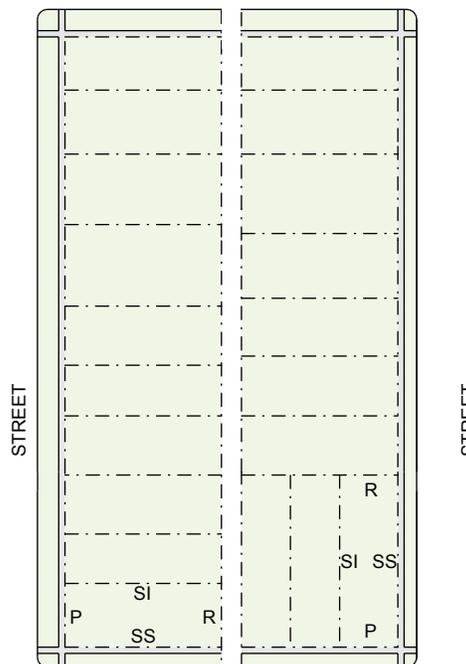
E. Corner Lots: Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines

1. Corner Zone Lots of Oblong Blocks

- a. The zone lot line abutting the “long side of an oblong block” shall be the Primary Street and the zone lot line abutting the “short side of an oblong block” shall be the Side Street, with the following exceptions:
 - i. The zone lot line abutting the “short side of the oblong block” may be the Primary Street if;
 - a) Three or more existing zone lots, including the subject property, are present along the short side of the oblong block; and
 - b) The zone lot line abutting the short side of the oblong block is 50% or less of the length of the other zone lot line abutting the long side of the block
 - ii. The applicant may request an Administrative Adjustment to designate the zone lot line abutting the “long side of the block” as the Side Street. See Article 12, Section 12.4.5.3, Permitted Types of Administrative Adjustments.
- b. The Rear shall be the zone lot line opposite the shorter of the two zone lot lines parallel and abutting a street.
 - i. If they are of equal length, the Zoning Administrator shall designate the rear zone lot line.
 - ii. The applicant may request the Zoning Administrator designate a different zone lot line as the Rear, following criteria in Section 13.1.5.2.C.
 - iii. In no case shall a zone lot line parallel and abutting a street be determined as the Rear.
- c. The remaining zone lot lines shall be designated Side Interior. See Figure 13.1-34

Figure 13.1-34

P - Primary Street
SS - Side Street
SI - Side Interior
R - Rear

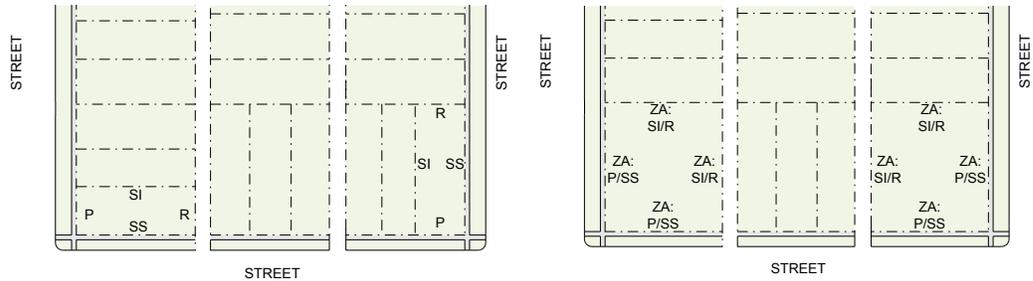


2. Corner Zone Lots of Square Blocks

- a. The Primary Street shall be the zone lot line abutting the street frontage, between any intervening rights-of-way (including alleys), on which a greater number of primary buildings face. If they have equal number of primary structures, the Zoning Administrator shall designate the Primary Street. The Side Street shall be the zone lot line abutting the other street.
 - i. The applicant may request an Administrative Adjustment to designate a different zone lot line as the Primary Street zone lot line. See Article 12, Section 12.4.5.3, Permitted Types of Administrative Adjustments.
- b. The Rear shall be the zone lot line opposite the shorter of the two zone lot lines parallel and abutting a street.
 - i. If they are of equal length, the Zoning Administrator shall designate the rear zone lot line.
 - ii. The applicant may request the Zoning Administrator designate a different zone lot line as the Rear, following criteria in Section 13.1.5.2.C
 - iii. In no case shall a zone lot line parallel and abutting a street be determined as the Rear.
- c. The remaining zone lot lines shall be designated as Side Interior. See Figure 13.1-35.

Figure 13.1-35

P - Primary Street
 SS - Side Street
 SI - Side Interior
 R - Rear
 ZA - Zoning Administrator

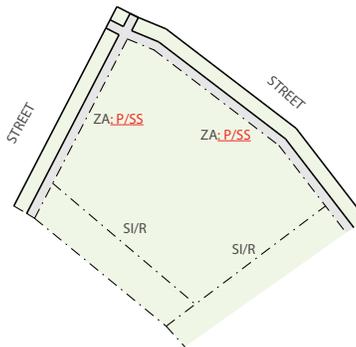


3. Corner Zone Lots of Curvilinear Blocks

The following Figure ~~13-26~~ 13.1-36 shall be used to determine the Block Sensitive Primary Street(s) (“P”), Side Street (“SS”), Side Interior (“SI”), and Rear (“R”) of a corner lot on a curvilinear block. “ZA” means the Zoning Administrator shall make the determination of which frontage on the corner lot is the Primary Street. For purposes of this provision, a “corner lot” is a zone lot that abuts only two intersecting streets. See Figure 13.1-36.

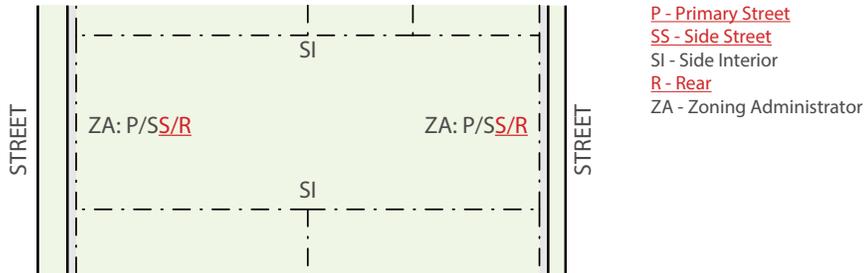
Figure 13.1-36

P - Primary Street
 SS - Side Street
 SI - Side Interior
 R - Rear
 ZA - Zoning Administrator



F. Double Frontage: Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines
 For zone lots with double frontage, the Zoning Administrator shall determine which frontage is the Primary Street ("P") and Side Street ("SS"), and which is a Side Interior ("SI")/Rear ("R") Zone Lot Line, or if both frontages qualify as Primary Streets. See Figure 13.1-37.

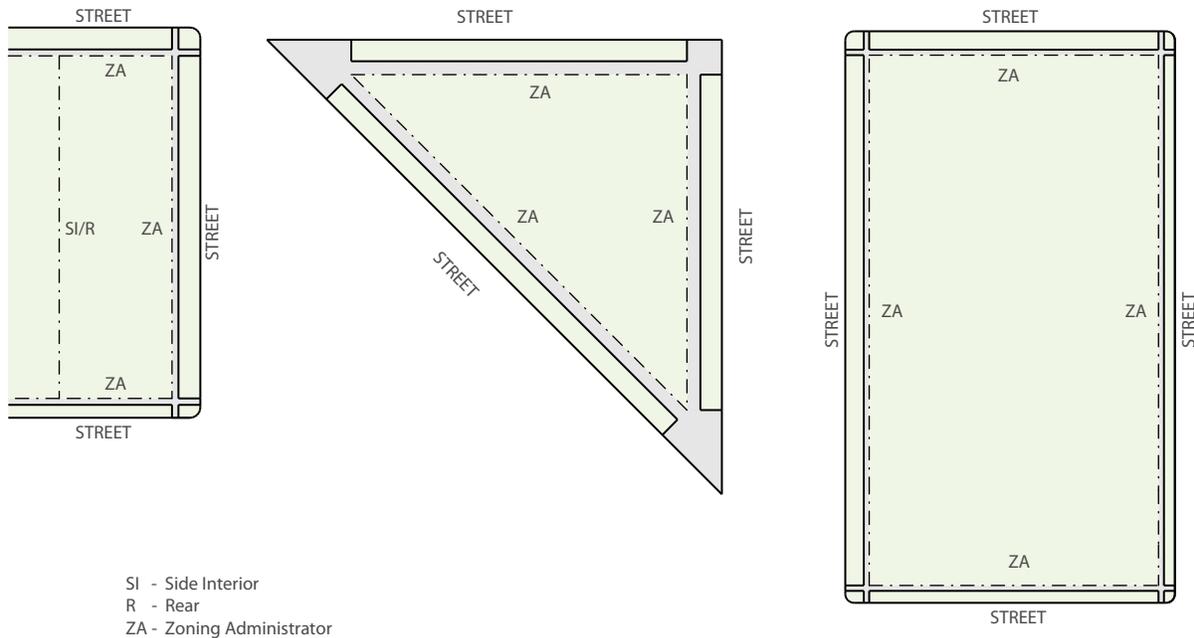
Figure 13.1-37



G. Zone Lots with Frontage on 3 or More Streets/Full Blocks: Primary Street, Side Street, Side Interior and Rear Zone Lot Lines

For corner lots with frontage on 3 or more streets, including zone lots with full block frontage, the Zoning Administrator shall determine which frontage is the Primary Street, if one or more frontages qualify as Primary Streets, and the classification of the remaining frontages, as applicable, as either Side Interior Zone Lot Lines and/or Rear Zone Lot Lines. See Figure 13.1-38.

Figure 13.1-38



2. Determine the Minimum Setback

a. The reference zone lots identified in 1. above shall establish the minimum setback for the subject property, unless either of the following conditions exist:

b. One (not both) Reference Zone Lot Setback Less Than 20 Feet

If the facade of the structure on only one of the reference zone lots is less than 20' from the Primary Street zone lot line, then the next two closest zone lots shall be added into the evaluation, and the subject property if it contains a structure, and:

- i. If none of the other zone lots have a Primary Street setback less than 20', the reference zone lot with the less than 20' setback shall be considered an outlier and removed from consideration of establishing the minimum setback. The two ~~closest~~ closest reference zone lots shall establish the minimum setback. See Figure 13.1-41
- ii. If a majority of the reference zone lots have a Primary Street setback of less than 20', the two ~~closest~~ closest reference zone lots shall establish the minimum setback. See Figure 13.1-42
- iii. If there is not a majority of the reference zone lots with a Primary Street setback of less than 20', the Zoning Administrator shall establish the minimum setback based on an analysis of the predominant pattern of the reference zone lots. See Figure 13.1-43

Figure 13.1-41

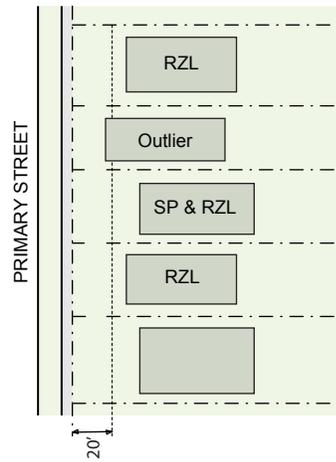


Figure 13.1-42

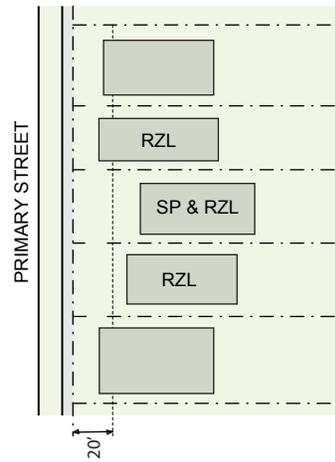
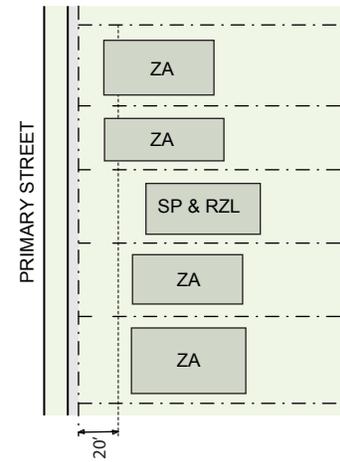


Figure 13.1-43



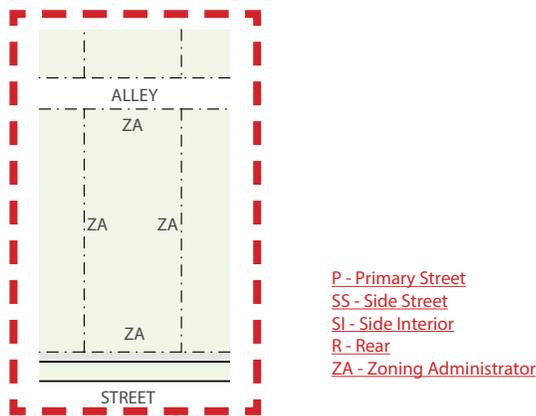
SP = Subject Property
 RZL = Reference Zone Lot
 ZA = Zoning Administrator

- c. Existing Conditions
 - i. The same or similar use, building form and/or Zone District occurring on the same and opposing face block frontage;
 - ii. Frontage facing a public park;
 - iii. Frontage facing a Parkway designated under D.R.M.C, Chapter 49; and
 - iv. The functional street classification of all abutting streets as adopted by the Public Works Department.

D. Determining Zone Lot Lines Interior Zone Lots [[outline numbering changed]]
Interior Zone Lots

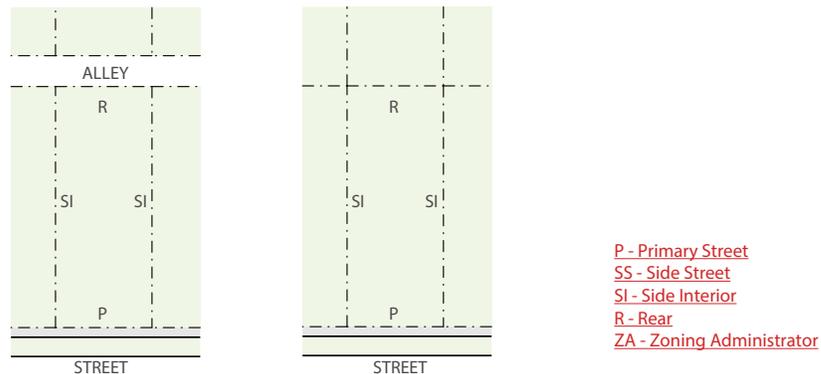
- 1. The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear zone lot lines for all zone lots in the MS Zone Districts; [See Figure 13.1-46](#)

Figure 13.1-45B



- 2. For CC and MX Zone Districts:
 - a. The Primary Street shall be the zone lot line abutting the name or numbered street.
 - b. The Rear shall be the zone lot line opposite the Primary Street.
 - c. The Side Interior shall be the remaining two zone lot lines.
 - d. There shall be no Side Street designation.
See Figure 13.1-46

Figure 13.1-46



E. Corner Zone Lots

1. In the CC and MX Zone Districts
 - a. The applicant shall designate a Primary Street and Side Street
 - b. The Zoning Administrator shall designate the Side Interior and/or Rear Zone Lot Lines. See Figure 13.1-47
2. In the MS Zone Districts:
 The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear Zone Lot Lines. See Figure 13.1-48

Figure 13.1-47

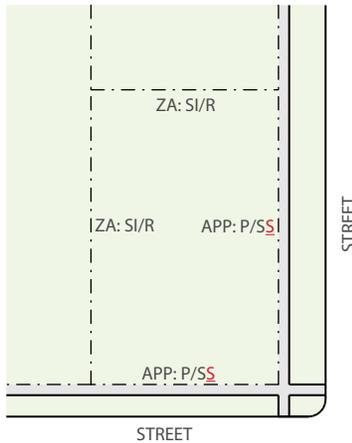
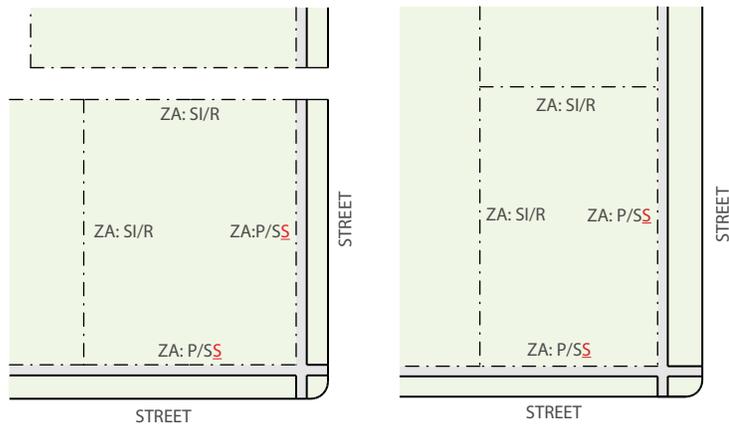


Figure 13.1-48

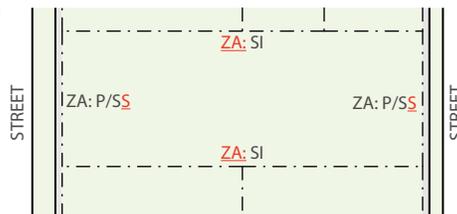


P - Primary Street
SS - Side Street
SI - Side Interior
R - Rear
ZA - Zoning Administrator

F. Double Frontage Zone Lots

The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear for all double frontage zone lots. See Figure 13.1-49

Figure 13.1-49

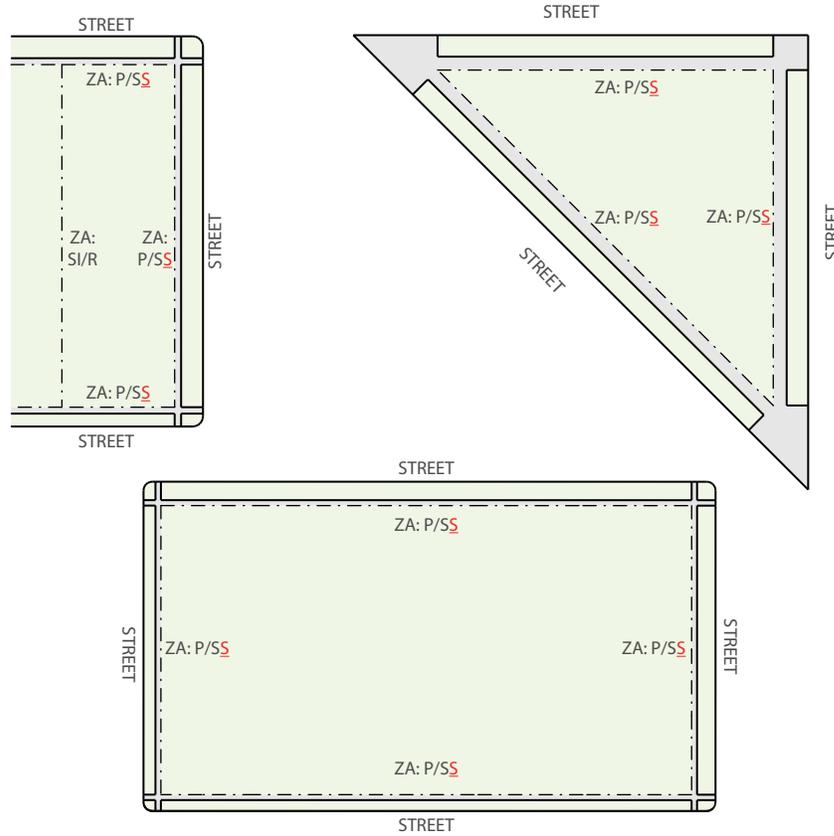


P - Primary Street
SS - Side Street
SI - Side Interior
R - Rear
ZA - Zoning Administrator

G. Zone Lots with Frontage on 3 or More Streets/Full Block

The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear for all zone lots with frontage on three or more streets/full blocks. See Figure 13.1-50

Figure 13.1-50



P - Primary Street
SS - Side Street
SI - Side Interior
R - Rear
ZA - Zoning Administrator

13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN 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)

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

The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.

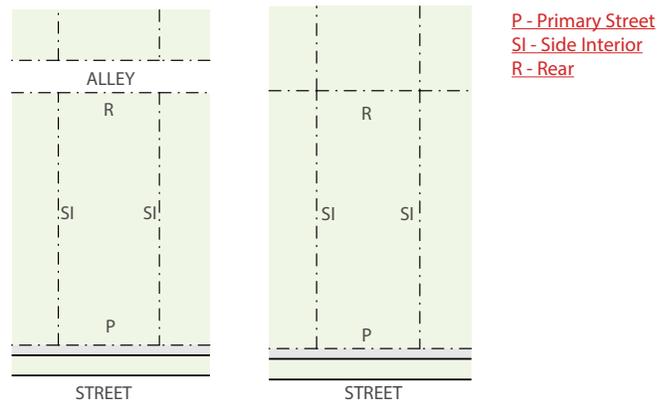
2. Interior Zone Lots

For interior zone lots in all C-CCN 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 13.1-51

Figure 13.1-51



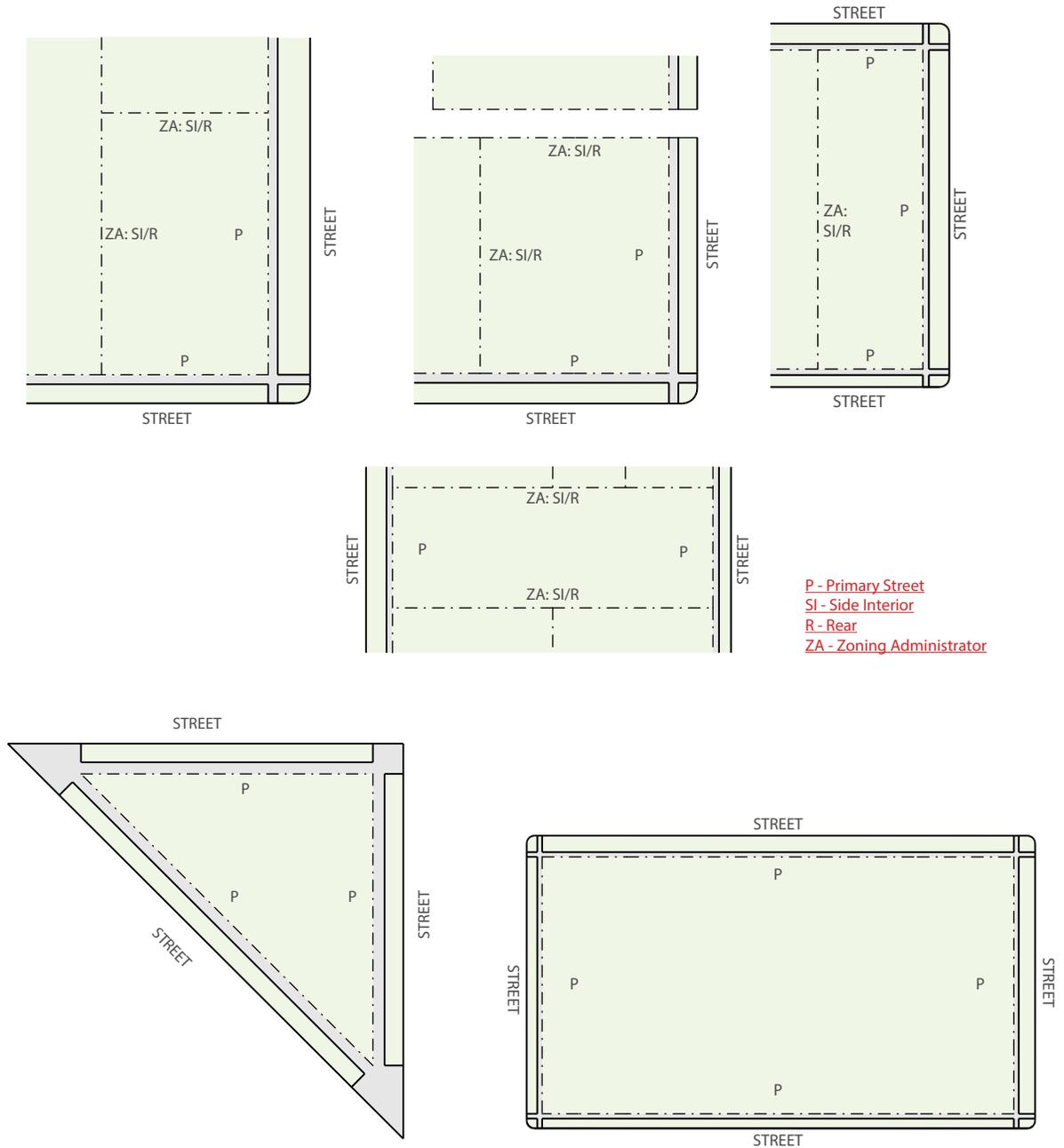
3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block

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 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 13.1-52

Figure 13.1-52



13.1.5.6 Required Build-To

A. Intent

To clearly define the public realm through consistent building placement, massing and orientation.

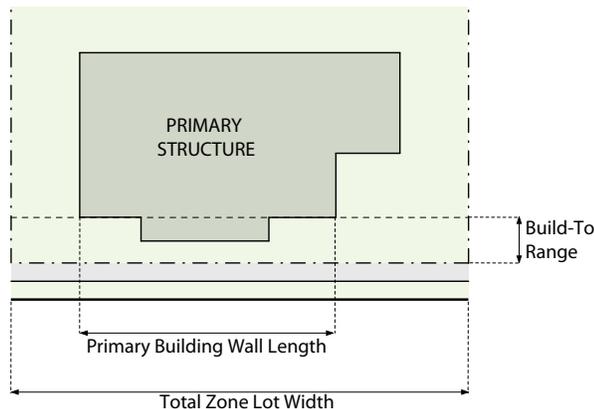
B. **Applicability**

The Primary Building Form Standards in Articles 3 through 9 specify required build-to standards for many Primary Building Forms. Rules of measurement, general requirements, and build-to alternative requirements are provided in this Section 13.1.5.6.

C. Rule of Measurement

See Figure 13.1-53

Figure 13.1-53



1. Min/Max Range:

- a. Required build-to standards are measured from and perpendicular to the zone lot line abutting a named or numbered street.
- b. Where a zone lot includes an easement for the benefit of a public utility, and such easement abuts the public street right-of-way, a required build-to shall be measured from the easement rather than from the zone lot line.
- c. Where a zone lot includes an easement for public access abutting the public street right-of-way, and the dimension between the flow line of the public street and the zone lot line is 5 feet or less, a required build-to may be measured from the public access easement rather than from the zone lot line. In no case, however, shall this exception allow a reduction in the build-to line by more than 5 feet.

2. Minimum Percentage:

- a. Required build-to is calculated as a percentage (%) using the length of the primary building front or side wall, and/or the length of an **allowed permitted** build-to alternative such as a garden wall, located at or within the range of the Build-To requirement, divided by the total zone lot width at the zone lot line abutting the street right-of-way.
- b. The width in linear feet of recessed pedestrian entries, used to meet a required entrance standard and recessed no deeper than 15 feet from the maximum build-to line, may be added to the length of the applicable wall for purposes of meeting a minimum percentage build-to requirement, not to exceed the width of the doors and typical sidelights, as applicable.
- c. For recessed vehicle garage doors that provide direct entrance to an integrated parking structure, but which are setback farther than the max of the build-to range due to city standards, rules or regulations, the width in linear feet may be added

to the length of the applicable building wall for purposes of meeting the minimum percentage build-to requirement.

D. General Requirements

1. Required build-to standards shall apply only to the ground floor of the primary structure(s) on a zone lot.
2. Buildings, or an ~~allowed~~ **permitted** alternative, shall be built at or within the Build-To requirement for at least the minimum percentage (%) required along the Primary and/or Side Street frontage.
3. Build-to requirements are calculated separately for each separately owned zone lot frontage comprising a development site.

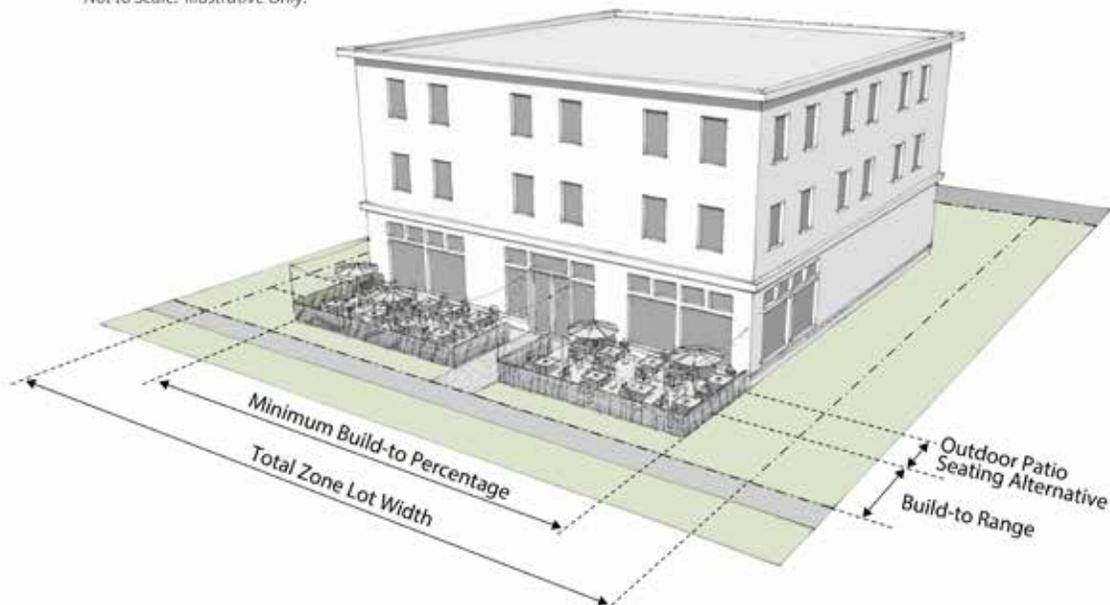
E. Build-to Alternative Requirements

Where permitted, the following alternatives may be used singularly or in combination as alternatives to a required build-to minimum percentage standard:

1. **Permanent Outdoor Patio Seating**

~~Permanent~~ outdoor patio seating ~~is provided~~ shall be placed between the building and the Primary Street zone lot line. ~~Ground Story Street Level~~ Activation standards shall still apply for portions of the facade behind permanent outdoor patio seating.

Not to Scale. Illustrative Only.



2. **Private Open Space**

~~When used as an alternative to a required-build-to standard, Private Open Space shall meet the intent and rules of measurement provided in Section 13.1.6.1.B.~~

3. **Garden Wall**

~~provided the~~ **A** garden wall ~~meets~~ **shall comply with** all of the following standards:

- a. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - i. Decorative and/or structural piers may exceed ~~the allowable height range~~ **42" in height**.

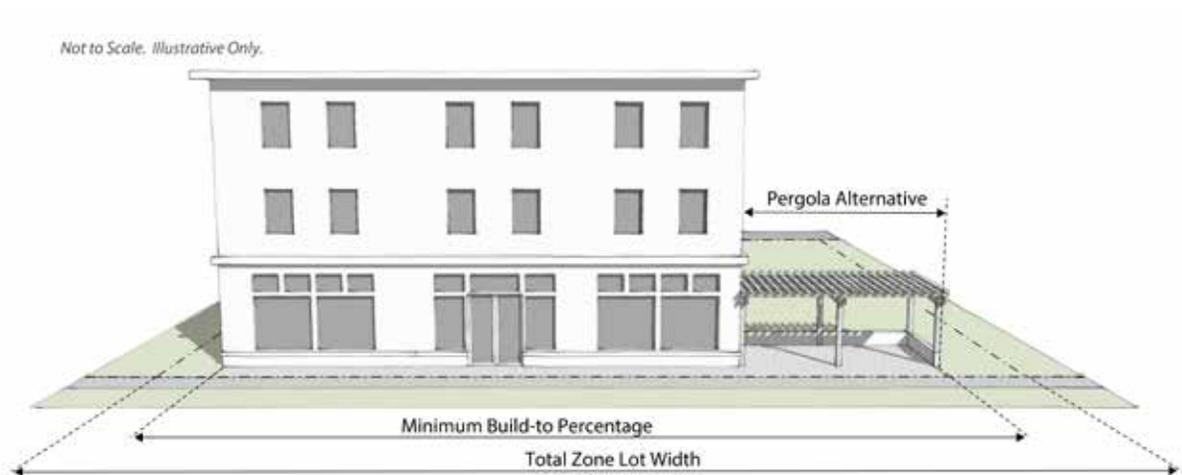
- ii. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.
- iii. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84".
- b. Allowed ~~M~~materials are limited to ~~M~~masonry or an ~~Θ~~ornamental ~~M~~metal ~~F~~fence with ~~M~~masonry ~~P~~piers spaced at not more than 25' with landscaping.
 - i. An Administrative Adjustment to ~~required~~ the allowed material is permitted to better match the primary building. See Article 12.
- c. Garden walls used as a Required Build-To Alternative may also be ~~used to counted~~ toward Perimeter Landscaping Requirements in Article 10.



4. Pergola

~~provided the A~~ pergola ~~meets~~ shall comply with all of the following standards:

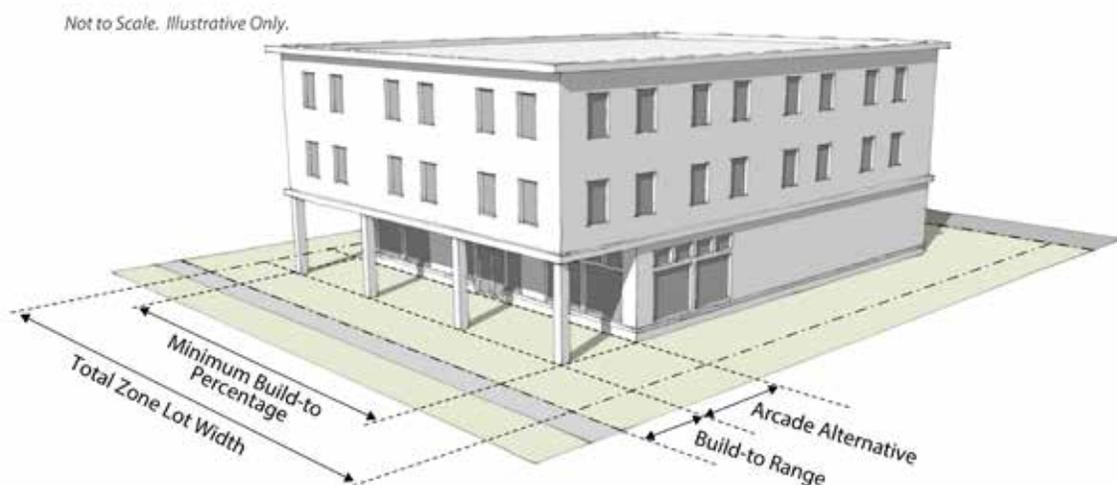
- a. Pergola structure shall ~~consisting~~ of an arbor or passageway of columns that is at least 50% open to the sky.
- b. Pergola structure shall be no less than 24" 5' deep as measured perpendicular to the ~~property~~ Primary or Side Street zone lot line.
- c. Pergola structure shall not be erected over a Drive or Driveway, or over any part of an Off-Street Parking Area.
- d. Pergola structure shall maintain at least 8' clearance between the structure and grade where erected over any public rights-of-way or pedestrian walkways.
- e. Pergola structure shall be made of metal, masonry, treated wood, or other durable materials ~~-suitable for that are durable in an exterior urban environment and shall have a minimum 6" vertical dimension.~~
- f. Pergola structure shall be supported by vertical columns, posts, or piers not less than 15' on center.
- g. ~~Pergola structures and plant materials shall maintain~~ Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports, provided that the pergola maintains at least 75% open area for clear visual sight lines between the public rights-of-way and the interior of the property between the heights of 42" and 84" above grade.
- h. ~~Garden walls, seating and/or landscaping may be incorporated between the pergola's vertical supports.~~



5. **Arcade**

An arcade shall comply with all of the following standards:

- a. An arcade shall be located below an occupied building area,
- b. The arcade column line shall generally continue align with, and run parallel to, the wall plane of the building above,
- c. They An arcade shall extend no more than 2 stories in height,
- d. The exterior face of the arcade column line is shall be within the required build-to zone range,
- e. The average depth of the arcade is shall be no less than 6 feet clear, as measured from the interior face of the columns (benches, trash receptacles and other non-permanent features may be located in the clear area),
- f. The average depth of the arcade is shall be no more than 2/3 of the average clear height of unobstructed arcade openings, as measured from the front face of the columns
- g. The interior wall of the arcade must shall meet the required Ground Story activation standards or alternatives.

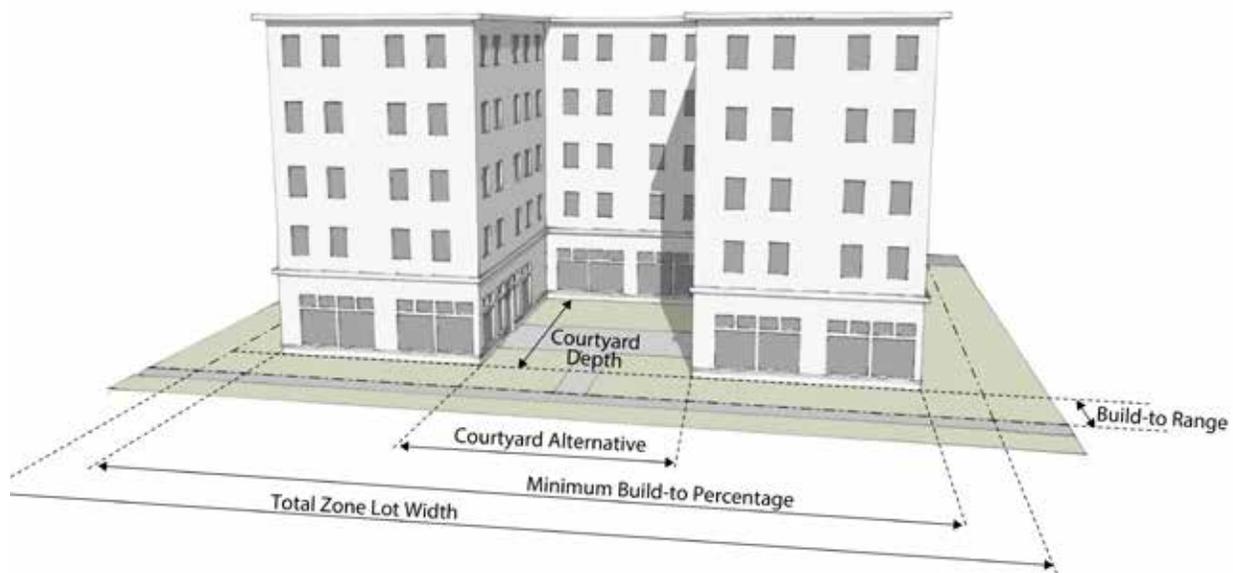


6. **Courtyard**

~~may count toward the Required Build-to Percentage, when A courtyard shall comply with all of the following standards are met:~~

- a. **Minimum Courtyard Design:**
 - i. ~~Shall be face the~~ Primary Street facing;
 - ii. ~~Shall have a width of at least 15', measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard; and~~
 - iii. ~~Shall have a depth of at least 30' measured as the horizontal distance between the primary street-facing exterior building wall nearest to the primary street zone lot line and the closest facade of the exterior building wall facing the primary street behind the courtyard, measured perpendicular to the zone lot line. See Fig. (new figure below)~~
- b. The Courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:
 - i. ~~Shall be~~ no more than one-half story above or below grade at the zone lot line adjoining the primary street; ~~may be on the structure;~~
 - ii. ~~Shall be visually and~~ physically accessible from the primary street, ~~but~~ may be secured for private use;
 - iii. ~~Shall be visible from the primary street zone lot line;~~
 - iv. ~~Shall be~~ open to the sky; and
 - v. ~~Shall be~~ bounded on not less than 3 sides with connected building facades.
- c. The Courtyard area may be used for any of the following:
 - i. Single or multiple entries to uses within the building;
 - ii. Public or private landscaped area;
 - iii. Outdoor seating area; or
 - iv. Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.

Not to Scale. Illustrative Only.



13.1.5.7 Setbacks

A. Intent

To provide adequate separation for privacy and access to sunlight.

B. Rules of Measurement

Setbacks provide a minimum horizontal distance between a zone lot line and the location of uses and structures on a zone lot, measured as follows: See Figure 13.1-54

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.
2. Side Interior and Rear setbacks are measured perpendicular to the side interior or rear zone lot line abutting either another zone lot or a public alley.
3. Where a Side Interior setback standard is stated as “min one side/min combined:”
 - a. One side interior setback shall meet the standard meeting the “min one side” and the total of both side interior setbacks shall be equal to or greater than the standard of the “min combined.”
 - b. If zone lot has only one Side Interior Zone Lot Line, the “min one side” standard shall apply.
4. Primary street and rear setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.
5. Side interior and side street setbacks extend the full length of the side zone lot lines, overlapping with both the primary street and rear setbacks.

13.1.5.8 Setback Encroachments

A. Rule of Measurement

1. Each setback encroachment shall be measured from the required minimum setback line.
2. Setback encroachments are not cumulative in that they are always measured from the same point.
3. The entirety of the element allowed permitted as an encroachment shall be within the allowed permitted encroachment distance. See Figure 13.1-55

13.1.5.9 Building Coverage

A. Intent

To provide openness on a lot by limiting the amount of area buildings can cover.

B. Rule of Measurement

Building coverage shall be measured as the “gross area of a footprint” on the zone lot according to C below, divided by the total gross square foot area of the Zone Lot and multiplied times 100, as building coverage is expressed as a percentage.

C. Gross Area of Footprint

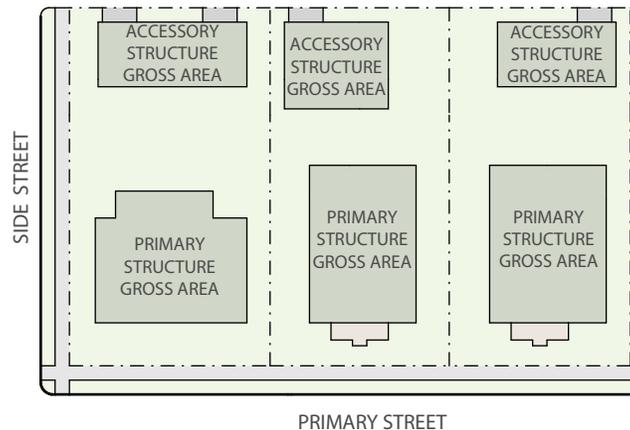
For purposes of building coverage, “gross area of a footprint” shall include: See Figure 13.1-56

1. The gross area of the actual footprint measured to the exterior faces of the structure and any enclosed projections beyond the footprint of all Primary and/or Accessory:
 - a. Structure, Completely Enclosed;
 - b. Structure, Partially Enclosed;
 - c. Deck, Raised; and
 - d. Balcony, Exterior.

D. Building Coverage Exceptions

Exceptions to building coverage are allowed permitted by Neighborhood Context. See Articles 3-9, Design Standard Exceptions section.

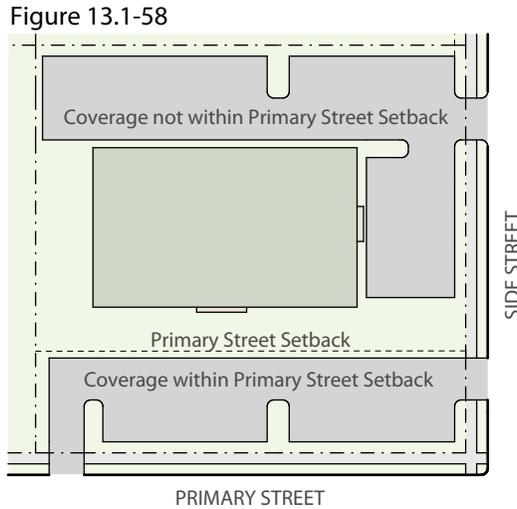
Figure 13.1-56



13.1.5.11 Parking and Drive Lot Coverage in Primary Street Setback

A. Rule of Measurement

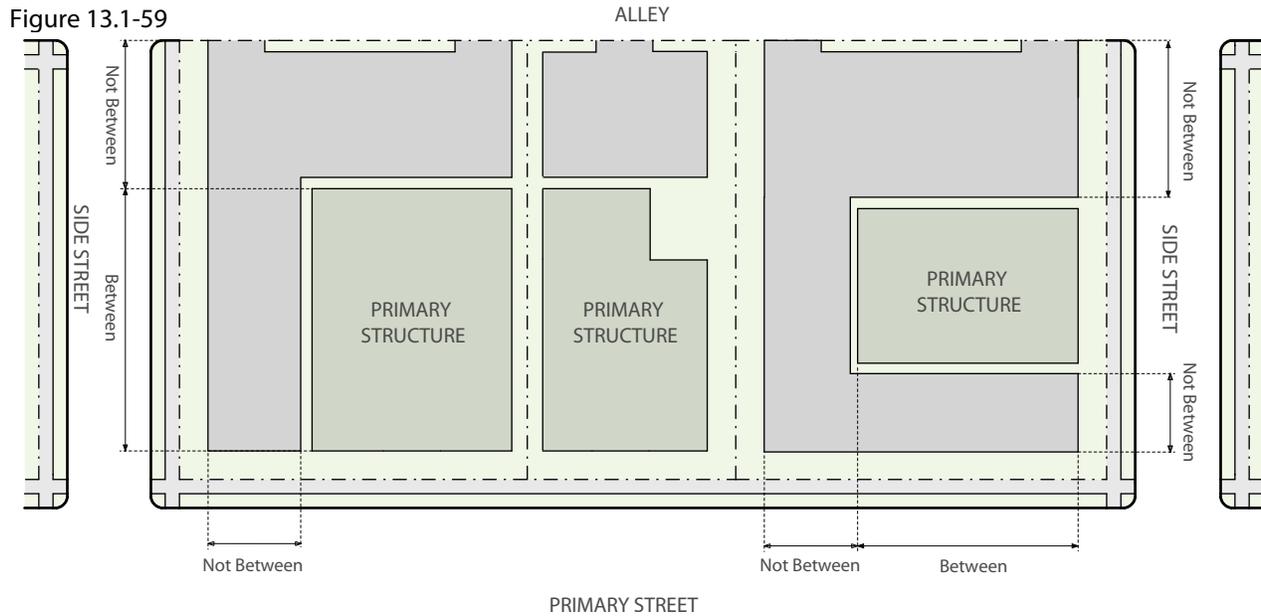
Parking and drive lot coverage in the primary street setback is measured as the total amount of material used for vehicle access or vehicle storage within the primary street setback area of a zone lot. See Figure 13.1-58.



13.1.5.12 Surface Parking Between Building and Primary Street/Side Street

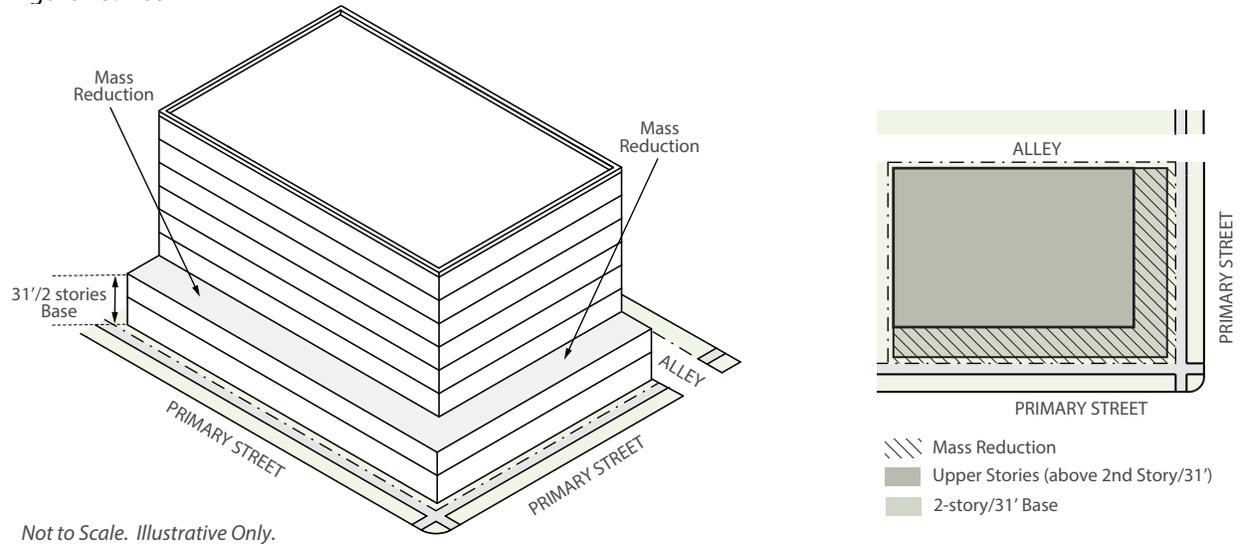
A. Rule of Measurement

Where surface parking is not **allowed permitted** between a building and a zone lot line with the designation of Primary Street and/or Side Street, parking shall not be located in the area directly between any building walls and the street. See Figure 13.1-59



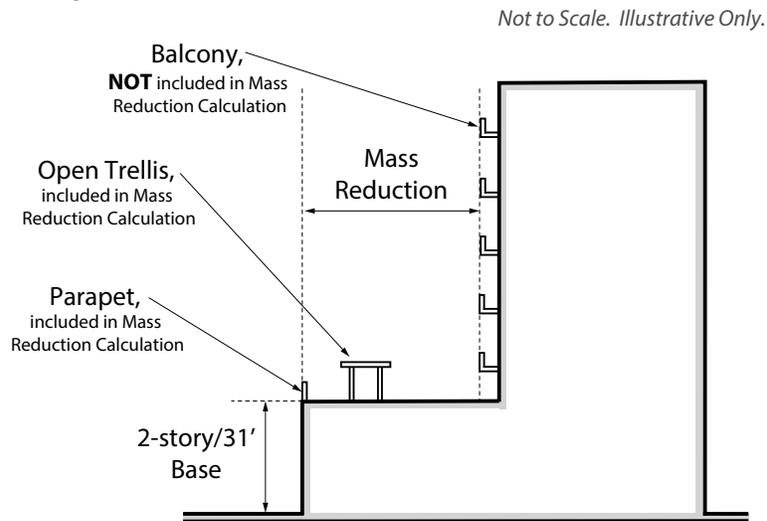
- i. Structure, Completely Enclosed;
- ii. Structure, Partially Enclosed; and
- iii. Balcony, Exterior.

Figure 13.1-63



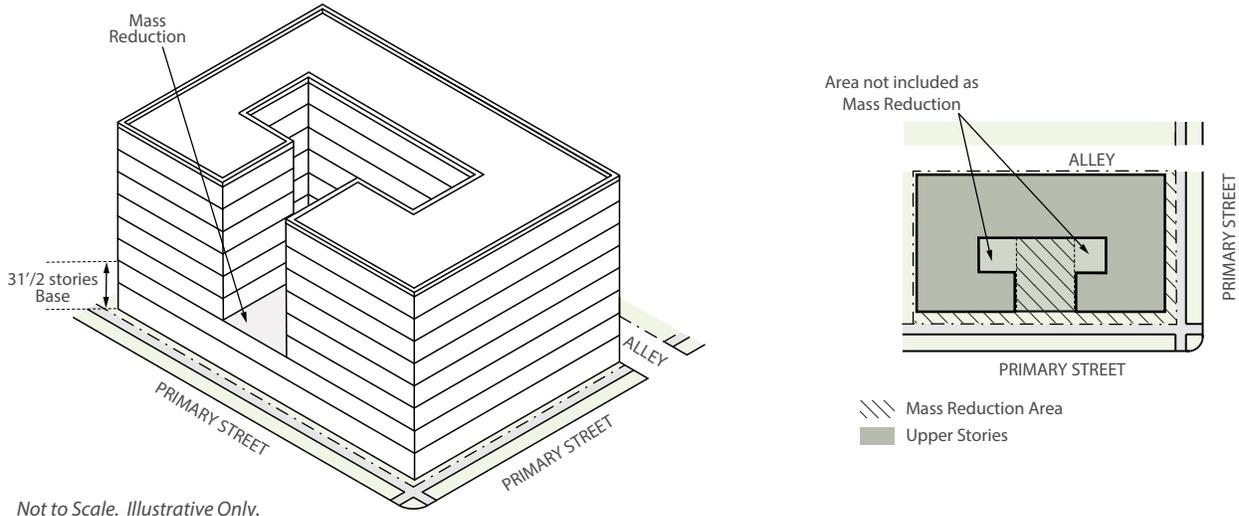
- b. For purposes of measuring the Mass Reduction:
 - i. The Mass Reduction shall be open to the sky from above a height of 31 feet or the highest point of the second story, whichever is less, except the following shall be **allowed permitted**:
 - a. Safety Railings and Parapet Walls no taller than 4 feet; and
 - b. Open Structures, excluding Exterior Balconies.
 See Figure 13.1-64

Figure 13.1-64



- ii. All portions of the Mass Reduction shall have an uninterrupted perpendicular connection to the public right-of-way. See Figure 13.1-65.

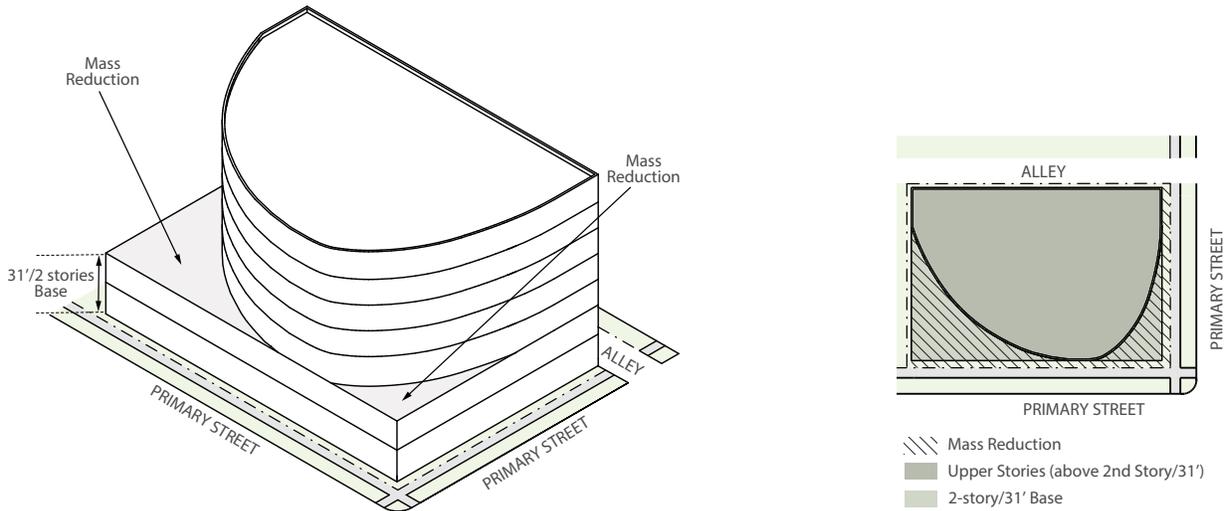
Figure 13.1-65



Not to Scale. Illustrative Only.

- iii. Off Street Parking Area is not allowed permitted in the Mass Reduction.
- iv. A Zone Lot may have one or more Mass Reductions which may not be contiguous. The areas of multiple Mass Reductions may be summed to meet the minimum Mass Reduction requirement, provided that each Mass Reduction shall comply with all other standards in this Section 13.1.6.1.C Mass Reduction rule of measurement. See Figure 13.1-66.

Figure 13.1-66

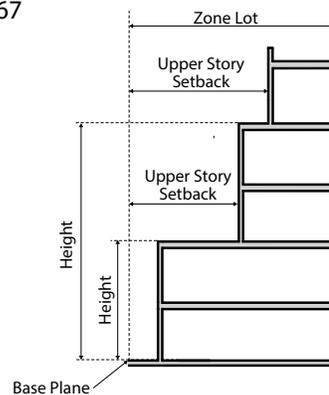


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D. Upper Story Side or Rear Setback, adjacent to Protected District

- 1. Intent**
To provide appropriate height and massing transitions to less intensive adjoining zone districts.
- 2. Rule of Measurement**
An upper-story side or rear setback is measured from the side or rear zone lot line, extending to the specified height from the Base Plane and then horizontally to the specified setback distance. See Figure 13.1-67.

Figure 13.1-67



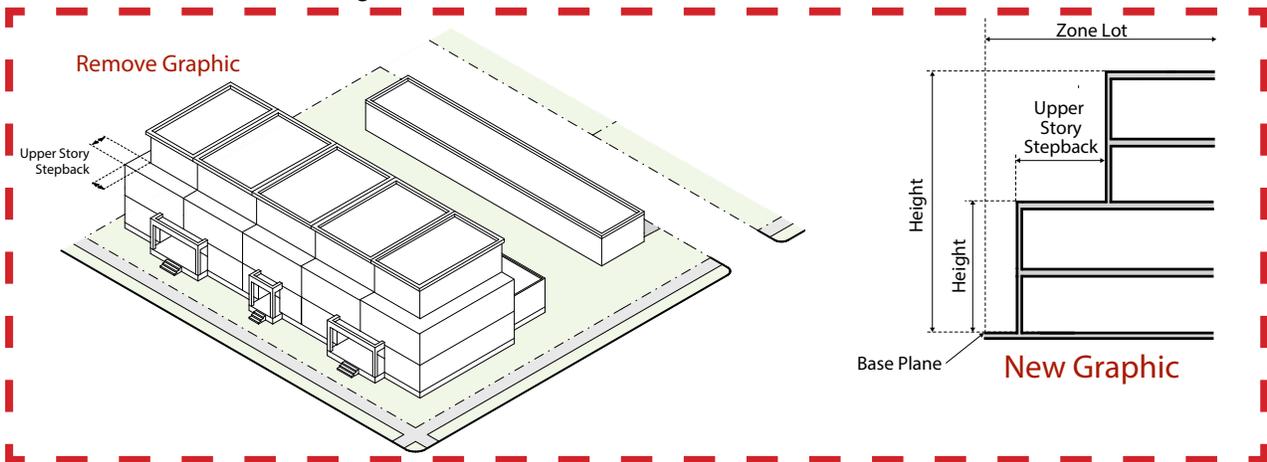
E. Primary Street Upper Story Setback

- 1. Intent**
To provide appropriate pedestrian scale, height and massing along a main street.
- 2. Rule of Measurement**
A primary upper-story setback is measured from the primary street zone lot line, extending to the specified height from the Base Plane and then horizontally to the specified setback distance, see Figure 13.1-67.

F. Upper Story Stepback

- 1. Intent**
To shape building forms to reduce effect of massing on adjoining properties or along a street.
- 2. Rule of Measurement**
Upper Story Stepback is measured as the specified vertical distance starting at the Base Plane, and then extending the specified horizontal distance from the face of the building's lower portion, as shown in Figure 13.1-68.

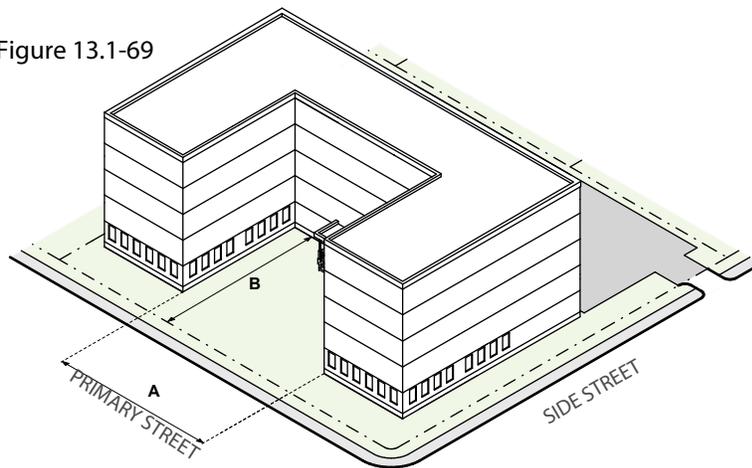
Figure 13.1-68



G. 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 13.1-69
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 13.1-69.

Figure 13.1-69



H. Attached Garage Design Standard

1. **Rule of Measurement**
 - a. Identify the portions of the Primary Street facing facade that shall constitute at least 65% of the total width of the primary structure enclosing the primary use.
 - b. Draw a line parallel to the primary street setback line that is not forward at any point of the 65% identified in a. above, thereby determining the maximum ~~allowed~~ permitted attached garage projection. See Figure 13.1-70

13.1.6.2 **Ground-Story Street Level** Activation

A. Transparency, Primary Street and Side Street

1. **Intent**

To provide visual interest to building facades, to activate the street and sidewalk, and to provide a safe pedestrian realm.

2. **Applicability**

The Primary Building Form Standards in Articles 3 through 9 specify transparency standards for many Primary Building Forms. Rules of measurement, window requirements, and transparency alternative requirements are provided in this Section 13.1.5.6.A.

3. **Rules of Measurement**

a. **Zone of Transparency**

The Zone of Transparency is the area between 2 feet and 9 feet above the finished Ground-Story Street Level height across the entire street-facing Ground-Story Street Level building facade. See Figure 13.1-7372.

i. A building facade is “street-facing” if it faces a name or numbered street, which shall be determined by extending a line the width of the facade and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a name or numbered street at the zone lot boundary, then said facade is “street-facing.” See Figure 13.1-7273

ii. The required amount of transparency shall be provided within the zone of transparency for the subject building, unless an exception or alternative is allowed permitted by this Code.

b. **Street Level Transparency**

Ground-Story Street Level transparency, primary or side street, is measured as the total amount of linear feet of windows or allowed permitted alternatives provided on a street-facing building facade within the Zone of Transparency divided by the total length of that same street-facing building facade (including any open parking structure entrances).

Figure 13.1-72



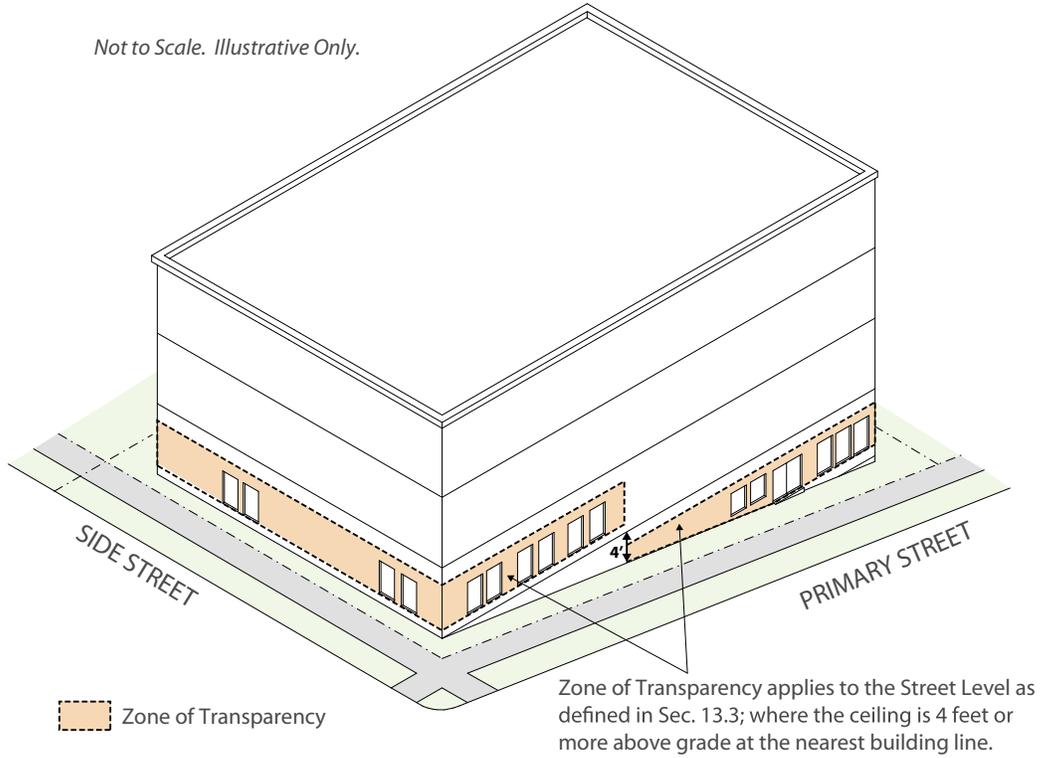
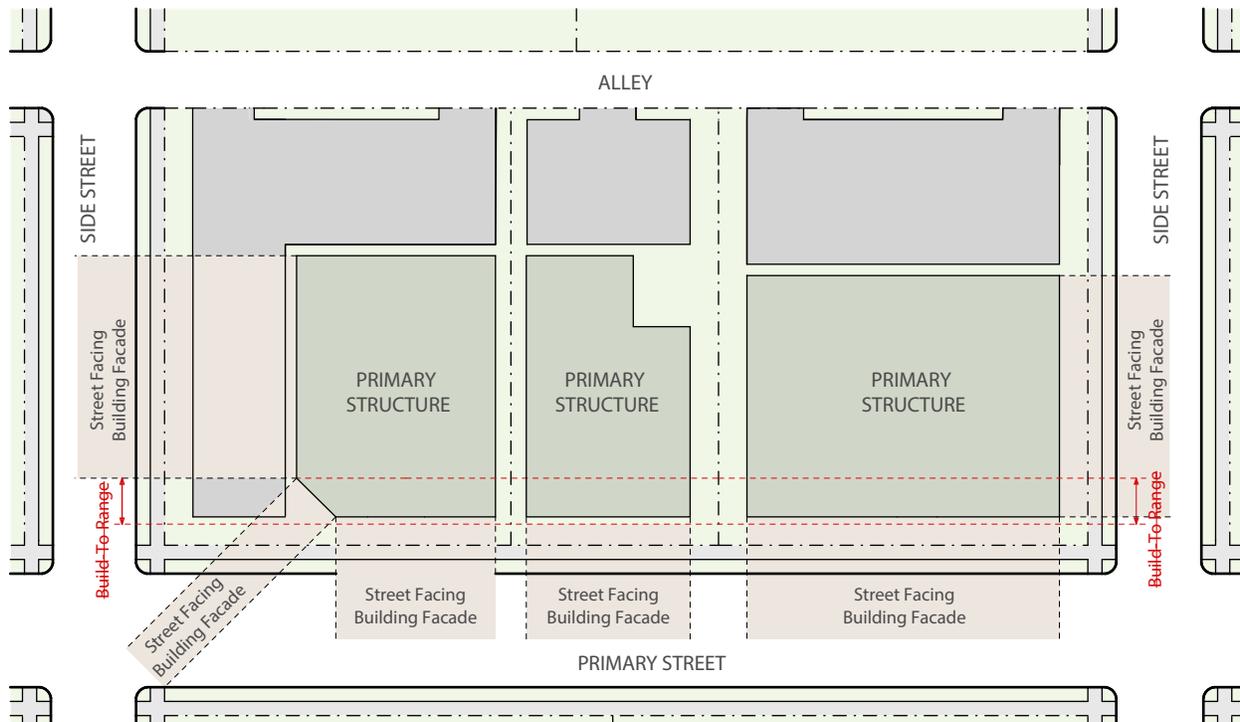


Figure 13.1-73



4. **Windows Required Requirements**

Windows shall be provided to satisfy the transparency requirement, except where a transparency alternative is allowed permitted. All windows used to satisfy the transparency requirement shall comply with the following:

- a. All windows shall be a minimum of 5 feet in vertical dimension within the zone of transparency; and.
- b. Window glazing shall be clear and shall transmit at least 65 percent of the visible daylight (visible transmittance shall be 0.65 or greater); and
- c. No interior or exterior modifications, including temporary and permanent signage, window tinting, furnishings, fixtures, equipment or stored items within 3 feet of the windows will be allowed permitted to reduce the effective minimum transparency standards by more than 25%. Open display of individual merchandise is permitted.

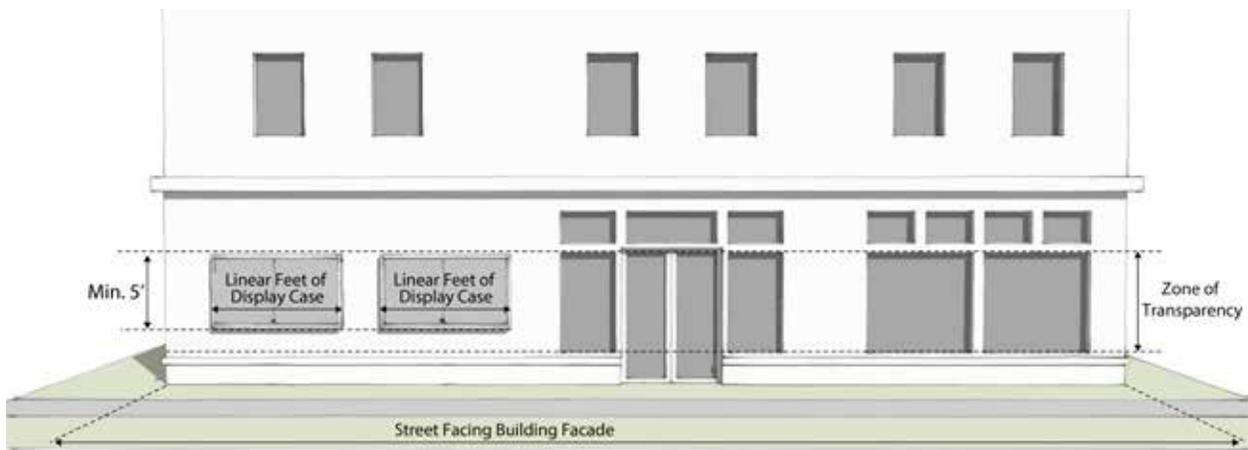


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5. **Transparency Alternative Requirements**

Where permitted, the following alternatives may be used singularly or in combination as alternatives to a transparency requirement:

- a. **Windows Outside the Zone of Transparency**
Windows outside the zone of transparency shall be located at the ground story and shall comply with Article 13, Sections 13.1.6.2.A.3.b and c.
- b. **Display Cases and Automated Teller/Ticket Machines**
The wall area of the following features when located within the required zone of transparency, may count toward a maximum of 40% of the total transparency requirement:
 - i. Recessed or wall-mounted display cases at least 4 feet in height
 - ii. Walk-up automated teller machines
 - iii. Display cases and automated teller/ticket machines shall be permanently recessed, integrated into, or installed on the building wall. Display cases shall be a minimum of 5 feet in height within the Zone of Transparency.
 - iv. Display cases and automated teller machines are measured as the total linear width (in feet) of display cases or automated teller machines provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances).



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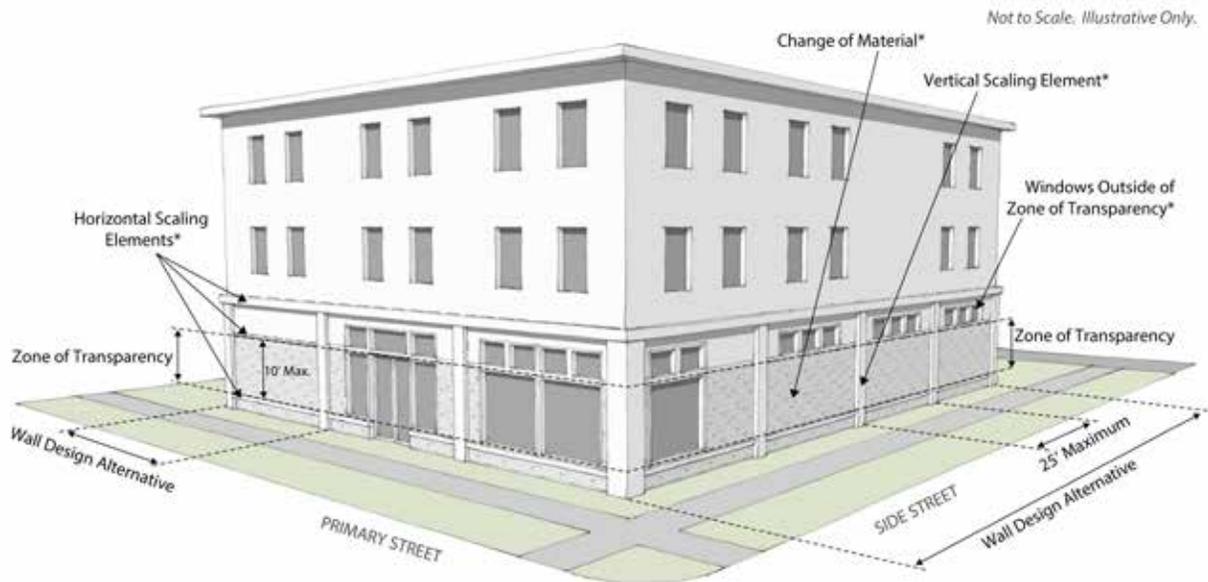


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c. **Wall Design Elements**

- i. Wall designs elements shall be combined into a unified wall design that provides visual interest, pedestrian scale, and integrates into the architectural system of the overall structure building.
- ii. The unified wall design shall also provide incorporate a minimum of 3 of the following elements, which shall occurring at intervals no greater than 25' horizontally and 10' vertically:
 - a) Expression of structural system and infill panels through change in plane not less than 3"
 - b) An offset or other horizontal change in wall plane not less than 3" in depth.
 - c) System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters
 - d) System of horizontal and vertical reveals not less than 1" in width/depth
 - e) A vertical scaling element, such as a pilaster, not less than 4' in height and 1" in width/depth.
 - f) A horizontal scaling element, such as a belt course, string course, or cornice, occurring at an interval no greater than 10' vertically.
 - g) A green screen or planter wall,s

- h) A variations in material module, pattern, and/or color (shall not also count as translucent, fritted, patterned or colored windows per i. below).
 - i) Translucent, fritted, patterned or colored glazing windows (shall not also count as a variation in material, pattern, and/or color per h. above).
 - j) Windows outside the zone of transparency when located at the Street Level and compliant with Sections 13.1.6.2.A.3.b and c.
- iii. Wall design elements are measured as the linear width (in feet, measured to the outside design elements) of the unified wall design, divided by the total length of that same street-facing building façade (including any open parking structure entrances).



*Horizontal Scaling Elements, Vertical Scaling Elements, Change of Material, and Windows Outside of Zone of Transparency create a system of wall design elements.



*Green Screen, Vertical Scaling Elements, and Change in Wall Plane create a system of wall design elements.

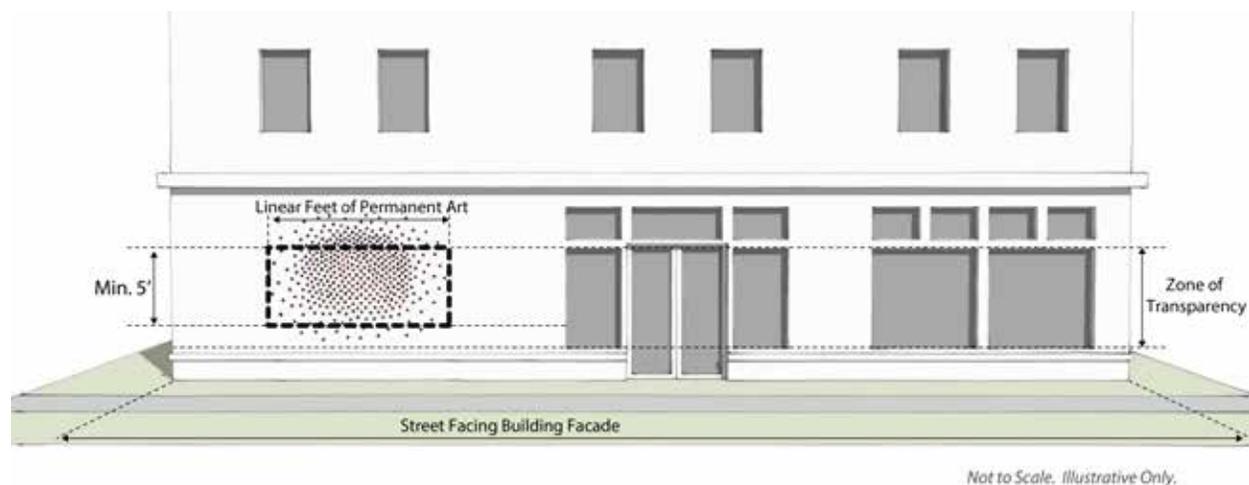
d. **Permanent Outdoor Eating/Serving Areas**

- i. Permanent accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.
- ii. Outdoor eating/serving areas are measured as the linear width (in feet, measured to the outside posts or railings of an outdoor eating/serving area), divided by the total length of the same street-facing building façade (including any open parking structure entrances).



e. **Permanent Art**

- i. ~~Non-commercial art or graphic design~~ Permanent art shall comply with all of the following standards:
 - a) Shall be 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.
 - b) ~~At a minimum shall be located within the Zone of Transparency and may extend outside the zone~~
 - c) Shall be a minimum of 5 feet in vertical dimension within the Zone of Transparency (permanent art may extend outside the Zone of Transparency).
 - d) Shall not be a Sign, unless permitted according to Section 10.10.3.2.J as a Sign which is a work of public art.
 - e) ~~Of sufficient scale and orientation to be perceived from the public right-of-way;~~
 - f) Shall be rendered in materials or media that is are appropriate to durable in an exterior, urban environment; and
 - g) Shall be permanently integrated into, or installed on, the building wall.
- ii. Permanent art is measured as the total linear width (in feet) of rectangles enclosing distinct artworks provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances). Where more than one piece of art is used, the linear width (in feet) of each piece of art is measured separately and combined to determine the total linear width of permanent art.



6. Changes to Existing Buildings

No existing building shall be altered in such a way that the amount of glazing total linear feet of windows and permitted alternatives in the zone of transparency is reduced below the required amount. If the amount of glazing total linear feet of windows and permitted alternatives in the zone of transparency is already below the required amount, it shall not be further reduced.

B. Pedestrian Access

1. Intent

To provide clear, obvious connections for pedestrians between Primary Streets and primary uses within buildings.

2. Applicability

The Primary Building Form Standards in Articles 3 through 9 specify which type of Pedestrian Access is required for each Primary Building Form. Pedestrian access requirements are provided in this Section 13.1.5.6.B.

3. Pedestrian Access Requirements

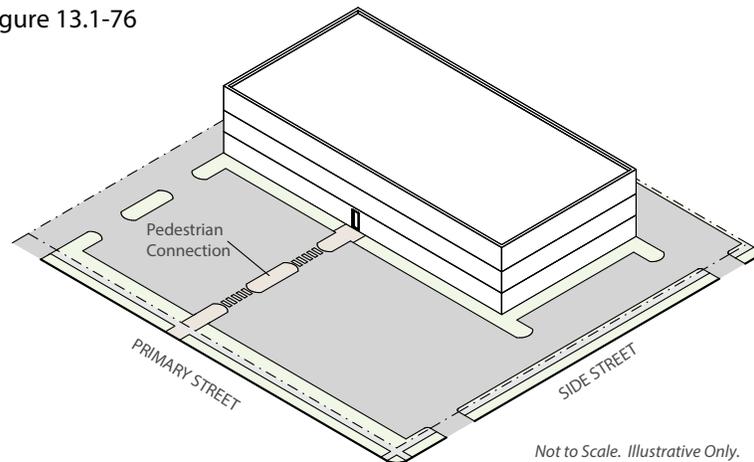
The following are required supplemental standards for each type of Pedestrian Access:

a. Entrance

- i. Where required by the Primary Building Form Standards, an Entrance shall provide a clear, obvious, publicly accessible connection between the Street defined by the building form (Primary and/or Side) and the primary uses within the building.
- ii. For the Garden Court, Town House, and Row House building forms, an entrance shall be street-facing according to the standards specific to such building forms in Articles 3 through 9.
- iii. For all other building forms, an entrance shall be located:
 - a) On the Primary Street facing facade; or
 - b) Located on a ~~facade other than a Primary Side~~ Street facing facade but entirely within 15 feet of the zone lot line abutting the Primary Street and provided the entrance is clearly visible from the public right-of-way. See Figure 13.1-74.
- iv. An entrance shall be one of the following three types:
 - a) Door - An entrance on the same plane as the building facade.

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

Figure 13.1-76



4. Pedestrian Access (Entrance) Alternative Requirements

Where permitted, the following design elements may be used as an alternative to a required entrance on all building forms except Row House:

a. Courtyard or Plaza

This alternative may be used only if the courtyard or plaza complies with all of the following standards:

- i. Shall be accessible to public during business hours.
- ii. Shall be within 2' of grade at edge of public right-of-way.
- iii. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.
- iv. Maximum dimension shall not exceed 3 times the minimum dimension.
- v. Required public Entrance shall be visible from the public right-of-way.
- vi. Perimeter walls of court or plaza shall meet primary facade transparency standards.

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Figure 13.1-76B



- b. **Covered Walkway in the form of an Arcade or Pergola that meets the following:** This alternative may be used only if the covered walkway complies with all of the following standards:
- i. Shall take the form of an Arcade, Canopy, or Pergola.
 - ii. Shall be accessible to the general public during business hours.
 - iii. Shall provide continuous covered access to a required Entrance from the public right-of-way.
 - iv. A required public Entrance shall be visible from the public right-of-way Primary Street zone lot line.

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Figure 13.1-76C



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.

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.”

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 ~~allowed~~ 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.)

Building Height Standards or Height Standards: Standards in this Code that address how tall a building and its component parts may be. Building height standards include, but are not limited to, standards addressing overall building height in feet or stories, side wall height, and bulk plane requirements.

Concealed Light Source: An artificial light intended to illuminate a building, the face of a sign, or landscaping, which light is shielded from public view and from adjoining zone lots.

Conforming Structure: See “Structure, Conforming.”

Conforming Use: See “Use, Conforming.”

Corner Lot or Corner Zone Lot: See “Zone lot, corner.”

Corner Triangle: A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or ~~allowed~~ permitted to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Court or Courtyard: An ~~open, uncovered and unoccupied~~ area open from the ground to the sky that is partly or wholly enclosed by buildings or walls.

E

Eave: The underpart of a sloping roof overhanging a wall.

Enclosed Bicycle Parking Facility: A stand-alone, secure enclosure or a device or delineated space located within a building or parking garage, and used to park and/or store bicycles. Examples include, but are not limited to, bicycle lockers or bicycle storage rooms located inside a building.

Entrance, Required: An operable opening to a building that provides direct public access from the Primary Street to the primary uses within the building.

Entry Feature: An entrance to a building, a structure, or an architectural building feature, which signals to a person how to travel from the Primary Street to the primary uses within a building.

Established Tree: (1) Any live, self-supporting woody perennial plant which has a trunk diameter of 6 inches or more measured at a point four and one half (4 1/2) feet above ground level and which normally obtains a height of at least ten (10) feet at maturity, usually with one main stem or trunk and many branches.

Existing Use: The use of a zone lot or structure at the time of the enactment of this Code.

Exterior Balcony: See “Balcony, Exterior.”

Exterior Wall Surface: The most exterior part of a wall, sun screen or any screening or material covering a building.

Extraction, Food-Based: The means of producing marijuana concentrate by extracting cannabinoids from marijuana through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats. Food-based extraction does not include the use of any type of alcohol.

Extraction, Solvent-Based: The means of producing marijuana concentrate by extracting cannabinoids from marijuana through the use of a solvent approved by the State of Colorado Marijuana Enforcement Division regulations for medical marijuana and retail marijuana, as may be modified from time to time, and which shall include the use of any type of alcohol.

Extraction, Water-Based: The means of producing marijuana concentrate by extracting cannabinoids from marijuana through the use of only water, ice or dry ice.

F

FAA: Federal Aviation Administration.

FCC: Federal Communications Commission.

Facade: Any exterior wall surface located at the ground level of a building that encloses the interior of the building.

Face Block: A zone lot or lots fronting on one side of the block. The “same” block face indicates only those zone lots fronting on the same side of the block as the subject property. The “opposite face block” includes those zone lots located on a different block than the subject property, but located directly across the street from and fronting the same street as the subject property, and bounded by the same intersecting streets as the subject property’s block.

Fence and Wall: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas. For a retaining wall, see definition of “Retaining Wall.”

Fine Arts: Individual art pieces not mass produced.

Finished Grade: [See definition of Grade, finished.](#)

Fixed Rack Bicycle Parking Facility: An unenclosed device used for the parking of bicycles that is affixed permanently to the ground. Examples include, but are not limited to, an inverted “U”-style bicycle rack.

Fixture: A small structure or part of a structure used by the occupants of the premises for the purpose of containing or holding containers of garbage, trash recycling and similar waste products, or for landscaping such as bird baths, ornamental statuary, arbors, rock gardens, monuments, flagpoles, ornamental lampposts and similar decorative features but not including enclosed buildings.

Flag Lot: See “Zone Lot, Flag.”

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

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

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

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

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

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

G

GFA: Gross Floor Area. See definition of “Gross Floor Area” below.

Gable: The upper portion of a sidewall that comes to a triangular point at the ridge of a sloping roof.

Gallery: See definition of “Arcade.”

Garage: A building or part of a building wherein motor vehicles are housed or stored.

Garage, Private: A garage that is not operated for gain and in which no business is conducted.

Glare: The sensation produced when a source of light in excess of 1650 lumens is directly visible or light that is so bright that it causes annoyance, discomfort, or loss in visual performance.

Grade, Finished: The final elevation of the ground surface after development.

Grade, Original: The grade of the zone lot before development begins. If there was a structure on the zone lot that was demolished, the grade prior to demolition of the structure. If there is no structure on the property, the natural grade of the property prior to any modification, except that in new developments, original grade shall mean the approved and recorded grade.

Grading: The act of excavation or filling or combination thereof or any leveling to a smooth horizontal or sloping surface on a property, but not including normal cultivation associates with a permitted agricultural use or operation.

Gross Floor Area: 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 measured from the exterior faces of the exterior walls of each such floor. In lieu of this definition, “Gross Floor Area” for purposes of calculating required parking and off-street loading amounts is set forth in Section 10.4.34, ~~Amount of Required Parking Ratios~~ Vehicle Parking Required.

Ground Cover: Low plantings used instead of turf where space does not allow turf, where xeriscaping is desired, or where a more decorative affect is desirable. Ground covers are typically lower than 6 inches in height.

~~**Ground Floor:** See “Story, Ground”.~~

~~**Ground Story:** See “Story, Ground.”~~

Guideline: An indication of policy or preferences; compliance is not mandatory like a standard, but rather compliance is encouraged to further the City’s land use goals and policies. A zoning application may not be denied solely for failure to comply with a guideline.

M

Manager: The manager of the Department of Community Planning and Development.

Manufacture: All operations required to produce the material named.

Marijuana: All parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" includes industrial hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, and sterilized seed of the plant which is incapable of germination. "Marijuana" does not include the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

Marijuana Concentrate: The hashish, cannabinoids, or any alkaloid, salt, derivative, preparation, compound, or mixture, whether natural or synthesized, of cannabinoids.

Marijuana-Infused Product: A product infused with marijuana that is intended for use or consumption other than by smoking, including but not limited to, edible product, ointments and tinctures.

Marquee: A roof like structure of a permanent nature that projects from the wall of a building or its supports and may overhang the public way.

Mass Transit: The general term used to identify bus, fixed rail, or other types of transportation service available to the general public that move relatively large numbers of people at one time.

Mass Transit Railway System: A system of conveyance available to the public which may include, but not be limited to, rail tracks and guideways, terminals, stations, passenger shelters, electrical power lines, maintenance and storage facilities, parking facilities, and transportation control features or fixtures.

Mechanized Parking: Parking of vehicles using mechanized equipment that replaces the need for a driver. Mechanized parking spaces may be narrower due to the lack of a need to enter or exit the vehicle.

Medical Marijuana: ~~Marijuana plants used by persons suffering from debilitating medical conditions, as defined in the Colorado Revised Statutes, Section 12-43.3-104(7), as may be amended.~~

Midpoint: A point of a boundary line equally distant from the two lot lines intersecting it at right angles or within 45 degrees of a right angle.

Mitigation: An action that will have one or more of the following effects:

1. Avoiding an impact by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action or its implementation;
3. Rectifying the impact by repairing, rehabilitating, or restoring the impact area, facility or service;
4. Reducing or eliminating the impact over time by preservation and maintenance operations;

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 allowed 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-Active Use: Shall include retail sale; banking facility open to the public with at least one employee on site; eating place; personal and business service; hotel lobby; indoor and outdoor entertainment or recreation facility; dedicated public park or open space; arts and cultural facility; and the frontage of entry ways or stairways through which such uses are principally accessed, provided, however, that the following types of retail sales shall not be considered pedestrian-active uses: amusement center; sale of automobiles; sale of auto trailers; sale of house trailers; sale of trucks; sale of auto and truck parts, accessories, tires and tubes; automobile gasoline filling station; boat sales; home building materials store; koshering of poultry sold at retail on the premises; motorcycle store; monument and tombstone sales; pawnshop; retail sale of medical and hospital equipment and supplies; and retail sale of packaged coal and wood for household use; and provided, further, that no adult use shall be considered a pedestrian-active use.

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 **allowed 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.

Permitted Structure: See definition of “Structure, Permanent,” below.

Person: An individual including any receiver, guardian, personal representative, registered agent, fiduciary, or representative of any kind, and any corporation, partnership, firm, association, joint venture, or other legal entity.

Planned Unit Development (PUD): A Zone District wherein an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in zone lot size, building form, bulk, use, density, lot coverage, open space, or other restriction to the existing zoning regulations of this Code. See Division 9.6, Planned Unit Development District, of this Code.

Plaza: An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky. Any portion of a plaza occupied by landscaping, statuary, pools and open recreation facilities shall be considered to be a part of the plaza. The term “plaza” shall not include off-street loading areas, driveways, off-street parking areas.

Porch, Front: A one or two-story structure providing access to the primary uses within a primary building. Front porch may be covered and must be unenclosed on the primary street-facing façade of the primary building.

Premises: A general term meaning part or all of any zone lot or part or all of any building or structure or group of buildings or structures located thereon.

Primary Area of GDP: Boundary of the area within a GDP either owned and/or represented by a private landowner(s) or applicant(s).

Primary Street: See Rule of Measurement, Division 13.1.

Private Open Space: See Rule of Measurement, Division 13.1.

Processing: Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operation described as fabrication.

Professional Studio: See “Studio, Professional.”

Projecting Window: For purposes of a setback encroachment, shall include bay window, box window and bow window.

Property: Any land, building, or other structure, or part thereof.

Protected District: Any one of the following Zone Districts:

1. S-SU-A
2. S-SU-D
3. S-SU-F
4. S-SU-Fx
5. S-SU-F1
6. S-SU-I
7. S-SU-Ix
8. S-TH-2.5
9. E-SU-A
10. E-SU-B
11. E-SU-D
12. E-SU-D1
13. E-SU-Dx
14. E-SU-D1x
15. E-SU-G
16. E-SU-G1
17. E-TU-B
18. E-TU-C
19. E-TH-2.5
20. E-MU-2.5
21. U-SU-A
22. U-SU-A1

R

Railroad Facilities: Terminal related to a freight railway; or a railway yard, maintenance, or fueling facility related to a passenger or freight railway.

Rear of Zone Lot: See “Zone Lot, Rear”.

Recreational Vehicle: A vehicular-type, portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as living accommodation for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recyclable Material: Reusable materials including, but not limited to, metals, glass, plastic, wood, and paper that are intended for remanufacturing or reconstitution. Recyclable materials do not include junk, rubbish, refuse, or hazardous waste.

Registry Identification Card: That document issued by a state health agency, which identifies a patient authorized to engage in the medical use of marijuana, as required by Colorado Revised Statutes, Section 25-1.5-107(7), as may be amended. *See related definition of “Medical Marijuana,” above.*

Replacement Cost: The amount it would cost to replace an asset at current market prices.

Required Entrance: See “Entrance, Required,” above.

Residential Accommodations: Any building or part of a building used or intended to be used for sleeping accommodations by a person or group of persons. Other housekeeping facilities may be provided.

Residential Development: See “Development, Residential.”

Residential Occupancy or Residential Use: Any building or part of a building in which a person or group of persons are provided with sleeping accommodations. Other housekeeping accommodations may also be provided.

Residential Structure: See definition of “Structure, Residential,” below.

Residential Use: See definition of “Residential Occupancy,” above.

Residential Zone District or Residential District:

1. Any -SU-, -TU-, -TH-, -RH-, -MU, -RO, or -RX Zone District.
2. Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a “Residential district” under Section 59-2(235) of the Former Chapter 59.

Retail: Sale to the ultimate consumer for direct consumption or use and not for resale.

Retaining Wall: A wall which is designed to, and in fact does, retain the earth on one side at a higher elevation than the earth on the other side. Only that portion of the wall that actually retains earth shall be considered a retaining wall; the remainder shall be a fence or wall and be measured as set forth in Section 13.1.4.

Rezoning: An amendment to the Official Zoning Map.

Sign, Wind: Any sign in the nature of a series of two or more banners, flags, pennants or other objects or material which shall call attention to a product or service, fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

Sign, Window: A sign which is applied or attached to, or located within three feet of the interior of a window, which sign can be seen through the window from the exterior of the structure.

Sign Projection Distance: The distance from the exterior wall surface of the building to the display face of a wall sign.

Sign With Backing: Any sign that is displayed upon, against or through any material or color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed.

Sign Without Backing: Any word, letter, emblem, insignia, figure of similar character or group thereof, that is neither backed by, incorporated in or otherwise made part of any larger display area.

Site Development Plan: A specific development plan for a zone lot, use, or building, specifying how the entire site will be developed including, but not limited to, building envelopes, uses, densities, open space, parking/circulation, access, drainage, building area, landscaping, and signs.

Siting Form Standards or Building Siting Standards: Standards in this Code that regulate the size and dimension of a required zone lot, and the placement, orientation, and coverage of a building on a zone lot. Siting standards include, but are not limited to, standards addressing zone lot size and dimensions, setbacks, build-to requirements, and building coverage.

Solar Panel, Flush Mounted: A solar energy collection device mounted to the roof of a structure in such a manner that the device is not more than one foot above the roof surface to which it is attached, and mounted so that the device plane is in a plane which is parallel to the surface of the roof to which it is attached, ~~and mounted so that the edge of the device is at least two feet from the edge of the roof to which it is attached.~~

Standard: A mandatory regulation. Noncompliance with a standard may be grounds for denial of a proposal for development, and may subject an applicant or a development to the enforcement and penalty provisions of this Code. Mandatory standards are indicated by use of the terms "shall" and "must."

Start of Construction: Includes substantial improvement, and means the date a building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The "actual start" means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Stoop: An uncovered set of steps and a landing providing access to the primary uses within the building.

Storage: The act of depositing goods, wares and merchandise in any structure, part of a structure or warehouse, gratuitous or otherwise, shall be called storage.

Store: A use devoted exclusively to the retail sale of a commodity or commodities.

Story: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

~~**Story, Ground:** For purposes of Ground Story Activation design standards: The first story in a building or structure in which the ceiling is 4 feet or more above grade at the nearest building line.~~ Changed to "Street Level" and moved below.

Story, Habitable: A story which:

1. Has at least four feet between the ground level and the ceiling joists;
2. Has enough area to provide a habitable room with net floor-to-ceiling distance of 7'-6" over half the area of the room; and
3. Constitutes a habitable room as defined in the building code.

Story, Half: See Rule of Measurement.

Street: A public thoroughfare, avenue, road, highway, boulevard, parkway, driveway, lane, court or private easement providing, generally, the primary roadway to and egress from the property abutting along its length.

~~**Street Level:** For purposes of Ground Story Activation design standards: The first story or level in a building or structure in which the ceiling is 4 feet or more above grade at the nearest building line.~~

Street, Private: Any road or street that is privately developed, owned, and maintained that provides access within a development.

Street Front or Frontage: Any boundary line of a zone lot or parcel of land that runs parallel to and within 20 feet of the right-of-way of a street or highway designated and assigned an individual name or number by the legislative action of the City.

Street Property Line: A common boundary between private property and a dedicated street or alley.

Structural Feature: Any part of a structure which is designed for or indicative of the intent to accommodate any given use.

Structure: Anything which is constructed or erected and the use of which requires more or less permanent location on ground or attachment to something having permanent location on ground, not, however, including wheels; an edifice or a building of any kind; any production or piece of work, artificially built up or composed of a parts and joined together in some definite manner. (Entrances not more than 2 feet above grade and vents not more than 3 feet above grade, which are features of bomb or fallout shelters, shall not be considered a structure or structural feature for purposes of setback computations.)

Structure - Group A:

Structure, Completely Enclosed: A structure enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrance and exit doors.

Structure, Partially Enclosed: A structure that is:

1. Enclosed by a roof (e.g. carport, gazebo, porch); or
2. Enclosed on three or more sides with Fences or Walls that are greater than 6' in height and less than 50% open.

Structure, Open: A structure that is:

1. At least 50% open to the sky; and
2. If it has Fences or Walls, there are no more than two sides with Fences or Walls that are greater than 6' in height and less than 50% open (e.g., trellis, balcony, deck).

Structure - Group B:

Structure, Conforming: A structure which, when originally constructed, was in full compliance with all zoning regulations applicable to structures, and which complies with the following current regulations applicable to structures:

1. All building form standards in this Code;
2. Standards for permitted structures in the Downtown, Campus, I-A, and I-B, Zone Districts, as applicable, and
3. Standards established in Division 10.3, Multiple Buildings on a Single Zone Lot, as applicable.

A structure that meets this definition of “conforming structure”, but which does not comply with zoning standards that are inapplicable to structures (e.g., site design standards such as landscaping, parking amount, signage), are still “conforming structures” under this Code.

Structure, Compliant: A legally established structure that meets one of the following conditions:

1. The legally established structure does not comply with one or more of the following Building Form Standards in this Code:
 - a. Height Standards
 - i. Minimum, feet
 - ii. Maximum, feet and stories
 - iii. 3rd Avenue CCN bulk plane
 - b. Siting Standards
 - i. Building setback standards, including Block Sensitive Primary Street setback standards
 - ii. Required build-to
 - iii. Location of surface parking for vehicles
 - c. Design Element Standards
 - i. ~~Ground-Story Street Level~~ activation standards
 - ii. Upper-story setback standards

Trailer Camp or Court: Any premises where one (1) or more trailer coaches are parked for living and sleeping purposes, or any premises used or set apart for the purpose of supplying to the public parking space for one (1) or more trailer coaches for living and sleeping purposes, and which include any buildings, structures, vehicles or enclosure used or intended for use as a part of the equipment of such trailer camp or court. Also commonly known as a mobile home park.

Travel Demand Management (TDM): A broad range of strategies intended to reduce peak period vehicle trips.

Tree: Moved to definition of Established Tree (1) Any live, self-supporting woody perennial plant which has a trunk diameter of 6 inches or more measured at a point four and one half (4 1/2) feet above ground level and which normally obtains a height of at least ten (10) feet at maturity, usually with one main stem or trunk and many branches; and (2) any woody bush in excess of 4 feet in height.

Truck Tractor: A vehicle equipped with a chassis or flat-bed mounted ball or fifth wheel for attaching a trailer; designed to be used for the highway towing trailers and not designed primarily for hauling cargo.

U

Unobstructed Open Space: Land with no buildings thereon, except fenced or walled trash facilities. The following provisions apply to the specified Zone Districts:

1. Except as otherwise provided herein, in the Single Unit (SU), Two Unit (TU), Townhouse (TH), or Rowhouse (RH) Zone Districts, unobstructed open space shall include any areas that are open to the sky including driveways; driving aisles; unenclosed parking spaces; front porches; and patios, decks or exterior balconies the surface of which is two and one half (2 1/2) feet or less above grade; and unenclosed areas covered by a trellis or arbor.
2. In the Single Unit (SU) and Two Unit (TU) Zone Districts, the following portions of the zone lot shall not be deemed to be unobstructed open space: any area bordered by walls on more than three sides; any porch, patio, or deck enclosed by any railing, wall, or similar structure in excess of three (3) feet in height above the surface of the porch, patio or deck; and any area beneath a projecting architectural or structural element such as balconies, bay windows, or second floor projections, excepting eaves.

Upper Story Setback: The horizontal distance that an upper portion of a building facade is set back from the property or zone lot boundary line.

Upper Story Step-Back: The horizontal distance that an upper portion of a building facade is set back from the face of the building's lower portion.

Use: The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.

Use, Allowed: See "Use, Permitted."

Use, Accessory: A subordinate use, clearly incidental and related to the primary use of land, and, unless otherwise ~~allowed~~ permitted by this Code, located on the same zone lot as that of the primary use.

Use, By Right: See "Use, Permitted."

Use, Compliant: A use or activity that was lawful prior to the adoption, revision, or amendment to this Code, but which by reason of such adoption, revision, or amendment, or because other uses are established closer to the legally established use than this Code permits, does not comply with current use limitations applicable to such use or activity.

Use, Conforming: A use or activity that was lawful when originally established and that complies with current use limitations applicable to the use or activity in the Zone District in which it is located. A use or activity that was lawful when originally established, but which, by reason of the adoption of or revision to this Code, does not comply with a review procedure (e.g., special exception review), or with a reduceable spacing/distance requirement, or with a site development or design standard (e.g., parking, landscaping, and signage) otherwise applicable to such use, shall be classified as a "conforming use."

Use, Illegal: Any use, whether of a building or other structure, or of land, in which a violation of any provision of this Code has been committed or shall exist.

Use, Nonconforming: A use or activity that was lawful prior to the adoption, revision, or amendment to this Code, but which by reason of such adoption, revision, or amendment, is no longer ~~allowed~~ permitted in the Zone District in which such use or activity is located.

Use, Permitted: Any use listed as a primary use, a temporary use, a home occupation, an accessory use, a use subject to special exception review, or a use subject to limitations, as approved according to the required use review procedure.

Use, Primary or Principal: The main or primary purpose for which land and the structures thereon are used, or for which land and the structures thereon may be maintained or occupied according to this Code.

Use, Prohibited: A use that is not permitted in a Zone District (“NP” in the Summary Use and Parking Tables).

Use, Special Exception: A use that is listed in the Summary Use and Parking Table as a use allowed permitted subject to the special exception review by the Board of Adjustment, as set forth in Article 12 (“ZPSE” in use table).

Use, Temporary: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Use and Parking Table: Tables found in Articles 3, 4, 5, 6, 7, 8, and 9 of this Code, which list: (a) the principal, accessory, and temporary uses allowed permitted in each Zone District, (b) the type of review procedure (e.g., zoning permit, zoning permit review with informational notice, special exception review.) required prior to a use’s establishment, and (c) the bicycle and vehicle parking requirements for each use.

Use Category: A category of uses within a “Use Classification.” “Use Categories” are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. A “Use Category” may be further subdivided into “Specific Use Types.”

Use Classification: The broadest grouping of land uses in this Code, based on generally accepted industry groupings, similar descriptions of planning goals or functions, similar allowed permitted use types, and similar allowed permitted density/intensity of use.

Use Type or Specific Use Type: The finest-grained category of uses in this Code; a “Use Type or Specific Use Type” is a sub-category of a “Use Category.” It is used when necessary to tailor the regulatory treatment to address issues such as the relative intensity of the use, issues related to building type, possible effects on neighboring land uses, consistency with Zone District purpose and goals, or possible operational externalities (such as odor, glare, or noise).

Z

Zone Lot: The land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area may be designated as a zone lot only by the owner or owners thereof.

Zone Lot, Area of: The area of land enclosed within the boundaries of a zone lot.

Zone Lot, Boundary Line of: Any line separating a zone lot from a street, an alley, another zone lot or any other land not part of the zone lot.

Zone Lot, Corner: A zone lot situated at the junction of two or more intersecting or intercepting streets where the angle of intersection of the lot lines coterminous with the street lines does not exceed 135 degrees.

Zone Lot, Flag: A zone lot not meeting minimum zone lot width or public street frontage requirements under this Code, and where access to a public street is limited to a narrow strip of land or private access way.

Zone Lot, Interior: Any zone lot that is not a corner zone lot.

Zone Lot, Nonconforming: A zone lot, ~~the area, dimensions, or location of which~~ that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform with either:

1. The present minimum zone lot size or minimum zone lot width requirements for any of the building forms ~~allowed~~ permitted in the Zone District in which the zone lot is located; or
2. The minimum requirements for a zone lot, as stated in Article 1, Division 1.2, Zone Lots, of this Code.

Zone Lot, Width: See Rule of Measurement, Division 13.1

Zone Lot Line: Any boundary of a zone lot.

Zone Lot Line, Primary Street: See Rule of Measurement, Division 13.1

Zone Lot Line, Rear: See Rule of Measurement, Division 13.1

Zone Lot Line, Side: Any boundary of a zone lot that is neither a Primary Street zone lot line nor a rear zone lot line. A side zone lot line may be either a side “street” zone lot line, or a side “interior” zone line, with the former type abutting a side street and the latter type not abutting a street.

Zone Lot Line, Side Interior: See Rule of Measurement, Divisions 13.1

Zone Lot Line, Side Street: See Rule of Measurement, Divisions 13.1

Zone Lot Size, Minimum: The smallest size zone lot that may be newly created in a Zone District according to this Code’s requirements, or the smallest size zone lot that must exist as a prerequisite to development of a building form ~~allowed~~ permitted in the Zone District.

Zone of Transparency: See Rule of Measurement, Division 13.1