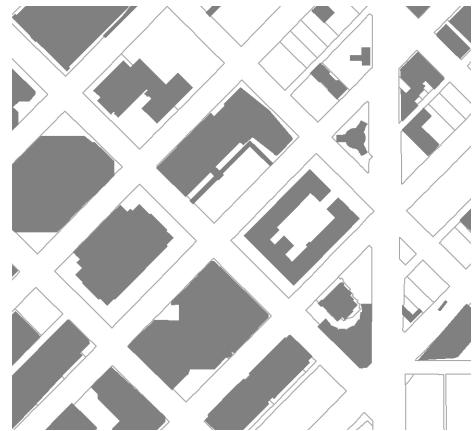
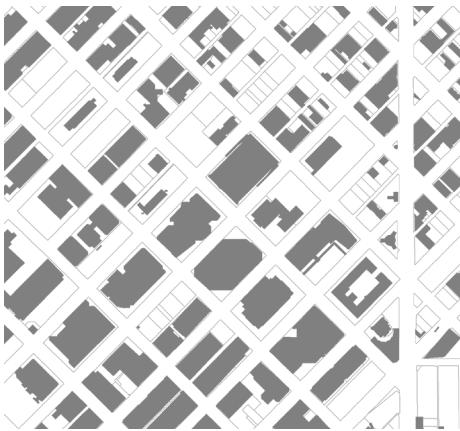




## ARTICLE 8. DOWNTOWN (D-) NEIGHBORHOOD CONTEXT

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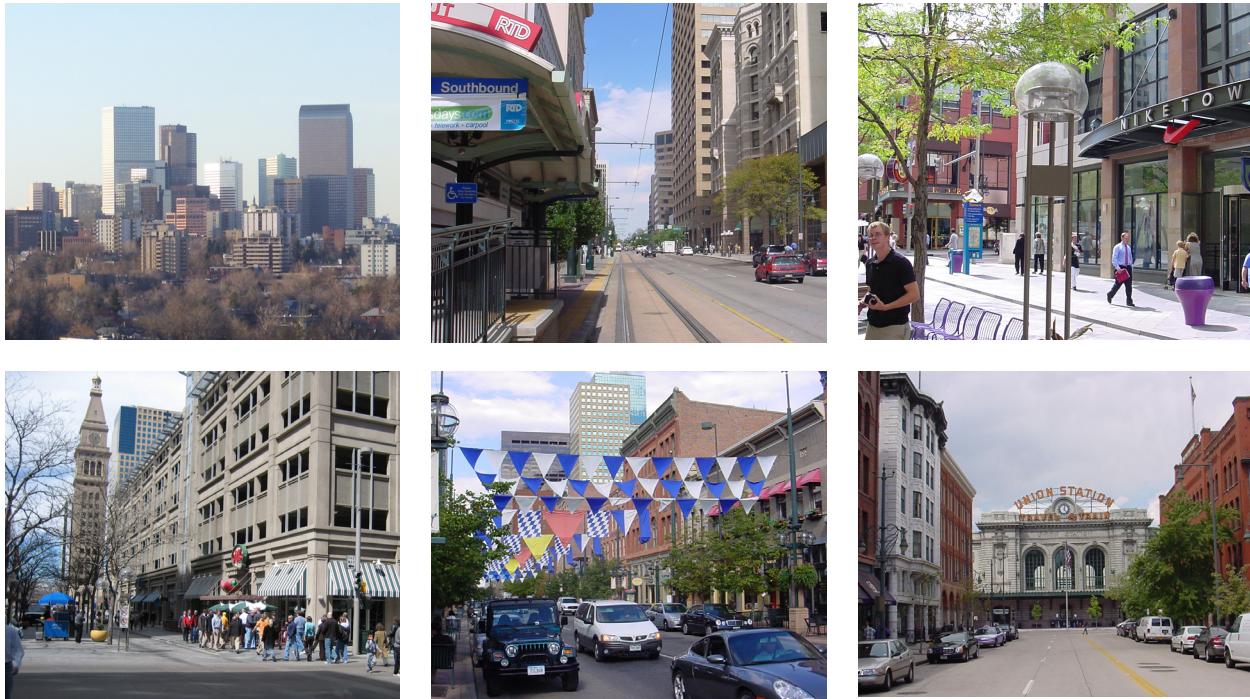
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## DIVISION 8.1 NEIGHBORHOOD CONTEXT DESCRIPTION



### SECTION 8.1.1 GENERAL CHARACTER

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

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

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

### SECTION 8.1.3 BUILDING ENTRANCES

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

### SECTION 8.1.4 BUILDING PLACEMENT AND LOCATION:

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

## **SECTION 8.1.5 BUILDING HEIGHT**

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

## **SECTION 8.1.6 MOBILITY**

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

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

### **SECTION 8.2.1 DISTRICTS ESTABLISHED**

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

#### **Downtown Neighborhood Context**

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

### **SECTION 8.2.2 DOWNTOWN DISTRICTS**

#### **8.2.2.1 General Purpose**

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

#### **8.2.2.2 Specific Intent**

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

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

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

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

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

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

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

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

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

The Golden Triangle (D-GT) is a neighborhood that encourages a wide range of uses including housing, office, civic, and retail, with an emphasis on active uses at the ground floor. It is a cohesive and well-connected neighborhood with active pedestrian-oriented tree-lined streets, mixed-use development, and a strong association with art and culture. Typical building heights range from 3 to approximately 20 stories, with the General building form intended to provide architectural variety and flexibility for all uses, and the Point Tower building form that provides

an opportunity for building heights of more than 20 stories in a slender tower. Historic buildings as well as a diversity of contemporary structures of different scales and detail contribute to the district's eclectic character and emphasize human scaled massing at the street level.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

#### **8.3.1.1 Generally**

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

#### **8.3.1.2 Uses Permitted**

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

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

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

#### **8.3.1.4 Permitted Structures**

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

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

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

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

**Exhibit Figure 8.1 Maximum Heights (Note: need help with automatic figure numbering)**



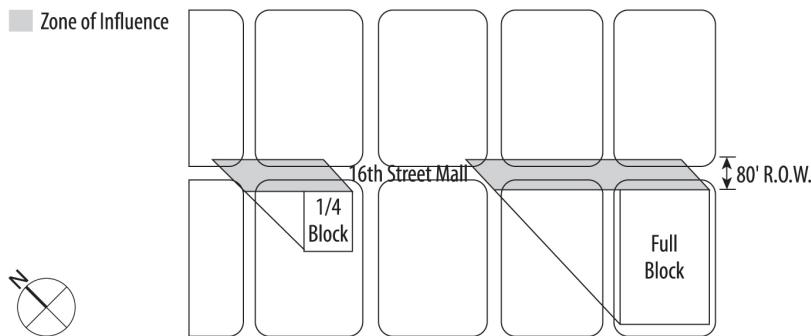
### C. Sunlight Preservation Area 1

#### 1. Definitions

For purposes of this provision only, the following definitions shall apply:

- a. "Zone of influence" shall mean that portion of the public right-of-way of the 16th Street pedestrian and transit mall lying between 2 lines extended due north from the easternmost and western most points of a zone lot located between 15th and 16th Streets, regardless of whether or not such zone lot extends across a public alley. If a zone lot extends across a public street right-of-way, then a separate zone of influence shall be established for each part of the property separated by a public street right-of-way. The 16th Street pedestrian and transit mall is 80 feet wide.
- b. "Project zone of influence" shall mean the zone of influence for the proposed structure or project.
- c. "Overlapping zone of influence" shall mean any zone of influence that overlaps all or a portion of the project zone of influence, regardless of whether or not such zone of influence is related to a zone lot that is (i) adjacent to the project zone lot or (ii) located within this Sunlight Preservation Area 1.

## Illustration of Project Zone of Influence

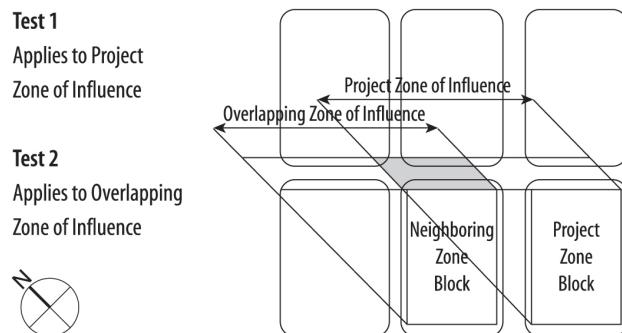


- d. "Excluded zone of influence" shall mean a zone of influence for a zone lot where the maximum permitted gross floor area from all sources except sunlight bonuses could not at any point exceed the height of a plane originating at the southwest right-of-way of the 16th Street pedestrian and transit mall and rising over the property southwesterly at an angle of 60 degrees from the horizontal.
- e. "Test time" shall mean 1:00 p.m., Mountain Daylight Time, on September 21.
- f. "Minimum required amount" shall mean:
  - i. For a zone lot of more than 15,000 square feet: 0.3
  - ii. For a zone lot of 15,000 square feet or less: 0.2

2. **Sunlight Preservation on the 16th Street Pedestrian and Transit Mall**  
No structure or multiple structure project shall be constructed unless it complies with Subsection a. below or is otherwise permitted under Subsection b. below or the project zone of influence is an excluded zone of influence.

- a. **Minimum sunlight preservation requirement.**
  - i. **Test 1.** All structures and projects shall be designed so that, after their construction, at least the minimum required amount of each project zone of influence shall remain in sunlight at the test time; and
  - ii. **Test 2.** All structures and projects located on zone lots of more than 15,000 square feet shall be designed so that at least the minimum required amount of each overlapping zone of influence that extends further west and/or further east than the project zone of influence shall remain in sunlight at the test time.

## Illustration of Test 1 and Test 2



**b. Inability to meet minimum requirements**

*i. Inability to meet Test 1*

- a) If, prior to the proposed construction, less than the minimum required amount of each project zone of influence remains in sunlight at the test time, then the requirements of Test 1 above shall not apply to such project zone of influence, but the proposed structure or project shall not be permitted to cast additional shadows within such project zone of influence; or
- b) If the proposed structure or project is located on a zone lot of 53,000 square feet or more and, prior to the proposed construction, less than 42 percent of each project zone of influence remains in sunlight at the test time, and the proposed structure or project does not cast any shadow at the test time that exceeds a length of 225 feet measured along the south right-of-way line of the 16th Street pedestrian and transit mall, then the minimum required amount of sunlight under Test 1 shall be reduced as required to accommodate the proposed structure or project, but not below a minimum of 18 percent.

In such case, the basic sunlight premium set forth in Subsection 8.3.1.4.C.3.a. below shall still apply, but additional sunlight premiums set forth in Subsection 8.3.1.4.C.3.b. below shall not apply.

*ii. Inability to meet Test 2 on one (1) side.* If a proposed structure or project on a zone lot of more than 15,000 square feet meets Test 1, but prior to the proposed construction less than the minimum required amount of any overlapping zone of influence remains in sunlight at the test time, then the requirements of Test 2 above shall not apply to such overlapping zone of influence, but the proposed structure or project shall not be permitted to cast additional shadows within such overlapping zone of influence.

*iii. Inability to meet Test 2 on both sides.* If a proposed structure or project on a zone lot of more than 15,000 square feet meets Test 1 and does not cast any shadow at the test time that exceeds a length of 225 feet measured along the south right-of-way line of the 16th Street pedestrian and transit mall, but does not meet Test 2 for overlapping zones of influence extending both east and west of the project zone of influence, then the requirements of Test 2 shall be reduced within such overlapping zones of influence to the degree necessary to accommodate such proposed structure or project, provided, however, that under no circumstances shall such requirements be reduced to a point where:

- a) The resulting area of sunlight within any single overlapping zone of influence is less than 15 percent; or
- b) The resulting area of sunlight within that portion of the 16th Street pedestrian and transit mall lying between lines extended due north from the easternmost point of any overlapping zone of influence and from the western most point of any overlapping zone of influence is less than 18 percent.

**3. Premium for Sunlight Preservation**

A new structure or multiple structure project that complies with the requirements of this Section shall receive floor area premiums as set forth below:

**a. Basic sunlight premium**

All such structures or multiple structure projects shall receive a floor area premium equal to one (1) times the size of the zone lot.

**b. Additional sunlight premium**

Such structures or multiple structure projects may receive additional floor area premiums based on the amount of sunlight preserved at the test time. The amount of the additional sunlight premium shall be calculated for each project zone of influence based on the following formula:

$$Y = 6 - (.06 \times X)$$

Y: is the amount of additional sunlight premium, measured as a fraction or multiple of the size of the project zone lot; and

$$X: = A/(B \times C - D)$$

where:

"A" is the area of additional shadow to be cast by the proposed structure or project within the project zone of influence;

"B" is .70 where the project zone lot is more than 12,500 square feet; and  
.80 where the project zone lot is 12,500 square feet or less;

"C" is the area of the project zone of influence; and

"D" is the area of preexisting shadows in the project zone of influence.

**c. Exceptions**

Notwithstanding Subsections a. and b. above, no such floor area premiums shall be available for any proposed structure or project whose project zone of influence is an excluded zone of influence.

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

**1. Maximum Floor Area Ratio**

The total floor area ratio of all existing and proposed Structures on a Zone Lot shall not exceed 10.0 FAR unless eligible for one or more floor area premiums under Section 8.3.1.4.D.

**2. Floor Area Premiums**

In addition to the maximum floor area ratio permitted under paragraph D.1. above, additional floor area may be constructed using one or more of the following floor area premiums, or transfers of undeveloped floor area as described in Section 8.3.1.4.D.3 below.

**a. Allowance**

Floor area premiums and transfers of undeveloped floor area shall not:

- i. Increase the floor area ratio on any Zone Lot by more than the maximum amount shown in the following table; or
- ii. Cause the total floor area ratio allowed on any Zone Lot to exceed the maximum floor area ratio with premiums and transfers stated in Section 8.3.1.4.D.4 below.

SUMMARY OF FLOOR AREA PREMIUMS AND TRANSFERS OF UNDEVELOPED FLOOR AREA ALLOWED IN D-C/D-TD ZONE DISTRICTS		
FLOOR AREA PREMIUM/TRANSFER	ADDITIONAL FLOOR AREA AVAILABLE WITH PREMIUM/TRANSFER	MAXIMUM FLOOR AREA INCREASE ALLOWED ON A ZONE LOT
Enhanced Affordable Housing	10.0 FAR	10.0 FAR
Enhanced Linkage Fees	7.0 FAR	7.0 FAR
Rehabilitation of Historic Structure	4 sf premium per 1 sf rehabilitation	No maximum
Public Art	0.25 FAR	2.0 FAR total between public art and underground parking
Underground Parking	1.5 sf premium per 1 sf underground parking	
Transfer of Undeveloped Floor Area from Historic Structure	6.0 FAR	6.0 FAR

**b. Premium for Enhanced Affordable Housing**

An increase in floor area ratio up to 10.0 FAR is permitted if a Structure ~~qualifies for the incentives for~~ meets or exceeds enhanced on-site compliance requirements as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing ~~and any applicable Rules and Regulations~~.

**c. Premium for Enhanced Linkage Fees**

An increase in floor area ratio up to 7.0 FAR is permitted if a Structure is primarily nonresidential and provides payment of a linkage fee, as set forth in D.R.M.C. Chapter 27, Article V Dedicated Funding for Affordable Housing ~~and any applicable Rules and Regulations~~, that is equal to two (2) times the current applicable rate. If the Primarily Nonresidential Structure contains 10 or more Dwelling Units, then it must also provide income restricted units in accordance with D.R.M.C. Sec. 27-224(a). For the purposes of this section, a Structure that is primarily nonresidential shall mean that Primary Residential Uses comprise 50% or less of the total gross floor area excluding parking.

**d. Premium for Rehabilitation of Historic Structure**

A floor area premium equal to four square feet for each square foot of the exposed exterior of an Historic Structure that is rehabilitated to the U.S. Secretary of the Interior's standards for Treatment of Historic Properties, or to the design review standards, policies and guidelines of the Landmark Preservation Commission.

**e. Premium for Public Art**

A floor area premium equal to 25 percent of the Zone Lot area (0.25 FAR) if, in connection with the construction of a new building or the renovation of an existing building, Public Art costing at least (i) one percent of the cost of the new building or one percent of the cost of the building renovation, as reflected in approved building permits, or (ii) \$500,000.00, whichever is smaller, is placed outside or on the exterior surface of such new or renovated building where it is visible from at least one public street.

**f. Premium for Underground Parking**

A floor area premium equal to one and one-half square feet for each square foot of underground parking provided under a new building, provided, however, that no premium shall be earned for the first level of underground parking.

**3. Transfer of Undeveloped Floor Area**

In addition to the floor area premiums permitted by Sections 8.3.1.4.D.1-2 above, a certain amount of additional floor area may be constructed by using a transfer of undeveloped floor area. Undeveloped floor area shall be created, transferred and administered as set forth herein. Undeveloped floor area may be certified for transfer at any time and any

undeveloped floor area certified prior to June 25, 2010 shall remain valid; however, any such certified floor area may be amended.

**a. Types of Undeveloped Floor Area**

The following types of undeveloped floor area may be transferred between zone lots after certification by the Zoning Administrator:

- i. Undeveloped floor area from an Historic Structure:
  - a) Where such designation or inclusion in a district occurred after October 10, 1994; or
  - b) Where such designation or inclusion in a district occurred before October 10, 1994, and certificates of undeveloped floor area were issued before October 10, 1994; or
  - c) Where such designation or inclusion in a district occurred before October 10, 1994, and certificates of undeveloped floor area were not issued before October 10, 1994.
- ii. Undeveloped floor area from a structure that (a) has received a floor area premium pursuant to Section 8.3.1.4.D.2.d or (b) would have received such a floor area premium if such premium had existed at the time of the rehabilitation.

**b. Calculation of Undeveloped Floor Area**

In the case of undeveloped floor area defined in Section 8.3.1.4.D.3.a, above, the amount of undeveloped floor area available for transfer from each structure shall be equal to one times the size of the zone lot on which such structure is located, plus the difference between a) the gross floor area in the structure, and b) the maximum gross floor area permitted on the zone lot containing the structure pursuant to Sections 8.3.1.4.D.1-2 above.

**c. Evidence of Title**

The Zoning Administrator shall not issue a zoning permit with respect to the property on which floor area is to be constructed using undeveloped floor area ("receiving property") unless the owners of the receiving property furnish evidence to the Zoning Administrator of their title to the undeveloped floor area acquired. Such evidence may be a current title commitment, a current endorsement to a prior title policy or other acceptable evidence of title including an opinion of counsel.

**d. Limitation On Use**

No receiving Zone Lot shall increase its total floor area ratio by more than 6.0 FAR through one or more applications of this procedure.

**e. Procedures**

Undeveloped floor area shall be administered according to the following procedures:

- i. Applications for certification of undeveloped floor area shall be submitted for a contiguous Zone Lot in common ownership, by or with the written consent of the owners of the included property and shall include:
  - a) The names and signatures of all owners and security interest holders of the property included in the application;
  - b) The names of the owners to be designated as owners on the certificate applied for;
  - c) A legal description of the included property;

- d) A current endorsement by a title insurance company to the owners' title policy covering such legal description or other acceptable evidence of title including an opinion of counsel;
- e) A survey of the included property;
- f) A certificate of a licensed engineer or architect as to the gross floor area of all structures to be included in the calculation of undeveloped floor area and a copy of the ordinance designating the property for preservation or including the property in a district for preservation;
- g) Satisfactory evidence that each structure to be included in the calculation of undeveloped floor area is utilized by a primary use and that the exterior has been renovated or restored to the U.S. Secretary of the Interior's standards for historic preservation or to the design review standards, policies and guidelines of the Landmark Preservation Commission;
- h) In the case of undeveloped floor area defined in Section 8.3.1.4.D.3.a.ii., above, satisfactory evidence that the street-facing exterior of the structure has been rehabilitated to the U.S. Secretary of the Interior's standards for Treatment of Historic Properties, or to the design review standards, policies and guidelines of the Landmark Preservation Commission; and
- i) Such other information as the Zoning Administrator may reasonably require.

- ii. Applications shall be filed with the Zoning Administrator together with a \$1,500 filing fee. Upon filing, the Zoning Administrator shall deny the application if it is incomplete. If the application is complete, the Zoning Administrator shall forward one copy to the planning board and one copy to the Landmark Preservation Commission, and promptly shall grant the application or grant the application with conditions if it complies with Subsection i. above, but otherwise shall deny the application. All actions of the Zoning Administrator in denying the application shall be without prejudice to the owners to resubmit additional applications respecting the same zone lot. If an amended application covering the same property is made within 90 days after denial by the Zoning Administrator, no additional filing fee shall be required.
- iii. If the application is granted, the Zoning Administrator shall issue a certificate of undeveloped floor area in substantially the following form, and acceptable to the Zoning Administrator:

## CERTIFICATE OF UNDEVELOPED AREA

(Applicants-Owners)

(Address)

having filed an application for Certification of Undeveloped Floor Area according to Section 8.3.1.4.D.3 of the Revised Municipal Code of the City and County of Denver, as amended, and the Zoning Administrator having granted such application, certifies and grants as follows:

1. The legal description of the property referred to in the application is:

The future development of this property is physically limited as a result of this certification.

2. The Applicants are hereby determined to have \_\_\_\_\_ square feet of Undeveloped Floor Area as a result of the above described property.
3. Subsequent transfers of Undeveloped Floor Area are subject to the provisions of Section 8.3.1.4.D.3.

DATED: \_\_\_\_\_  
CITY AND COUNTY OF DENVER  
By Zoning Administrator

By

---

(STATE OF COLORADO)

City and County (of Denver) ss.

The foregoing instrument was as follows:

By \_\_\_\_\_, Zoning Administrator of the City and County of Denver, Colorado.  
Witness my hand and official seal.

---

Notary Public  
(NOTARY SEAL)

- iv. The original certificate of undeveloped floor area shall be recorded by the Zoning Administrator in the office of the clerk and recorder of the City and County of Denver and State of Colorado. When the certificate has been recorded, it shall be filed with the Zoning Administrator. A copy of the certificate shall be given to the applicant.
- v. Upon the issuance of a certificate of undeveloped floor area by the Zoning Administrator, undeveloped floor area shall be created and shall be an independent right in the owner to whom the certificate is issued and may be transferred. Such transfer need not be made appurtenant to another zone lot until a permit is requested using the undeveloped floor area.
- vi. If the structure is partially or completely destroyed after a certificate of undeveloped floor area has been issued, no new structure shall be built exceeding the floor area of the former structure unless undeveloped floor area is acquired or through a combining of zone lots or other transfer procedures.

**f. Replacement Certificate**

- i. Until such time as undeveloped floor area is made appurtenant to another zone lot, and upon the payment of a \$75.00 fee, the holder of one or more certificates of undeveloped floor area may surrender such certificate or certificates to the Zoning Administrator and request the issuance of one or more replacement certificates reflecting the division of such undeveloped floor area into smaller units for transfer or the combination of such undeveloped floor area into larger units for transfer, provided that the total amount of all undeveloped floor area represented by the applicant's replacement certificates does not exceed the total amount of undeveloped floor area represented by the surrendered certificate(s).
- ii. Any such replacement certificate(s) shall be recorded in the same manner as the surrendered certificate(s). Each replacement certificate must document all previous certificates and issuances of replacements. Such documentation shall include (1) previous total undeveloped floor area of each certificate to be replaced, and (2) total floor area for each replacement certificate.

**g. Transfer Requirements**

Undeveloped floor area shall be transferred to and made appurtenant to another zone lot according to the following requirements:

- i. The instrument of conveyance shall identify the undeveloped floor area transferred by amount, the zone lot creating the undeveloped floor area and certification date, be signed by both the transferrer and the transferees, and be documented in the Site Development Plan of the receiving Zone Lot.
- ii. The instrument of conveyance shall legally describe the receiving property which shall be in the Downtown Core or Downtown Theater zone districts.
- iii. No subsequent transfer of undeveloped floor area made appurtenant to another zone lot shall become effective until approved by the Zoning Administrator upon a finding that no construction using the undeveloped floor area has occurred, and any permit authorizing the use of undeveloped floor area has been canceled. Such approval shall be applied for by the owners of the receiving property by written application accompanied by a filing fee of \$1,500.00 and supported by all information necessary to justify approval by the Zoning Administrator.

#### 4. Maximum Floor Area Ratio with Premiums and Transfers

##### a. Limits for designated areas

The total floor area ratio of all existing and proposed Structures on a Zone Lot, including any premiums and transfers allowed by Sections 8.3.1.4.D.2-3 above, shall not exceed the maximum floor area ratios with premiums and transfers described below and shown on Exhibit 8.2:

- i. For structures located within the area bounded by 14th Street, Colfax Avenue, Broadway Street, 18th Street, and the Market Street-Larimer Street alley:
  - (i) the maximum floor area ratio with premiums and transfers shall be 17.0 FAR; or (ii) If structures contain over 50 percent of their gross floor area in primary residential uses, then the maximum floor area ratio with premiums and transfers shall be 20.0 FAR.
- ii. For structures located in all other areas zoned D-C and D-TD:
  - a) The maximum floor area ratio with premiums and transfers shall be 12.0 FAR; or
  - b) If structures contain over 50 percent of their gross floor area in primary residential uses, then the maximum floor area ratio with premiums and transfers shall be 17.0 FAR.

##### Exhibit 8.2 Maximum Floor Area Ratio with Premiums and Transfers



### 8.3.1.5 Off-Street Parking Requirements

#### A. Applicable Standards

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

#### B. Amount of Parking Spaces Required

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a "parking, garage" use stated in Section 11.4.7.1.

#### C. Accessible Parking

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

#### D. Bicycle Parking

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

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

### 8.3.1.6 Design Requirements

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

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

#### B. Minimum Build-to Requirements

1. *Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:* Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot frontage, except along the Southwest side of the 16th Street Mall where the build-to zone shall be increased to 20 feet.
2. *In the areas northeast and southwest of the area noted above in Subsection B.1,* buildings shall be built to within 10 feet of the property line adjoining the street for no less than 50% of each separately owned zone lot frontage.



**C. Exposure to the Sky**

In order to allow reasonable levels of natural light to reach the street, while also promoting strong definition of the street space, all new structures located on zone lots containing more than 15,000 square feet shall provide at least 15 percent sky exposure as measured from each abutting public street on which the zone lot has greater than one hundred fifty (150) linear feet of frontage. All sky exposure measurements shall be calculated using a Waldram diagram.

**D. Ground Floors of Parking Structures**

Each primary use or accessory use parking structure constructed after October 10, 1994, or renovated after October 10, 1994, shall have either (1) have

1. all ground floor frontages within 30 feet of a public street or a pedestrian and transit mall occupied by Downtown Ground Floor Active Uses, or (2) have
2. Driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the ground floor street frontage by Downtown Ground Floor Active Uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses.

**E. Design Review**

**1. Intent**

The design standards and design guidelines are intended to (i) to

- a. promote visibility of commercial activities at ground level; (ii) to
- b. 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
- c. spatially define the street space in order to concentrate pedestrian activity and create a clear urban character; (iv) to
- d. alleviate high wind conditions for pedestrians at the base of taller structures; (v) to
- e. encourage easy pedestrian entry and exit from structures; and (vi) to
- f. prevent significant blocking of sky exposure along a street right-of-way.

**2. Applicability**

All new structures and all structures that are being renovated, and the renovation includes alterations to the lower 80 feet of the façade 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.

**3. Exclusions**

The design standards review process and the design guidelines negotiation process set forth in this Section shall not apply to: ~~A~~ny Historic Structure; or ~~F~~acade of an existing structure that is not being altered.

a. ~~Any facade of an existing structure that is not being altered.~~

**4. 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.~~

**5. 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:
  - 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:
  - a) The percentage of glass to solid materials;
  - b) The use of reflective glass; and
  - c) The required use of scaling elements, insets, and projections to break up flat or monotonous facades and to respond to older structures nearby.
- iii. For all structures more than 200 feet in height: The use of building massing and stepbacks to prevent significant blocking of sky exposure by tall buildings built close to the a street right-of-way.
- iv. For all structures more than 400 feet in height: The use of massing and stepbacks to alleviate high wind conditions for pedestrians at ground level.

b. Each structure and multiple structure project shall be consistent with the adopted design standards for each design element listed above, or shall be approved pursuant to design guidelines negotiations for each element listed above. Design standards rules and regulations shall be specific, objective requirements related to each topic listed above. Design guidelines rules and regulations shall ensure that design elements meet the intents set forth in Subsection E.3 above and address the topics listed above while allowing more variation and architectural creativity than the design standards rules and regulations adopted pursuant to this Subsection E.4.

c. No design standards or design guidelines shall be effective until adopted pursuant to Section 12-18 of the Denver Revised Municipal Code. Any amendments to the design standards and guidelines shall be adopted pursuant to Section 12-18 of the Denver Revised Municipal Code and shall be consistent with the Intent and Topics set out above.

## **6. Design Standards Review Process**

- a. The applicant may submit any or all elements of project design listed in Section 8.3.1.6.E.4 above for review under the design standards review process. Design standards review and determination shall be completed no later than 15 days after the submission of a completed application to the Zoning Administrator, or the submitted design shall be considered consistent with adopted design standards. Such 15-day review period shall be extended by an amount of time equal to any delay caused by the applicant, and may also be extended with the applicant's consent.
- b. The design standards review process shall determine whether the project design is consistent, with the design standards and shall make a recommendation to the Zoning Administrator for approval, approval with conditions, or denial of the application.
- c. Any determination of consistency or inconsistency shall be in writing.
- d. If elements of the applicant's design are found to be inconsistent with such design standards, the applicant shall have the options of (i) resubmitting a new design for review pursuant to the design standards review process, (ii) submitting the existing design to the design guidelines negotiation process, or (iii) appealing the finding of inconsistency pursuant to Section 8.3.1.6.E.7 below.

## **7. Design Guidelines Negotiation Process**

- a. As an alternative to the design standards review process, the applicant may submit any or all elements of project design listed in Section 8.3.1.6.E.4 above for review under the design guidelines negotiation process. The applicant's decision to submit design elements to the design guidelines negotiation process shall not result in the extension of design negotiations to any element of the design not presented by the applicant for review, or to any element of design that has been reviewed and found to be consistent with design standards rules and regulations on the same topic, and shall not result in the extension of design guidelines negotiations to any element of design that the applicant would not have had to address if applicant had proceeded under the design standards review process, except with the applicant's consent.
- b. Design guidelines negotiation and determination shall be completed no later than 45 days after the submission of a completed application to the Zoning Administrator, or the submitted design shall be considered consistent with the intents set forth in Section 8.3.1.6.E.3. Such 45-day review period shall be extended by an amount of time equal to any delay caused by the applicant, and may also be extended with the applicant's consent.
- c. The design guidelines negotiation determination shall be in writing and shall recommend either approval, approval with conditions consistent with the intent set forth in Section 8.3.1.6.E.3. above, or denial of the application.

## **8. Appeals**

- a. Any decision of the Zoning Administrator pursuant to this Section may be appealed to the Denver Planning Board. The applicant shall initiate such appeals process by delivering written notice of appeal to the Zoning Administrator identifying the design review decision or decisions that it wishes to appeal, within 30 days after the date of such decision.
- b. The Planning Board shall hold a public meeting and consider all information regarding the proposed project that it deems relevant and shall make a final decision regarding the appeal within 30 days after the Zoning Administrator receives the

applicant's notice of appeal. The recommendation of the Planning Board shall be provided to the applicant and the Zoning Administrator.

**9. Approvals**

Approvals granted pursuant to this Section shall be valid for 3 years if approved in accordance with the following provisions:

- a. The application is submitted by or on behalf of a landowner for design standards review of some or all design elements, and it is determined that the design elements are consistent with adopted design standards, whether by (a) a Zoning Administrator determination of consistency, (b) failure of the Zoning Administrator to respond within the required time frame, (c) a Planning Board determination of consistency, or (d) a successful appeal of such determination of inconsistency; or
- b. The application is submitted by or on behalf of a landowner for design guidelines negotiations on some or all design elements, and some or all of the design aspects of a structure or a multiple structure project receive approval, whether by (a) an approval by the Zoning Administrator, (b) failure of the Zoning Administrator to respond within the required time frame, (c) an approval by the Planning Board, or (d) a successful appeal of such denial.
- c. During this 3-year period, only the applicant may make modifications to the approved design. Review of a modification to any single element shall be based on the design standards and guidelines in place at the time of review. Modification of more than a single element or all elements shall initiate a new review according to this Section.

## 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 Applicable Rules and Standards

##### A. DRMC Chapter 30 Applies

All new development, including construction or alteration of buildings and structures, shall comply with the standards stated in DRMC, Chapter 30.

##### B. DZC Building Form Standards Do Not Apply

New development, including construction or alteration of buildings and structures, is exempt from application of the primary and detached accessory building form standards in this Code.

##### C. DZC General Development Standards Apply

All development in the D-LD Zone District shall comply with applicable general development and design standards stated in DZC, Article 10, General Design Standards.

##### D. Uses Permitted

See Division 8.11 for all uses permitted, including any applicable use limitations, in the D-LD District.

#### 8.4.1.4 Off-Street Parking Requirements

Note: The changes below eliminate minimum parking requirements from the D-LD zone district and align this section with Downtown Core and Downtown Theater Districts.

##### A. Applicable Standards

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

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

There shall be no minimum off-street parking requirement ~~for any use in the D-LD zone district, 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);~~

1. ~~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 proof that the development is eligible for an exception to payment of a linkage fee under DRMC Section 27-154(a)-(d), or the development complies with the provisions of DRMC Section 27-155, a 20 percent reduction in the total number of required parking spaces shall be granted for all primary residential uses in a building or addition that provides~~

~~housing that can only be rented or purchased by households of a certain area median income level;~~

2. ~~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;~~
3. ~~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 proof that the development is eligible for an exception to payment of a linkage fee under DRMC Section 27-154(a)-(d), or the development complies with the provisions of DRMC Section 27-155, a 20 percent reduction in the total number of required parking spaces shall be granted for all primary uses contained in a building on the zone lot that provides housing that can only be rented or purchased by households of a certain area median income level. 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;~~
4. ~~"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;~~
5. ~~"Excess parking" is any parking in excess of the required minimums and allowed additional parking. Excess parking may be granted only upon application to the Lower Downtown Design Review Commission in accordance with the provisions of D.R.M.C., Article III (Lower Downtown Historic District) of Chapter 30 (Landmark Preservation);~~
6. ~~Off-street parking requirements may be met off the zone lot according to Section 10.4.4.5, Location of Required Vehicle Parking, of this Code after consultation with the Lower Downtown Design Review Commission, and provided said parking is provided within the D-LD zone district or within 1,000 feet of the subject zone lot; and~~
7. ~~All required off-street parking spaces shall be designed in accordance with Division 10.4, Parking and Loading, of this Code.~~

**C. Accessible Parking**

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

## DIVISION 8.5 DOWNTOWN CIVIC DISTRICT (D-CV)

### SECTION 8.5.1 ~~ALLOWED BUILDING FORMS~~ STANDARDS FOR PRIMARY STRUCTURES

#### 8.5.1.1 Generally Applicable Standards

~~In addition to the district-specific standards included in this Division 8.5, all development in the Downtown Civic District must comply with the general design standards in Article 10 of this Code. All development, except detached accessory structures, in the Downtown Civic (D-CV) zone district shall comply with this Section's primary building form standards.~~

#### 8.5.1.2 District Specific Standards

~~The D-CV District allows a variety of building forms appropriate for the Downtown Context as set out below. The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).~~

~~See Section 1.2.3.5 for the permitted number of uses and structures allowed per Zone Lot.~~

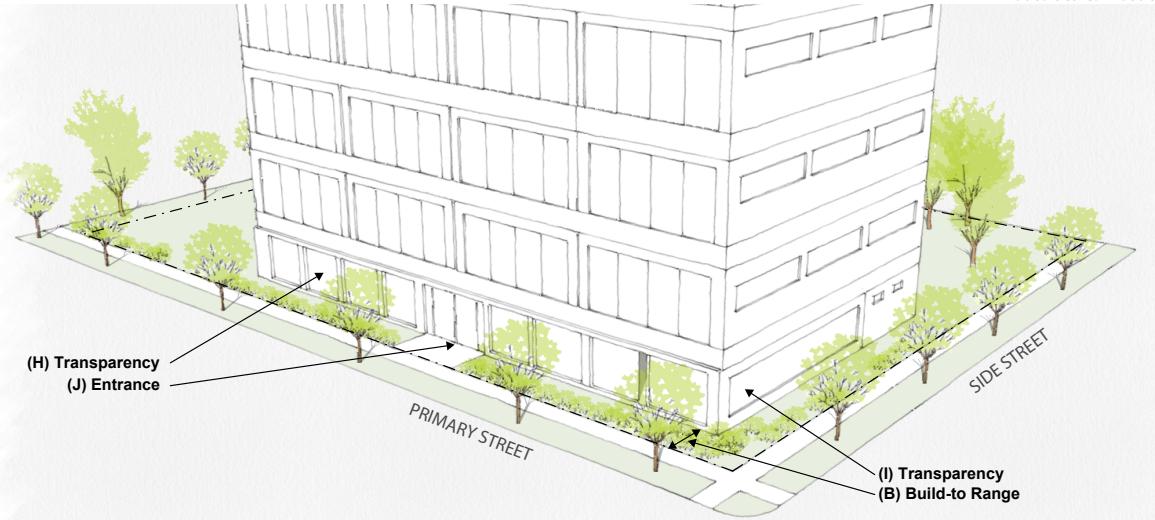
~~See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.~~

<u>Downtown Civic District (D-CV)</u>	<u>Building Forms</u>
	General
<u>Max Number of Primary Structures Per Zone Lot</u>	<u>No Maximum</u>
<u>Downtown Civic District (D-CV)</u>	■

■ = Allowed

## A. General

Not to Scale. Illustrative Only.



## GENERAL

HEIGHT	D-CV
A Stories (max)	16
A Feet (max)	200'

SITING	D-CV
<b>REQUIRED BUILD-TO</b>	
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
<b>STREET LEVEL ACTIVATION</b>	
H Transparency, Primary Street (min)	40%
I Transparency, Side Street (min)	30%
J Required Entrance, Primary Street	Yes

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## **DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT (D-GT)**

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

### **SECTION 8.6.1 GENERAL INTENT**

The Intent of this Division 8.6 Downtown Golden Triangle District is to:

- 8.6.1.1 Implement the recommendations of applicable adopted plans.
- 8.6.1.2 Implement the General Purpose and Specific Intent for the Downtown Golden Triangle zone district provided in Section 8.2.2.
- 8.6.1.3 Enhance and promote a quality urban environment including access to parks and open space, tree lined streets, generous pedestrian zones and public space, interconnected street networks, and convenient access to transit and alternative modes of transportation.
- 8.6.1.4 Prioritize the pedestrian realm as a defining element of neighborhood character.
- 8.6.1.5 Promote walking, biking, transit, and alternative modes of transportation that decrease reliance on vehicle access and parking.
- 8.6.1.6 Promote development of a vibrant sense of place that reflects the neighborhood.
- 8.6.1.7 Encourage design that relates to pedestrians in scale and activity.
- 8.6.1.8 Encourage innovative and unique design solutions that help define a special character.
- 8.6.1.9 Support context-sensitive relationships within the district and to adjacent buildings and neighborhoods through appropriately scaled building design.
- 8.6.1.10 Support an integrated arrangement of residential, employment, retail, service, and open space uses that are conveniently located to and compatible with each other.
- 8.6.1.11 Promote arts and culture as a primary component of neighborhood character.

### **SECTION 8.6.2 BUILDING FORM INTENT FOR DOWNTOWN GOLDEN TRIANGLE DISTRICT**

#### **8.6.2.1 Height**

- A. Encourage building forms that fully realize the urban character and intensity envisioned for the Downtown context.
- B. Allow a variety of building heights appropriate for an urban location.
- C. Enable flexible building shaping to support access to sunlight and sky and create appropriate transitions to surrounding areas.

#### **8.6.2.2 Floor Area Ratio**

- A. Encourage design creativity and a variety of building configurations.
- B. Include all contributors to building massing, including parking, in the determination of overall building intensity and scale.
- C. Allow additional development intensity in support of city and community priorities.

### 8.6.2.3 Siting

#### A. Required Build-To

1. Create an urban street edge to enhance the character of the neighborhood and promote pedestrian activity.
2. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

#### B. Setbacks

1. Site buildings to be consistent with the intended character and functional requirements of the Downtown context.
2. Site buildings to define the street edge/public realm consistent with the context.
3. Create appropriate transitions between the public realm and adjacent exterior amenities and building elements.
4. Create appropriate transitions between the public realm and private residential uses.

#### C. Open Space

1. Enhance access to publicly-accessible open areas that contribute pedestrian activity, engage with internal active uses, offer landscape and tree canopy, and provide moments of respite in the urban environment.

#### D. Parking and Service Access Locations

1. Minimize the visual impacts of parking structures on streets and surrounding properties.
2. Minimize conflicts between pedestrians and vehicles.
3. Ensure parking and service access is located appropriately to minimize impacts to the pedestrian environment.

### 8.6.2.4 Design Elements

#### A. Building Configuration

1. Define appropriate sizes and separation distances on upper stories of buildings to support access to sunlight and sky.
2. Limit excessively long and monotonous building facades.
3. Encourage variation in building form, especially in the design of larger buildings.

#### B. Primary Street Upper Story Setback

1. Provide appropriate pedestrian scale, height, variety, and massing along the street.
2. Maintain a predominantly 2- to 8-story height near the sidewalk edge.

#### C. Incremental Mass Reduction

1. Proportionally shape and taper building massing as building height increases.
2. Support access to sunlight and sky.

#### **D. Transparency**

1. Maximize transparency at the Street Level to activate the street.
2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect uses within the building.
3. Use transparent glass to promote engagement between building activities and the sidewalk and limit reflected glare onto neighboring streets and properties.

#### **E. Entrances**

1. Prioritize the pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and active uses from the street.
3. Establish a direct relationship to the street through access, orientation and placement consistent with the context.
4. Create visually interesting and human-scaled facades.

#### **F. Limitation on Visible Parking Above the Street Level**

1. Encourage underground and convertible parking designs that more effectively utilize aboveground building area for active uses.
2. Create activity and visual interest on building facades above the Street Level.
3. Promote structured parking designs that reflect the architectural language of the building and contribute to the overall character and quality of the neighborhood and streetscape.

#### **G. Street Level Active Uses**

1. Reinforce the character and quality of a vibrant public realm with active uses that support pedestrian activity and sense of place.
2. Encourage nonresidential uses at the street level along key street corridors intended to have the highest concentration of retail commercial activity.

### **8.6.2.5 Specific Building Form Intent**

#### **A. General**

To allow structures that accommodate a variety of building uses and architectural outcomes. The building form employs scalable zoning standards that enable greater flexibility for smaller lots and apply additional requirements as buildings increase in scale along the street. Enhanced Street Level design and use standards and upper story massing requirements ensure larger buildings contribute more activity to and establish a human scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed.

#### **B. Point Tower**

To promote tall, slender structures that support access to sunlight and sky by meeting rigorous upper story size limitations. Enhanced Street Level design and use standards and upper story massing requirements ensure taller buildings contribute more activity to and establish a human scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed.

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## SECTION 8.6.3 **PRI<sup>MARY</sup> BUILDING FORM STANDARDS FOR PRIMARY STRUCTURES FOR DOWNTOWN GOLDEN TRIANGLE DISTRICT**

### 8.6.3.1 **Applicability**

All development, except detached accessory structures, in the Downtown Golden Triangle (D-GT) zone district shall comply with this Section's primary building form standards.

### 8.6.3.2 **District Specific Standards Summary**

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

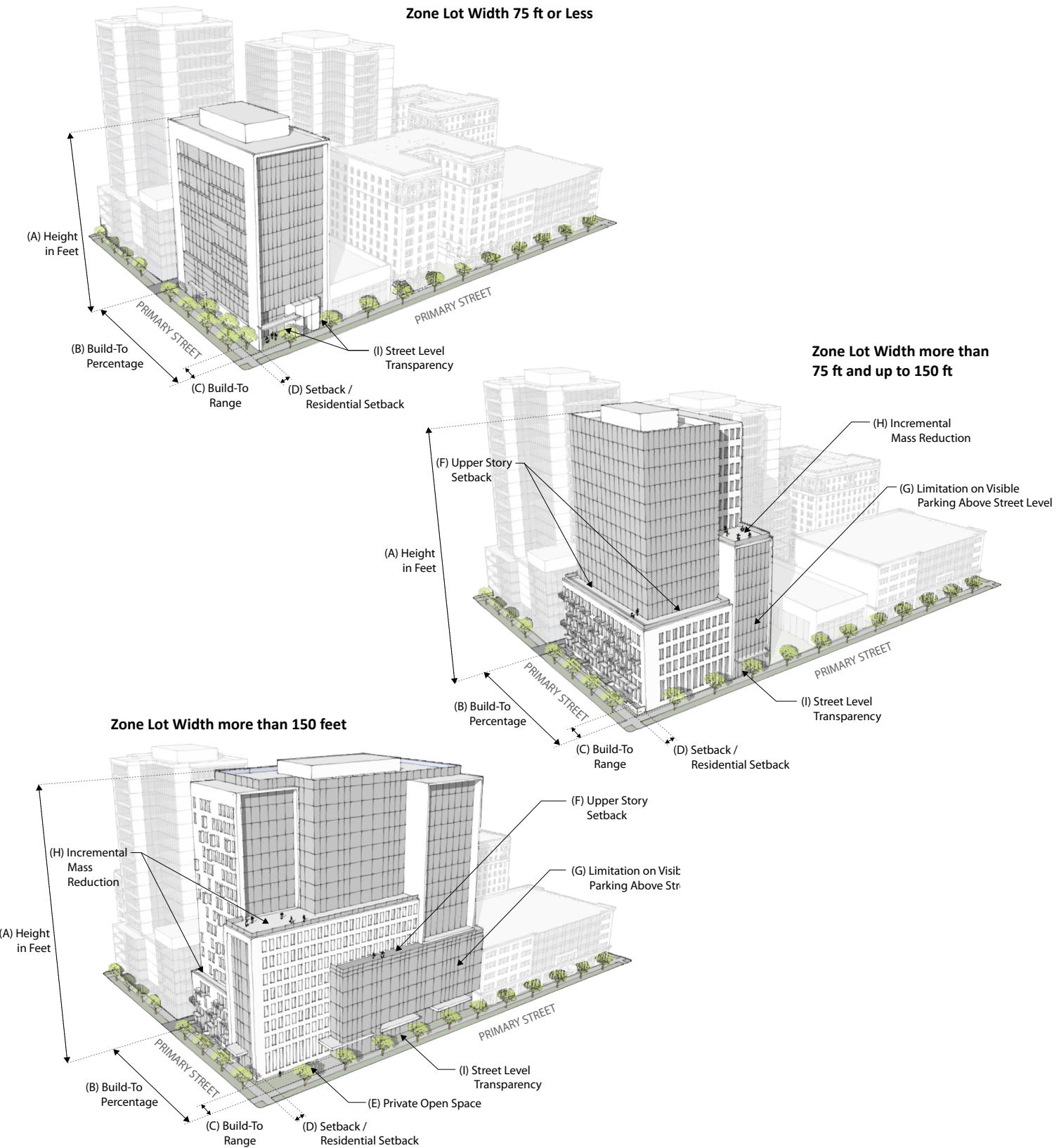
See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. [Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.](#)

Downtown Golden Triangle Zone District		Building Forms	
		General	Point Tower
<b>Max Number of Primary Structures Per Zone Lot</b>		<b>No Maximum</b>	
Downtown Golden Triangle District (D-GT)		■	■

■ = Allowed

### 8.6.3.3 District Specific Standards

#### A. General



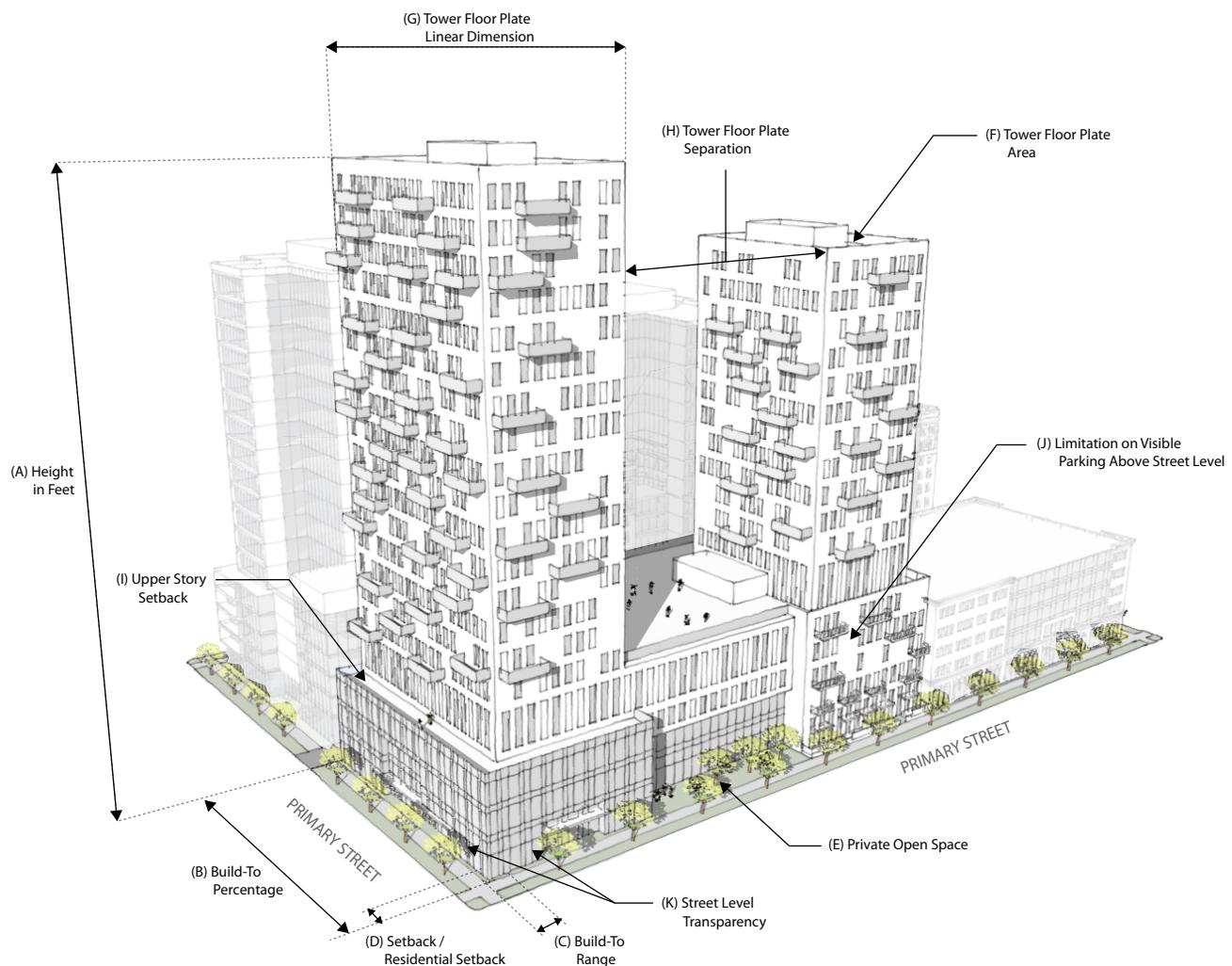
## GENERAL

		D-GT		
HEIGHT AND FLOOR AREA		Zone Lot width 75' or less	Zone Lot width more than 75' and up to 150'	Zone Lot width more than 150'
<b>FLOOR AREA RATIO (FAR)</b>				
FAR per Zone Lot/FAR with incentives per Zone Lot (max)		8.0 / 15.0 See Section 8.6.5.1	8.0 / 15.0 See Section 8.6.5.1	8.0 / 15.0 See Section 8.6.5.1
<b>HEIGHT</b>				
A Zone Lot with FAR of 8.0 or less / Zone Lot with FAR more than 8.0 (max)		200' / 250'	200' / 250'	200' / 250'
<b>SITING</b>		Zone Lot width 75' or less	Zone Lot width more than 75' and up to 150'	Zone Lot width more than 150'
<b>REQUIRED BUILD-TO BY STREET</b>				
B Primary Street (min build-to %)		70%	70%	70%
C Primary Street (min/max build-to range) - Speer Blvd, Colfax Ave, 14th Ave.		10' / 20'	10' / 20'	10' / 20'
C Primary Street (min/max build-to range) - All Others		0' / 10'	0' / 10'	0' / 10'
		Frontage Subject to a Residential Setback: 7' / 15'		
<b>SETBACKS</b>				
D Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave		10'	10'	10'
D Primary Street (min) - All Others		0'	0'	0'
Side Interior and Rear (min)		0'	0'	0'
<b>RESIDENTIAL SETBACKS</b>				
D Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave		10'	10'	10'
D Primary Street (min) - All Others		7'	7'	7'
<b>OPEN SPACE</b>				
E Private Open Space (min)		na	na	5%
<b>PARKING</b>				
Surface Parking between Building and Primary Street			Not Allowed	
Surface Parking Screening Required			See Section 8.10.3	
Vehicle Access		Shall be determined as part of Site Development Plan Review		
<b>DESIGN ELEMENTS</b>		Zone Lot width 75' or less	Zone Lot width more than 75' and up to 150'	Zone Lot width more than 150'
<b>BUILDING CONFIGURATION</b>				
F Upper Story Setback - Broadway, Lincoln St, Colfax Ave		No Upper Story Setback Required		
F Upper Story Setback above 8 stories or 110' - Speer Blvd (min % of zone lot width/min setback)		100% / 20'	100% / 20'	100% / 20'
F Upper Story Setback above 5 stories or 70' - All Others (min % of zone lot width/min setback)	na	Applies only to Structures more than 8 stories or 110': 65%/15'		
G Limitation on Visible Parking Above Street Level for Structures over 5 stories or 70' in Height (min % of Primary Street-facing Zone Lot Width)	na	70% See Section 8.6.5.4	70% See Section 8.6.5.4	
G Limitation on Visible Parking Above Street Level Alternative	na	See Section 8.6.6.4		
<b>INCREMENTAL MASS REDUCTION</b>				
H Incremental Mass Reduction for Stories 3-8 (min)	na	0%		
H Incremental Mass Reduction for Stories 9-16 (min)	na	15%		
H Incremental Mass Reduction for Stories 17- <del>20</del> <sup>±</sup> (min)	na	25%		
Incremental Mass Reduction Alternative	na	See Section 8.6.6.5		
<b>STREET LEVEL ACTIVATION</b>				
I Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)		60% / 40%		
Pedestrian Access, Primary Street		Entrance		
Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)		Dwelling Unit Entrance with Entry Feature		
<b>USES</b>		Zone Lot width 75' or less	Zone Lot width more than 75' and up to 150'	Zone Lot width more than 150'
Permitted Primary Uses		All permitted Primary Uses shall be allowed within this building form		
Street Level Active Uses (min Primary Street % within Build-To min/max range and with Street Level Active Uses)		70% - See Section 8.6.5.2		
Street Level Nonresidential Active Uses on Specific Streets (min Primary Street % within Build-To min/max range and with Street Level Nonresidential Active Uses)	na	50% See Section 8.6.5.3		

See Sections 8.6.5, 8.6.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions

- Amendment: 1
- Amendment: 4

## B. Point Tower



## POINT TOWER

<b>HEIGHT AND FLOOR AREA</b>		<b>D-GT</b>
<b>FLOOR AREA RATIO (FAR)</b>		
FAR per Zone Lot/FAR with incentives per Zone Lot (max)		8.0 / 15.0 See Section 8.6.5.1
<b>HEIGHT</b>		
A Zone Lot with FAR of 8.0 or less / Zone Lot with FAR more than 8.0 (max)		250' / 325'
<b>SITING</b>		<b>D-GT</b>
<b>ZONE LOT</b>		
Zone Lot Width (min)		150'
<b>REQUIRED BUILD-TO BY STREET</b>		
B Primary Street (min build-to %)		70%
C Primary Street (min/max build-to range) - Speer Blvd, Colfax Ave, 14th Ave		10'/20'
C Primary Street (min/max build-to range) - All Others		0' / 10' Frontage Subject to a Residential Setback: 7' / 15'
<b>SETBACKS</b>		
D Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave		10'
D Primary Street (min) - All Others		0'
Side Interior and Rear (min)		0'
<b>RESIDENTIAL SETBACKS</b>		
D Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave		10'
D Primary Street (min) - All Others		7'
<b>OPEN SPACE</b>		
E Private Open Space (min)		5%
<b>PARKING</b>		
Surface Parking between Building and Primary Street		Not allowed
Surface Parking Screening Required		See Section 8.10.3
Vehicle Access		Shall be determined as part of Site Development Plan Review
<b>DESIGN ELEMENTS</b>		<b>D-GT</b>
<b>BUILDING CONFIGURATION</b>		
F/G Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)		12,500 square feet / 180'
Tower Floor Plate Linear Dimension Alternative (max)		200' - See Section 8.6.6.3
H Tower Floor Plate Separation above 5 stories <u>and/or</u> 70' (min)		120'
I Upper Story Setback above 5 stories or 70' - Speer (min % of zone lot width/min setback)		100% / 20'
I Upper Story Setback above 5 stories or 70' - All Others (min % of zone lot width/min setback)		100% / 15'
J Limitation on Visible Parking Above Street Level for Structures over 5 stories or 70' in Height (min % of Primary Street-facing Zone Lot Width)		70% - See Section 8.6.5.4
Limitation on Visible Parking Above Street Level Alternative		See Section 8.6.6.4
<b>STREET LEVEL ACTIVATION</b>		
K Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)		60% / 40%
Pedestrian Access, Primary Street		Entrance
Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)		Dwelling Unit Entrance with Entry Feature
<b>USES</b>		<b>D-GT</b>
Permitted Primary Uses		All permitted Primary Uses shall be allowed within this building form
Street Level Active Uses (min Primary Street % within Build-To min/max range and with Street Level Active Uses)		70% - See Section 8.6.5.2
Street Level Nonresidential Active Uses on Specific Streets (min Primary Street % within Build-To min/max range and with Street Level Nonresidential Active Uses)		50% - See Section 8.6.5.3
See Sections 8.6.5, 8.6.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions		

- Amendment: 1
- Amendment: 4

## **SECTION 8.6.4 ~~DETACHED ACCESSORY~~ BUILDING FORM STANDARDS FOR DETACHED ACCESSORY STRUCTURES FOR DOWNTOWN GOLDEN TRIANGLE DISTRICT**

### **8.6.4.1 Applicability**

All detached accessory structures in the Downtown Golden Triangle zone district.

### **8.6.4.2 General Standards**

#### **A. Detached Accessory Structures Allowed**

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

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

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

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

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

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

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

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

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

a. Radio and Television Receiving Antennas and Support Structures

Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.

b. Solar thermal and photo-voltaic energy systems

c. ~~Air conditioning units~~ Ground-mounted mechanical equipment such as air conditioning units and heat pumps

d. Pool pumps, heating and water filtration systems

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

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

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

All accessory ~~f~~Fences, ~~w~~Walls, and ~~r~~Retaining ~~w~~Walls, including ~~f~~Fences and ~~w~~Walls used for required screening, shall comply with the ~~f~~ence, ~~w~~all, ~~and~~ standards in Division 10.5, instead of this Section 8.6.4, Detached Accessory Building Form Standards.

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

a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.6.4.

b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the

structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.6.4.

#### **8.6.4.3 Supplemental Standards**

##### **A. Additional Standards for Detached Accessory Structures in Downtown Golden Triangle Zone District**

###### **1. Public Art**

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

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

###### **1. Required Building Materials**

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

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

###### **1. Applicability**

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

###### **2. Limit on Gross Floor Area**

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

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#### 8.6.4.4 District Specific Standards Summary

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. [See Section 1.4.6, Change in Building Form Assignment for Certain Detached Accessory Structures. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.](#)

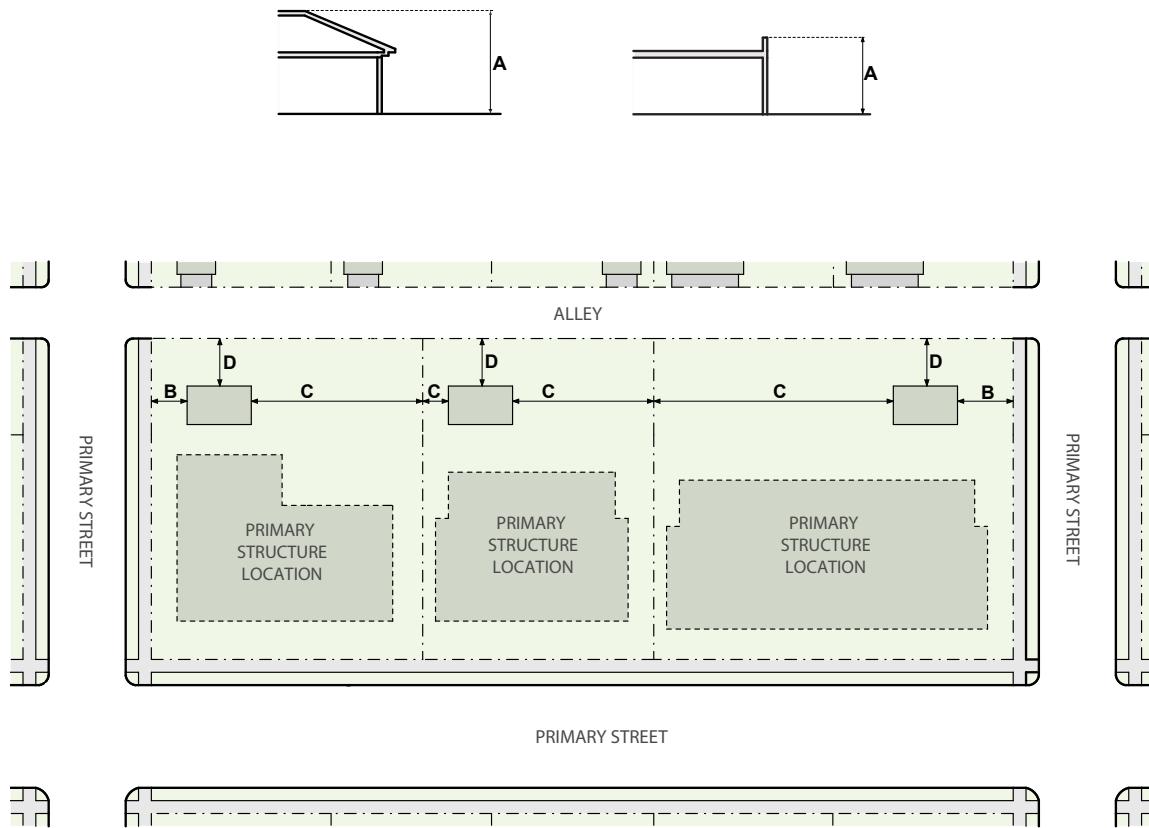
Downtown Golden Triangle (D-GT) Zone District	Building Forms			
	Detached Accessory Dwelling Unit	<del>Detached Garage- General Detached Structure</del>	Other Minor Detached Accessory Structures <sup>s</sup>	<del>Detached Accessory Structures</del>
<b>Max Number of Detached Accessory Structures Per Zone Lot</b>	<b>No Maximum</b>			
Downtown Golden Triangle (D-GT)		■	■	■

■ = Allowed

#### 8.6.4.5 District Specific Standards

##### A. General Detached Accessory Structures

*Not to Scale. Illustrative Only.*



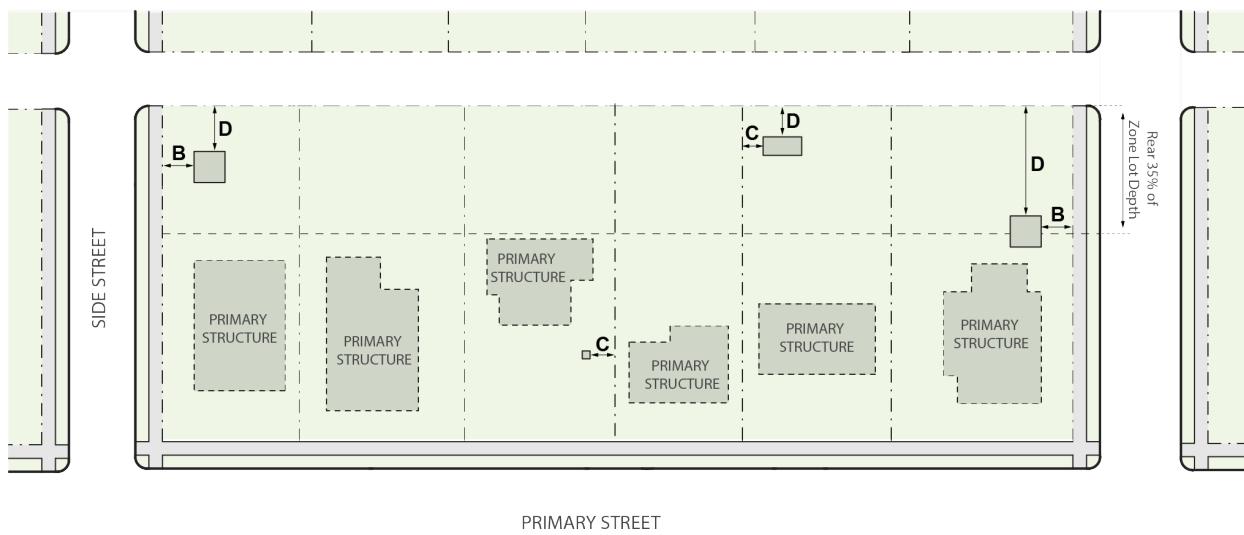
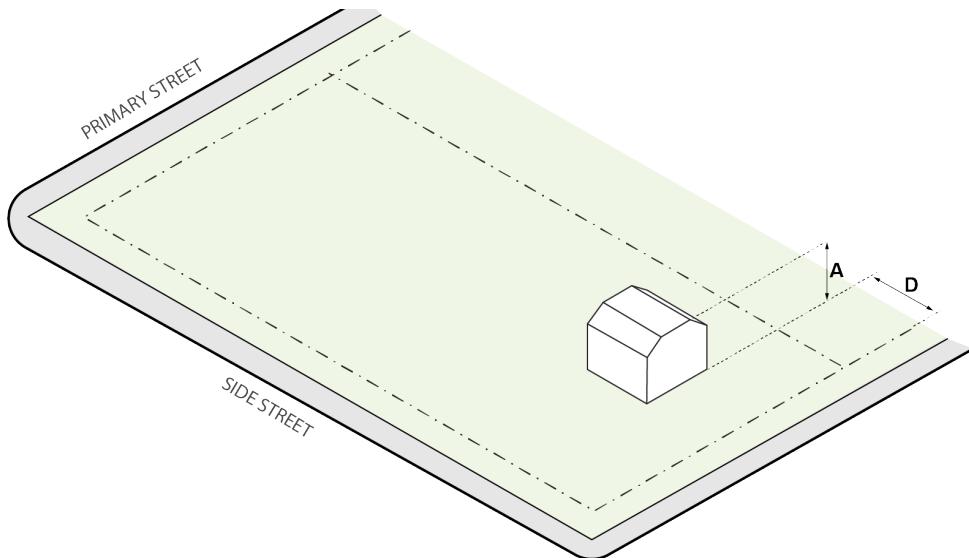
## **GENERAL DETACHED ACCESSORY STRUCTURES**

Examples of General Detached Structures include garages, sheds, and gazebos. The General Detached Structure building form provides standards for structures accessory to a primary structure that exceed the standards for the Minor Detached Structure building form.

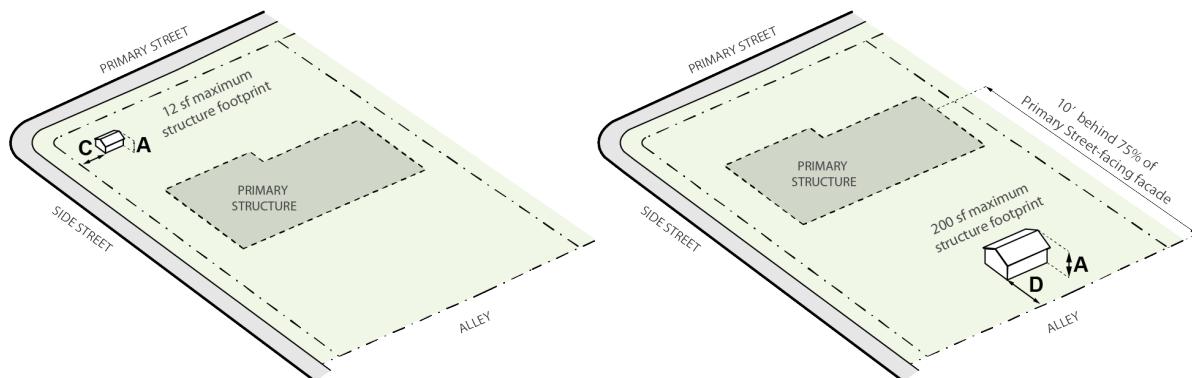
<b>HEIGHT</b>		<b>D-GT</b>
A	Stories (max)	1
A	Feet (max)	17'
<b>SITING</b>		<b>D-GT</b>
Additional Standards		See Section 8.6.4.3
<b>SETBACKS</b>		
B	Primary Street	5'
C	Side Interior (min)	0'
D	Rear (min)	0'
<b>DESIGN ELEMENTS</b>		<b>D-GT</b>
Gross Floor Area (max)		10% of the Zone Lot, provided this restriction shall not apply to Structures used exclusively for the parking of vehicles. See Section 8.6.4.3
<b>USES</b>		<b>D-GT</b>
Accessory Uses Only		

See Section 8.10.1 for Design Standard Exceptions

**B. Minor Detached Structure**



**Option A: Located Anywhere on Lot**      **Option B: Located Behind Primary Street-Facing Façade**



## MINOR DETACHED STRUCTURES

Structures that meet the standards in this building form table are exempt from the requirement to obtain a zoning permit. Examples of Minor Detached Structures include sheds, arbors, play structures, ground-mounted mechanical equipment such as air conditioning units and heat pumps, and other structures that are similarly minor in impact, height, and footprint. Option A is more limited than Option B in height and footprint, but offers more flexibility in siting. Structures that do not meet the standards in the table below shall be reviewed under the General Detached Structure building form.

All D-GT Zone Districts		
HEIGHT	Option A*	Option B*
Stories (max)	1	1
Feet (max)	4'	14'
SITING		
LOCATION OF STRUCTURE	Option A	Option B
Ground-Mounted Mechanical Equipment	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**
Public Utility Equipment	Allowed anywhere on the Zone Lot	
All Others	Allowed anywhere on the Zone Lot	
SETBACKS		
Side Street (min)	5'	5'
Side Interior, for structure entirely in rear 35% of zone lot (min)	0'	0'
Side Interior, for structure not entirely in rear 35% of zone lot (min)	5'	5'
Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'
Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)	0'	0'
Building Coverage per Zone Lot (max)	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	
DESIGN ELEMENTS		
BUILDING CONFIGURATION	Option A	Option B
Structure footprint (max)	12 sf	200 sf
USES		
Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. 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.

\* Standards in the "Option A" column may not be combined with standards in the "Option B" column. For example, if using Option B height standards to construct a 14-foot-tall structure, the structure must also follow the Option B siting standards that require the structure to be located a minimum of 10 feet behind 75% of the Primary Street-facing Façade.

\*\*When there are multiple Primary Structures on one Zone Lot, all Minor Detached Structures shall be located behind 75% of the total width of the Primary Street-facing Façade(s) of at least one Primary Structure. See Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.

## SECTION 8.6.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN GOLDEN TRIANGLE DISTRICT

### 8.6.5.1 Floor Area Ratio with Incentives and Transfers in D-GT Zone District

#### A. Intent

To implement specific adopted plan policies for the Golden Triangle area to support affordable housing, historic preservation, and underground parking.

#### B. Applicability

This Section 8.6.5.1 applies to all development in the D-GT zone district.

#### C. Standards

##### 1. Maximum Floor Area Ratio with Incentives and Transfers

The total floor area ratio of all existing and proposed Structures on a Zone Lot may be developed to the maximum floor area ratio with incentives set forth in the building form tables by meeting the requirements of this Section 8.6.5.1. Floor area incentives and transfers of undeveloped floor area shall not:

- a. Increase the floor area ratio on any Zone Lot by more than the maximum amount shown in the following table; or
- b. Cause the total floor area ratio on any Zone Lot to exceed the maximum floor area ratio with incentives set forth in the building form tables.

SUMMARY OF FLOOR AREA INCENTIVES AND TRANSFERS OF UNDEVELOPED FLOOR AREA ALLOWED IN THE D-GT ZONE DISTRICT		
FLOOR AREA INCENTIVE/TRANSFER	ADDITIONAL FLOOR AREA AVAILABLE WITH INCENTIVE/TRANSFER	MAXIMUM FLOOR AREA INCREASE ALLOWED ON A ZONE LOT
Enhanced Affordable Housing	7.0 FAR	7.0 FAR
Enhanced Linkage Fees	7.0 FAR	7.0 FAR
Historic Preservation – Rehabilitation of Historic Structure	4 sf premium per 1 sf rehabilitation	No maximum
Historic Preservation – Transfer of Undeveloped Floor Area from Historic Structure	5.0 FAR	5.0 FAR
Underground Parking	1.5 sf premium per 1 sf underground parking	2.0 FAR

##### 2. Enhanced Affordable Housing

An increase in floor area ratio up to 7.0 FAR is permitted if a Structure ~~qualifies for the incentives for~~complies with enhanced on-site compliance as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing~~and any applicable Rules and Regulations~~.

##### 3. Enhanced Linkage Fees

An increase in floor area ratio up to 7.0 FAR is permitted if a Structure is primarily nonresidential and provides payment of a linkage fee, as set forth in D.R.M.C. Chapter 27, Article V Dedicated Funding for Affordable Housing~~and any applicable Rules and Regulations~~, that is equal to two (2) times the current applicable rate. If the Primary Nonresidential Structure contains 10 or more Dwelling Units, then it must also provide income restricted units in accordance with D.R.M.C. Sec. 27-224(a). For the purposes of this section, a Structure that is primarily nonresidential shall mean that Primary Residential Uses comprise 50% or less of the total gross floor area excluding parking.

#### 4. Historic Preservation

##### a. Undeveloped Floor Area from a Historic Structure

The amount of undeveloped floor area from each Historic Structure in the D-GT zone district shall be equal to the difference between the gross floor area in the Historic Structure and the maximum gross floor area permitted on the Zone Lot containing the Historic Structure. For the purposes of this calculation, the maximum gross floor area permitted on the Zone Lot shall be the area of the Zone Lot multiplied by the maximum floor area ratio without incentives set forth in the building form tables. For example, a Zone Lot of 10,000 square feet with a maximum floor area ratio without incentives of 8.0 and a Historic Structure containing 30,000 square feet of gross floor area would result in 50,000 square feet of undeveloped floor area.

##### b. Floor Area for the Rehabilitation of a Historic Structure

Four (4) square feet of gross floor area shall be awarded for each square foot of the exposed exterior of a Historic Structure located within the D-GT zone district that has been rehabilitated to the policies, standards, and guidelines established by the Landmark Preservation Commission or to the U.S. Secretary of the Interior's standards for Treatment of Historic Properties. The Landmark Preservation Commission shall approve the rehabilitation. For example, a Historic Structure with 10,000 square feet of exposed exterior would result in 40,000 square feet of floor area for the rehabilitation of a Historic Structure once the rehabilitated exterior was approved by the Landmark Preservation Commission.

##### c. Use of Floor Area from a Historic Structure

- i. Undeveloped floor area from a Historic Structure and floor area for the rehabilitation of a Historic Structure located within the D-GT zone district may be certified and used on the same Zone Lot or transferred to another Zone Lot within the D-GT zone district pursuant to the procedures in Section 8.3.1.4.D.3 Transfer of Undeveloped Floor Area. Any undeveloped floor area from a Historic Structure or floor area for the rehabilitation of a Historic Structure certified prior to July 1, 2021 shall remain valid and may be amended per this Section 8.6.5.1.
- ii. A Zone Lot within the D-GT zone district may receive multiple transfers of undeveloped floor area or floor area for the rehabilitation of a Historic Structure from one or more Historic Structures within the D-GT zone district provided the following:
  - a) The sum total of the transfers shall not exceed 5.0 FAR.
  - b) The total floor area ratio of all existing and proposed Structures on the receiving Zone Lot plus the total of all transfers does not exceed the maximum floor area ratio with incentives set forth in the building form tables.

**5. Underground Parking**

A floor area premium equal to one and one-half square feet for each square foot of underground parking provided under a new building, provided, however, that no premium shall be earned for the first level of underground parking.

**8.6.5.2 Street Level Active Uses in D-GT Zone District**

**A. Intent**

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

**B. Applicability**

This Section 8.6.5.2 applies to all primary building forms in the D-GT zone district.

**C. Street Level Active Uses**

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

**8.6.5.3 Street Level Nonresidential Active Uses in D-GT Zone District**

**A. Intent**

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

**B. Applicability**

This Section 8.6.5.3 applies to all primary building forms on Zone Lots with Primary Street Zone Lot Lines abutting Broadway, Lincoln Street, Bannock Street, Acoma Street between 10th Avenue and 12th Avenue, or 11th Avenue in the D-GT zone district.

**C. Allowance**

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

- f. Mini-storage Facility; or
  - g. Wholesale Trade or Storage, Light.
2. Street Level nonresidential active uses include all permitted accessory uses except the following:
  - a. Accessory uses associated with primary uses prohibited by Section 8.6.5.3.C.1;
  - b. Outdoor Storage, General;
  - c. Outdoor Storage, Limited;
  - d. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - e. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level nonresidential active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level nonresidential active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards and insets for building articulation up to 10 feet in depth).
5. The portion of the building facade that meets the Street Level nonresidential active use requirement shall contain at least one window or door that meets the requirements in Section 13.1.6.3 Street Level Activation.

#### **8.6.5.4 Limitation on Visible Parking Above Street Level in D-GT Zone District**

##### **A. Intent**

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

##### **B. Applicability**

This Section 8.6.5.4 applies to all primary building forms on Zone Lots more than 75 feet wide in the D-GT zone district.

##### **C. Allowance**

1. Uses that meet the Limitation on Visible Parking above Street Level shall include all primary uses, but shall not include Parking Spaces or Parking Aisles for the minimum percentage of the Primary Street-facing Zone Lot Width specified in the building form table.
2. Uses that meet the Limitation on Visible Parking above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth).
3. For Zone Lots more than 75 feet wide and up to 150 feet wide with multiple Primary Street Zone Lot Lines, the Limitation on Visible Parking above Street Level standard shall only apply to Primary Street Zone Lot Lines abutting named streets.

### **SECTION 8.6.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN GOLDEN TRIANGLE DISTRICT**

#### **8.6.6.1 Required Build-To Alternatives in D-GT Zone District**

##### **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**

Private open space shall be the only required build-to alternative allowed in the D-GT zone district and may count toward no more than 50% of the required build-to standard on Primary Streets, provided the private open spaces meets the requirements stated in Section 13.1.5.7.E Build-to Alternative Requirements.

**8.6.6.2 Street Level Transparency Alternatives in D-GT Zone District**

**A. Intent**

To provide visual interest on building Facades and enhance the visual quality of the built environment along Street Level Facade areas where windows are not feasible.

**B. Allowance**

Permanent art shall be the only transparency alternative allowed in the D-GT zone district and may count toward no more than 30% of the required transparency on Primary Streets, provided the permanent art meets the requirements stated in Section 13.1.6.3.A.5 Transparency Alternative Requirements.

**8.6.6.3 Tower Floor Plate Linear Dimension Alternative in D-GT Zone District**

**A. Intent**

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

**B. Applicability**

This Section 8.6.6.3 applies to the Point Tower building form in the D-GT zone district.

**C. Allowance**

The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension, up to the maximum dimension set forth in the Point Tower building form table, where the design meets or exceeds the design standards and guidelines for Tower Floor Plate Linear Dimension in the Downtown Urban Design Standards and Guidelines.

**8.6.6.4 Limitation on Visible Parking Above Street Level Alternative in D-GT Zone District**

**A. Intent**

To ensure structured parking designs are compatible with the character and quality of the overall building facade where structured parking is not wrapped by other uses.

**B. Applicability**

This Section 8.6.6.4 applies above 2 stories or 30 feet in primary building forms in the D-GT zone district on Zone Lots that meet the following criteria:

1. Zone Lots that are more than 75 feet wide and up to 150 feet wide; or
2. Zone Lots that are more than 150 feet wide and up to 250 feet wide that are also less than 140 feet deep.

**C. Allowance**

The Zoning Administrator may approve an alternative Limitation on Visible Parking Above Street Level if the design meets the standards set forth below.

1. 100% of the Street-facing building facades above 2 stories or 30 feet that contain structured parking are integrated facade designs that meet or exceed the design standards and guidelines for structured parking facades in the Downtown Urban Design Standards and Guidelines.

2. Where the alternative is used, Section 10.4.6.5 Parking Structure Design Standards shall apply in addition to the Standards set forth in this Section 8.6.6.4.

#### **8.6.6.5 Incremental Mass Reduction Alternative in D-GT Zone District**

##### **A. Intent**

To encourage provision of active, publicly-accessible, pedestrian-oriented courtyards, plazas and open space while allowing maximum flexibility for creative building massing.

##### **B. Allowance**

Where the minimum percentage of the gross area of a Zone Lot set forth below is provided as Private Open Space meeting the rules of measurement set forth in Section 13.1.6.1.B, all Structures on the Zone Lot are not required to meet Incremental Mass Reduction standards.

1. Structures that are up to 150 feet or 12 stories in height (excluding permitted height exceptions): 15% Private Open Space
2. Structures that are greater than 150 feet or 12 stories in height (excluding permitted height exceptions): 20% Private Open Space

#### **8.6.6.6 Street Level Nonresidential Active Use Alternatives in D-GT Zone District**

##### **A. Intent**

To encourage provision of active, publicly-accessible, pedestrian-oriented courtyards, plazas and open space, or Public Art, where required Street Level nonresidential active uses are not provided.

##### **B. Allowance**

1. The following alternatives may be used as an alternative to a required Street Level nonresidential active use standard and may count toward the minimum required area of Street Level nonresidential active uses no more than as described in the table below.

REQUIRED STREET LEVEL NONRESIDENTIAL ACTIVE USE ALTERNATIVE		
ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF STREET LEVEL NONRESIDENTIAL ACTIVE USE)	PUBLIC ART (MAX % OF STREET LEVEL NONRESIDENTIAL ACTIVE USE)
D-GT	100%	50%

2. Each one square foot of Private Open Space area provided as an alternative shall substitute for one square foot of required Street Level nonresidential active use area, as determined by the length of the frontage required to meet the Street Level nonresidential active use standard multiplied by the required minimum depth of 15 feet, provided that the Private Open Space meets the requirements stated in Section 13.1.6.1.B. Any remaining Street Level nonresidential use area must meet the minimum requirements stated in Section 8.6.5.3.

3. Public Art provided as an alternative shall substitute for the percentage of required Street Level nonresidential active use area described in the table above provided that it meets the following minimum criteria. Any remaining Street Level nonresidential use area must meet the minimum requirements stated in Section 8.6.5.3.
  - a. The Public Art 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. The Public Art, as a single work or collection of works, shall cost at least 1 percent of the valuation of construction of the new Structure or 1 percent of the valuation of construction of the Structure renovation or \$500,000.00, whichever is less; and
  - c. The Public Art is displayed outside or on the exterior surface of the new or renovated Structure and is visible from at least one public street.

#### **8.6.6.7 Private Open Space Alternatives in D-GT Zone District**

##### **A. Intent**

To encourage nonresidential uses at the Street Level to promote active pedestrian-oriented building frontages, or Public Art, where required Private Open Space areas are not provided.

##### **B. Allowance**

1. The following alternatives may be used as an alternative to a required Private Open Space standard and may count toward the minimum required area of Private Open Space no more than as described in the table below.

REQUIRED PRIVATE OPEN SPACE ALTERNATIVE		
ZONE DISTRICT	STREET LEVEL NONRESIDENTIAL ACTIVE USE (MAX % OF PRIVATE OPEN SPACE)	PUBLIC ART (MAX % OF PRIVATE OPEN SPACE)
D-GT	100%	50%

2. Each one square foot of Street Level nonresidential active use area provided as an alternative shall substitute for one square foot of required Private Open Space area, provided that the Street Level nonresidential active use area meets the requirements stated in Section 8.6.5.3. Any remaining Private Open Space area must meet the minimum requirements stated in Section 13.1.6.1.B.
3. Public Art provided as an alternative shall substitute for the percentage of required Private Open Space area described in the table above provided that it meets the following minimum criteria. Any remaining Private Open Space area must meet the minimum requirements stated in Section 13.1.6.1.B.
  - a. The Public Art 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. The Public Art, as a single work or collection of works, shall cost at least 1 percent of the valuation of construction of the new Structure or 1 percent of the valuation of construction of the Structure renovation or \$500,000.00, whichever is less; and
  - c. The Public Art is displayed outside or on the exterior surface of the new or renovated Structure and is visible from at least one public street.



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

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

#### 8.7.1.1 Generally

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

#### 8.7.1.2 Uses Permitted

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

#### 8.7.1.3 Permitted Structures

##### A. Open Space Required

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

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

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

##### C. Maximum Height

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

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

###### 1. Maximum Floor Area Ratio

The total floor area ratio of all existing and proposed Structures on a Zone Lot shall not exceed 4.0 FAR without meeting the requirements of this Section 8.7.1.3.D.

###### 2. Floor Area Premiums

In addition to the maximum floor area ratio permitted under Section 8.7.1.3.D.1 above, additional floor area may be constructed using one or more of the following floor area premiums, or transfers of undeveloped floor area.

###### a. Allowance

Floor area premiums and transfers of undeveloped floor area shall not:

- i. Increase the floor area ratio on any Zone Lot by more than the maximum amount shown in the following table; or
- ii. Cause the total floor area ratio allowed on any Zone Lot to exceed the maximum floor area ratio with premiums and transfers stated in Section 8.7.1.3.D.3 below.

SUMMARY OF FLOOR AREA PREMIUMS AND TRANSFER OF UNDEVELOPED FLOOR AREA ALLOWED IN THE D-AS ZONE DISTRICT

FLOOR AREA PREMIUM/TRANSFER	ADDITIONAL FLOOR AREA AVAILABLE WITH PREMIUM/TRANSFER	MAXIMUM FLOOR AREA INCREASE ALLOWED ON A ZONE LOT
Enhanced Affordable Housing	Up to 3.0 FAR	3.0 FAR
Enhanced Linkage Fees	Up to 3.0 FAR	3.0 FAR
Rehabilitation of Historic Structure	1 sf premium per 1 sf rehabilitation	No maximum

Public Art	0.25 FAR	0.25 FAR
Transfer of Undeveloped Floor Area from Historic Structure	na	1.0 FAR

**b. Premium for Enhanced Affordable Housing**

An increase in floor area ratio up to 3.0 FAR is permitted if a Structure ~~qualifies for the incentives for complies with~~ enhanced on-site compliance as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing ~~and any applicable Rules and Regulations~~.

**c. Premium for Enhanced Linkage Fees**

An increase in floor area ratio up to 3.0 FAR is permitted if a Structure is primarily nonresidential and provides payment of a linkage fee, as set forth in D.R.M.C. Chapter 27, Article V Dedicated Funding for Affordable Housing ~~and any applicable Rules and Regulations~~, that is equal to two (2) times the current applicable rate. ~~If the Primarily Nonresidential Structure contains 10 or more Dwelling Units, then it must also provide income restricted units in accordance with D.R.M.C. Sec. 27-224(a). For the purposes of this section, a Structure that is primarily nonresidential shall mean that Primary Residential Uses comprise 50% or less of the total gross floor area excluding parking.~~

**d. Premium for Rehabilitation of Historic Structure**

One (1) square foot of floor area premium shall be awarded for each square foot of rehabilitation of the exposed exterior of a designated Historic Structure defined as a structure designated for preservation or a structure located in a district for preservation, the rehabilitation of which has been approved by the Landmark Preservation Commission in accordance with D.R.M.C., Chapter 30 (Landmark Preservation).

**e. Premium for Public Art**

A floor area premium equal to 25 percent of the Zone Lot area (0.25 FAR) for Public Art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

- i. The Public Art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or \$500,000.00, whichever is less; and
- ii. The Public Art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

**3. Maximum Floor Area Ratio with Premiums and Transfers**

The total floor area ratio of all existing and proposed Structures on a Zone Lot shall not exceed 6.0 FAR, 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 total floor area ratio of all existing and proposed Structures on a Zone Lot shall not exceed 7.0 FAR. 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 floor area ratio by more than 1.0 FAR through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the total floor area ratio of all existing and proposed Structures on a Zone Lot to more than those limits set forth in the preceding sentence.

#### 8.7.1.4 Design Review

##### A. Applicability

Design review criteria and procedures shall apply to the following:

1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
2. The lower 80 feet of a building: constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building.

**B. Procedures**

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

**C. Criteria**

Design review shall be based on the following criteria.

**1. Design Review of Floor Area Premium**

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide step backs in the building form to:
  - i. Create pedestrian scale along the street;
  - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
  - iii. Increase sky and daylight exposure to the street; and
  - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate Downtown Ground Floor Active Uses, wherever possible, along the street;
- g. Provide at Street Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;
- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
- i. Architecturally design the top of the building to provide a finished terminus to the building's form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

**2. Review of Lower 80 Feet Required for All Structures**

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;

- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide setbacks in the building form to:
  - i. Create pedestrian scale along the street;
  - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
  - iii. Increase sky and daylight exposure to the street; and
  - iv. Increase sunlight exposure to the street, particularly along “numbered” streets;
- f. Locate Downtown Ground Floor Active Uses wherever possible, along the street;
- g. Provide, at Street Level, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

### **3. Parking Structures Review**

- a. All parking structures in the D-AS District shall have ground floor frontages occupied by Downtown Ground Floor Active Uses, as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by Downtown Ground Floor Active Uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. All parking structures in the D-AS District shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Denver comprehensive plan and any adopted neighborhood plan; and
- c. All parking structures in the D-AS District shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

### **4. Rules and Regulations**

The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the Arapahoe Square neighborhood.

## **DIVISION 8.8 DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

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

### **SECTION 8.8.1 GENERAL INTENT**

The Intent of this Division 8.8 Design Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ zone districts is to:

- 8.8.1.1 Implement the Denver Comprehensive Plan.
- 8.8.1.2 Implement the General Purpose and Specific Intent for the Downtown Arapahoe Square 12+ and 20+ zone districts provided in Section 8.2.2.2.
- 8.8.1.3 Continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 8.8.1.4 Give prominence to the pedestrian realm as a defining element of neighborhood character.
- 8.8.1.5 Promote development of a vibrant sense of place in Arapahoe Square.
- 8.8.1.6 Further establish a sense of human scale design in Arapahoe Square.
- 8.8.1.7 Encourage innovative and unique design solutions that help define a special character for Arapahoe Square.
- 8.8.1.8 Promote harmonious relationships within Arapahoe Square and with surrounding neighborhoods through the arrangement of building heights and scaling devices.
- 8.8.1.9 Promote environmental, social and economic sustainability.
- 8.8.1.10 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other.
- 8.8.1.11 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

**C. Transparency**

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

**D. Entrances**

1. Give prominence to pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and active uses from the street.
3. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
4. Create visually interesting and human-scaled facades.

**E. Limitation on Visible Parking Above the Street Level**

1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
2. Promote visual interest on upper story building facades.

**8.8.2.4 Specific Building Form Intent**

**A. General**

To establish a base set of standards for the zone district and promote buildings with elevated design quality that minimize the visibility of structured parking while allowing increased building height.

**B. Point Tower**

To promote tall, slender building forms with elevated design quality that preserve views and sky exposure while also minimizing the visibility of structured parking.

## **SECTION 8.8.2 BUILDING FORM INTENT FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

### **8.8.2.1 Height**

- A. Encourage buildings whose forms are responsive to the surrounding context, including opportunities to reinforce existing and evolving nodes of mixed-use, pedestrian and transit activities.
- B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
- C. Arrange building heights to maximize sky exposure.
- D. Allow flexibility in height for buildings that provide additional affordable housing.

### **8.8.2.2 Siting**

#### **A. Required Build-To**

1. Provide a consistent street edge to enhance the 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 downtown 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 pedestrians and vehicles.
3. Ensure that surface parking is well integrated into to the streetscape.
4. Ensure that surface parking contributes positively to a sustainable urban environment.

### **8.8.2.3 Design Elements**

#### **A. Primary Street Upper Story Setback**

1. Provide appropriate pedestrian scale, height and massing along the street.
2. Maintain the general appearance of a predominantly 5-story height near the sidewalk edge.
3. Maximize sky exposure.

#### **B. Building Configuration**

1. Promote variation in building form that enhances access to sky exposure, air and views in the district.
2. Encourage variation in building form, especially in the design of a larger building.

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

### **8.8.3.1 Applicability**

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

### **8.8.3.2 District Specific Standards Summary**

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. [Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.](#)

Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Building Forms	
	General	Point Tower
Max Number of Primary Structures Per Zone Lot	No Maximum	
Downtown Arapahoe Square 12+ District (D-AS-12+)	■	■
Downtown Arapahoe Square 20+ District (D-AS-20+)	■	■

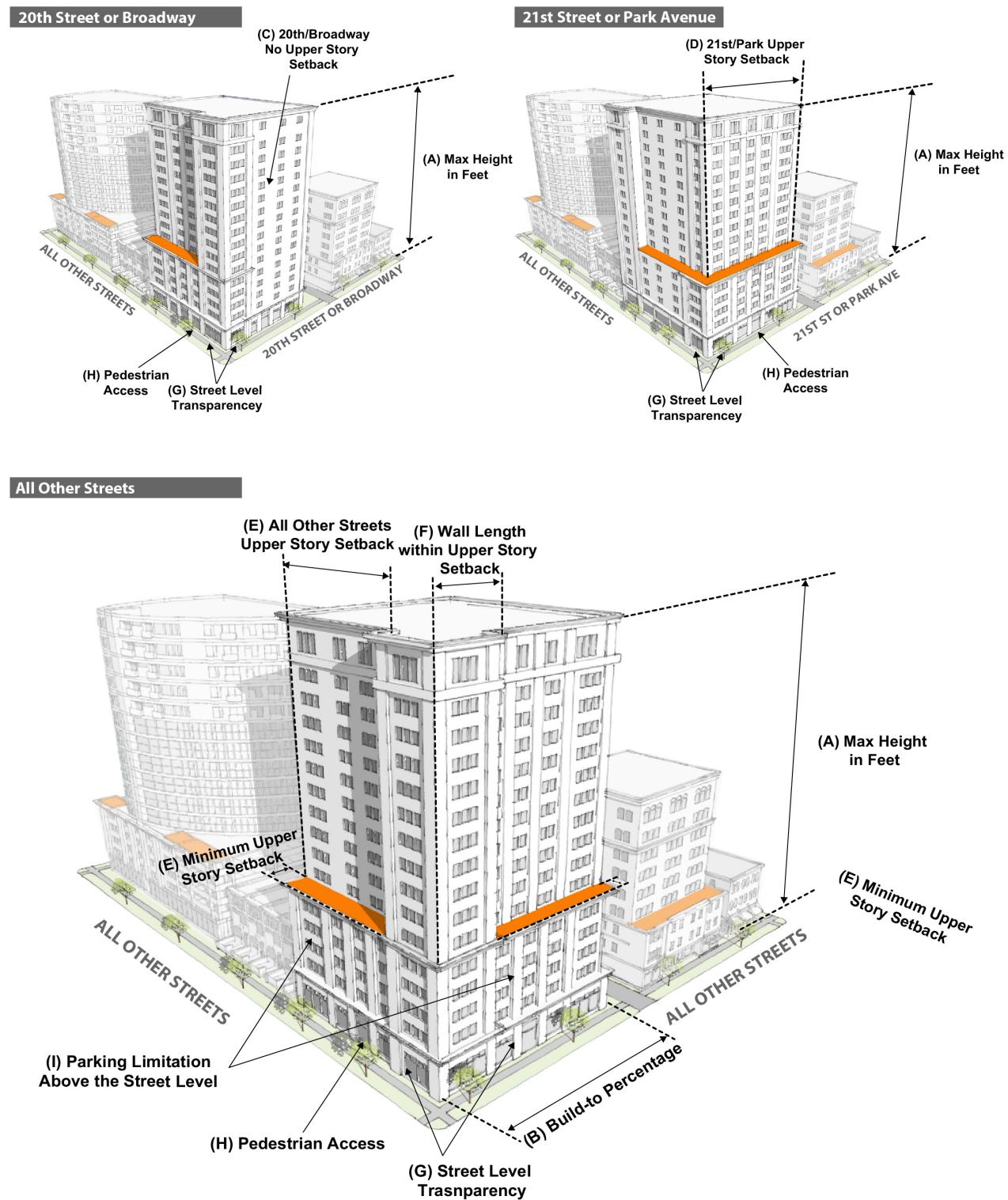
■ = Allowed   □ = Allowed subject to geographic limitations

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### 8.8.3.3 District Specific Standards

#### A. General

*Not to Scale. Illustrative Only.*



## GENERAL

HEIGHT	D-AS-12+	D-AS-20+
Stories (max)	8	12
A Feet (max)	110'	150'
A Stories/Feet, with incentives (max)	na/150'	na/250'
Height Exceptions	See Section 8.8.5.3	See Section 8.10.1.1

SITING	D-AS-12+ and D-AS-20+ Districts
<b>REQUIRED BUILD-TO BY STREET</b>	
<b>B All Primary Streets (min build-to %)</b>	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'
Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'
All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'
Build-to <u>Exceptions and Alternatives</u>	See Sections 8.8.6.1 and 8.10.1.3
<b>SETBACKS</b>	
Primary Street (min)	0'
Side Interior (min)	0'
Rear, <u>with or without a Alley (public or private) and no alley</u> (min)	0'
<b>PARKING</b>	
Surface Parking between building and Primary Street	Not Allowed
Surface parking screening required	See Section 10.5.4.4
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley ( <u>public or private</u> ); or Street access allowed when no Alley present
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review

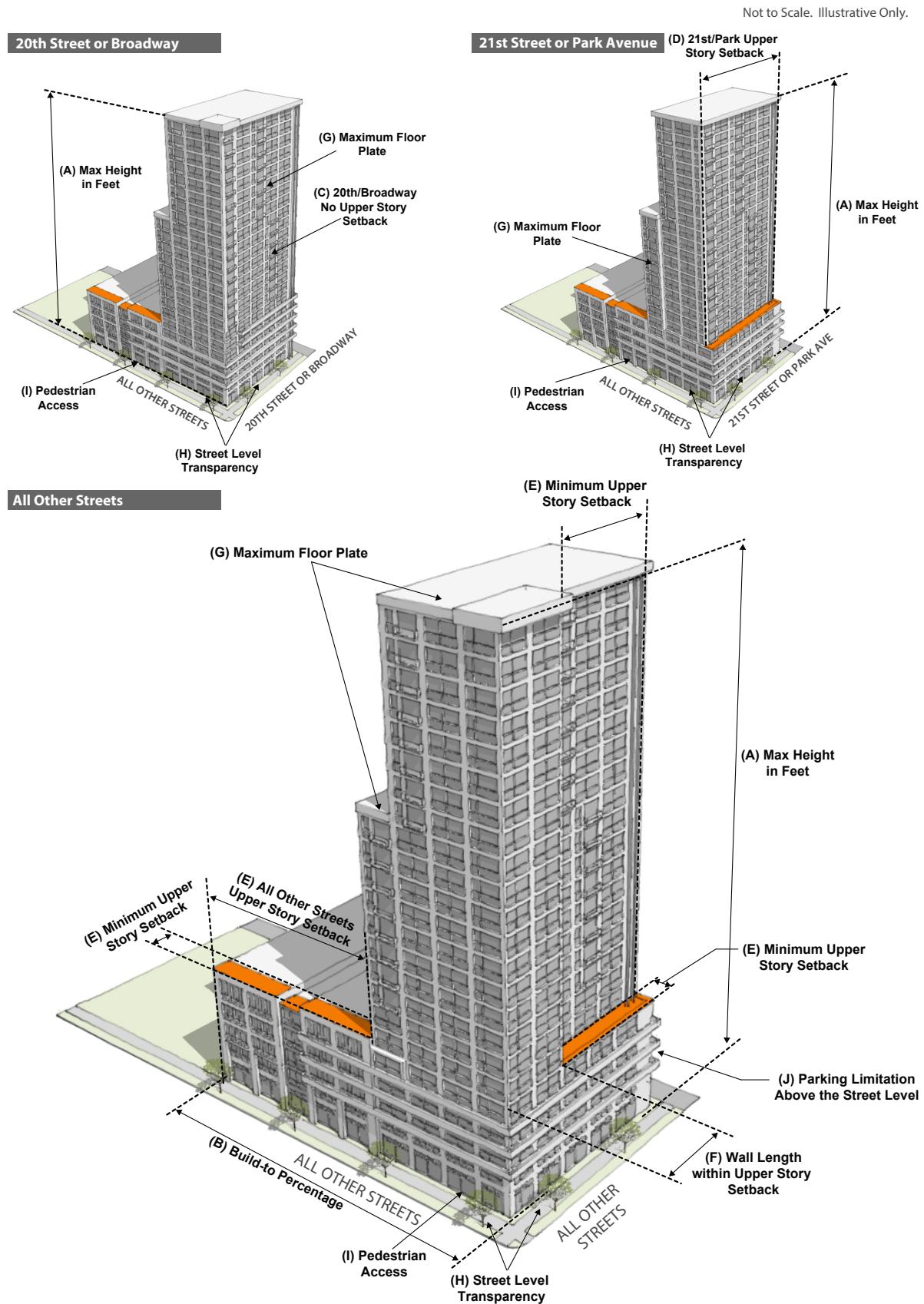
DESIGN ELEMENTS	D-AS-12+ and D-AS-20+ Districts
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>	
<b>C 20th Street, Broadway - Upper Story Setback above 5 stories <u>and or</u> 70'</b>	
C 21st Street, Park Avenue - Upper Story Setback above 5 stories <u>and or</u> 70' (min % of zone lot width/min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

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

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

See Sections 8.8.5, 8.8.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## B. Point Tower



## POINT TOWER

HEIGHT		D-AS-12+	D-AS-20+
Stories (max)		8	12
<b>A</b> Feet (max)		110'	150'
<b>A</b> Stories/Feet, with incentives (max)		na/250'	na/375'
Height Exceptions		See Section 8.8.5.3	See Section 8.10.1.1
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET		D-AS-12+ and D-AS-20+ Districts	
<b>B</b> All Primary Streets (min build-to %)		70%	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)		0'/15'; Residential Only Buildings: 0'/20'	
Southeast (light rail) Side of Welton Street (min/max build-to range)		0'/20'; Residential Only Buildings: 0'/25'	
All Other Streets (min/max build-to range)		0'/10'; Residential Only Buildings: 0'/15'	
Build-to <del>Exceptions and</del> Alternatives		See Sections 8.8.6.1 and 8.10.1.3	
SETBACKS			
Primary Street (min)		0'	
Side Interior (min)		0'	
Rear, <del>with or without a</del> Alley (public or private) and no alley (min)		0'	
PARKING			
Surface Parking between building and Primary Street		Not Allowed	
Surface Parking Screening Required		See Section 10.5.4.4	
Vehicle Access, 3 or more side-by-side dwelling units in one structure		From Alley (public or private); or Street access allowed when no Alley present	
Vehicle Access, all other permitted uses		Shall be determined as part of Site Development Plan Review	
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts	
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET			
<b>C</b> 20th Street, Broadway - Upper Story Setback above 5 stories <del>and/or</del> 70'		No Upper Story Setback required	
<b>D</b> 21st Street, Park Avenue - Upper Story Setback above 5 stories <del>and/or</del> 70' (min % of zone lot width/min setback)		100%/10/*	
<b>E</b> All Other Streets - Upper Story Setback above 5 stories <del>and/or</del> 70' (min % of zone lot width/min setback)		65%/10'	
20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)		na	
<b>F</b> All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)		80'	
21st Street, Park Avenue - Primary Street Upper Story Setback Alternative		See Section 8.8.6.2	
BUILDING CONFIGURATION			
<b>G</b> Tower Floor Plate above 5 stories <del>and/or</del> 70' (max area / max linear dimension)		11,000 square feet / 165'	
Tower Floor Plate Linear Dimension Alternative (max)		180' - See Section 8.8.6.4	
STREET LEVEL ACTIVATION			
<b>H</b> Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)		60%/ 40%	
Street Level Transparency Alternatives		See Section 8.8.6.3	
<b>I</b> Pedestrian Access, Primary Street		Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
<b>J</b> Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing Zone Lot Width)		70% See Section 8.8.5.2	
USES		All D-AS Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

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

See Sections 8.8.5, 8.8.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## **SECTION 8.8.4 ~~DETACHED ACCESSORY~~ BUILDING FORM STANDARDS FOR DETACHED ACCESSORY ~~STRUCTURES~~ FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

### **8.8.4.1 Applicability**

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

### **8.8.4.2 General Standards**

#### **A. Detached Accessory Structures Allowed**

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

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

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

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

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

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

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

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

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

###### **a. Radio and Television Receiving Antennas and Support Structures**

Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.

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

###### **c. ~~Air conditioning units~~ Ground-mounted mechanical equipment such as air conditioning units and heat pumps**

###### **d. Pool pumps, heating and water filtration systems**

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

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

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

All accessory ~~f~~ences, ~~w~~alls, and ~~r~~etaining ~~w~~alls, including ~~f~~ences and ~~w~~alls used for required screening, shall comply with the ~~f~~ence, ~~w~~all, and screening standards in Division 10.5 instead of this Section 8.8.4, Detached Accessory Building Form Standards.

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

###### **a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.8.4.**

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

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

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.8.4.

#### **8.8.4.3 Supplemental Standards**

##### **A. Additional Standards for Detached Accessory Structures in All Zone Districts in Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts**

###### **1. Public Art**

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

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

###### **1. Required Building Materials**

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

##### **C. Limit on Gross Floor Area in Additional Standards for the General Detached Accessory Structure Building Forms**

###### **1. Applicability**

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

###### **2. Limit on Gross Floor Area**

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the ~~z~~Zone ~~L~~ot, ~~provided, however, that t~~his limitation shall not apply to General ~~D~~etached ~~accessory~~ structures with vehicle access doors.

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#### 8.8.4.4 District Specific Standards Summary

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. [Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.](#)

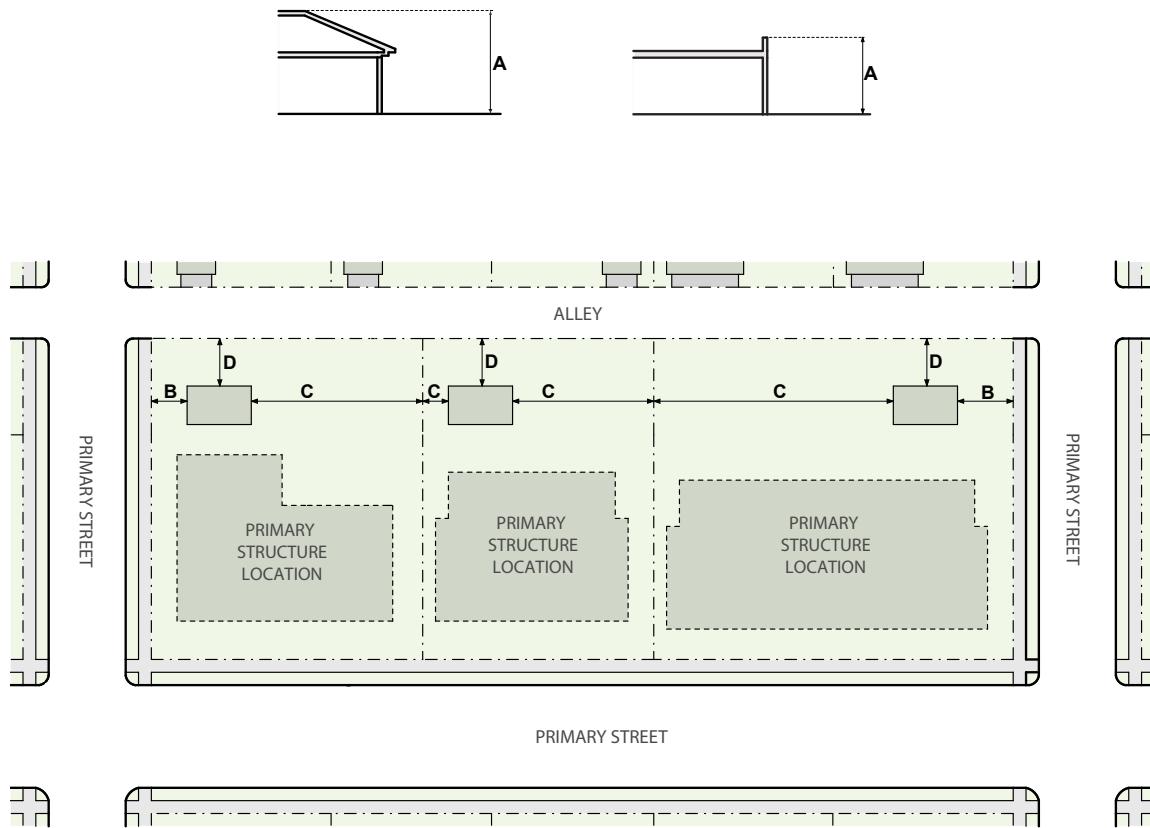
Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Max Number of Detached Accessory Structures per Zone Lot	Building Forms				
		Detached Accessory Dwelling Unit	General Detached Structures Garage	Other Minor Detached Accessory Structures	Detached Accessory Structures	
Downtown Arapahoe Square 12+ District (D-AS-12+)	no max		■	■	■	
Downtown Arapahoe Square 20+ District (D-AS-20+)	no max		■	■	■	

■ = Allowed   □ = Allowed subject to limitations

#### 8.8.4.5 District Specific Standards

##### A. General Detached **Accessory** Structures

*Not to Scale. Illustrative Only.*



## **GENERAL DETACHED ACCESSORY STRUCTURES**

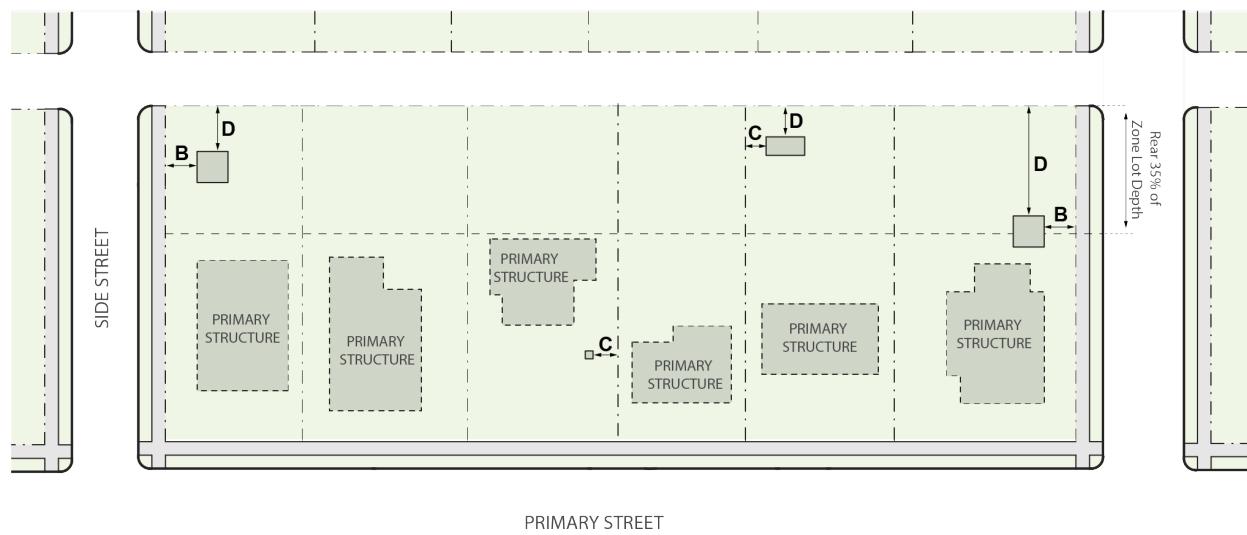
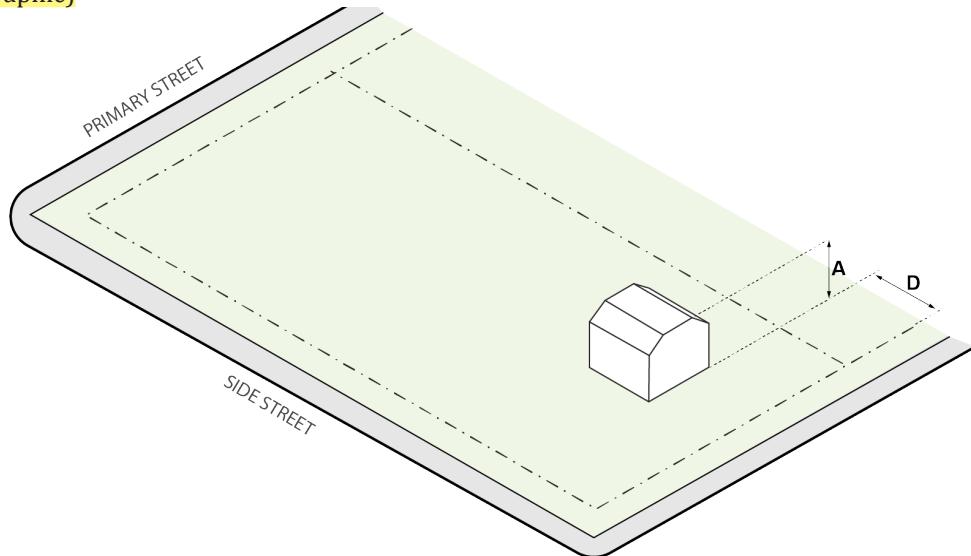
Examples of General Detached Structures include garages, sheds, and gazebos. The General Detached Structure building form provides standards for structures accessory to a primary structure that exceed the standards for the Minor Detached Structure building form.

<b>HEIGHT</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>
A	Stories (max)	1
A	Feet (max)	17'
<b>SITING</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>
Additional Standards		See Section 8.8.4.3
<b>SETBACKS</b>		
B	Primary Street	5'
C	Side Interior (min)	0'
D	Rear (min)	0'
<b>DESIGN ELEMENTS</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>
Gross Floor Area (max)		10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.8.4.3
<b>USES</b>		<b>D-AS-12+ and D-AS-20+ Districts</b>
Accessory Uses Only		

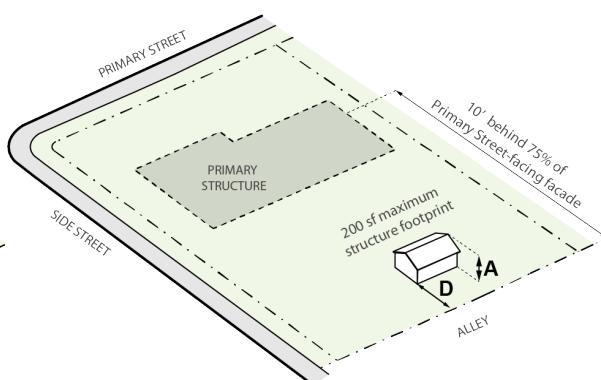
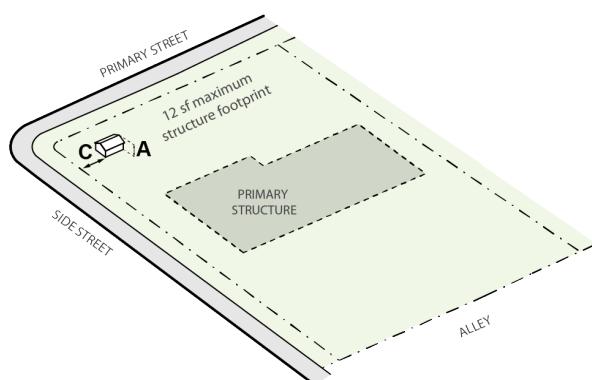
See Section 8.10.1 for Design Standard Exceptions

**B. Minor Detached Structure**

(New graphic)



**Option A: Located Anywhere on Lot**      **Option B: Located Behind Primary Street-Facing Façade**



## MINOR DETACHED STRUCTURES

Structures that meet the standards in this building form table are exempt from the requirement to obtain a zoning permit. Examples of Minor Detached Structures include sheds, arbors, play structures, ground-mounted mechanical equipment such as air conditioning units and heat pumps, and other structures that are similarly minor in impact, height, and footprint. Option A is more limited than Option B in height and footprint, but offers more flexibility in siting. Structures that do not meet the standards in the table below shall be reviewed under the General Detached Structure building form.

All D-AS Zone Districts		
HEIGHT	Option A*	Option B*
Stories (max)	1	1
Feet (max)	4'	14'
All D-AS Zone Districts		
SITING	Option A	Option B
Total number of each structure (max)	na	na
LOCATION OF STRUCTURE		
Ground-Mounted Mechanical Equipment	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**
Public Utility Equipment	Allowed anywhere on the Zone Lot	Allowed anywhere on the Zone Lot
All Others	Allowed anywhere on the Zone Lot	Allowed anywhere on the Zone Lot
SETBACKS		
Side Street (min)	5'	5'
Side Interior, for structure entirely in rear 35% of zone lot (min)	0'	0'
Side Interior, for structure not entirely in rear 35% of zone lot (min)	5'	5'
Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'
Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)	0'	0'
Building Coverage per Zone Lot (max)	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	
All D-AS Zone Districts		
DESIGN ELEMENTS	Option A	Option B
BUILDING CONFIGURATION		
Structure footprint (max)	12 sf	200 sf
USES		
All D-AS Zone Districts		
Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Division 3.4 for permitted Accessory Uses.		
See Sections 8.8.5 - 8.8.6 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.		
* Standards in the "Option A" column may not be combined with standards in the "Option B" column. For example, If using Option B height standards to construct a 14-foot-tall structure, the structure must also follow the Option B siting standards that require the structure to be located a minimum of 10 feet behind 75% of the Primary Street-facing Façade.		
**When there are multiple Primary Structures on one Zone Lot, all Minor Detached Structures shall be located behind 75% of the total width of the Primary Street-facing Façade(s) of at least one Primary Structure. See Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.		

## **SECTION 8.8.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

### **8.8.5.1 Street Level Active Uses in the D-AS-12+ and D-AS-20+ Zone Districts**

#### **A. Intent**

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

#### **B. Applicability**

This Section 8.8.5.1 applies to all building forms in the D-AS-12+ and D-AS-20+ zone districts.

#### **C. Street Level Active Uses**

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

#### **D. Exception for Pre-Existing Small Zone Lots**

Zone lots equal to or smaller than 75 feet in Primary Street lot width or 9,400 square feet in area on June 27, 2016 shall be exempt from the required Street Level active use where the uses that do not meet the requirements of Section 8.8.5.1.C. are located in a Street Level area that:

1. Has a minimum floor-to-floor height of 12 feet to allow for future conversion to an active use;
2. Is fully enclosed with similar building materials to those used on the upper story facade, including transparent glass.

### **8.8.5.2 Limitation on Visible Parking Above Street Level in the D-AS-12+ and D-AS-20+ Zone Districts**

#### **A. Intent**

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

#### **B. Applicability**

This Section 8.8.5.2 applies to the General building form when utilizing height incentives allowed by Section 8.8.5.3 below and the Point Tower building form in the D-AS-12+ and D-AS-20+ zone districts.

**C. Allowance**

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

**8.8.5.3 Height Incentives in D-AS-12+ and D-AS-20+ Zone Districts**

**A. Intent**

To encourage additional affordable housing beyond mandatory requirements by providing flexibility in building height.

**B. Applicability**

1. This Section 8.8.5.3 applies to the General and Point Tower primary building forms in D-AS-12+ and D-AS-20+ zone districts.
2. This Section 8.8.5.3 shall not apply to a Primary Structure where the total square footage of Parking Spaces and Parking Aisles comprises 50% or more of the total gross square footage of all Uses.

**C. Standards**

**1. Enhanced Affordable Housing**

A Structure that ~~complies with~~qualifies for the incentives for enhanced on-site compliance as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing ~~and any applicable Rules and Regulations~~ may develop to the maximum height with incentives set forth in the applicable building form table.

**2. Enhanced Linkage Fees**

A Structure that is primarily nonresidential and provides payment of a linkage fee, as set forth in D.R.M.C. Chapter 27, Article V Dedicated Funding for Affordable Housing and any applicable Rules and Regulations, that is equal to two (2) times the current applicable rate. ~~If the Primarily Nonresidential Structure contains 10 or more Dwelling Units, then it must also provide income restricted units in accordance with D.R.M.C. Sec. 27-224(a), may develop to the maximum height with incentives set forth in the applicable building form table. For the purposes of this section, a Structure that is primarily nonresidential shall mean that Primary Residential Uses comprise 50% or less of the total gross floor area excluding parking.~~

**SECTION 8.8.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS**

**8.8.6.1 Required Build-To Alternatives in D-AS-12+ and D-AS-20+ Districts**

**A. Intent**

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

**B. Allowance**

The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it

meets the requirements stated in Section 13.1.5.7.E)

REQUIRED BUILD-TO ALTERNATIVE	
ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)
D-AS-12+ D-AS-20+	25%

### 8.8.6.2 Primary Street Upper Story Setback Alternative for 21st Street & Park Avenue in D-AS-12+ and D-AS-20+ Districts

#### A. Intent

To allow a flexible alternative for creative designs fronting 21st Street and Park Avenue that maintain a building setback at or below 5 stories ~~and or~~ 70 feet, but do not meet the specific Primary Street Upper Story Setback requirements set forth in the building form tables.

#### B. Applicability

This Section 8.8.6.2 applies to Primary Street upper story setbacks on the 21st Street and Park Avenue frontage of all building forms in the D-AS-12+ and D-AS-20+ zone districts.

#### C. Allowance

The Zoning Administrator may approve an alternative Primary Street Upper Story setback design that does not meet the specific Upper Story setback requirements set forth in the building form standards tables where the alternative is found to meet the design standards and guidelines for the Upper Story setback alternative on 21st Street and Park Avenue in the Downtown Urban Design Standards and Guidelines.

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

#### A. Intent

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

#### B. Allowance

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

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

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

#### A. Intent

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

**B. Applicability**

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

**C. Allowance**

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

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

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

### **SECTION 8.9.1 GENERAL INTENT**

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

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

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

#### **8.9.2.1 Height**

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

- C. Establish a minimum height that is appropriate for a downtown urban location.
- D. Ensure building heights and scaling elements provide appropriate transitions to surrounding areas.
- E. Allow additional development intensity in exchange for equivalent community benefits.

#### **8.9.2.2 Floor Area Ratio**

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

#### **8.9.2.3 Siting**

##### **A. Required Build-To**

- 1. Provide a consistent street edge to enhance the character of the neighborhood and promote pedestrian activity.
- 2. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

##### **B. Setbacks**

- 1. Site buildings to be consistent with the intended character and functional requirements of the Downtown context.
- 2. Site buildings to define the street edge/public realm consistent with the context.
- 3. Create appropriate transitions between the public realm and adjacent exterior amenities and building elements.
- 4. Create appropriate transitions between the public realm and adjacent residential uses.
- 5. Establish additional visual and physical space adjacent to the South Platte River.

##### **C. Parking and Service Access Locations**

- 1. Minimize the visual impacts of parking structures on streets and surrounding properties.
- 2. Minimize conflicts between pedestrians and vehicles.
- 3. Ensure parking and service access is located appropriately to minimize impacts on the surrounding urban environment.

#### **8.9.2.4 Design Elements**

##### **A. Building Configuration**

- 1. Define appropriate sizes and separation distances on upper stories of buildings to support access to sun, sky, and views.
- 2. Limit excessively long and monotonous building facades.
- 3. Encourage variation in building form, especially in the design of larger buildings.

##### **B. Incremental Mass Reduction**

- 1. Provide appropriate pedestrian scale, height, variety, and massing along the street.
- 2. Maintain the general appearance of a predominantly 2- to 8-story height near the public sidewalk edge.

3. Proportionally shape and taper building massing as height increases.
4. Support access to sun, sky, and views.

**C. Transparency**

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

**D. Entrances**

1. Prioritize the pedestrian realm as a defining element of neighborhood character.
2. Provide convenient access to buildings and active uses from the street.
3. Establish a direct relationship to the street through access, orientation and placement consistent with the context.
4. Create visually interesting and human-scaled facades.

**E. Limitation on Visible Parking Above the Street Level**

1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
2. Create visual interest and activity on building facades above the street level.

**F. Street Level Active Uses**

1. Reinforce the character and quality of a vibrant public realm with active uses that support pedestrian activity and sense of place.
2. Discourage residential uses at street level along key street corridors intended to have the highest concentration of retail commercial activity.

**8.9.2.5 Specific Building Form Intent**

**A. General**

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

**1. D-CPV-T**

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

**2. D-CPV-R**

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

**3. D-CPV-C**

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

**B. Standard Tower**

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

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

**C. Point Tower**

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

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

#### **8.9.3.1 Applicability**

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

#### **8.9.3.2 District Specific Standards Summary**

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

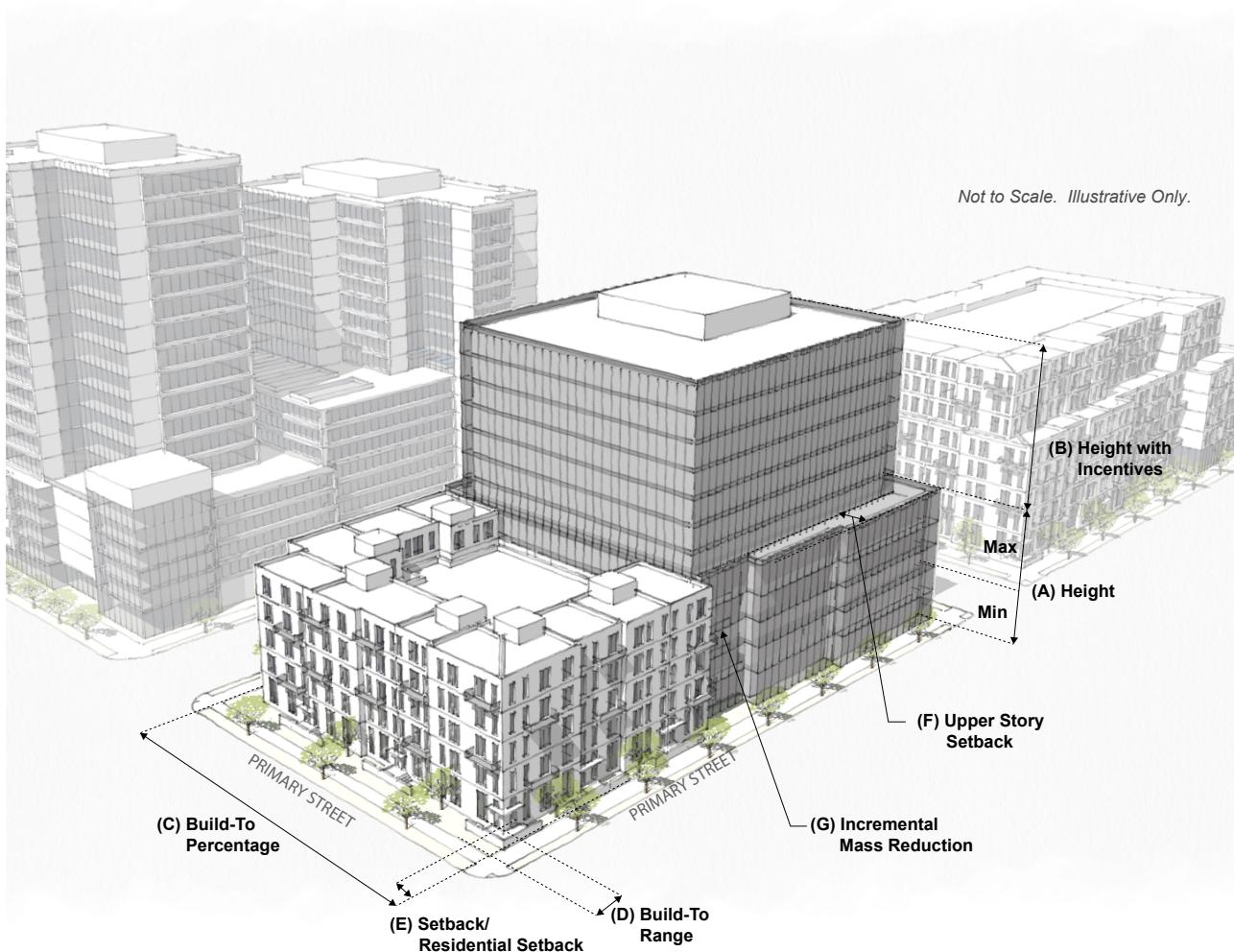
See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.

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

■ = Allowed   □ = Allowed subject to geographic limitations

### 8.9.3.3 District Specific Standards

#### A. General



## GENERAL

<b>HEIGHT</b>		D-CPV-R	D-CPV-T	D-CPV-C
A Stories (max)		5	5	5
A Feet (min/max)		25' / 70'	25' / 70'	25' / 70'
B Stories/Feet, with incentives (max)		na	12 / 150' See Section 8.9.5.5	12 / 150' See Section 8.9.5.5
<b>SITING</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>REQUIRED BUILD-TO BY STREET</b>				
C Primary Street (min build-to %)			70%	
Primary Street (min/max build-to range) - South Platte River			2' / 25' Frontage Subject to a Residential Setback: 15' / 25'	
D Primary Street (min/max build-to range) - All Others			2' / 15' Frontage Subject to a Residential Setback: 7' / 20'	
<b>SETBACKS</b>				
E All Primary Streets (min % of Zone Lot width/min Setback)			100%/2' and 50%/5'	
Side Interior and Rear (min)			0'	
<b>RESIDENTIAL SETBACKS BY STREET</b>				
Primary Street (min) - South Platte River		15'	na	na
E Primary Street (min) - All Others		7'	7'	7'
<b>OPEN SPACE BY ZONE LOT SIZE AREA OR WIDTH</b>				
Private Open Space on Lots >50,000 sf or >250' Wide (min)		5%	5%	5%
<b>PARKING</b>				
Surface Parking between Building and Primary Street			Not Allowed	
Surface Parking Screening Required			See Section 10.5.4.4	
Vehicle Access			Shall be determined as part of Site Development Plan Review	

<b>DESIGN ELEMENTS</b>		D-CPV-R	D-CPV-T	D-CPV-C
<b>BUILDING CONFIGURATION</b>				
F Upper Story Setback above 5 stories <u>and/or</u> 70' (min % of zone lot width/min setback)		na	65% / 15'	65% / 15'
Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)			70% - See Section 8.9.5.4	
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>				
G Incremental Mass Reduction for Stories 1-5		na	15%	15%
G Incremental Mass Reduction for Stories 6-8		na	25%	25%
G Incremental Mass Reduction for Stories 9- <u>12+</u>		na	35%	35%
<b>STREET LEVEL ACTIVATION</b>				
Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)			60% / 40%	
Pedestrian Access, Primary Street			Entrance	
Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)			Dwelling Unit Entrance with Entry Feature	

<b>USES</b>		D-CPV-R	D-CPV-T	D-CPV-C
Permitted Primary Uses		All permitted Primary Uses shall be allowed within this building form		
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)			100% - See Section 8.9.5.1	
Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)			70% - See Section 8.9.5.2	

See Sections 8.9.5, 8.9.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions

## B. Standard Tower

*Not to Scale. Illustrative Only.*



## STANDARD TOWER

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

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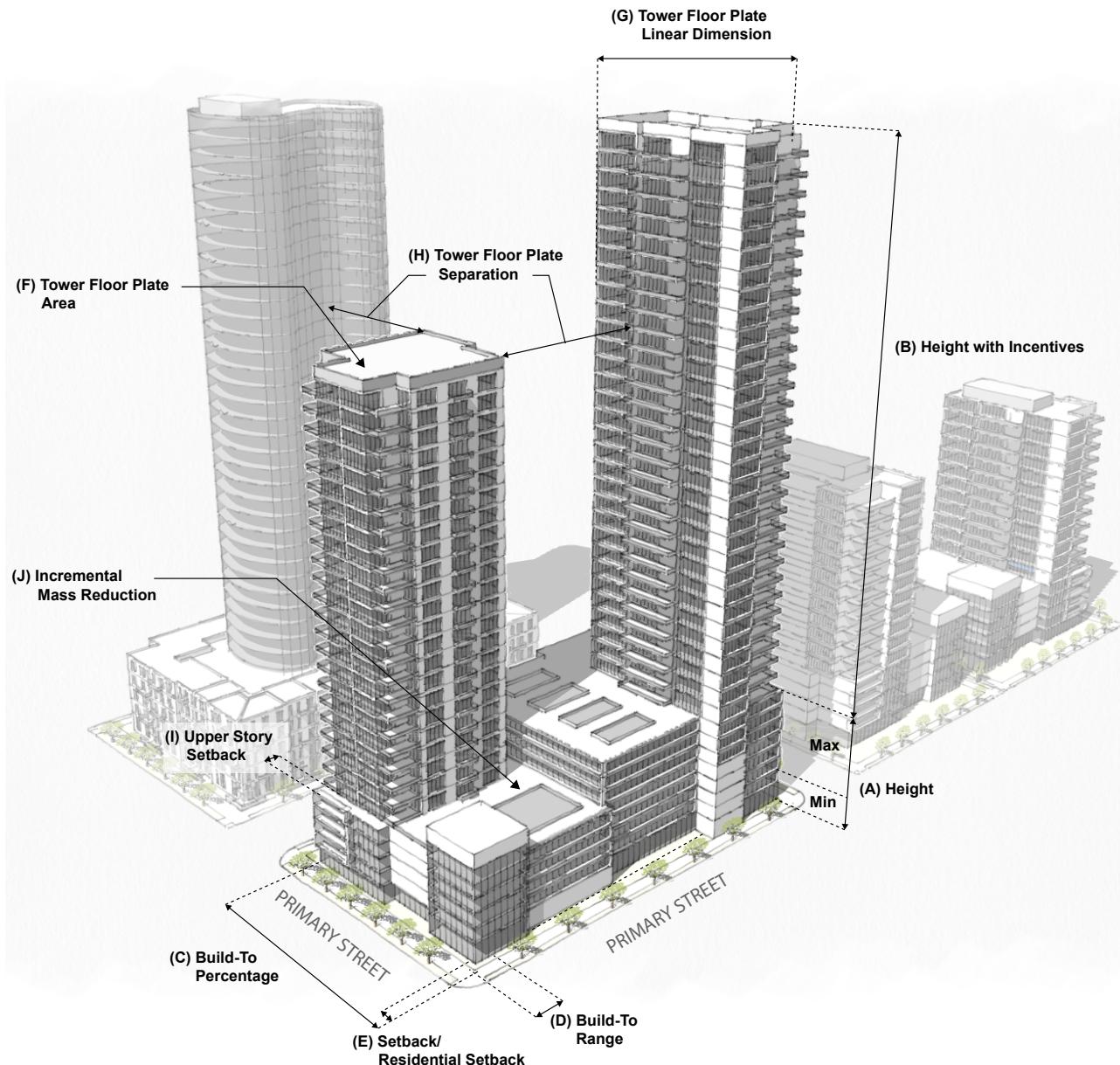
Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)	70% - See Section 8.9.5.2
Limitation on Primary Residential Uses (max % of Gross Floor Area above 8 stories and 110')	50% - See Section 8.9.5.3

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See Sections 8.9.5, 8.9.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions

### C. Point Tower

*Not to Scale. Illustrative Only.*



## POINT TOWER

<b>HEIGHT</b>		D-CPV-R	D-CPV-C
A	Stories (max)	5	
A	Feet (min/max)	25' / 70'	
B	Stories/Feet, with incentives (max)	No Maximum - See Section 8.9.5.5	
<b>SITING</b>		D-CPV-R	D-CPV-C
<b>REQUIRED BUILD-TO BY STREET</b>			
C	Primary Street (min build-to %)	70%	
	Primary Street (min/max build-to range) - South Platte River	2' / 25'	Frontage Subject to a Residential Setback: 15' / 25'
D	Primary Street (min/max build-to range) - All Others	2' / 15'	Frontage Subject to a Residential Setback: 7' / 20'
<b>SETBACKS</b>			
E	Primary Street (min % of Zone Lot width/min Setback)	100%/2' and 50%/5'	
	Side Interior and Rear (min)	0'	
<b>RESIDENTIAL SETBACKS BY STREET</b>			
	Primary Street (min) - South Platte River	15'	na
E	Primary Street (min) - All Others	7'	7'
<b>OPEN SPACE BY ZONE LOT <u>SIZE AREA</u> OR WIDTH</b>			
	Private Open Space on Lots >50,000 sf or >250' Wide (min)	5%	
<b>PARKING</b>			
	Surface Parking between Building and Primary Street	Not Allowed	
	Surface Parking Screening Required	See Section 10.5.4.4	
	Vehicle Access	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		D-CPV-R	D-CPV-C
<b>BUILDING CONFIGURATION</b>			
F/G	Tower Floor Plate above 5 stories <u>andor</u> 70' (max area / max linear dimension)	11,000 square feet / 165'	na
F/G	Tower Floor Plate above 8 stories <u>andor</u> 110' (max area / max linear dimension)	na	11,000 square feet / 165'
	Tower Floor Plate Linear Dimension Alternative (max)	180' - See Section 8.9.6.3	
H	Tower Floor Plate Separation above 5 stories <u>andor</u> 70' (D-CPV-R) or above 8 stories and 110' (D-CPV-C) (min)	120'	80'
	Tower Floor Plate Separation Alternative (min)	80' - See Section 8.9.6.4	na
I	Upper Story Setback above 5 stories <u>andor</u> 70' (min % of zone lot width/min setback)	65% / 15'	na
I	Upper Story Setback above 8 stories <u>andor</u> 110' (min % of zone lot width/min setback)	na	65% / 15'
	Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone LotWidth)	70% - See Section 8.9.5.4	
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>			
J	Incremental Mass Reduction for Stories 1-5	15%	15%
J	Incremental Mass Reduction for Stories 6-8	na	25%
<b>STREET LEVEL ACTIVATION</b>			
	Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)	60% / 40%	
	Pedestrian Access, Primary Street	Entrance	
	Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)	Dwelling Unit Entrance with Entry Feature	
<b>USES</b>		D-CPV-R	D-CPV-C
	Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form	
	Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	100% - See Section 8.9.5.1	
	Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)	70% - See Section 8.9.5.2	
See Sections 8.9.5, 8.9.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions			

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

### **8.9.4.1 Applicability**

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

### **8.9.4.2 General Standards**

#### **A. Detached Accessory Structures Allowed**

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

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

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

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

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

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

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

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

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

###### **a. Radio and Television Receiving Antennas and Support Structures**

Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.

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

###### **c. Air conditioning units Ground-mounted mechanical equipment such as air conditioning units and heat pumps**

###### **d. Pool pumps, heating and water filtration systems**

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

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

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

All accessory ~~f~~ences, ~~w~~alls, and ~~r~~etaining ~~w~~alls, including ~~f~~ences and ~~w~~alls used for required screening, shall comply with the ~~f~~ence, ~~w~~all, and screening standards in Division 10.5 instead of this Section 8.9.4, Detached Accessory Building Form Standards.

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

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

###### **b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator**

shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.9.4.

#### **8.9.4.3 Supplemental Standards**

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

###### **1. Public Art**

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

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

###### **1. Required Building Materials**

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

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

Note: This information is provided in the building form table for the General Structure building form.

###### **1. Applicability**

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

###### **2. Limit on Gross Floor Area**

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

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#### 8.9.4.4 District Specific Standards Summary

The table below states the building forms allowed in each zone district. The table also summarizes the maximum number of structures allowed per Zone Lot, which is stated in more detail in Section 1.2.3.5 (Number of Uses and Structures Allowed per Zone Lot).

See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. [Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.](#)

**Note:** The table below is intended to show that we are proposing to combine Other Detached Accessory Structures with Detached Garages and Detached Accessory Structures into a single building form called General Detached Structure. The red boxes under General Detached Structure for the Commercial Corridor, Mixed Use, and Main Street districts show that those standards are being moved to the combined building form. We'll also add a new building form for Minor Detached Structures.

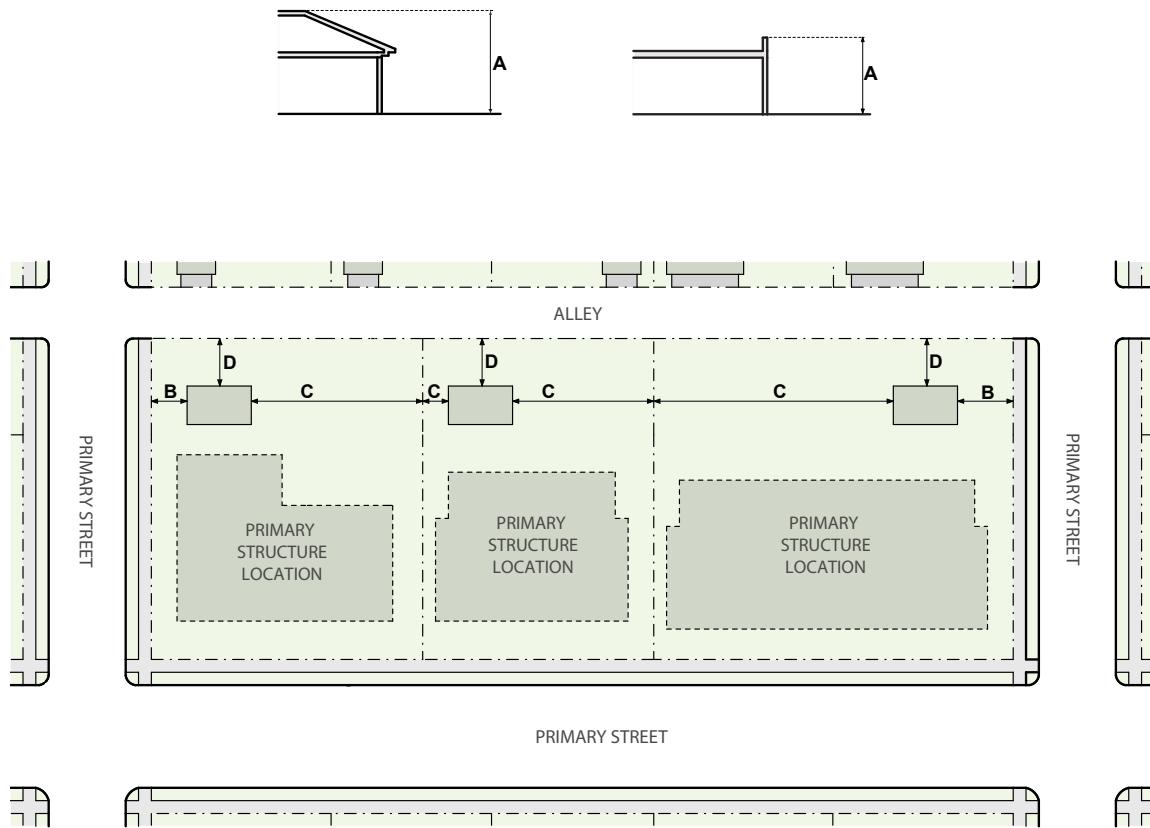
Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts	Building Forms			
	Detached Accessory Dwelling Unit	General Detached-Structure Garage	Other-Detached-Accessory-Structures	Minor Detached Accessory Structures
<b>Max Number of Detached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

■ = Allowed   □ = Allowed subject to limitations

#### 8.9.4.5 District Specific Standards

##### A. General Detached Accessory Structures

*Not to Scale. Illustrative Only.*



## **GENERAL DETACHED ACCESSORY STRUCTURES**

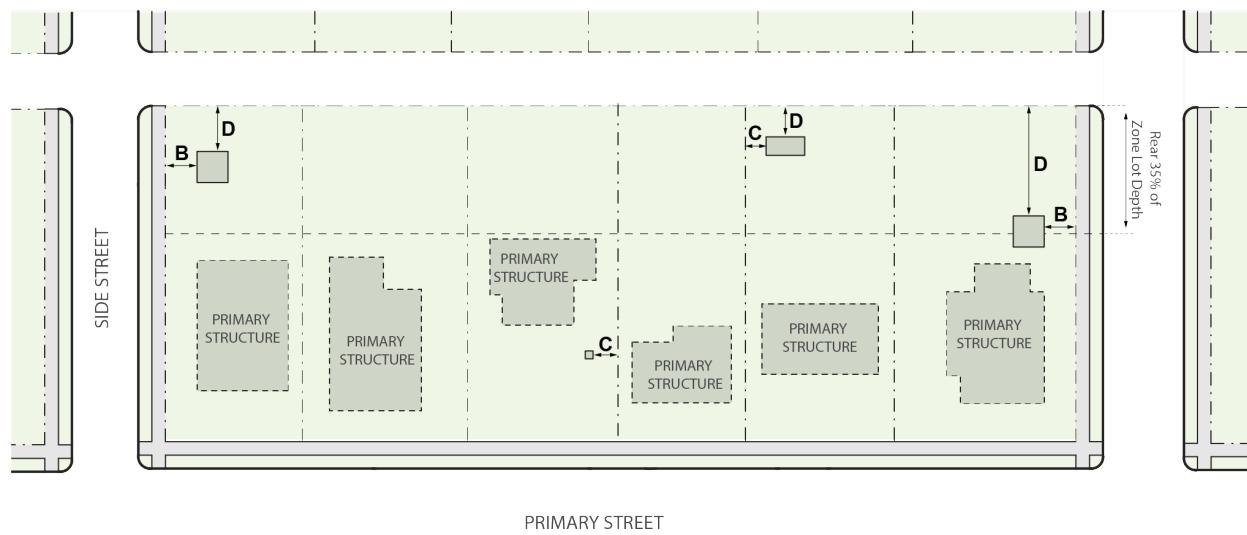
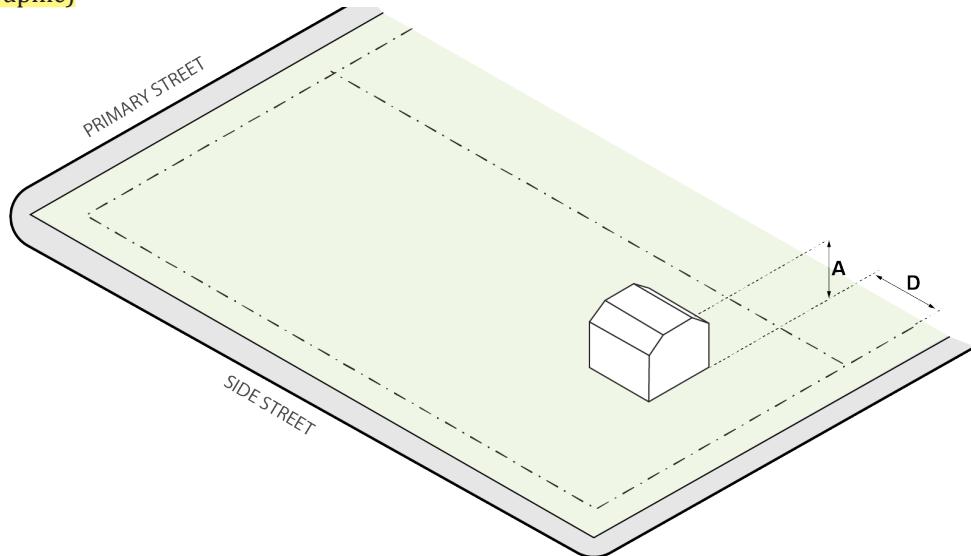
Examples of General Detached Structures include garages, sheds, and gazebos. The General Detached Structure building form provides standards for structures accessory to a primary structure that exceed the standards for the Minor Detached Structure building form.

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

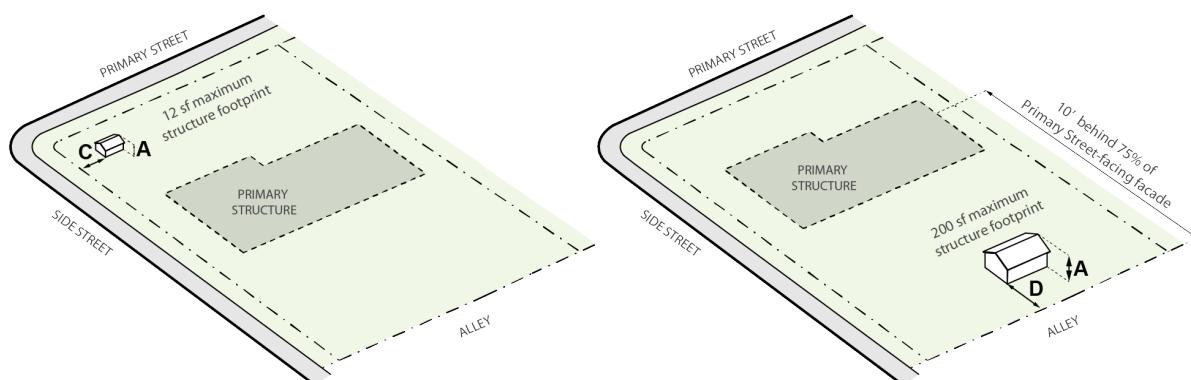
See Section 8.10.1 for Design Standard Exceptions

**B. Minor Detached Structure**

(New graphic)



**Option A: Located Anywhere on Lot**      **Option B: Located Behind Primary Street-Facing Façade**



## MINOR DETACHED STRUCTURES

Structures that meet the standards in this building form table are exempt from the requirement to obtain a zoning permit. Examples of Minor Detached Structures include sheds, arbors, play structures, ground-mounted mechanical equipment such as air conditioning units and heat pumps, and other structures that are similarly minor in impact, height, and footprint. Option A is more limited than Option B in height and footprint, but offers more flexibility in siting. Structures that do not meet the standards in the table below shall be reviewed under the General Detached Structure building form.

All D-CPV Zone Districts		
HEIGHT	Option A*	Option B*
A Stories (max)	1	1
A Feet (max)	4'	14'
All D-CPV Zone Districts		
SITING	Option A	Option B
Total number of each structure (max)	na	na
LOCATION OF STRUCTURE		
Ground-Mounted Mechanical Equipment	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**
Public Utility Equipment	Allowed anywhere on the Zone Lot	Allowed anywhere on the Zone Lot
All Others	Allowed anywhere on the Zone Lot	Allowed anywhere on the Zone Lot
SETBACKS		
B Side Street (min)	5'	5'
C Side Interior, for structure entirely in rear 35% of zone lot (min)	0'	0'
Side Interior, for structure not entirely in rear 35% of zone lot (min)	5'	5'
Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'
D Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)	0'	0'
Building Coverage per Zone Lot (max)	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	
DESIGN ELEMENTS	All D-CPV Zone Districts	
BUILDING CONFIGURATION	Option A	Option B
Structure footprint (max)	12 sf	200 sf
USES	All D-CPV Zone Districts	
Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Division 8.11 for permitted Accessory Uses.		

See Sections 8.9.5 - 8.9.6 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

\* Standards in the "Option A" column may not be combined with standards in the "Option B" column. For example, If using Option B height standards to construct a 14-foot-tall structure, the structure must also follow the Option B siting standards that require the structure to be located a minimum of 10 feet behind 75% of the Primary Street-facing Façade.

\*\*When there are multiple Primary Structures on one Zone Lot, all Minor Detached Structures shall be located behind 75% of the total width of the Primary Street-facing Façade(s) of at least one Primary Structure. See Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.

## **SECTION 8.9.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS**

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

#### **A. Intent**

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

#### **B. Applicability**

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

#### **C. Street Level Active Uses**

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

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

#### **A. Intent**

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

#### **B. Applicability**

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

#### **C. Allowance**

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

- e. Automobile Services, Light;
- f. Mini-storage Facility; or
- g. Wholesale Trade or Storage, Light.

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

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

#### **A. Intent**

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

#### **B. Applicability**

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

#### **C. Limitation on Primary Residential Uses**

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

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

#### **A. Intent**

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

**B. Applicability**

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

**C. Allowance**

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

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

**A. Intent**

To encourage additional affordable housing beyond mandatory requirements by providing flexibility in building height.

**B. Applicability**

1. This Section 8.9.5.5 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts.
2. This Section 8.9.5.5 shall not apply to a Primary Structure where the total square footage of Parking Spaces and Parking Aisles comprises 50% or more of the total gross square footage of all Uses.

**C. Standards**

**1. Enhanced Affordable Housing**

A Structure that ~~complies with qualifies for the incentives for~~ enhanced on-site compliance as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing ~~and any applicable Rules and Regulations~~ may develop to the maximum height with incentives set forth in the applicable building form table.

**2. Enhanced Linkage Fees**

A Structure that is primarily nonresidential and provides payment of a linkage fee, as set forth in D.R.M.C. Chapter 27, Article V Dedicated Funding for Affordable Housing ~~and any applicable Rules and Regulations~~, that is equal to two (2) times the current applicable rate. ~~If the Primarily Nonresidential Structure contains 10 or more Dwelling Units, then it must also provide income restricted units in accordance with D.R.M.C. Sec. 27-224(a).~~ - may develop to the maximum height with incentives set forth in the applicable building form table. For the purposes of this section, a Structure that is primarily nonresidential shall mean that Primary Residential Uses comprise 50% or less of the total gross floor area excluding parking.

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

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

**A. Intent**

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

**B. Allowance**

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

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

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

**A. Intent**

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

**B. Allowance**

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

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

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

**A. Intent**

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

**B. Applicability**

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

**C. Allowance**

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

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

##### **A. Intent**

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

##### **B. Applicability**

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

##### **C. Allowance**

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

## DIVISION 8.10 DESIGN STANDARDS

### SECTION 8.10.1 DESIGN STANDARD EXCEPTIONS

#### 8.10.1.1 Height Exceptions

##### A. Intent

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

##### B. Standard

Except as specifically allowed below:

1. No portion of a structure shall project beyond the maximum height in feet specified in the applicable Building Form table, including any incentive height allowed by this code.
2. No portion of a structure shall project beyond the bulk plane specified in the applicable Building Form table.
3. No portion of a structure shall exceed the maximum height in stories specified in the applicable Building Form table.

##### C. Exceptions

The following building features of Primary Structures and Accessory Structures are allowed to exceed height in feet, stories, bulk plane, and upper story setbacks as described in the table below, subject to the following standards.

1. 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~~.
2. 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.
3. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
4. The Zoning Administrator shall determine the applicable feature type and associated height exception standards for a given building feature.
5. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

BUILDING FEATURES	ZONE DIS-TRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PER-CENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY
Roof Overhangs, gutters, and downspouts, each extending no more than 3-feet measured perpendicular from the exterior face of the Exterior Wall to the furthest edge of the projection	All D- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All D- Zone Districts	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall <del>and/or</del> Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	5'
<del>Flush-mounted solar panels</del>	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Not Allowed
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	Not Allowed
Pedestrian bridge	All D- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

### 8.10.1.2 Setback Exception - Parkway

#### A. Intent

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

#### B. Standard (Moved to 13.1.5.8)

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.

#### **8.10.1.3 Required Build-To Exceptions in D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts (Moved to 13.1.5.7)**

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

###### **1. Intent**

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

###### **2. Standard**

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

#### **8.10.1.4 Upper Story Setback Encroachments in D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

##### **A. Intent**

To allow minor elements which add to the architectural character of buildings to encroach into a Primary Street upper story setback while maintaining an open and unobstructed minimum upper story setback space.

##### **B. Applicability**

This Section 8.10.1.4 applies to all primary building forms within D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts.

##### **C. Standard**

1. In D-AS-12+ and D-AS-20+ Zone Districts, Exterior Balconies may encroach into a Primary Street upper story setback up to 2 feet.
2. In D-GT, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts, Exterior Balconies may encroach into a Primary Street upper story setback up to 5 feet.

#### **8.10.1.5 Setback Exceptions - Architectural, Site, Service & Utility Elements in D-GT, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

##### **A. Intent**

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

##### **B. Standard**

Except as specifically allowed below, Setbacks specified in the applicable Building Form tables shall be open and unobstructed.

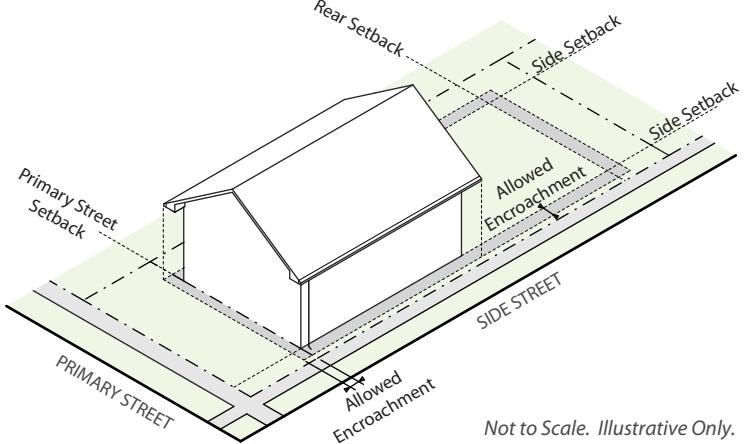
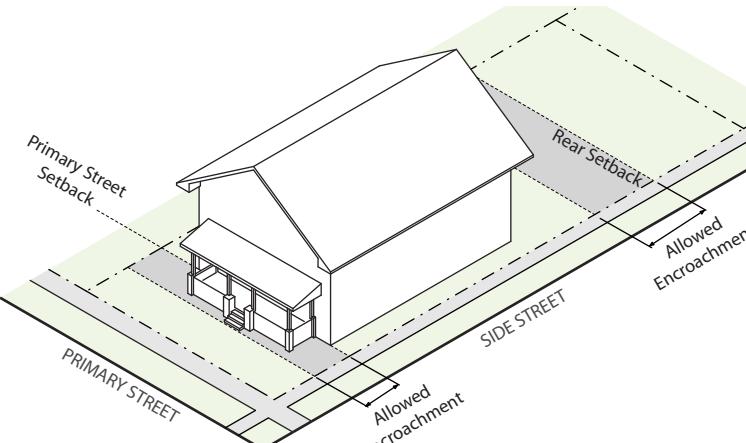
##### **C. Exceptions**

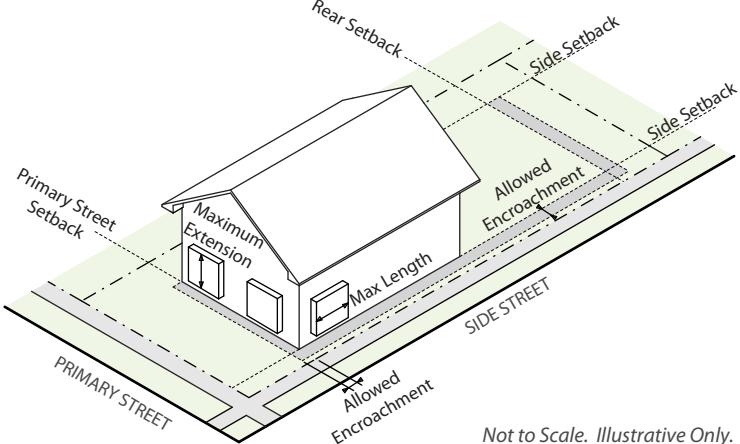
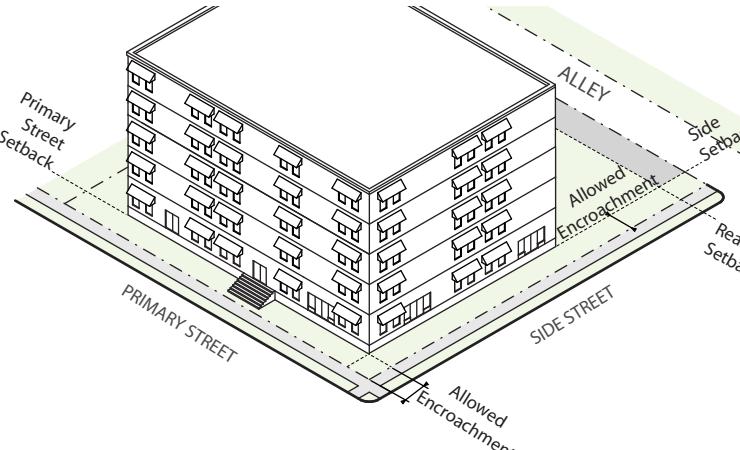
The following Structures or portions of Structures are permitted to encroach into the Setbacks subject to the limitations in the tables below. No portion of a Structure that encroaches into the Setbacks shall extend into a required Setback beyond the maximum Setback encroachment distance specified in the tables below, as measured perpendicular to the respective Zone Lot line. Where more than one Setback encroachment is allowed for the same Structure or portion of a Structure, the permitted Setback encroachment distances shall not be cumulative.

###### **1. Architectural Elements**

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

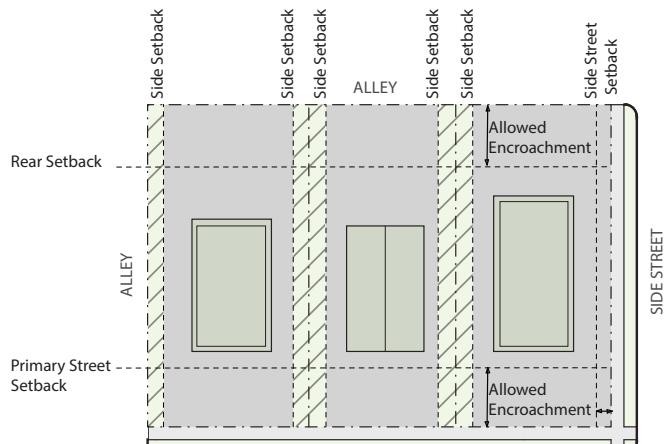
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Belt Courses, sills, lintels, pilasters, pediments, cornices	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	1.5' Cornices only: 3'
Intent: To allow common, minor decorative elements which are integral to a building.			
 Illustrative only			
Canopies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

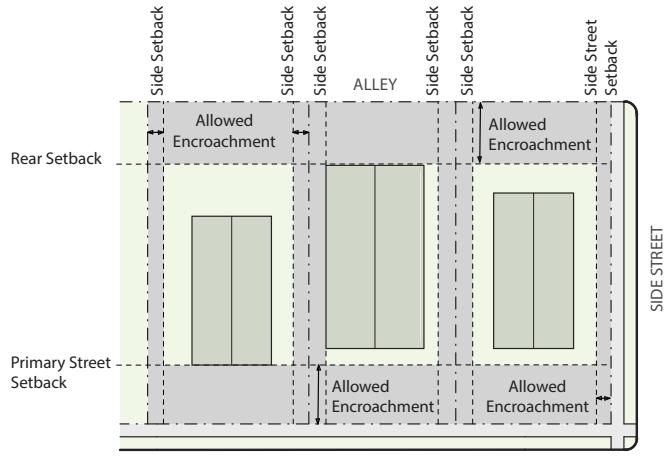
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Gutters, Downspouts and Roof Overhangs	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	3'
Intent: To allow features of structures intended to repel weather			 <p>Not to Scale. Illustrative Only.</p>
 <p>Illustrative only</p>			
	ZONE DISTRICTS	BUILDING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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<p><b>Projecting Windows:</b></p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor to ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building;</li> </ul>	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	1.5'
<p><b>Intent:</b> To allow for improved interior daylighting:</p>  <p><b>Illustrative only</b></p>			 <p>Not to Scale. Illustrative Only.</p>
<p>Shading devices: Projections from Exterior Walls intended to control light entering through windows or doors.</p> <ul style="list-style-type: none"> <li>• Horizontal shading devices shall include awnings, horizontal sunshades, and other shading devices projecting in a horizontal plane</li> <li>• All other shading devices shall include vertical sunshades, vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades)</li> <li>• Vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades) shall be at least 50% open</li> </ul>	All D-GT and D-CPV-T/R/C Zone Districts	<p>Horizontal shading devices: 5'</p> <p>All other shading devices: 1.5'</p>	
<p><b>Intent:</b> To allow for elements either integral or attached to a building which control entering light</p>  <p><b>Illustrative only</b></p>			 <p>Not to Scale. Illustrative Only.</p>

## 2. Site Elements

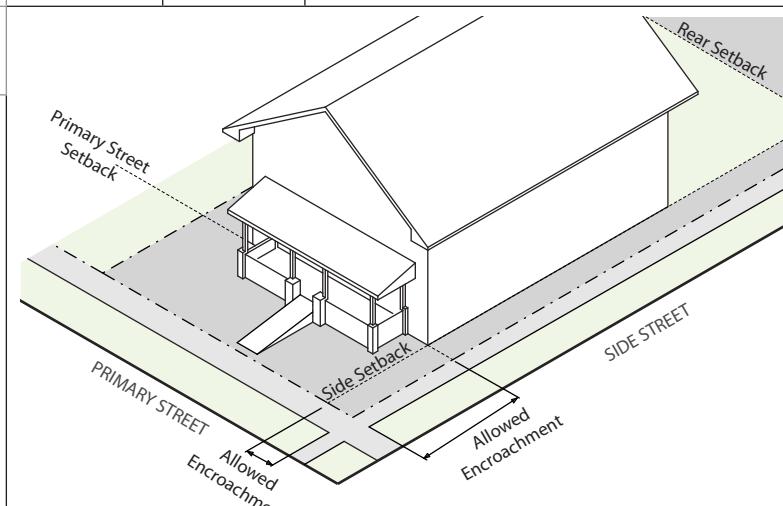
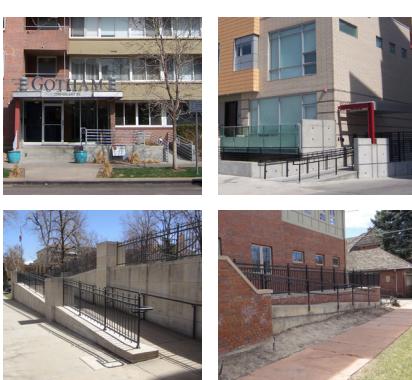
To allow for minor screening and parking elements while maintaining an open and unobstructed setback.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening		
Surface Parking	Not Allowed		
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Drive or Driveway	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	 <p>Diagram illustrating setbacks for a drive or driveway. The diagram shows an ALLEY on the left, a PRIMARY STREET in the middle, and a SIDE STREET on the right. The diagram shows various setbacks: Rear Setback, Side Setback, and Primary Street Setback. It also indicates 'Allowed Encroachment' areas where a drive or driveway can extend into the side interior setback. A legend indicates a diagonal line pattern means 'See Exception'.</p> <p>Not to Scale. Illustrative Only.</p>		
	<p>Illustrative only</p>		
<p>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</p> <ul style="list-style-type: none"> <li>• The Side Interior setback Abuts a public Alley;</li> <li>• Other public right-of-way, or an easement for public access Abutting a public Alley; or</li> <li>• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</li> </ul>			

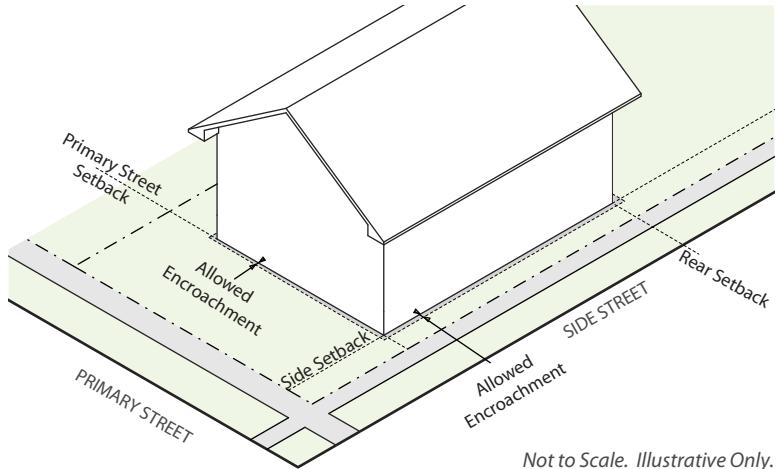
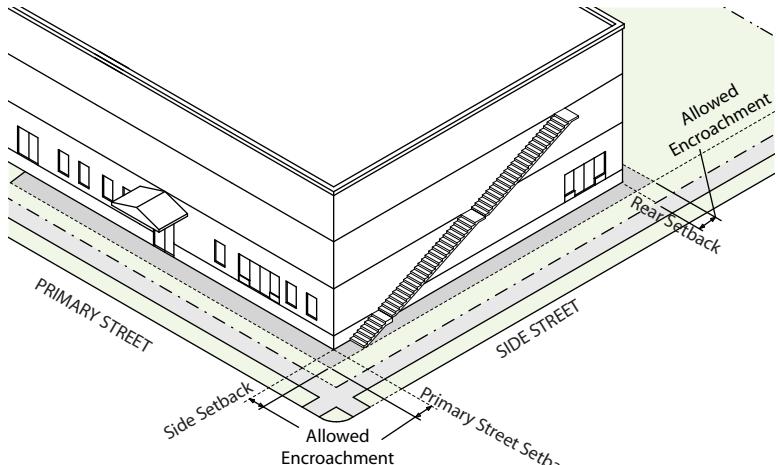
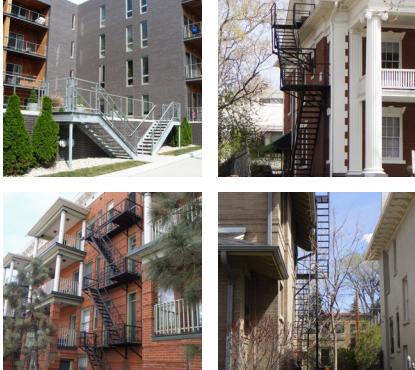
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Flatwork <b>providing pedestrian access to entrances and buildings:</b>	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To provide pedestrian <u>access routes</u> to entrances and buildings, but restrict coverage and width to ensure adequate openness		 <p>Not to Scale. Illustrative Only.</p>	 <p>Illustrative only</p>

### 3. Service & Utility Elements

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Barrier-free access structures <b>providing access to existing buildings, when no alternative location is available.</b> • Setback encroachments for barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To provide flexibility in the location of barrier-free access <u>structures, to existing buildings:</u>		 <p>Not to Scale. Illustrative Only.</p>	 <p>Illustrative only</p>

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Bomb shelter or fallout shelter entrances not more than 2-feet above grade; Bomb shelter or fallout shelter vents not more than 3-feet above grade	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow for functional siting.			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
<u>Existing</u> Echimneys originally designed and constructed to enclose fireboxes, smoke chambers, and flues serving wood-burning fireplaces and not exceeding 6-feet in width	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow for functional siting.			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Enclosed structure that is below the original grade and completely underground, of any setback, except as otherwise restricted by this Code	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow below grade structures that do not disrupt the streetscape.			

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Gas and electric meters	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	1.5'
Intent: To allow for functional siting.			 <p>Not to Scale. Illustrative Only.</p>
Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, <u>but 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>	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	5'
Intent: To provide for egress from a building only for emergency purposes			 <p>Not to Scale. Illustrative Only.</p>
 <p>Illustrative only</p>			

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Pedestrian Bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided the Department of Transportation and Infrastructure ("DOTI") has approved a right-of-way encumbrance.	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.			



*Illustrative only*

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Retaining structures for window wells and below grade areas, (1) shall not extend more than 6-inches above grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	4'
Intent: To allow for openings to below-grade spaces			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Retaining structures for window wells and below grade areas for exits, exit discharges, and emergency escape and rescue openings required by the Denver Building and Fire Code, (1) shall not extend more than 6-inches above <u>finished</u> grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served; and (3) shall not <u>extend more than exceed 4'-feet into the setback in width</u> as measured perpendicular to the exterior walls of the structure served; and (4) shall not exceed the minimum number of exits or emergency escape and rescue openings required by the Denver Building and Fire Code	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow for minimum means of egress components and minimum emergency escape and rescue openings required for life-safety			
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed <u>43'</u> in height.	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Intent: To allow for functional siting.			

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET
Wall-mounted fixtures, wiring, conduit, piping, and vents integral to conventional mechanical, electrical, plumbing, and fire protection systems (1) not otherwise identified as an allowed setback encroachment; and (2) serving permitted uses on the zone lot; and (3) projecting no more than 18-inches from the exterior face of the exterior wall	All D-GT and D-CPV-T/R/C Zone Districts	All building forms	Any distance
Including but not limited to electrical panelboards, controllers, sensors, meters, drains, hosebibs, hydrants, fire department connections, sprinklers, alarms, dryer vents, bathroom vents, furnace vents, radon exhaust fans, lighting fixtures, and similar minor utility features approved by the Zoning Administrator			

## SECTION 8.10.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

See Article 10, General Design Standards.

## SECTION 8.10.3 SURFACE PARKING LOT LANDSCAPING

### A. Applicability

1. Surface Parking as a primary use in the D-C, D-TD, D-LD, D-GT, D-AS and D-CV zones shall be landscaped according to this Section 8.10.3.

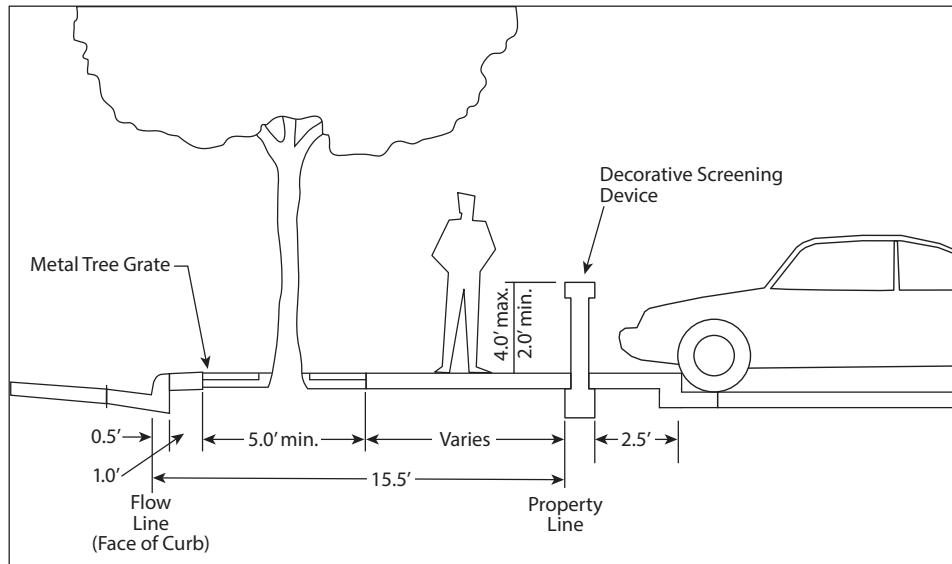
### B. Street Tree Planting Required

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

### C. Screening Device Required

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2 feet and 4 feet. Such screening device shall be located on private property.
2. Except for required street tree planting and additional standards in Section 8.10.3.D, no tree lawn, landscaping or interior landscaping is required; however, owners may submit for Zoning Administrator review proposals for alternative designs that incorporate landscaping (sod and/or shrubs) with the screening device.

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



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

### 1. Tree Lawn Required

- a. In addition to required street tree planting, a street front tree-lawn at least 8 feet wide shall be required between the flow line and the parking lot. If the space between the flow line and the property line is inadequate to install an 8-foot wide tree lawn, the width of such tree lawn may be reduced; however, in no case shall it be reduced to less than 5 feet in width. Further, if such 5-foot wide tree lawn is located partially on private property, that portion on private property shall be counted toward the satisfaction of the 5% area requirement of Section D.2 below.
- b. "Tree lawn" for the purposes of this provision is defined as a linear strip of ground which contains trees as required by Section 8.10.3.B above.
- c. A tree lawn is generally located on the public right-of-way, but may in some cases be partially located on private property.

### 2. Additional Parking Lot Landscaping Requirement

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

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

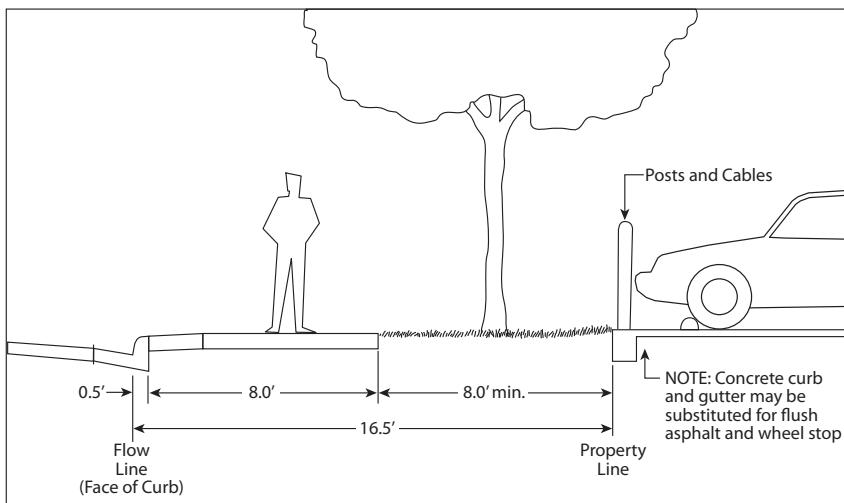
### 3. Pedestrian Access

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

### 4. Variations Allowed

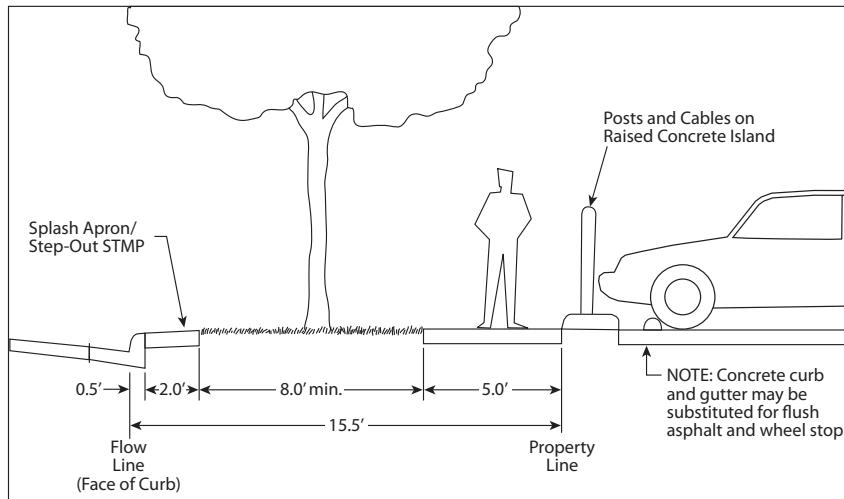
Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.10.3.D.1 above.

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



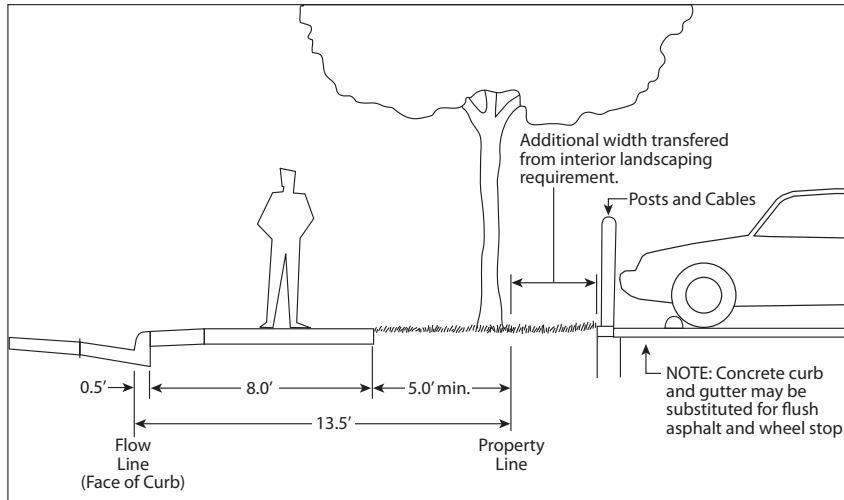
Applicable where right-of-way (flow line to property line) is at least 16.5' or more and sidewalk is attached.

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



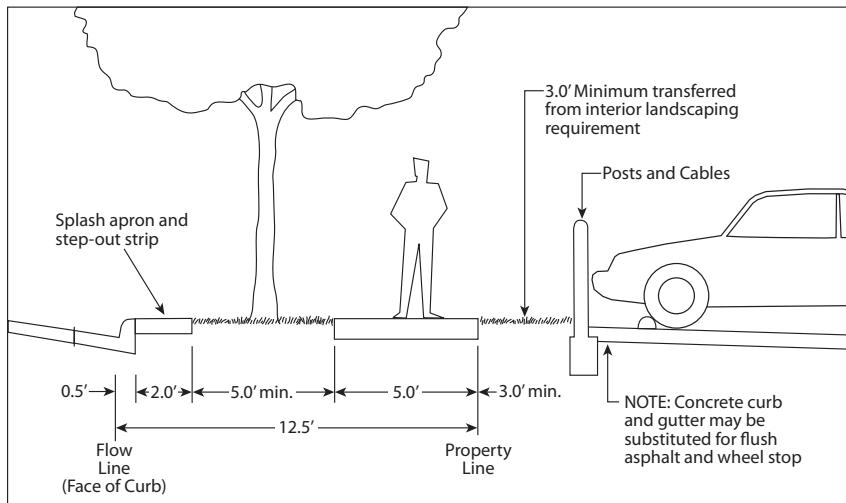
Applicable where right-of-way (flow line to property line) is 15.5' or more and sidewalk is detached.

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



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

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



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

## **DIVISION 8.11 USES AND MINIMUM/MAXIMUM PARKING REQUIREMENTS**

### **SECTION 8.11.1 APPLICABILITY**

- 8.11.1.1 This Division 8.11 sets forth the land uses permitted, the required zoning procedure, and the minimum/maximum parking requirements in all the Downtown Neighborhood Context zone districts with the exception of the D-LD zone district (see Section 8.4.1.4).
- 8.11.1.2 See Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV zone districts.
- 8.11.1.3 Maximum parking requirements apply only in the D-CPV-T, D-CPV-R and D-CPV-C zone districts as set forth in Section 8.11.5.
- 8.11.1.4 Note that the D-C, D-TD, D-CV, D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R and D-CPV-C zone districts have no minimum off-street vehicle parking requirement.
- 8.11.1.5 Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

8.11.1.6 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Uses and Structures Allowed per Zone Lot.

## SECTION 8.11.2 ORGANIZATION OF USE & MINIMUM PARKING TABLE

### 8.11.2.1 Organized by Primary, Accessory and Temporary Uses

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

### 8.11.2.2 Primary Use Classifications, Categories & Specific Use Types

#### A. Primary Use Classifications

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

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

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

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

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

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

## SECTION 8.11.3 EXPLANATION OF USE & MINIMUM PARKING TABLE

### ABBREVIATIONS

#### 8.11.3.1 General Explanation of Table Cell Entries

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

#### 8.11.3.2 Permitted, Limited, Not Permitted

##### A. Permitted Use - No Use Limitations Apply (“P”)

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

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

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

**C. Uses Not Permitted (“NP”)**

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

**8.11.3.3 Zoning Procedure**

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

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

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

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

**C. Use Subject to Zoning Permit Review with Community Information Meeting (“ZPCIM”)**

“ZPCIM” in a table cell indicates that the use is permitted in the respective zone district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.1, Zoning Permit Review. Prior to formal application, an applicant shall schedule a community information meeting and provide public notice of the community information meeting according to Section 12.3.4.6, Community Information Meeting.

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

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

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

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

**8.11.3.4 Enclosure of Uses**

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

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

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4.</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	D-C	D-TD	D-LD	D-CV	D-GT	D-AS	D-CPV-C	APPLICABLE USE LIMITATIONS
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### RESIDENTIAL PRIMARY USE CLASSIFICATION

Household Living	Dwelling, Single Unit • No Parking Requirements	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP		§11.2.6
	Dwelling, Two Unit • D-AS Districts - Vehicle: 0.75/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP		§11.2.6
	Dwelling, Multi-Unit • D-AS Districts - Vehicle: 0.75/unit • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20) • D-CPV-T/R/C & <b>D-LD</b> Districts - Bicycle: 1.1/unit (80/20)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP		§11.2.6
	Dwelling, Live / Work • D-AS Districts - Vehicle: 0.75/unit • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20) • D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP		§ 11.2.4; §11.2.6
Residential Care	Residential Care, Type 1 • D-AS Districts - Vehicle: No requirement • Bicycle: 1/8,000 sf GFA (80/20)	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP		§11.2.7; §11.2.8
	Residential Care, Type 2 • D-AS Districts - Vehicle: No requirement • Bicycle: 1/8,000 sf GFA (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§11.2.7; §11.2.9
	Residential Care, Type 3 • D-AS Districts - Vehicle: No Requirement • Bicycle: 1/8,000 sf GFA (80/20)	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM		§11.2.7; §11.2.10
	Residential Care, Type 4 • D-AS Districts - Vehicle: No Requirement • Bicycle: 1/8,000 sf GFA (80/20)	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM	L-ZPCM		§11.2.7; §11.2.11
Congregate Living	All Types • D-AS Districts - Vehicle: .25/1,000 sf GFA • Bicycle: 1/8,000 sf GFA (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP		

### CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION

Basic Utilities	Utility, Major Impact* • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE		§ 11.3.1
	Utility, Minor Impact* • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		§ 11.3.2

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

USE CATEGORY	SPECIFIC USE TYPE <p>D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b>, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b></p> <ul style="list-style-type: none"><li>• Vehicle Parking Reqmt: # spaces per unit of measurement</li><li>• Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</li></ul>							APPLICABLE USE LIMITATIONS <p>D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C</p>
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	
Community/ Public Services	Community Center* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.3
	Day Care Center • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	
	Public Safety Facility • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	P-ZP	NP	NP	NP	D-AS- 12+/20+ & D-CPV- T/R: NP D-CPV-C: P-ZP	
	Correctional Institution	NP	NP	NP	NP	NP		
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	
	Library • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	
Education	Elementary or Secondary School • D-AS Districts - Vehicle- Elementary: 1/1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle-Elementary: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle-Elementary: 1/5,000 s.f. GFA (0/100) • D-AS Districts - Vehicle-Secondary: 1/1,000 s.f. GFA • D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle-Secondary: 1/ 5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.8
	Vocational or Professional School • D-AS Districts - Vehicle: 1/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100) • D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION								
Adult Business	All Types	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> <ul style="list-style-type: none"> <li>• Vehicle Parking Reqmt: # spaces per unit of measurement</li> <li>• Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</li> </ul>							APPLICABLE USE LIMITATIONS D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor <ul style="list-style-type: none"> <li>• D-AS Districts - Vehicle - Artist Studio: 0.3/1000 sf GFA</li> <li>• D-AS Districts - Vehicle - All Others: 1.25/ 1,000 s.f. GFA</li> <li>• D-GT, D-AS, &amp; D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)</li> <li>• D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)</li> </ul>	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* <ul style="list-style-type: none"> <li>• D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA</li> <li>• D-GT, D-AS, &amp; D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)</li> <li>• D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)</li> </ul>	L-ZP	L-ZP	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.4.3
	Event Space with Alternate Parking and Loading* <ul style="list-style-type: none"> <li>• Vehicle: No requirement</li> <li>• Bicycle: No requirement</li> </ul>	NP	NP	NP	NP	NP	NP	
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	NP	NP	D-AS-12+/20+ & D-CPV-T/R: NP D-CPV-C: P-ZP
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable						
Parking of Vehicles	Parking, Garage <ul style="list-style-type: none"> <li>• No Parking Requirements</li> </ul>	L-ZP	L-ZP	NP	NP	L-ZP/ZPIN	P-ZP	§ 11.4.7
	Parking, Surface* <ul style="list-style-type: none"> <li>• No Parking Requirements</li> </ul>	L-ZP	L-ZP	NP	NP	D-GT: L-ZPIN D-AS: P-ZPIN	NP	§ 11.4.8
Eating & Drinking Establishments	All Types <ul style="list-style-type: none"> <li>• D-AS Districts - Vehicle: 2.5/ 1,000 s.f. GFA</li> <li>• D-GT, D-AS, D-AS-12+/20+ &amp; D-CPV-T/R/C Districts - Bicycle: 1/1,000 s.f. GFA (0/100)</li> </ul>	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging <ul style="list-style-type: none"> <li>• D-AS Districts - Vehicle - MS only: 2/ 1,000 s.f. GFA</li> <li>• D-AS Districts - Vehicle: 0.875/guest room or unit</li> <li>• D-GT, D-AS, D-AS-12+/20+, &amp; D-CPV-T/R/C Districts - Bicycle: 1/7,500 s.f. GFA (20/80)</li> </ul>	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	
	Lodging Accommodations, All Others <ul style="list-style-type: none"> <li>• D-AS Districts - Vehicle: 0.875/ guest room or unit</li> <li>• D-GT, D-AS, D-AS-12+/20+, &amp; D-CPV-T/R/C Districts - Bicycle: 1/7,500 s.f. GFA (20/80)</li> </ul>	P-ZP	P-ZP	P-ZP	NP	P-ZPIN	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	
Office	Dental / Medical Office or Clinic • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.4.10
	Office, All Others • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.4.12
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	NP	NP	
	Food Sales or Market • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Pawn Shop • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	L-ZP	L-ZP	NP	NP	L-ZPIN	L-ZPIN	§11.4.15
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair, All Others • D-AS Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80) • D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE  D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4.</b> <ul style="list-style-type: none"><li>• Vehicle Parking Reqmt: # spaces per unit of measurement</li><li>• Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</li></ul>							
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility <ul style="list-style-type: none"><li>• D-AS Districts -Vehicle: .5/ 1,000 s.f. GFA</li><li>• D-GT, D-AS, D-AS-12+/20+ &amp; D-CPV-T/R/C Districts - Bicycle: No requirement</li></ul>	L-ZP	L-ZP	NP	NP	L-ZP	NP	§ 11.4.17
	Automobile Services, Light <ul style="list-style-type: none"><li>• D-AS Districts -Vehicle: .5/ 1,000 s.f. GFA</li><li>• D-GT, D-AS, D-AS-12+/20+ &amp; D-CPV-T/R/C Districts - Bicycle: No requirement</li></ul>	NP	NP	NP	NP	L-ZPIN	L-ZP	§11.4.18; §11.4.19
	Automobile Services, Heavy	NP	NP	NP	NP	NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* <ul style="list-style-type: none"><li>• D-AS Districts -Vehicle: .5/ 1,000 s.f. GFA</li><li>• D-GT, D-AS, D-AS-12+/20+ &amp; D-CPV-T/R/C Districts - Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	NP	L-ZPIN	L-ZP	§11.4.21
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	

#### INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION

Communications and Information	Antennas Not Attached to a Tower* <ul style="list-style-type: none"><li>• No Parking Requirements</li></ul>	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.2
	Communication Services <ul style="list-style-type: none"><li>• D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA</li><li>• D-GT, D-AS, D-AS-12+/20+ &amp; D-CPV-T/R/C Districts - Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.1
	Telecommunications Towers* <ul style="list-style-type: none"><li>• No Parking Requirements</li></ul>	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* <ul style="list-style-type: none"><li>• No Parking Requirements</li></ul>	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* <ul style="list-style-type: none"><li>• No Parking Requirements</li></ul>	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.5.2
Industrial Services	Contractors, Special Trade - General <ul style="list-style-type: none"><li>• D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA</li><li>• Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	
	Food Preparation and Sales, Commercial <ul style="list-style-type: none"><li>• D-AS Districts - Vehicle: .5/ 1,000 s.f. GFA</li><li>• Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§ 11.5.5
Industrial Services	Laboratory, Research, Development and Technological Services <ul style="list-style-type: none"><li>• D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA</li><li>• Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.6
	Service/Repair, Commercial <ul style="list-style-type: none"><li>• D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA</li><li>• Bicycle: No requirement</li></ul>	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.7

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.8
	Manufacturing, Fabrication & Assembly -- General • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZPIN/ ZPSE	NP	L-ZPIN/ZPSE	L-ZP/ZPSE	§11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.13
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	
	Helipad, Heliport, Heliport* • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP	L-ZP/ZPSE	L-ZP	§11.5.14
	Railroad Facilities* • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	§11.5.14.2
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Freight, Air Courier Services • D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZPIN	NP	§ 11.5.17
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	

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Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility • D-AS Districts - Vehicle: 0.1/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	§11.5.23
	Vehicle Storage, Commercial* • D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • D-AS Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	NP	P-ZP	L-ZP/ ZPIN/ ZPSE	§ 11.5.26

#### AGRICULTURE PRIMARY USE CLASSIFICATION

Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	
	Garden, Urban* • D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	
	Plant Nursery • D-AS Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.5

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	D-C	D-TD	D-LD	D-CV	D-GT	D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C D-CPV-C	APPLICABLE USE LIMITATIONS
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#### 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	NP	L-ZP	L-ZP	\$11.7; \$11.8.2
	Domestic Employee	L	L	L	NP	L	L	\$11.7.1; \$11.8.3
	Garden*	L	L	L	NP	L	L	\$11.7; \$11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	L/L-ZPIN	L/L-ZPIN	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	NP	L	L	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	NP	L	L	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses						\$11.7; \$11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	L	\$11.7; \$11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	\$11.7; \$11.8.9
	Short-term Rental	L	L	L	NP	L	L	\$11.7; \$11.8.10
	Vehicle Storage, Repair and Maintenance*	L	L	L	NP	L	L	\$11.7; \$10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses						
	Yard or Garage Sales*	L	L	L	NP	L	L	\$11.7; \$11.8.11

#### 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	NP	L-ZPIN	L-ZPIN	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	NP	L-ZPIN	L-ZPIN	\$11.9; \$11.9.5

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USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are pro- vided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are</b> <b>provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measure- ment • Bicycle Parking Reqmt: # spaces per unit of measure- ment (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C
		D-C	D-TD	D-LD	D-CV	D-GT	D-AS	

#### 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	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses			NP	Not Applicable - See Permitted Primary Uses		
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	\$11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	L	\$11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	NP	\$11.7; §11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP/L-ZPSE		\$11.7; §11.10.9
	Garden*	L	L	L	L	L	L	\$11.7; §11.10.10
	Keeping of Animals	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	\$11.7; §11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	\$11.7; §11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable						
	Occasional Sales, Services Accessory to <u>Primary</u> Places of Religious Assembly <u>or Primary Uses Operated by Nonprofit Organizations</u> *	L	L	L	L	L	L	\$11.7; §11.10.13
	Outdoor Gathering Area*	L/L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	\$11.7; §11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	L-ZPIN/ ZPSE	\$11.7; §11.10.15
	Outdoor Retail Sale and Display*	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; §11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	L	L	L	L	L	L	\$11.7; §11.10.18
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	\$11.7; §11.10.19
	<u>Retail Food Establishment, Mobile (Food Truck)</u> *	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>\$11.7; §11.10.20</u>

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

USE CATEGORY	SPECIFIC USE TYPE D-C, D-TD, D-CV, D-GT, D-AS-12+/20+, <b>D-LD</b> , D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, D-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. <b>D-LD vehicle parking requirements are provided in Section 8.4.1.4:</b> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	D-C	D-TD	D-LD	D-CV	D-GT	D-AS	D-AS-12+ D-AS-20+ D-CPV-T D-CPV-R D-CPV-C	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 Limitation)	Unlisted Temporary Uses	L - Applicable to all Zone Districts						§11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses						§11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP	§11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	§11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	NP	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.13
	Retail Food Establishment, Mobile ( <b>Food Truck</b> )*	<u>L</u> -ZP	<u>L</u> -ZP	<u>L</u> -ZP	NP	NP	<u>L</u> -ZP	§11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.11.16
	Temporary Managed Community*	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	§11.11.17
	Tent for Religious Services	NP	NP	NP	NP	NP	NP	

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

### A. Intent

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

### B. Applicability

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

### C. Vehicle Parking Standards

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

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

AGRICULTURE PRIMARY USE CLASSIFICATION		
	All specific use types within the Agriculture Primary Use Classification	1.25/1,000 sf GFA
*See Section 10.4.5.4 for Shared Vehicle Parking Requirements		

