



## Denver Zoning Code Text Amendment Expanding Housing Affordability

### LAND USE, TRANSPORTATION, AND INFRASTRUCTURE (LUTI) COMMITTEE

REVIEW DRAFT – 04/19/2022

Denver needs more affordable housing not just for those with the lowest incomes, but also for teachers, firefighters, restaurant workers—people who make our city the great place we all love. This is an issue that affects all of us, and as a city we can do more and do better to address the housing needs of all residents. City staff have been working with the community to ensure that **as new homes are built, more affordable homes are built too**. These new requirements are intended to complement existing investments and programs to address Denver's current and future housing needs. This includes:

- **Requiring affordable housing in all new residential developments** over 10 units and offering means of alternative compliance (fee-in-lieu or negotiated alternatives); financial incentives (permit fee reductions, linkage fee exemptions) and zoning incentives (by-right parking reductions and height increases).
- **Increasing the linkage fee** which funds city investment into future affordable housing across the city. The linkage fee applies to new residential developments of 1 – 9 units and other non-residential uses.

The proposed regulations are planned for consideration by City Council in Spring 2022 and will apply to all new development projects going forward.

This document contains the Denver Zoning Code (DZC) Land Use, Transportation, and Infrastructure Committee Review Draft to implement these proposed regulatory tools detailed in the updated Proposed Policy Approach (dated March 29, 2022). These regulatory changes are paired with a Denver Revised Municipal Code (DRMC) text amendment, and the DRMC Public Review Draft can be found on the project website: [www.denvergov.org/affordabilityincentive](http://www.denvergov.org/affordabilityincentive). This Planning Board Review Draft includes proposed amendments to Denver Zoning Code Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 13 that are intended to:

1. Encourage provision of additional affordable housing beyond mandatory requirements by allowing flexibility in height in specific Mixed Use Commercial and Multi Unit zone districts that allow 3 stories or more. Refer to proposed revisions in specific building form tables and a new Division 10.12 (Article 10) for additional details.
2. Simplify and coordinate multiple existing incentive systems that apply in various overlays and Downtown zone districts. Refer specifically to proposed revisions throughout Articles 8 and 9.
3. Encourage on-site compliance with affordable housing requirements through other incentives such as parking reductions or exemptions. Refer to proposed revisions in Article 10, Sections 10.4.5.1 and 10.4.5.2.
4. Correct minor errors and omissions from other recently adopted zoning code text amendments. These appear throughout the draft.

#### Review Draft Document Conventions

- Text in **red underline** is proposed new language.
- Text in **red strikethrough** is proposed deleted language.
- Text in **blue strikethrough** is being moved from one section/location to another.
- Text in **blue, no strikethrough**, has been moved from another section/location.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure consistency of approach and administration with other ongoing text amendments.

Comments may be submitted by April 18 on this version of the proposed amendments to the Denver Zoning Code. In addition to commenting on this version of the proposal, interested individuals and organizations will have the opportunity to comment during public hearings in front of Denver City Council on June 6, 2022.

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b. If the zone lot is divided equally into two zone districts, the applicant may choose to develop the entire zone lot in conformity with the regulations applicable to one of the two zone districts.

2. ~~The entire zone lot may be developed in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area if:~~

- a. ~~The zone lot will only contain a multi-unit dwelling primary use with no other primary uses; and~~
- b. ~~The multi-unit dwelling primary use includes moderately priced dwelling units (MPDUs) pursuant to the mandatory or voluntary provisions of DRMC Article IV, Chapter 27 (Affordable Housing) that have been submitted for approval prior to January 1, 2017; and~~
- c. ~~The zone district applicable to more than 50% of the zone lot area allows more dwelling units to be constructed than in the other zone districts applicable to the zone lot.~~

~~This provision shall also apply to multi-family owner-occupied or rental residential developments submitted for approval prior to January 1, 2017 that include a higher percentage of MPDUs than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing) and to multi-family residential development submitted for approval prior to January 1, 2017 that includes housing affordable to households at a lower adjusted medium income than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Housing).~~

C. If for any reason the location of any zone district boundary line is not readily determinable from the official map, the location of the zone district boundary line shall be fixed by the Department of Community Planning and Development in accordance with the following provisions. Where more than one of the following provisions are applicable in any given situation, the first enumerated applicable provision shall prevail over all other provisions:

1. Where a zone district boundary line is located with reference to a fixture or monument, the location of such fixture or monument shall control;
2. Where a zone district boundary line is given a position within a street or alley right-of-way or channelized waterway, the zone district boundary line shall be deemed to be in the center of such street or alley right-of-way or channelized waterway;
3. Where a zone district boundary line is shown as approximately following platted lot lines, the zone district boundary line shall be deemed to coincide with such platted lot lines;
4. Where a zone district boundary line is shown by a specific dimension, such specific dimension shall control;
5. Where a zone district boundary line extends in the direction of the length of a block, the zone district boundary line shall be deemed to coincide with the center line of such block;
6. Where a zone district boundary line divides a platted lot or crosses unsubdivided property, the location of the zone district boundary line shall be fixed from the scale of the official map.

### **1.3.3.3 Access Across Zone Lots With Different Zone Districts**

A. Notwithstanding the provisions of subsections 1.3.3.2.A and 1.3.3.2.B, access across Zone Lots that are in different zone districts shall be governed by this Section 1.3.3.3. In order to promote appropriate development in all zone districts, access across a Zone Lot to another Zone Lot with a different zone district classification is permitted, except that access to a Zone Lot not located in a residential district across a Zone Lot located in a residential district shall not be permitted unless the Zoning Administrator determines that:

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## DIVISION 1.4 BUILDING FORM STANDARDS - GENERAL PROVISIONS

### SECTION 1.4.1 INITIAL ASSIGNMENT OF BUILDING FORM TO A NEW STRUCTURE

#### 1.4.1.1 Intent

To facilitate development of new structures consistent with this Code's purpose and intent, and with Denver's Comprehensive Plan.

#### 1.4.1.2 Applicability

This section shall apply to development of all structures on a zone lot, except for Fences and Walls, in all zone districts except the D-C, D-TD, D-LD, ~~D-GT~~, D-AS, OS-A, DIA, AIO, and O-1 zone districts.

#### 1.4.1.3 Initial Assignment of Building Form to a New Structure

For each new Structure, the applicant shall select, or assign a building form to apply to govern development, provided:

- A. The building form is allowed in the subject zone district; and
- B. Where the building form standards include requirements for minimum Zone Lot Size, minimum Zone Lot Width, and/or other siting or geographic limitations, the subject Zone Lot shall comply with all such dimensional, siting, and/or geographic limitations.
- C. For structures on a Nonconforming Zone Lot, as defined in Article 13, the building form selected shall also comply with the requirements of ~~Division~~ 12.10, Nonconforming Zone Lots.
- D. Fences and Walls shall not be assigned a building form.

#### 1.4.1.4 Compliance with Building Form Standards

Development of a new structure on a Zone Lot other than a Fence or Wall shall comply with all standards in this Code for the building form selected. Development of Fences or Walls shall comply with the standards stated in Division 10.5, Landscaping, Fences, Walls and Screening.

### SECTION 1.4.2 INITIAL ASSIGNMENT OF BUILDING FORM TO AN EXISTING STRUCTURE

#### 1.4.2.1 Intent

To facilitate redevelopment and reuse of existing structures consistent with this Code's purpose and intent, and with Denver's Comprehensive Plan.

#### 1.4.2.2 Applicability

This section shall apply to development involving an existing primary or detached accessory structure being modified, enlarged, or altered for the first time under Denver Zoning Code rules, except that ~~that~~ Section 1.4.2.3.B, Compliance with ~~Initially~~ Initially Assigned Building Form Standards Not Required, shall not apply to the initial assignment of the Detached Accessory Dwelling Unit building form to an existing detached accessory structure.

#### 1.4.2.3 Initial Assignment of Building Form to Existing Structure

For each existing Structure, the applicant shall select or assign a building form to apply to govern development according to this Section 1.4.2.3.

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## **DIVISION 2.3 CODE ORGANIZATION**

### **SECTION 2.3.1 ARTICLES 3 THROUGH 7: NEIGHBORHOOD CONTEXTS**

The Code is organized such that each Neighborhood Context is a separate Article. The purpose is to provide, to the extent possible, all regulations applicable to that Neighborhood Context in one location of the Code. Each Neighborhood Context Article has the same Division headings to ensure consistency when referencing regulations between Articles. Each of the Division headings are described below.

#### **2.3.1.1 Neighborhood Context Description**

Each Article provides a description of the Neighborhood Context. The description is organized to describe general character; street, block and access patterns; building placement and location; building height; and mobility. The description provides the basis for the context and form based regulations.

#### **2.3.1.2 Districts**

- A. This Division establishes the menu of zone districts for the Neighborhood Context. There is a list of intent statements for each zone district in the Context.
- B. Zone District Naming Convention: The zone districts for the Suburban, Urban Edge, Urban, General Urban and Urban Center Neighborhood Contexts follow a consistent naming convention, as follows:

FIRST LETTER	SECOND LETTERS	THIRD LETTER OR THIRD NUMBER	OCCASIONAL LAST NUMBER OR LETTER	EXAMPLES
<b>Neighborhood Context</b>	<b>Dominant Building Form and Character</b>	<b>Minimum Zone Lot Size in square feet or Maximum Building Height in stories</b>	<b>Special Purpose</b>	
S = Suburban E = Urban Edge U = Urban G = General Urban C = Urban Center	<p>SU = Single Unit TU = Two Unit</p> <p>RH = Row House MU = Multi Unit RO = Residential Office RX = Residential Mixed Use CC = Commercial Corridor MX = Mixed Use MS = Main Street</p>	<p><u>Minimum Zone Lot Sizes</u> A = 3,000 B = 4,500 C = 5,500 D = 6,000 E = 7,000 F = 8,500 G = 9,000 H = 10,000 I = 12,000</p> <p><u>Heights*</u> 2 = 2 stories 2.5 = 2.5 stories 3 = 3 stories 5 = 5 stories 8 = 8 stories 12 = 12 stories 16 = 16 stories 20 = 20 stories</p> <p><u>* Maximum Building Height may be increased as provided in this Code.</u></p>	<p>When there is a number or letter at the end of the zone district name, that is an indicator of special regulations. Refer to the zone district regulations for more detail. Typically:</p> <p>1 = Accessory dwelling units allowed throughout</p> <p>2 = Accessory dwelling unit and duplexes allowed on certain corners</p> <p>x = Special provisions tailored to that zone district</p> <p>A = Special provisions, especially design standards or allowed building forms, tailored to that zone district</p>	<p>U-SU-A: Urban Neighborhood Context, allows single units and the minimum zone lot size is 3,000 sf</p> <p>U-SU-A1: Urban Neighborhood Context, allow single units, a minimum lot size of 3,000 sf and allows accessory dwelling units</p> <p>G-MU-3: General Urban Neighborhood, allows up to multiple family uses with a maximum height of 3 stories</p> <p>C-MX-5: Urban Center Neighborhood, allows a commercial and residential uses with a maximum height of 5 stories.</p>

### 2.3.1.3 Design Standards

The Design Standards Division establishes the intent of all applicable design standards, allowed building forms by zone district, building form standards and any exceptions or alternatives. A summary table provides an overview for easy reference. Each building form has a set of illustrations and a table of standards to ensure clarity in interpretation.

### 2.3.1.4 Uses and Required Minimum Parking

Uses and Parking provides a listing of all allowed uses by zone district. With each use category, the vehicle and bike parking requirements are listed.

## SECTION 2.3.2 ARTICLE 8: DOWNTOWN NEIGHBORHOOD CONTEXT

The Downtown Neighborhood Context is organized differently than Articles 3 through 7 due to the unique nature of the downtown zone districts. This Article contains all the zone districts within the city's downtown area and applicable regulations. The Downtown Neighborhood Context has a different zone district naming convention. The first letter is "D" to denote the Downtown Neighborhood Context. The second letters are abbreviations for the specific neighborhood within Downtown. For example: D-AS is Downtown Arapahoe Square. After providing the zoning regulations for each downtown zone district, there are Sections on design standards and the uses and minimum parking requirements.

## SECTION 2.3.3 ARTICLE 9: SPECIAL CONTEXTS AND DISTRICTS

Article 9 contains regulations for Special Contexts and Districts. Special Contexts and Districts are those that need to be treated differently due to specialized uses, forms, regulations and/or procedures. Special Contexts and Districts have a different zone district naming convention described within each Division. The first letters indicate the type of context or district with subsequent lettering or numbering when there is variation.

- 2.3.3.1 Industrial Context (I-MX, -A, -B): The Industrial Context establishes zone districts that allow varying intensities and types of industrial forms and uses.
- 2.3.3.2 Campus Context (CMP-H, -H2, -EI, -EI2, -ENT, -NWC, -NWC-C, -NWC-G, -NWC-F, -NWC-R): The Campus Context establishes zone districts for larger scale sites offering healthcare, education/institution, entertainment, and the National Western Center.
- 2.3.3.3 Open Space Context (OS-A, -B, -C): The Open Space Context establishes zone districts for various types of park, recreational and open space land.
- 2.3.3.4 Overlay Districts (CO, UO, IO, DO, AIO): Overlay Districts are zone districts that apply in addition to the base zone district. There are Conservation Overlay Districts, Use Overlay Districts, Design Overlay Districts, **Incentive Overlay Districts** and the Airport Influence Overlay District.
- 2.3.3.5 Denver International Airport District: This district applies to the Denver International Airport.
- 2.3.3.6 O-1 Zone District: O-1 is a zone district that applies to various recreation, institutional, and utilities.
- 2.3.3.7 Planned Unit Development District: The Planned Unit Development District is a unique zone district that provides form, use, parking and other standards tailored to a particular site.
- 2.3.3.8 Master Planned Context: The Master Planned Context is intended for larger scale sites that will develop over a long period of time and in multiple phases. Within the Master Planned Context there is a menu of residential and mixed use zone district.

## SECTION 2.3.4 ARTICLES 10 THROUGH 13: GENERAL STANDARDS AND PROCEDURES

Articles 10 through 13 contain regulations that apply throughout the city and are not unique to a Neighborhood Context or Special Context. They are organized together so that common regulations are found in the same place such as use limitations, procedures, definitions and rules of measurement.

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

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

### 2.5.1.3 Special Contexts and Zone Districts:

INDUSTRIAL CONTEXT	
I-MX-3	Industrial Mixed Use 3
I-MX-5	Industrial Mixed Use 5
I-MX-8	Industrial Mixed Use 8
<u>I-MX-12</u>	<u>Industrial Mixed Use 12</u>
I-A	Light Industrial
I-B	General Industrial
CAMPUS CONTEXT	
CMP-H	Campus Healthcare
CMP-H2	Campus Healthcare 2
CMP-EI	Campus Education Institution
CMP-EI2	Campus Education Institution 2
CMP-ENT	Campus Entertainment
CMP-NWC	Campus National Western Center
CMP-NWC-C	Campus National Western Center - Core
CMP-NWC-G	Campus National Western Center - General
CMP-NWC-F	Campus National Western Center - Flex
CMP-NWC-R	Campus National Western Center - Riverfront
OPEN SPACE CONTEXT	
OS-A	Open Space Public Parks
OS-B	Open Space Recreation
OS-C	Open Space Conservation

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<b>MASTER PLANNED CONTEXT</b>	
M-RH-3	Row House 3
M-RX-3	Residential Mixed Use 3
M-RX-5	Residential Mixed Use 5
M-RX-5A	Residential Mixed Use 5A
M-CC-5	Commercial Corridor 5
M-MX-5	Commercial Mixed Use 5
M-IMX-5	Industrial Mixed Use 5
M-IMX-8	Industrial Mixed Use 8
M-IMX-12	Industrial Mixed Use 12
M-GMX	General Mixed Use
<b>OVERLAY DISTRICTS</b>	
UO-	Use Overlay District
CO-	Conservation Overlay District
DO-	Design Overlay District
IO-	Incentive Overlay District
AIO-	Airport Influence Overlay District
<b>OTHER SPECIAL CONTEXTS OR ZONE DISTRICTS</b>	
DIA	Denver International Airport
O-1	Open Zone District
<b>PLANNED UNIT DEVELOPMENT CONTEXT</b>	
PUD	Planned Unit Development

## SECTION 3.2.2 RESIDENTIAL DISTRICTS (S-SU-A,-D, -F, -Fx -F1, -I,-Ix, S-RH-2.5, S-MU-3, 5, 8, 12, 20)

### 3.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.
- B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts promote a consistent pattern of one to two story suburban houses where the wider part of the building orients to the street and access is provided by front-loaded garages. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the row house and multi unit districts promote existing and future patterns of multiple buildings on a single Zone Lot. These building forms include duplex, row house and apartments sometimes organized around common open space and parking areas with an internal circulation system.
- C. These standards recognize common residential characteristics within the Suburban Neighborhood Context but accommodate variation by providing a range of Residential Zone Districts.
- D. The regulations provide certainty a consistent framework to property owners, developers, and neighborhoods residents about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns, encourage affordable housing, and accommodate reinvestment in residential districts existing neighborhoods while accommodating reinvestment.
- E. These Residential districts capture parts of the city typically platted and developed in the mid-to late 1900s.

### 3.2.2.2 Specific Intent

- A. **Single Unit A (S-SU-A)**  
S-SU-A is a single unit district allowing suburban houses with a minimum zone lot area of 3,000 square feet. This district requires the shallowest setbacks and highest lot coverage in the Suburban Neighborhood Context. Access may be from the street or from an alley.
- B. **Single Unit D (S-SU-D)**  
S-SU-D is a single unit district allowing suburban houses with a minimum zone lot area of 6,000 square feet.
- C. **Single Unit F (S-SU-F)**  
S-SU-F is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet.
- D. **Single Unit Fx (S-SU-Fx)**  
S-SU-Fx is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet. The primary distinction between this zone district and S-SU-F is there are more limitations on home occupations.
- E. **Single Unit F1 (S-SU-F1)**  
S-SU-F1 is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet. Tandem houses and detached accessory dwelling units are also allowed on lots that are at least 150 feet deep.

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

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

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

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

**H. Row House 2.5 (S-RH-2.5)**

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

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

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

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

### **3.2.3.1 General Purpose**

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

### **3.2.3.2 Specific Intent**

**A. Commercial Corridor – 3 (S-CC-3)**

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

**B. Commercial Corridor – 3x (S-CC-3x)**

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

**C. Commercial Corridor – 5 (S-CC-5)**

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

**D. Commercial Corridor – 5x (S-CC-5x)**

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

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

### **3.2.4.1 General Purpose**

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

### **3.2.4.2 Specific Intent**

#### **A. Mixed Use – 2 (S-MX-2)**

S-MX-2 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 2 stories is desired.

#### **B. Mixed Use – 2x (S-MX-2x)**

S-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

#### **C. Mixed Use – 2A (S-MX-2A)**

S-MX-2A applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 2 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to low intensity uses and the low scale General building form to encourage a more pedestrian-oriented environment.

#### **D. Mixed Use – 3 (S-MX-3)**

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

#### **E. Mixed Use – 3A (S-MX-3A)**

S-MX-3A applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

#### **F. Mixed Use – 5 (S-MX-5)**

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

#### **G. Mixed Use – 5A (S-MX-5A)**

S-MX-5A applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired. Design standards provide flexibility in building siting

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while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

**H. Mixed Use – 8 (S-MX-8)**

S-MX-8 applies to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired.

**I. Mixed Use – 8A (S-MX-8A)**

S-MX-8A applies to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

**J. Mixed Use – 12 (S-MX-12)**

S-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 1 to 12 stories is desired.

**K. Mixed Use – 12A (S-MX-12A)**

S-MX-12A applies to areas or intersections served primarily by major arterial streets where a building scale of 1 to 12 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

## **SECTION 3.2.5 MAIN STREET DISTRICTS (S-MS-3, -5)**

### **3.2.5.1 General Purpose**

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of ~~sShopfront~~ and ~~rRow hHouse~~ building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.
- F. In the Suburban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.
- G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and maximum building coverage is significant.

**DZC TEXT AMENDMENT – EXPANDING HOUSING AFFORDABILITY**  
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## **DIVISION 3.3 DESIGN STANDARDS**

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

### **SECTION 3.3.1 GENERAL INTENT**

The Intent of this Division 3.3 Design Standards are to:

- 3.3.1.1 Implement the Denver Comprehensive Plan.
- 3.3.1.2 Implement the zone district's Intent and Purpose
- 3.3.1.3 To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 3.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.
- 3.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
- 3.3.1.6 Give equal prominence to pedestrian realm as a defining element of neighborhood character.
- 3.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize land use and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
- 3.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
- 3.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
- 3.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
- 3.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
- 3.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

### **SECTION 3.3.2 BUILDING FORM INTENT**

#### **3.3.2.1 Height**

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

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**APARTMENT**

<b>HEIGHT</b>	S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
<b>A Stories (max)</b>	3	5	8	12	20
<b>A Feet (max)</b>	40'	65'	100'	140'	230'
<b>Stories/Feet, with incentives (max)</b>	<u>4/50'</u>	<u>7/90'</u>	<u>12/140'</u>	<u>16/185'</u>	<u>30/340'</u>
<b>Feet, within 175' of Protected District (max)</b>	na	na <u>75'</u>	75'	75'	75'

<b>SITING</b>	S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20
<b>ZONE LOT</b>					
Zone Lot Size (min)	6,000 sf	6,000 sf	6,000 sf	6,000 sf	6,000 sf
Zone Lot Width (min)	50'	50'	50'	50'	50'
Building Coverage per Zone Lot, including all accessory structures (max)	na	na	na	70%	70%
<b>REQUIRED BUILD-TO</b>					
<b>B Primary Street (min % within min/max)</b>	50% 0'/80'	50% 0'/80'	50% 0'/80'	50% 0'/80'	50% 0'/80'
<b>SETBACKS</b>					
<b>C Primary Street (min)</b>	10'	10'	10'	10'	10'
<b>D Side Street (min)</b>	5'	5'	5'	5'	5'
<b>E Side Interior (min)</b>	7.5'	7.5'	7.5'	7.5'	7.5'
Side Interior adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>F Rear, alley/no alley (min)</b>	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'
<b>PARKING</b>					
Surface Parking between building and Primary Street/Side Street	Allowed/Allowed				
Vehicle Access, 3 or more Side-by-Side Dwelling Units in One Structure	From Alley; or Street access allowed when no Alley present (See: <a href="#">See Section 3.3.7.6</a> )				
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review				

<b>DESIGN ELEMENTS</b>	S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-MU-20					
<b>BUILDING CONFIGURATION</b>										
Primary Street-Facing Attached Garage Door Width (max per structure)	20'	20'	20'	20'	20'					
<b>H Upper Story Setback Above 40', Side Interior</b>	na	15'	na	na	na					
Upper Story Setback Above 51', Side Interior	na	na	15'	15'	15'					
<b>I Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior</b>	na	na	20'/30'	20'/30'	20'/30'					
<b>J Upper Story Setback above 27', adjacent to Protected District: Side Interior (min)</b>	25'	25'	25'	25'	25'					
<b>K Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/no alley</b>	na	30'/40'	30'/40'	30'/40'	30'/40'					
Upper Story Setback above 51', adjacent to Protected District: Side Interior (min)	na	40'	40'	40'	40'					
<b>STREET LEVEL ACTIVATION</b>										
<b>L Transparency, Primary Street (min)</b>	30%	30%	30%	30%	30%					
<b>M Transparency, Side Street (min)</b>	25%	25%	25%	25%	25%					
<b>N Pedestrian Access, Primary Street</b>	Pedestrian Connection									
<b>USES</b>	All S-MU									
Primary Uses shall be limited to Multi Unit Dwelling and permitted Congregate Living, Residential Care, and Nonresidential uses.										
See Division 3.4 <a href="#">Uses and Parking</a>										

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

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**GENERAL (1 OF 3)**

HEIGHT	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
Stories(max)	3	5
Feet (max)	45'	70'
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u>	<u>7/95'</u>
	<u>See Section 10.12.1</u>	
Feet, within 175' of Protected District (max)	na	na <u>75'</u>
Height Exceptions	See Section 3.3.7.1	

SITING	S-CC-3, -3x, -5, -5x	
<b>SETBACKS</b>		
Primary Street (min)	0'	
Side Street (min)	0'	
Side Interior (min)	5'	
<b>A</b> Side Interior, adjacent to Protected District (min)	10'	
Rear (min)	0'	
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4	
<b>PARKING</b>		
<b>B</b> Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed	
<b>C</b> Surface Parking Screening	See <a href="#">Article 10</a> –Division 10.5	
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present ( <a href="#">See Section 3.3.7.6</a> )	
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review	

DESIGN ELEMENTS	S-CC-3 S-CC-3x	S-CC-5 S-CC-5x
<b>BUILDING CONFIGURATION</b>		
<b>D</b> Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'
<b>E</b> Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'
<b>STREET LEVEL ACTIVATION</b>		
<b>F</b> Transparency, Primary Street (min)	40%* Residential Only Buildings: 30%*	
<b>G</b> Transparency, Side Street (min)	25%*	
Transparency Alternatives	See Section 3.3.6.3	
<b>H</b> Pedestrian Access, Primary Street	Pedestrian Connection	
<b>USES</b>		
	All S-CC	

All permitted Primary Uses shall be allowed within this building form. See Division 3.4 [Uses and Parking](#)

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

[See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions](#)

## GENERAL (2 OF 3)

HEIGHT	S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12			
Stories (max)	2	2	3	5	8	12			
Feet (max)	30'	30'	45'	70'	110'	150'			
<u>Stories/Feet, with incentives (max)</u>	<u>na</u>	<u>na</u>	<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>			
			<u>See Section 10.12.1</u>						
Feet, within 175' of Protected District (max)	na	na	na	<u>na 75'</u>	75'	75'			
Height Exceptions	See Section 3.3.7.1								
SITING	All S-MX Option A			All S-MX Option B					
RESTRICTION	na			Allowed only if Street Level GFA is equal or greater than 20,000 sf					
REQUIRED BUILD-TO									
A Primary Street (min build-to % within min/max range)	50% 0'/80'			50% 0'/150'					
Build-to Exceptions and Alternatives	See Sections 3.3.7.2 and 3.3.6.1			See Sections 3.3.7.2 and 3.3.6.1					
SETBACKS									
Primary Street (min)	0'			0'					
Side Street (min)	0'			0'					
Side Interior (min)	0'			0'					
B Side Interior, adjacent to Protected District (min)	10'			10'					
Rear (min)	0'			0'					
Rear, adjacent to Protected District, alley/no alley (min)	S-MX-2x: 12'/20' All Other Zone Districts: 0/10'			S-MX-2x: 12'/20' All Other Zone Districts: 0/10"					
Setback Exceptions and Encroachments	See Sections 3.3.7.3 and 3.3.7.4			See Sections 3.3.7.3 and 3.3.7.4					
PARKING									
C Surface Parking between building and Primary Street/ Side Street	Allowed/Allowed			Allowed, limited to two double loaded aisles within the Build-To range/Allowed					
D Surface Parking Screening	See Article 10, Division 10.5			Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15', following the standards of Article 10, Section 10.5.4.4					
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (See: See Section 3.3.7.6)								
Vehicle Access, all other permitted uses	Access determined at Site Development Plan Review								
DESIGN ELEMENTS	S-MX-2x	S-MX-2	S-MX-3	S-MX-5	S-MX-8	S-MX-12			
BUILDING CONFIGURATION									
E Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	15'/25'	20'/25'	20'/25'	20'/25'			
F Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	na	na	35'/40'	35'/40'	35'/40'			
STREET LEVEL ACTIVATION									
G Transparency, Primary Street (min)	40%* Residential Only Buildings: 30%*								
H Transparency, Side Street (min)	25%*								
Transparency Alternatives	See Section 3.3.6.3								
I Pedestrian Access, Primary Street	Pedestrian Connection								
USES	S-MX-2x, -2, -3, -5, -8, -12								
	(1) All permitted Primary Uses shall be allowed within this building form See Division 4.4 Uses and Parking; and (2) 40% of the street-facing portions of building façade located within 80' of the Primary Street shall be occupied by Street Level active uses as described in Section 3.3.5.3.								

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

[See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions](#)

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**GENERAL (3 OF 3)**

HEIGHT	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
Stories (max)	2	3	5	8	12
Feet (max)	30'	45'	70'	110'	150'
<u>Stories/Feet, with incentives (max)</u>	<u>na</u>	<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>
			<u>See Section 10.12.1</u>		
Feet, within 175' of Protected District (max)	na	na	<u>na</u> <u>75'</u>	75'	75'
Height Exceptions			See Section 3.3.7.1		

SITING	S-MX-2A, -3A, -5A, -8A, -12A									
<b>REQUIRED BUILD-TO</b>										
<b>A</b> Primary Street (min build-to % within min/max range)										
Side Street (min build-to % within min/max range)					na					
Build-to Exceptions and Alternatives					See Sections 3.3.7.2 and 3.3.6.1					
<b>SETBACKS</b>										
Primary Street (min)					0'					
Side Street (min)					0'					
Side Interior (min)					0'					
<b>B</b> Side Interior, adjacent to Protected District (min)					10'					
Rear (min)					0'					
Rear, adjacent to Protected District, alley/no alley (min)					0'/10'					
Setback Exceptions and Encroachments					See Sections 3.3.7.3 and 3.3.7.4					
<b>PARKING</b>										
<b>C</b> Surface Parking between building and Primary Street/ Side Street					Not Allowed/Allowed					
<b>D</b> Surface Parking Screening					See Article 10; Division 10.5					
Vehicle Access, 3 or more side-by-side dwelling units in one structure					From Alley; or Street access allowed when no Alley present (See Section 3.3.7.6)					
Vehicle Access, all other permitted uses					Shall be determined as part of Site Development Plan Review					

DESIGN ELEMENTS	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
<b>BUILDING CONFIGURATION</b>					
<b>E</b> Upper Story setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)					
na					15'/25'
20'/25'					20'/25'
<b>F</b> Upper story setback above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)					
na					35'/40'
35'/40'					35'/40'
<b>STREET LEVEL ACTIVATION</b>					
<b>G</b> Transparency, Primary Street (min)					40%
Residential Only Buildings: 30%					
<b>H</b> Transparency, Side Street (min)					25%
Transparency Alternatives					See Section 3.3.6.3
<b>I</b> Pedestrian Access, Primary Street					Entrance

USES	S-MX-2A, -3A, -5A, -8A, -12A				
(1) All permitted Primary Uses shall be allowed within this building form; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 3.3.5.3.					

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

## SHOPFRONT

	S-MX-2	S-MS-3	S-MS-5	S-MX-8	S-MX-12
	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
	S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A
<b>H E I G H T</b>					
Stories (max)	2	3	5	8	12
A Feet (min/max)	na/30'	na/45'	24'/70'	24'/110'	24'/150'
<u>Stories/Feet, with incentives (max)</u>	<u>na</u>	<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>
<u>Feet, within 175' of Protected District (max)</u>	<u>na</u>	<u>na</u>	<u>75'</u>	<u>na</u>	<u>na</u>
Height Exceptions				See Section 3.3.7.1	
<b>S I T I N G</b>	S-MX-2	S-MS-3	S-MS-5	S-MX-8	S-MX-12
<b>REQUIRED BUILD TO</b>	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A	
B Primary Street (min build-to % within min/max range)			75%		
			0'/5' Residential Only Buildings: 0'/10'		
C Side Street (min build-to % within min/max range)			25%		
			0'/5' Residential Only Buildings: 0'/10'		
Build-to Exceptions and Alternatives				See Sections 3.3.7.2 and 3.3.6.1	
<b>SETBACKS</b>					
Primary Street (min)			0'		
Side Street (min)			0'		
Side Interior (min)			0'		
D Side interior, adjacent to Protected District (min)			10'		
Rear, (min)			0'		
Rear, adjacent to Protected District, alley/no alley (min)			S-MX-2x: 12'/20'		
			All Other Zone Districts: 0'/10'		
Setback Exceptions and Encroachments				See Sections 3.3.7.3 and 3.3.7.4	
<b>PARKING</b>					
Surface Parking between building and Primary Street/Side Street			Not Allowed (Sec. 3.3.5.1)	Not Allowed (Sec. 3.3.5.1)	
Vehicle Access, 3 or more side-by-side dwelling units in one structure			From Alley; or Street access allowed when no Alley present	(Sec. 3.3.7.6)	
Vehicle Access, all other permitted uses				Access determined at Site Development Plan Review	
E Surface Parking Screening				See Article 10, Division 10.5	
<b>D E S I G N E L E M E N T S</b>	S-MX-2	S-MS-3	S-MS-5	S-MX-8	S-MX-12
<b>BUILDING CONFIGURATION</b>	S-MX-2x	S-MX-3	S-MX-5	S-MX-8	S-MX-12
S-MX-2A	S-MX-3A	S-MX-5A	S-MX-8A	S-MX-12A	
F Primary Street Upper Story Setback above 5 stories or 70'(min) See Section 3.3.6.2 for Alternative	na	na	na	20'	20'
G Upper Story Setback above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	15'/25'	20'/25'	20'/25'	20'/25'
H Upper story setback above 51' adjacent to Protected District: Rear, alley/no alley and Side Interior (min)	na	na	35'/40'	35'/40'	35'/40'
<b>STREET LEVEL ACTIVATION</b>					
I Transparency, Primary Street (min)			60%	Residential Only Buildings: 40%	
J Transparency, Side Street (min)			25%		
Transparency Alternatives				See Section 3.3.6.3	
K Pedestrian Access, Primary Street				Entrance	
<b>U S E S</b>				All S-MS and S-MX Zone Districts	
				(1) All permitted Primary Uses shall be allowed within this building form. See Division 3.4 <b>Uses and Parking</b> ; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 3.3.5.3.	

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

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June 25, 2010 | Republished July 1, 2021

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- C. These standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts.
- D. The regulations provide certainty a consistent framework to property owners, developers, and neighborhoods residents about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns, encourage affordable housing, and accommodate reinvestment in residential districts existing neighborhoods while accommodating reinvestment.

#### **4.2.2.2 Specific Intent**

##### **A. Single Unit A (E-SU-A)**

E-SU-A is a single unit district allowing only urban houses with a minimum zone lot area of 3,000 square feet. This district requires the shallowest setbacks and highest lot coverage in the Urban Edge Neighborhood Context.

##### **B. Single Unit B (E-SU-B)**

E-SU-B is a single unit district allowing only urban houses with a minimum zone lot area of 4,500 square feet.

##### **C. Single Unit B1 (E-SU-B1)**

E-SU-B1 is a single unit district allowing only urban houses and detached accessory dwelling units with a minimum zone lot area of 4,500 square feet.

##### **D. Single Unit D (E-SU-D)**

E-SU-D is a single unit district allowing only urban houses with a minimum zone lot area of 6,000 square feet.

##### **E. Single Unit Dx (E-SU-Dx)**

E-SU-Dx is a single unit district allowing suburban and urban houses with a minimum zone lot area of 6,000 square feet.

##### **F. Single Unit D1 (E-SU-D1)**

E-SU-D1 is a single unit district allowing only urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet.

##### **G. Single Unit D1x (E-SU-D1x)**

E-SU-D1x is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard.

##### **H. Single Unit G (E-SU-G)**

E-SU-G is a single unit district allowing suburban and urban houses with a minimum zone lot area of 9,000 square feet. The wider lots result in the largest side setbacks in the Urban Edge Neighborhood Context.

##### **I. Single Unit G1 (E-SU-G1)**

E-SU-G1 is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum lot area of 9,000 square feet. Setbacks accommodate front and side yards similar to E-SU-G and allow an detached accessory dwelling unit in the rear yard.

##### **J. Two Unit B (E-TU-B)**

E-TU-B allows up to two units on a minimum zone lot area of 4,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms.

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**K. Two Unit C (E-TU-C)**

E-TU-C allows up to two units on a minimum zone lot area of 5,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms.

**L. Row House 2.5 (E-RH-2.5)**

E-RH-2.5 is a multi unit district and allows suburban house, urban house, detached accessory dwelling unit, duplex, tandem house and row house building forms up to two and a half stories in height.

**M. Multi Unit 2.5 (E-MU-2.5)**

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

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

### **4.2.3.1 General Purpose**

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

### **4.2.3.2 Specific Intent**

**A. Commercial Corridor – 3 (E-CC-3)**

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

**B. Commercial Corridor – 3x (E-CC-3x)**

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

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

### **4.2.4.1 General Purpose**

- A. The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods.
- B. There is a diverse menu of Mixed Use zone districts in the Urban Edge Neighborhood Context to recognize the diverse pattern of mixed use places in these neighborhoods.
- C. The Mixed Use districts are appropriate along corridors, embedded in neighborhoods and on large sites.

- D. The building form standards of the Mixed Use zone districts balance the importance of street presence and provision of parking through build-to requirements, Street Level activation and parking lot screening along the right-of-way. Predictable flexibility in building form options recognizes the varied development pattern of Urban Edge Neighborhoods.
- E. The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.

#### **4.2.4.2 Specific Intent**

##### **A. Mixed Use – 2 (E-MX-2)**

E-MX-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

##### **B. Mixed Use- 2A (E-MX-2A)**

E-MX-2A applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

##### **C. Mixed Use - 2x (E-MX-2x)**

E-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

##### **D. Mixed Use – 3 (E-MX-3)**

E-MX-3 applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

##### **E. Mixed Use - 3A (E-MX-3A)**

E-MX-3A applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

### **SECTION 4.2.5 RESIDENTIAL MIXED USE DISTRICTS (E-RX-3, -5)**

#### **4.2.5.1 General Purpose**

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

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access goods and services within walking distance. Buildings in a Residential Mixed Use district can have non-residential uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

#### **4.2.5.2 Specific Intent**

##### **A. Residential Mixed Use – 3 (E-RX-3)**

E-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

##### **B. Residential Mixed Use – 5 (E-RX-5)**

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

### **SECTION 4.2.6 MAIN STREET DISTRICTS (E-MS-2, -2X, -3, -5)**

#### **4.2.6.1 General Purpose**

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.
- F. In the Urban Edge Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.
- G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and building coverage is significant.

#### **4.2.6.2 Specific Intent**

##### **A. Main Street 2 (E-MS-2)**

E-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The E-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located directly within a residential neighborhood.

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## **DIVISION 4.3 DESIGN STANDARDS**

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

### **SECTION 4.3.1 GENERAL INTENT**

The Intent of this Division 4.3 Design Standards are to:

- 4.3.1.1 Implement the Denver Comprehensive Plan.
- 4.3.1.2 Implement the zone district's Intent and Purpose
- 4.3.1.3 To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 4.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.
- 4.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
- 4.3.1.6 Give prominence to pedestrian realm as a defining element of neighborhood character.
- 4.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
- 4.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
- 4.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
- 4.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
- 4.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
- 4.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

### **SECTION 4.3.2 BUILDING FORM INTENT**

#### **4.3.2.1 Height**

- A. Encourage buildings whose forms are responsive to evolving nodes of mixed-use, pedestrian and transit activity as well as the surrounding context.
- B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
- C. Allow flexibility in height for buildings that provide additional affordable housing.

#### **4.3.2.2 Siting**

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

- 1. Provide a more consistent street edge to enhance the character, quality and accessibility of the context.

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**GENERAL (1 OF 2)**

<b>HEIGHT</b>		E-CC-3, -3x	
Stories (max)	3		
Feet (max)	45'		
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u>		<u>See Section 10.12.1</u>
Height Exceptions		See Section 4.3.7.1	
<b>SITING</b>		E-CC-3, -3x	E-CC-3, -3x
RESTRICTION		Option A	Option B
	na	Allowed only if Street Level GFA is greater than 20,000 sf	
<b>REQUIRED BUILD-TO</b>			
A Primary Street (min build-to % within min/max range)	50% 0'/80'	na	
Build-to Exceptions and Alternatives	See Sections 4.3.7.2 and 4.3.6.1	na	
<b>SETBACKS</b>			
Primary Street (min)	0'	0'	
Side Street (min)	0'	0'	
Side Interior (min)	0'	0'	
B Side Interior, adjacent to Protected District (min)	10'	10'	
Rear (min)	0'	0'	
Rear, adjacent to Protected District , alley/no alley (min)	0'/10'	0'/10'	
Setback Exceptions and Encroachments		See Sections 4.3.7.3 and 4.3.7.4	
<b>PARKING</b>			
C Surface Parking between building and Primary Street/ Side Street		Allowed/Allowed	
D Surface Parking Screening		See Article 10, Division 10.5	
Vehicle Access, 3 or more side-by-side dwelling units in one structure		From Alley; or Street access allowed when no Alley present (See: See Section 4.3.7.6)	
Vehicle Access, all other permitted uses		Access determined at Site Development Plan	
<b>DESIGN ELEMENTS</b>		E-CC-3, -3x	E-CC-3, -3x
BUILDING CONFIGURATION		Option A	Option B
E Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'	
<b>STREET LEVEL ACTIVATION</b>			
F Transparency, Primary Street (min)	40%	40%*	
	Residential Only Buildings:	Residential Only Buildings:	
	30%	30%*	
G Transparency, Side Street (min)	25%	25%*	
Transparency Alternatives		See Section 4.3.6.2	
H Pedestrian Access, Primary Street		Pedestrian Connection	
<b>USES</b>		E-CC-3, -3x	
		All permitted Primary Uses shall be allowed within this building form. See Division 4.4 <u>Uses and Parking</u>	

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

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

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**GENERAL (2 OF 2)**

HEIGHT	E-MX-2, -2A, -2x	E-MX-3, -3A
Stories (max)	2	3
Feet (max)	30'	45'
<u>Stories/Feet, with incentives (max)</u>	<u>na</u>	<u>4/55'</u> <u>See Section 10.12.1</u>
SITING	E-MX-2, -2A, -2x	E-MX-2, -2A, -2x
REQUIRED BUILD-TO	E-MX-3, -3A	E-MX-3, -3A
<b>A</b> Primary Street (min build-to % within min/max range)	70% 0'/15'	70% 0'/15'
<b>B</b> Side Street (min build-to % within min/max range)	na	na
SETBACKS	Option A	Option B
Primary Street (min)	0'	0'
Side Street (min)	0'	0'
Side Interior (min)	0'	0'
<b>C</b> Side Interior, adjacent to Protected District (min)	E-MX-2x: 5' 10'	10'
Rear (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	E-MX-2x, E-MS-2x: 12'/20' All Other Zone Districts: 0'/10'	
PARKING	Not Allowed/ Allowed	Not Allowed/ Allowed
<b>D</b> Surface Parking between building and Primary Street/ Side Street	Not Allowed/ Allowed	Not Allowed/ Allowed
<b>E</b> Surface Parking Screening	See Article 10, Division 10.5	
Vehicle Access	Access determined at Site Development Plan	
DESIGN ELEMENTS	E-MX-2, -2A, -2x	E-MX-2, -2A, -2x
BUILDING CONFIGURATION	E-MX-3, -3A	E-MX-3, -3A
Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA	
<b>F</b> Overall Structure Length, Primary Street (max)	na	150'
Upper Story Setback Above 27', adjacent to Protected	MX-3, -3A Only: 15'/25'	MX-3, -3A Only: 15'/25'
<b>G</b> District: Rear, alley/ Rear, no alley and Side interior (min)		
STREET LEVEL ACTIVATION	Option A	Option B
<b>H</b> Transparency, Primary Street (min)	40%	40%
<b>I</b> Transparency, Side Street (min)	25%	25%
<b>J</b> Pedestrian Access, Primary Street	Entrance	Entrance or Pedestrian Connection
USES	E-MX-2x, -2A, -2, -3, -3A	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 4.4 <b>Uses and Parking</b> ; and (2) 40% of the street-facing portions of building façade located within 80' of the Primary Street shall be occupied by Street Level active uses as described in Section 4.3.5.4.		

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

## SHOPFRONT

		E-MS-2x E-MS-2 E-MX-2x E-MX-2A E-MS-3 E-MX-3A E-MS-5					
HEIGHT		E-RX-3	E-RX-5	E-MX-2	E-MX-3	E-MX-3A	E-MS-5
Stories (max)		3	5	2	3		5
A Feet (min/max)		na/45'	na/70'	na/30'	na/45'	24'/70'	
<u>Stories/Feet, with incentives (max)</u>		<u>4/55'</u>	<u>7/95'</u>	<u>na</u>	<u>4/55'</u>	<u>7/95'</u>	
<u>Feet, within 175' of Protected District (max)</u>		<u>na</u>	<u>75'</u>	<u>na</u>	<u>na</u>	<u>75'</u>	

SITING		E-RX-3	E-RX-5	All E-MS and E-MX districts		
<b>REQUIRED BUILD-TO</b>						
B Primary Street (min build-to % within min/max range)		70% 0'/15'	70% 0'/15'			75% 0'/5' Residential Only Buildings: 0'/10'
C Side Street (min build-to % within min/max range)		na	na			25% 0'/5' Residential Only Buildings: 0'/10'
<b>SETBACKS</b>						
Primary Street (min)		0'	0'			0'
Side Street (min)		0'	0'			0'
Side Interior (min)		0'	0'			0'
D Side Interior, adjacent to Protected District (min)		10'	10'			E-MS-2x: 5' 10'
Rear (min)		0'	0'			0'
Rear, adjacent to Protected District, alley/no alley (min)		0'/10'	0'/10'			E-MS-2x, E-MX-2x: 12'/20' All Other Zone Districts: 0'/10'
<b>PARKING</b>						
Surface Parking between building and Primary Street/Side Street						Not Allowed /Not Allowed
Vehicle Access						Shall be determined as part of Site Development Plan Review

		E-MS-2x E-MS-2 E-MX-2x E-MX-2A E-MS-3 E-MX-3A E-MS-5					
BUILDING CONFIGURATION		E-RX-3	E-RX-5	E-MX-2	E-MX-3	E-MX-3A	E-MS-5
<b>BUILDING CONFIGURATION</b>							
Dwelling Unit Configuration							Structure may contain Side-by-Side Dwelling Units
F Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)		15'/25'	20'/25'	na	15'/25'		Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/ Rear, no alley and Side Interior (min)		na	35'/40'	na	na		20'/25'
<b>STREET LEVEL ACTIVATION</b>							
H Transparency, Primary Street (min)			60% Residential Only Buildings: 40%				60% Residential Only Buildings: 40%
I Transparency, Side Street (min)			25%				25%
J Pedestrian Access, Primary Street						Entrance	
USES		All E-RX Districts			All E-MS and E-MX Districts		
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)			na				100%
Permitted Primary Uses		All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max					All permitted Primary Uses shall be allowed within this building form. See Division 4.4 <b>Uses and Parking</b>

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

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June 25, 2010 | Republished July 1, 2021

| 4.3-33

## DZC TEXT AMENDMENT – EXPANDING HOUSING AFFORDABILITY LUTI DRAFT – 04/19/2022

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	APPLI-CABLE USE LIMITA-TIONS									
	•Vehicle Parking Reqmt: # spaces per unit of measurement	E-SU-A E-SU-B E-SU-B1									
	•Bicycle Parking Reqmt : # spaces per unit of measurement (% Required)	E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x	E-RH- 2.5		E-MX- 2x	E-MX- 2A	E-MX-				
	Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-G E-SU-G1	E-TU-B E-TU-C	E-MU- 2.5	E-RX-3 E-RX-5	E-MS- E-CC-3x	E-MX-2 E-CC-3	3A 2x	E-MS-3 E-MS-2	E-MS-3 E-MX-3	E-MS-5

## ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

Unlisted Accessory Uses		L - Applicable to all Zone Districts										§ 11.7
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Accessory Dwelling Unit	E-SU- <u>B1</u> , <u>-D1</u> , -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7, § 11.8.2
	Domestic Employee	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.3
	Garden*	L	L	L	L	L	L	L	L	L	L	§ 11.7, § 11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§ 11.7; § 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						§ 11.7; § 11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	§ 11.7; § 11.8.9
	Short-term Rental	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.10
Vehicle Storage, Repair and Maintenance*		L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
Wind Energy Conversion Systems*		L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	Not Applicable - See Permitted Primary Uses						§ 11.7, § 11.5.13
Yard or Garage Sales*		L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.11

## HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

promote existing and future patterns of lower scale multi unit building forms that address the street in the same manner as an urban house building form.

- C. These standards recognize common residential characteristics within the Urban Neighborhood Context but accommodate variation by providing eleven Residential Zone Districts.
- D. The regulations provide certainty a consistent framework to property owners, developers, and neighborhoods residents about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns, encourage affordable housing, and accommodate reinvestment in residential districts existing neighborhoods while accommodating reinvestment.

### **5.2.2.2 Specific Intent**

#### **A. Single Unit A (U-SU-A)**

U-SU-A is a single unit district allowing urban houses with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context.

#### **B. Single Unit A1 (U-SU-A1)**

U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard.

#### **C. Single Unit A2 (U-SU-A2)**

U-SU-A2 is a single unit district allowing urban houses with a minimum zone lot area of 3,000 square feet. Detached accessory dwelling units, duplexes and tandem houses are also allowed on certain corner lots only. Blocks typically have a pattern of 25 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A.

#### **D. Single Unit B (U-SU-B)**

U-SU-B is a single unit district allowing urban houses with a minimum zone lot area of 4,500 square feet. Blocks typically have a pattern of 37.5 foot wide lots.

#### **E. Single Unit B1 (U-SU-B1)**

U-SU-B1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 4,500 square feet. Blocks typically have a pattern of 37.5 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-B but allowing a detached accessory dwelling unit building form in the rear yard.

#### **F. Single Unit B2 (U-SU-B2)**

U-SU-B2 is a single unit district allowing urban houses with a minimum zone lot area of 4,500 square feet. Detached accessory dwelling units, duplexes and tandem houses are also allowed on certain corner lots. Blocks typically have a pattern of 37.5 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-B.

#### **G. Single Unit C (U-SU-C)**

U-SU-C is a single unit district allowing urban houses with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50 foot wide lots.

#### **H. Single Unit C1 (U-SU-C1)**

U-SU-C1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C but allowing a detached accessory dwelling unit building form in the rear yard.

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

### 5.2.3.1 General Purpose

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

### 5.2.3.2 Specific Intent

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

## SECTION 5.2.4 RESIDENTIAL MIXED USE DISTRICTS (U-RX-3, -5)

### 5.2.4.1 General Purpose

- A. The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.
- B. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.
- C. The Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.

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D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have commercial uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

#### **5.2.4.2 Specific Intent**

**A. Residential Mixed Use – 3 (U-RX-3)**

U-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

**B. Residential Mixed Use – 5 (U-RX-5)**

U-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 5 stories is desired.

### **SECTION 5.2.5 MAIN STREET DISTRICTS (U-MS-2, -2X, -3, -5)**

#### **5.2.5.1 General Purpose**

A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through building forms that clearly define and activate the public street edge.

B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.

F. In the Urban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

#### **5.2.5.2 Specific Intent**

**A. Main Street 2 (U-MS-2)**

U-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The U-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located within a residential neighborhood.

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## **DIVISION 5.3 DESIGN STANDARDS**

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

### **SECTION 5.3.1 GENERAL INTENT**

The Intent of this Division 5.3 Design Standards are to:

- 5.3.1.1 Implement the Denver Comprehensive Plan.
- 5.3.1.2 Implement the zone district's Intent and Purpose
- 5.3.1.3 To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 5.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
- 5.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
- 5.3.1.6 Give prominence to the pedestrian realm as a defining element of neighborhood character.
- 5.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
- 5.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
- 5.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
- 5.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
- 5.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
- 5.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

### **SECTION 5.3.2 BUILDING FORM INTENT**

#### **5.3.2.1 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. Allow flexibility in height for buildings that provide additional affordable housing.

#### **5.3.2.2 Siting**

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

- 1. Provide a consistent street edge to enhance character of the urban context.
- 2. Define streets to promote pedestrian activity and sense of place.

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**GENERAL**

<b>HEIGHT</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
Stories (max)	2	3
Feet (max)	30'	45'
<u>Stories/Feet, with incentives (max)</u>	<u>na</u>	<u>4/55'</u> <u>See Section 10.12.1</u>

<b>SITING</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
<b>REQUIRED BUILD-TO</b>		
A Primary Street (min build-to % within min/max range)	70% 0'/15'	70% 0'/15'
Side Street (min build-to % within min/max range)	na	na
<b>SETBACKS</b>		
Primary Street (min)	0'	0'
Side Street (min)	0'	0'
Side Interior (min)	0'	0'
B Side Interior, adjacent to Protected District (min)	U-MX-2x: 5' 10'	10'
Rear, alley and no alley (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	U-MX-2x: 12'/20' All Other Zone Districts: 0'/10'	0'/10'
<b>PARKING</b>		
C Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	
D Surface Parking Screening	See Article 10, Division 10.5	
Vehicle Access	Shall be determined as part of Site Development Plan Review	

<b>DESIGN ELEMENTS</b>	<b>U-MX-2, -2x</b>	<b>U-MX-3</b>
<b>BUILDING CONFIGURATION</b>		
Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA	
E Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	15'/25'
<b>STREET LEVEL ACTIVATION</b>		
F Transparency, Primary Street (min)	40%	40%
G Transparency, Side Street (min)	25%	25%
Transparency Alternatives	See Section 5.3.6.2	
H Pedestrian Access, Primary Street	Entrance All U-MX	
<b>USES</b>		
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	40%	
Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form. See Division 5.4 <b>Uses and Parking</b> .	
See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

## SHOPFRONT

		U-MS-2 U-MS-2x U-MX-2 U-MX-2x U-MS-3 U-MX-3 U-MS-5							
HEIGHT		U-RX-3	U-RX-5	2	3	5			
Stories (max)		3	5	2	3	5			
A Feet (min/max)		na/45'	na/70'	na/30'	na/45'	24'/70'			
Stories/Feet, with incentives (max)		4/55'	7/95'	na	4/55'	7/95'			
Feet, within 175' of Protected District (max)		na	75'	na	na	75'			
SITING		U-MS-2 U-MS-2x U-MX-2 U-MX-2x U-MS-3 U-MX-3 U-MS-5							
REQUIRED BUILD-TO		U-RX-3	U-RX-5	U-MX-2x	U-MX-3	U-MS-5			
B Primary Street (min build-to % within min/max range)		70% 0'/15'	70% 0'/15'	75% 0'/5' Residential Only Buildings: 0'/10'					
C Side Street (min build-to % within min/max range)		na	na	25% 0'/5' Residential Only Buildings: 0'/10'					
SETBACKS		U-MS-2x, U-MX-2x: 5' All Other Zone Districts: 10'							
Primary Street (min)		0'	0'	0'	0'	0'			
Side Street (min)		0'	0'	0'	0'	0'			
Side Interior (min)		0'	0'	0'	0'	0'			
D Side Interior, adjacent to Protected District (min)		10'	10'	U-MS-2x, U-MX-2x: 5' All Other Zone Districts: 10'					
Rear, alley and no alley (min)		0'	0'	0'	0'	0'			
Rear, adjacent to Protected District , alley/no alley (min)		0'/10'	0'/10'	U-MS-2x, U-MX-2x: 12'/20' All Other Zone Districts: 0'/10'					
PARKING		0'/10'							
Surface Parking between building and Primary Street/Side Street		Not Allowed/Not Allowed							
E Surface Parking Screening Vehicle Access		See Article 10, Division 10.5 Shall be determined as part of Site Development Plan Review							
DESIGN ELEMENTS		U-RX-3	U-RX-5	U-MX-2x	U-MX-3	U-MS-5			
BUILDING CONFIGURATION		U-MS-2 U-MS-2x U-MX-2 U-MX-2x U-MS-3 U-MX-3 U-MS-5							
Dwelling Unit Configuration		Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA							
F Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)		15'/25'	20'/25'	na	15'/25'	20'/25'			
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)		na	35'/40'	na	na	35'/40'			
STREET LEVEL ACTIVATION		60%, Residential Only Buildings: 40% 25% Entrance							
H Transparency, Primary Street (min)		60%, Residential Only Buildings: 40%							
I Transparency, Side Street (min)		25%							
J Pedestrian Access, Primary Street		Entrance							
USES		All U-RX Zone Districts			All U-MS and U-MX Zone Districts				
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)		na			100%				
		All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodg- ing Accommodations Uses Only; and (2) Buildings with No Resi- dential or Lodging Accommo- dation Uses: 10,000 sf GFA max. See Division 5.4 <a href="#">Uses and Parking</a>							

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

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

### SECTION 6.2.1 DISTRICTS ESTABLISHED

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

#### General Urban Neighborhood Context

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

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

#### 6.2.2.1 General Purpose

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

### 6.2.2.2 Specific Intent

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

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

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

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

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

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

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

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

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

G-MU-12 is a multi unit district allowing urban house, duplex, row house, town house, and apartment building forms. The tallest building form has a maximum height of twelve stories.

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

G-MU-20 is a multi unit district allowing urban house, duplex, row house, town house, and apartment building forms. The tallest building form has a maximum height of twenty stories.

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

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

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

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

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

### 6.2.3.1 General Purpose

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

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districts. The required percentage of building facade that must be located in the front setback is less) than the percentage for the Main Street districts. The maximum building coverage is the same as the maximum building coverage for the Main Street districts.

### **6.2.3.2 Specific Intent**

#### **A. Mixed Use – 3 (G-MX-3)**

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

## **SECTION 6.2.4 RESIDENTIAL MIXED USE DISTRICTS (G-RX-3, -5)**

### **6.2.4.1 General Purpose**

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

### **6.2.4.2 Specific Intent**

#### **A. Residential Mixed Use 3 (G-RX-3)**

G-RX-3 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

#### **B. Residential Mixed Use 5 (G-RX-5)**

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

## **SECTION 6.2.5 MAIN STREET DISTRICTS (G-MS-3, -5)**

### **6.2.5.1 General Purpose**

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge.
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.

- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.
- F. In the General Urban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.
- G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

#### **6.2.5.2 Specific Intent**

##### **A. Main Street 3 (G-MS-3)**

G-MS-3 applies primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.

##### **B. Main Street 5 (G-MS-5)**

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

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## DIVISION 6.3 DESIGN STANDARDS

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

### SECTION 6.3.1 GENERAL INTENT

The Intent of this Division 6.3 Design Standards are to:

- 6.3.1.1 Implement the Denver Comprehensive Plan.
- 6.3.1.2 Implement the zone district's Intent and Purpose
- 6.3.1.3 To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 6.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
- 6.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
- 6.3.1.6 Give prominence to pedestrian realm as a defining element of neighborhood character.
- 6.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
- 6.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
- 6.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
- 6.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
- 6.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
- 6.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

### SECTION 6.3.2 BUILDING FORM INTENT

The intent of the Building Form Design Standards are to:

#### 6.3.2.1 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. Allow flexibility in height for buildings that provide additional affordable housing.

#### 6.3.2.2 Siting

##### A. Required Build-To

- 1. Provide a consistent street edge to enhance character of the context.
- 2. Define streets to promote pedestrian activity and sense of place.

## APARTMENT

HEIGHT		G-RO-3 G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
A Stories (max)		3	5	5	8	12	20
A Feet (max)		40'	65'	65'	100'	140'	230'
<u>Stories/Feet, with incentives (max)</u>		<u>4/50'</u>	<u>7/90'</u>	<u>7/90'</u>	<u>12/140'</u>	<u>16/185'</u>	<u>30/340'</u>
Feet, within 175' of Protected District (max)		na	na 75'	na 75'	75'	75'	75'
SITING		G-RO-3 G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
ZONE LOT							
Zone Lot Size (min)		6,000 sf	6,000 sf	6,000 sf	6,000 sf	6,000 sf	6,000 sf
Zone Lot Width (min)		50'	50'	50'	50'	50'	50'
REQUIRED BUILD-TO							
B Primary Street (min % within min/max)		60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'
Exception from required Build-to		See Section 6.3.7.2					
SETBACKS							
C Primary Street (min)		Calculated per <u>Sec: Section</u> 13.1.5.9 or 20', whichever is less	10'	10'	10'	10'	10'
D Side Street (min)		5'	5'	5'	5'	5'	5'
E Side Interior (min)		7.5'	7.5'	7.5'	7.5'	7.5'	7.5'
Side Interior, adjacent to Protected District (min)		10'	10'	10'	10'	10'	10'
F Rear, alley/no alley (min)		10'/20'	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'
PARKING							
Surface Parking between Building and Primary Street/Side Street		Not Allowed/Allowed					
Vehicle Access, all other permitted uses		Shall be determined as part of Site Development Plan Review					
DESIGN ELEMENTS		G-RO-3 G-MU-3	G-MU-5	G-RO-5	G-MU-8	G-MU-12	G-MU-20
BUILDING CONFIGURATION							
Dwelling Unit Configuration		Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA					
Street-facing Garage Door Width per Primary Structure (max)		20'	20'	20'	20'	20'	20'
Upper Story Setback Above 40', Side Interior (min)		na	15'	na	na	na	na
G Upper Story Setback Above 51', Side Interior (min)		na	na	15'	15'	15'	15'
H Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior (min)		na	na	na	20'/30'	20'/30'	20'/30'
I Upper Story Setback Above 27', adjacent to Protected District: Side Interior (min)		25'	25'	25'	25'	25'	25'
J Upper Story Setback Above 51', adjacent to Protected District: Side Interior (min)		na	40'	40'	40'	40'	40'
Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)		na	30'/40'	30'/40'	30'/40'	30'/40'	30'/40'
STREET LEVEL ACTIVATION							
K Transparency, Primary Street (min)		40%	40%	40%	40%	40%	40%
L Transparency, Side Street (min)		25%	25%	25%	25%	25%	25%
M Pedestrian Access, Primary Street		Entrance All G-MU and G-RO					
USES		Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Congregate Living, Residential Care, and Nonresidential uses. See Division 6.4 <u>Uses and Parking</u>					

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

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**GENERAL**

<b>HEIGHT</b>	<b>G-MX-3</b>
Stories (max)	3
Feet (max)	45'
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u> <u>See Section 10.12.1</u>

<b>SITING</b>	<b>G-MX-3</b>
<b>REQUIRED BUILD-TO</b>	
<b>A</b> Primary Street (min build-to % within min/max range)	70% 0'/10'
<b>SETBACKS</b>	
Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	0'
<b>B</b> Side Interior, adjacent to Protected District (min)	10'
Rear, alley and no alley (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'
<b>PARKING</b>	
<b>C</b> Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
<b>D</b> Surface Parking Screening	See <a href="#">Article 10</a> , Division 10.5
Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review

<b>DESIGN ELEMENTS</b>	<b>G-MX-3</b>
<b>BUILDING CONFIGURATION</b>	
Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA
<b>E</b> Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	
<b>F</b> Transparency, Primary Street (min)	15'/25'
<b>G</b> Transparency, Side Street (min)	40%
<b>H</b> Pedestrian Access, Primary Street	25%
<b>I</b> Pedestrian Access, Side Street	Entrance
<b>STREET LEVEL ACTIVATION</b>	
<b>F</b> Transparency, Primary Street (min)	40%
<b>G</b> Transparency, Side Street (min)	25%
<b>H</b> Pedestrian Access, Primary Street	Entrance

<b>USES</b>	<b>G-MX-3</b>
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	40%
Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form. See Division 6.4 <a href="#">Uses and Parking</a>

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

## SHOPFRONT

HEIGHT		G-RX-3	G-RX-5	G-MS-3	G-MX-3	G-MS-5
Stories (max)	3	5	3	3	5	
A Feet (min/max)	na/45'	na/70'	na/45'	na/45'	24'/70'	
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u>	<u>7/95'</u>	<u>4/55'</u>	<u>See Section 10.12.1</u>	<u>7/95'</u>	
Feet, within 175' of Protected District (max)	na	75'	na			75'

SITING		G-RX-3	G-RX-5	G-MS-3	G-MX-3	G-MS-5
<b>REQUIRED BUILD-TO</b>						
B Primary Street (min build-to % within min/max range)	75% 0'/10'	75% 0'/10'		75%	0'/5' Residential Only Buildings: 0'/10'	
C Side Street (min build-to % within min/max range)	na	na		25%	0'/5' Residential Only Buildings: 0'/10'	
<b>SETBACKS</b>						
Primary Street (min)	0'	0'	0'	0'	0'	0'
Side Street (min)	0'	0'	0'	0'	0'	0'
Side Interior (min)	0'	0'	0'	0'	0'	0'
D Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
Rear (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
<b>PARKING</b>						
Surface Parking between building and Primary Street/Side Street			Not Allowed/Not Allowed			
E Surface Parking Screening		See Article 10, Division 10.5				
Vehicle Access, all other permitted uses		Shall be determined as part of Site Development Plan Review				

DESIGN ELEMENTS		G-RX-3	G-RX-5	G-MS-3	G-MX-3	G-MS-5
<b>BUILDING CONFIGURATION</b>						
Dwelling Unit Configuration			Structure may contain Side-by-Side Dwelling Units			
			Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA			
F Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	15'/25'	20'/25'		
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	na	35'/40'		
<b>STREET LEVEL ACTIVATION</b>						
H Transparency, Primary Street (min)			60%	Residential Only Buildings: 40%		
I Transparency, Side Street (min)			25%			
J Pedestrian Access, Primary Street			Entrance			

USES		All G-RX Districts	G-MS-3, -5 and G-MX-3
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)		na	100%
Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max	All permitted Primary Uses shall be allowed within this building form. See Division 6.4 <a href="#">Uses and Parking</a>	

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

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

### SECTION 7.2.1 DISTRICTS ESTABLISHED

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

#### Urban Center Neighborhood Context

C-MX-3	Mixed Use 3
C-MX-5	Mixed Use 5
C-MX-8	Mixed Use 8
C-MX-12	Mixed Use 12
C-MX-16	Mixed Use 16
C-MX-20	Mixed Use 20
C-RX-5	Residential Mixed Use 5
C-RX-8	Residential Mixed Use 8
C-RX-12	Residential Mixed Use 12
C-MS-5	Main Street 5
C-MS-8	Main Street 8
C-MS-12	Main Street 12
C-CCN-3	Cherry Creek North 3
C-CCN-4	Cherry Creek North 4
C-CCN-5	Cherry Creek North 5
C-CCN-7	Cherry Creek North 7
C-CCN-8	Cherry Creek North 8
C-CCN-12	Cherry Creek North 12

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

#### 7.2.2.1 General Purpose

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

### 7.2.2.2 Specific Intent

#### A. Mixed Use – 3 (C-MX-3)

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

#### B. Mixed Use – 5 (C-MX-5)

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

#### C. Mixed Use – 8 (C-MX-8)

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

#### D. Mixed Use – 12 (C-MX-12)

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

#### E. Mixed Use – 16 (C-MX-16)

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

#### F. Mixed Use – 20 (C-MX-20)

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

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

### 7.2.3.1 General Purpose

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

### 7.2.3.2 Specific Intent

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

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

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

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

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

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

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

### **7.2.4.1 General Purpose**

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

### **7.2.4.2 Specific Intent**

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

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

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

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

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

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

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## **DIVISION 7.3 DESIGN STANDARDS**

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

### **SECTION 7.3.1 GENERAL INTENT**

The Intent of this Division 7.3 Design Standards are to:

- 7.3.1.1 Implement the Denver Comprehensive Plan.
- 7.3.1.2 Implement the zone district's Intent and Purpose
- 7.3.1.3 To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 7.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
- 7.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
- 7.3.1.6 Give prominence to pedestrian realm as a defining element of neighborhood character.
- 7.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
- 7.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
- 7.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
- 7.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
- 7.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
- 7.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

### **SECTION 7.3.2 BUILDING FORM INTENT**

#### **7.3.2.1 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. Allow flexibility in height for buildings that provide additional affordable housing.

#### **7.3.2.2 Siting**

- A. Required Build-To
  - 1. Provide a consistent street edge to enhance character of the context.

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**GENERAL**

<b>HEIGHT</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20
Stories (max)	3	5	8	12	16	20
Feet (max)	45'	70'	110'	150'	200'	250'
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>	<u>22/275'</u>	<u>30/375'</u>
Feet, within 175' of Protected District (max)	na	na <u>75'</u>	75'	75'	75'	75'

<b>SITING</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20

**REQUIRED BUILD-TO**

A Primary Street (min build-to % within min/max range)	70% 0'/10' Residential Only Buildings: 0'/15'
--	--

**SETBACKS**

Primary Street (min)	0'
Side Street (min)	0'
Side Interior (min)	0'
B Side Interior, adjacent to Protected District (min)	10'
Rear, alley and no alley (min)	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'

**PARKING**

Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed
C Surface Parking Screening Required	See Article 10, Division 10.5
Vehicle Access	Shall be determined as part of Site Development Plan Review

<b>DESIGN ELEMENTS</b>	C-MX-3	C-RX-5	C-RX-8	C-RX-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20

**BUILDING CONFIGURATION**

Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA
D Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'
E Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na

**STREET LEVEL ACTIVATION**

F Transparency, Primary Street (min)	40%
G Transparency, Side Street (min)	25%
H Pedestrian Access, Primary Street	Entrance

<b>USES</b>	All C-MX	All C-RX
	C-MX	C-RX

Street Level Active Uses (min % of Primary Street front-age meeting Build-To requirement)	100%	na
Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form. See Division 7.4 <a href="#">Uses and Parking</a> .	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations uses only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max

See Sections 7.3.5 - 7.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

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June 25, 2010 | Republished July 1, 2021

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**SHOPFRONT**

<b>HEIGHT</b>	C-MX-3	C-MS-5	C-MS-8	C-MS-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20
Stories (max)	3	5	8	12	16	20
<b>A</b> Feet (min/max)	na/45'	24'/70'	24'/110'	24'/150'	24'/200'	24'/250'
<u>Stories/Feet, with incentives (max)</u>	<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>	<u>22/275'</u>	<u>30/375'</u>
<u>See Section 10.12.1</u>						
<u>Feet, within 175' of Protected District (max)</u>	<u>na</u>	<u>75'</u>	<u>na</u>	<u>na</u>	<u>na</u>	<u>na</u>

<b>SITING</b>	C-MX-3	C-MS-5	C-MS-8	C-MS-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20
<b>REQUIRED BUILD-TO</b>						
<b>B</b> Primary Street (min build-to % within min/max range)			75% 0'/5'			
			Residential Only Buildings: 0'/10'			
<b>C</b> Side Street (min build-to % within min/max range)			25% 0'/5'			
			Residential Only Buildings: 0'/10'			
<b>SETBACKS</b>						
Primary Street (min)	0'	0'	0'	0'	0'	0'
Side Street (min)	0'	0'	0'	0'	0'	0'
Side Interior (min)	0'	0'	0'	0'	0'	0'
<b>D</b> Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
<b>PARKING</b>						
Surface Parking between building and Primary Street/Side Street			Not Allowed/Not Allowed			
<b>E</b> Surface Parking Screening Required			See Article 10, Division 10.5			
Vehicle Access			Shall be determined as part of Site Development Plan Review			

<b>DESIGN ELEMENTS</b>	C-MX-3	C-MS-5	C-MS-8	C-MS-12	C-MX-16	C-MX-20
	C-MX-3	C-MX-5	C-MX-8	C-MX-12	C-MX-16	C-MX-20
<b>BUILDING CONFIGURATION</b>						
Dwelling Unit Configuration			Structure may contain Side-by-Side Dwelling Units			
			Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA			
<b>F</b> Primary Street Upper Story Setback above 5 stories or 70' (min) See Section 7.3.6.2 for Alternative	na	na	20'	20'	20'	20'
<b>G</b> Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
<b>H</b> Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
<b>STREET LEVEL ACTIVATION</b>						
<b>I</b> Transparency, Primary Street (min)			60%			
			Residential Only Buildings: 40%			
<b>J</b> Transparency, Side Street (min)	25%	25%	30%	30%	30%	30%
<b>K</b> Pedestrian Access, Primary Street			Entrance			

<b>USES</b>	All C-MS and C-MX
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	100%
Permitted Primary Uses	All permitted Primary Uses shall be allowed within this building form. See Division 7.4 <b>Uses and Parking</b> .

See Sections 7.3.5 - 7.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

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**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. Basic Maximum Gross Floor Area Ratio**

The ~~sum total of the gross~~ floor area ~~ratio~~ of all ~~existing and proposed~~ structures on a ~~zone lot~~ shall not ~~be greater than exceed~~ 10.0 FAR times the area of the ~~zone lot on which the structures are located~~ (FAR = 10.0) ~~unless eligible for one or more floor area premiums under Section 8.3.1.4.D.~~

**2. Floor Area Premiums**

In addition to the ~~basic~~ maximum ~~gross~~ floor area ~~ratio~~ permitted under paragraph D.1. above, ~~a premium of~~ additional floor area may be constructed ~~under the following circumstances, provided, however, that: (i) no use of the premiums described in those Subsections c. through f. below, either alone or in combination with one another, shall cause the maximum gross floor area on any zone lot to be increased by more than 2 times the size of such zone lot; and (ii) any area for which a premium has been granted pursuant to Subsections a. or c. below shall continue to be occupied by the use which originally earned the premium, or by other uses that would earn at least an equal amount of premium space 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.~~

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

b. Premium for **Housing Enhanced Affordable Housing**

~~Two square feet for each square foot of housing constructed in a new building, or through conversion of all or a part of an existing building from other uses. An increase in floor area ratio up to 10.0 FAR is permitted if a Structure 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.~~

- i. In addition, applicants may receive floor area premiums in return for cash contributions to the housing special revenue fund (Fund/Org. No. 1150-6330) to be used to create additional housing units within the Downtown Core or Downtown Theater zone districts. Such cash-in-lieu fee or fees shall be based on the standard that a floor area premium of 2 square feet shall be available in return for each contribution equal to the average cost of creating one additional square foot of downtown housing. Community Planning and Development is hereby granted authority:
  - a) To adopt and to revise rules and regulations setting a cash-in-lieu fee or fees which, if contributed to such fund, would earn floor area premiums; and
  - b) To determine whether such fee or fees shall be based on the average cost of constructing new housing units or the average cost of creating a new housing unit through conversion of an existing building from nonresidential uses; and
  - c) To determine whether such fee or fees shall be based on the cost of creating new market rate housing units or new affordable housing units; and
  - d) To determine whether such fee or fees shall be based on a per square foot or per unit basis.
- ii. Such cash-in-lieu fee or fees shall be reviewed, and if necessary revised, at least once every three years following their initial adoption. No such rule or regulation shall be effective unless and until adopted pursuant to article VI, chapter 2 of the Revised Municipal Code.

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**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. 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 street-facing 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 Downtown Ground Floor Active Uses or Residential Support Facilities**

Four square feet for each square foot of space to be occupied by one of the following constructed in a new building, or through conversion of all or a part of an existing building from other uses:

i. Ground floor area constructed as a Downtown Ground Floor Active Use, as defined in Article 13 of this Code, so long as this floor area has not been excluded in Section 8.3.1.4.D.3.4.b (Floor area excluded from calculations) below.

ii. Ground floor or second floor area to be occupied by a food sales or market use or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center for children constructed to at least the minimum licensing standards of the Department of Environmental Health.

**f. Premium for Supporting Mass Transit Facilities**

Three square feet for each square foot of land dedicated for a light rail station integrated into a new or existing building. An integrated station is one in which the building extends over all or part of a light rail facility and the station is constructed as part of the new building or a renovation of the existing building.

**g. Premium for Outdoor Public Art**

A floor area premium equal to 25 percent of the ~~z~~Zone ~~l~~ot 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.

**h. 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.

**i. Premium for Moderately Priced Dwelling Units**

A floor area premium equal to the zone lot area if the structure qualifies under the provisions of D.R.M.C., Article IV, Chapter 27 (affordable housing), provided all of said floor area premium is dedicated to residential uses and was submitted for approval prior to January 1, 2017.

**3. Transfer of Undeveloped Floor Area**

In addition to the ~~two types of~~ 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.~~bd~~ 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.~~i~~ 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 property Zone Lot shall be enlarged by more than increase its total floor area ratio by more than 6.0 FAR times the area of the zone lot 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, in triplicate, and shall include:
  - a) The names and signatures of all owners and security interest holders of the property included in the application;

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- 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, and 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.

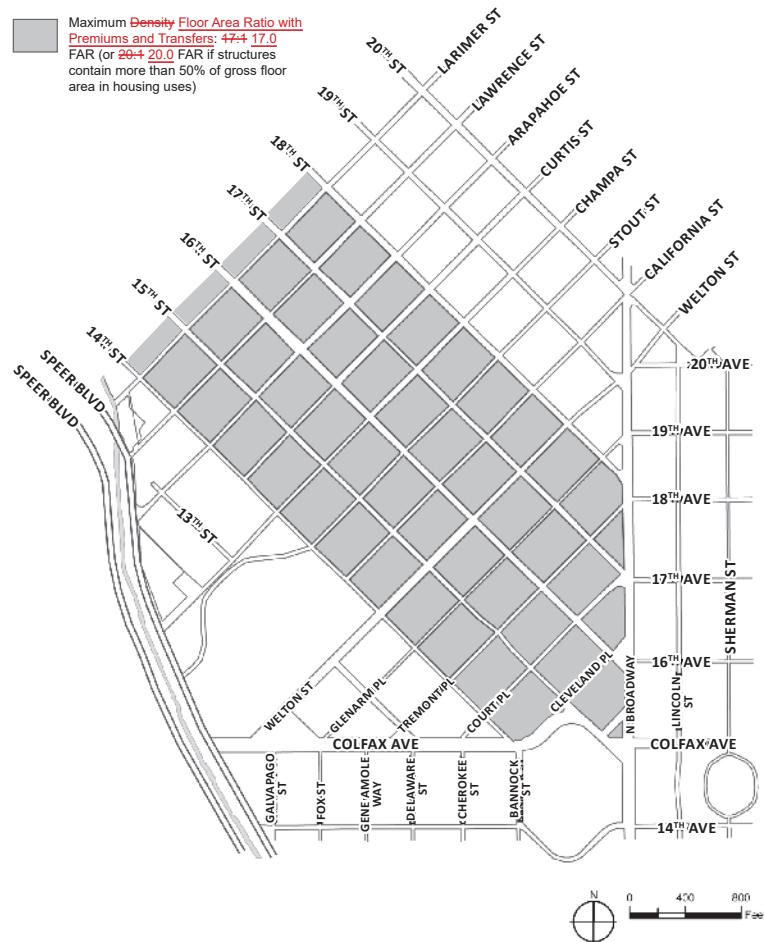
4. **Final Maximum gross fFloor aArea: Ratio with Premiums and Transfers**

a. **Limits for designated areas:**

~~Notwithstanding Sections 8.3.1.4.D.1-3 above, the final maximum gross total floor areas 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, that may be constructed on zone lots shall be limited as 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 A floor area ratio with premiums and transfers shall be of 17:1 17.0 FAR; or (ii) If structures contain over 50 percent of their gross floor area in housing primary residential uses, then the maximum a floor area ratio with premiums and transfers shall be of 20:1 20.0 FAR.~~
- ii. For structures located in all other areas zoned D-C and D-TD:
  - a) ~~The maximum A floor area ratio with premiums and transfers shall be of 12:1 12.0 FAR; or~~
  - b) If structures contain over 50 percent of their gross floor area in ~~housing primary residential~~ uses, then ~~the maximum a~~ floor area ratio ~~with premiums and transfers shall be of 17:1 17.0 FAR.~~

**Exhibit 8.2 Maximum Gross Floor Area Ratio with Premiums and Transfers**



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

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

### **8.3.1.5 Off-Street Parking Requirements**

**A. Applicable Standards**

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

**B. Amount of Parking Spaces Required**

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

**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

## GENERAL

HEIGHT AND FLOOR AREA		D-GT		
		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>				
Base / Incentive FAR per Zone Lot / FAR with incentives per Zone Lot, including all accessory structures (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	<del>FAR per Zone Lot with FAR of 8.0 or less / FAR per Zone Lot with FAR more than 8.0 (max)</del>	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'	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
Limitation on Visible Parking Above Street Level Alternative		na	See Section 8.6.6.4	See Section 8.6.6.4
<b>INCREMENTAL MASS REDUCTION</b>				
H	Incremental Mass Reduction for Stories 3-8 (min)	na	0%	10%
H	Incremental Mass Reduction for Stories 9-16 (min)	na	15%	25%
H	Incremental Mass Reduction for Stories 17-20 (min)	na	25%	35%
Incremental Mass Reduction Alternative		na	See Section 8.6.6.5	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 <u>on Specific Streets</u> (min Primary Street % within Build-To min/max range and with Street Level Nonresidential Active Uses)		na	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

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## POINT TOWER

HEIGHT AND FLOOR AREA		D-GT
FLOOR AREA RATIO (FAR)		
A	Base FAR per Zone Lot / FAR with incentives per Zone Lot, including all accessory structures (max)	8.0 / 15.0 See Section 8.6.5.1
HEIGHT		
A	FAR per Zone Lot with FAR of 8.0 or less / FAR per Zone Lot with FAR more than 8.0 (max)	250' / 325'
SITING		D-GT
ZONE LOT		
	Zone Lot Width (min)	150'
REQUIRED BUILD-TO BY STREET		
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'
SETBACKS		
D	Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave	10'
D	Primary Street (min) - All Others	0'
	Side Interior and Rear (min)	0'
RESIDENTIAL SETBACKS		
D	Primary Street (min) - Speer Blvd, Colfax Ave, 14th Ave	10'
D	Primary Street (min) - All Others	7'
OPEN SPACE		
E	Private Open Space (min)	5%
PARKING		
	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
DESIGN ELEMENTS		D-GT
BUILDING CONFIGURATION		
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 and 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
STREET LEVEL ACTIVATION		
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
USES		D-GT
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

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

### 8.6.5.1 ~~Base and Incentive~~ 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, ~~and~~ historic preservation, and underground parking.

#### B. Applicability

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

#### C. ~~Base~~ Floor Area Ratio

1. ~~Maximum Base Floor Area Ratio shall be the maximum Base Floor Area Ratio set forth in the building form tables.~~
2. ~~The total gross floor area of all existing and proposed Structures on a Zone Lot, measured per the rules stated in Section 13.1.5.17 Floor Area Ratio, divided by the area of the Zone Lot on which the Structures are located shall not exceed the maximum Base Floor Area Ratio without meeting the requirements in this Section 8.6.5.1.~~

#### D. ~~Incentive~~ Floor Area Ratio

1. ~~Maximum Incentive Floor Area Ratio shall be the maximum Incentive Floor Area Ratio set forth in the building form tables.~~
2. ~~The total gross floor area of all existing and proposed Structures on a Zone Lot, measured per the rules stated in Section 13.1.5.17 Floor Area Ratio, divided by the area of the Zone Lot on which the Structures are located may exceed the maximum Base Floor Area Ratio and be developed up to the maximum Incentive Floor Area Ratio by meeting the requirements in this Section 8.6.5.1.~~

#### E. Requirements for Zone Lots with Structures that Exceed Maximum Base Floor Area Ratio

##### 1. Allowance

~~The following requirements may be used to exceed the maximum Base Floor Area Ratio and develop up to the maximum Incentive Floor Area Ratio as described in the table below.~~

REQUIREMENTS FOR ZONE LOTS THAT EXCEED MAXIMUM BASE FLOOR AREA RATIO		
TOTAL FLOOR AREA RATIO	AFFORDABLE HOUSING	HISTORIC PRESERVATION ALTERNATIVE
12.0 FAR or less	Allowed	na
More than 12.0 FAR	Allowed	Allowed

##### 2. Affordable Housing

~~No building permit shall be issued if the total gross floor area of all existing and proposed Structures on a Zone Lot divided by the area of the Zone Lot on which the Structures are located exceeds the maximum Base Floor Area Ratio unless the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations adopted by the Department of Housing Stability are met.~~

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**F. 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.

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

**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 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. 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 Alternative for Zone Lots with Structures that Exceed a Floor Area Ratio of 12.0**

For the portion of the total gross floor area that exceeds 12.0 times the area of the Zone Lot (12.0 FAR), undeveloped floor area from a Historic Structure or floor area for the rehabilitation of a Historic Structure that is either from the same Zone Lot or has been transferred to the subject Zone Lot may be applied in lieu of the requirements set forth in D.R.M.C. Chapter 27, VI Incentives for Affordable Housing

**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 Base F<sub>floor</sub> A<sub>area</sub> R<sub>ratio</sub> without incentives set forth

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in the building form tables. For example, a Zone Lot of 10,000 square feet with a maximum Base F<sub>floor</sub> A<sub>area</sub> R<sub>ratio</sub> 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 certified and 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 3 times the area of the receiving Zone Lot 5.0 FAR.
  - b) The sum total of gross floor area ratio of all existing and proposed Structures on the receiving Zone Lot plus the total of the all transfers divided by the area of the receiving Zone Lot does not exceed the maximum Incentive F<sub>floor</sub> A<sub>area</sub> R<sub>ratio</sub> 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.

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**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

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

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

#### 8.7.1.1 Generally

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

#### 8.7.1.2 Uses Permitted

See Division 8.11 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. Basic Maximum Gross Floor Area Ratio

The ~~sum total of the gross~~ floor area ~~ratio~~ of all ~~existing and proposed~~ ~~structures~~ on a ~~z~~Zone ~~l~~ot shall not exceed ~~4.0 FAR times the area of the zone lot on which the structures are located without meeting the requirements of this Section 8.7.1.3.D.~~

###### 2. Floor Area Premiums

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

<u><b>SUMMARY OF FLOOR AREA PREMIUMS AND TRANSFER OF UNDEVELOPED FLOOR AREA ALLOWED IN THE D-AS ZONE DISTRICT</b></u>		
<u><b>FLOOR AREA PREMIUM/TRANSFER</b></u>	<u><b>ADDITIONAL FLOOR AREA AVAILABLE WITH PREMIUM/TRANSFER</b></u>	<u><b>MAXIMUM FLOOR AREA INCREASE ALLOWED ON A ZONE LOT</b></u>
<u><b>Enhanced Affordable Housing</b></u>	<u><b>Up to 3.0 FAR</b></u>	<u><b>3.0 FAR</b></u>
<u><b>Enhanced Linkage Fees</b></u>	<u><b>Up to 3.0 FAR</b></u>	<u><b>3.0 FAR</b></u>
<u><b>Rehabilitation of Historic Structure</b></u>	<u><b>1 sf premium per 1 sf rehabilitation</b></u>	<u><b>No maximum</b></u>
<u><b>Public Art</b></u>	<u><b>0.25 FAR</b></u>	<u><b>0.25 FAR</b></u>
<u><b>Transfer of Undeveloped Floor Area from Historic Structure</b></u>	<u><b>na</b></u>	<u><b>1.0 FAR</b></u>

b. **Premium for Housing Enhanced Affordable Housing**

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses An increase in floor area ratio up to 3.0 FAR is permitted if a Structure 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.

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. 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 Residential Support Uses**

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

e. **Premium for Arts, Entertainment, or Cultural Facility**

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

f. **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).

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**g. Premium for Public Art**

A floor area premium equal to 25 percent of the ~~zZone~~ ~~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.

**h. Premium for Affordable Housing**

~~A floor area premium equal to 40 percent of the zone lot area if the structure qualifies under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), provided all of said floor area premium is dedicated to residential uses and was submitted for approval prior to January 1, 2017.~~

**i. Continuation of Uses**

~~All areas for which a floor area premium has been granted shall continue to be occupied by those same uses or by other uses eligible for at least an equal amount of premium space and no change of use permit shall be approved except in compliance with the aforementioned requirement.~~

**3. Maximum Gross Floor Area in Structures Ratio with Premiums and Transfers**

~~Notwithstanding the provisions of Section 8.7.1.3.D.2 (Floor Area Premiums), The sum total of the gross floor area ratio of all existing and proposed structures on a zZone Lot shall not be greater than exceed 6.0 FAR times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.7.1.4 (Design Review), the sum total of the gross floor area ratio of all existing and proposed structures on a zZone Lot shall not be greater than exceed 7.0 FAR times the area of the zone lot on which the structures are located.~~ In addition, undeveloped floor area from designated Historic Structures within the D-AS zone district may be transferred to other properties within the D-AS district pursuant to the procedures for transfer of undeveloped floor area from Historic Structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zZone Lot may increase its maximum gross floor area ratio by more than 1.0 FAR times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area ratio of all existing and proposed structures on a zZone 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

## **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 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.

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

**B. General with Height Incentive**

~~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.

**C. Point Tower**

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

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

### **8.8.3.1 Applicability**

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

### **8.8.3.2 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).

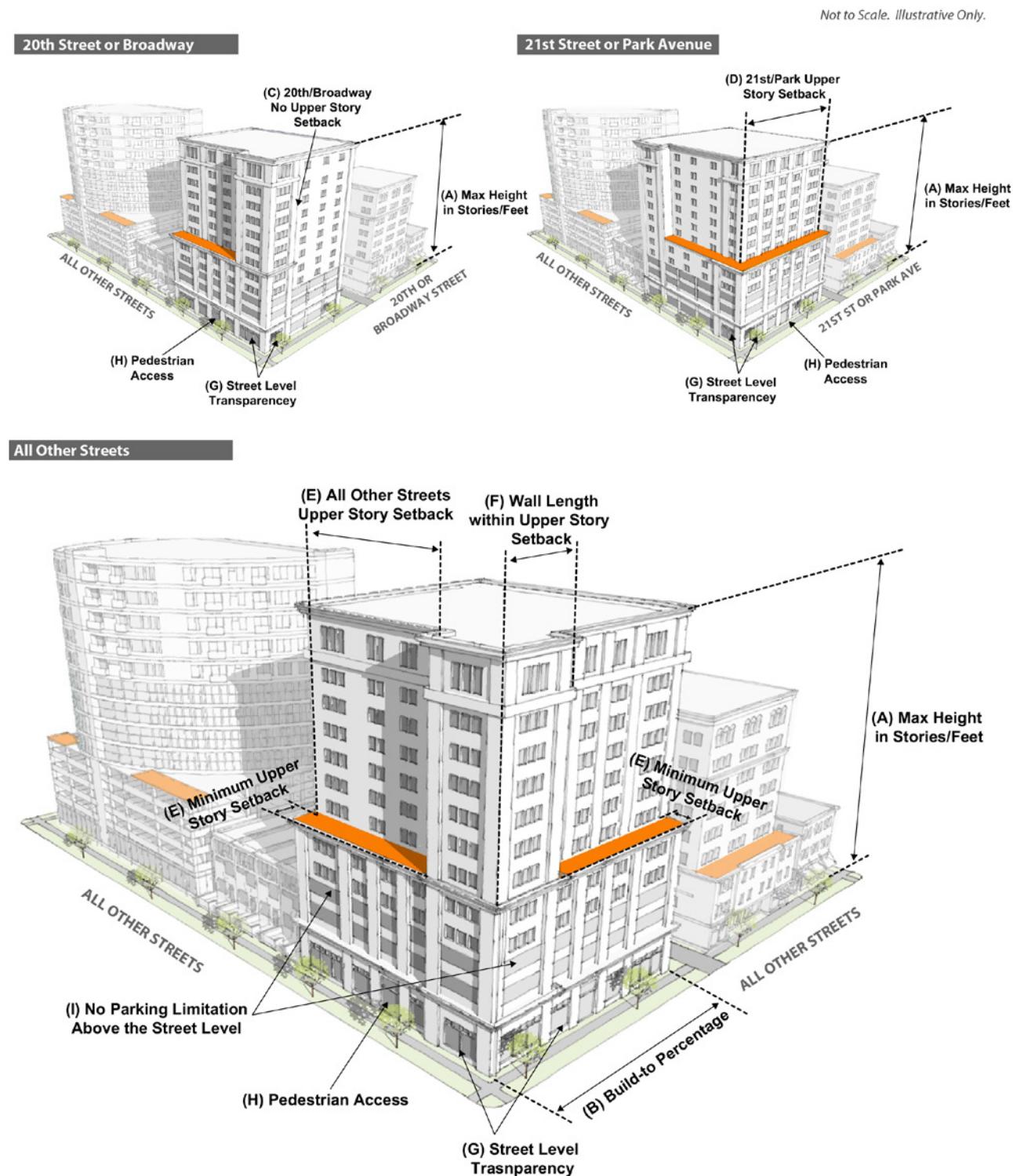
See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms.

Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts	Building Forms			
	General	General with Height Incentive	Standard Tower	Point Tower
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

### 8.8.3.3 District Specific Standards

#### A. General



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**GENERAL**

HEIGHT	D-AS-12+	D-AS-20+
<b>A Stories (max)</b>	8	12
<b>A Feet (max)</b>	110'	150'
Height Exceptions	<a href="#">See Section 8.10.1.1</a>	

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

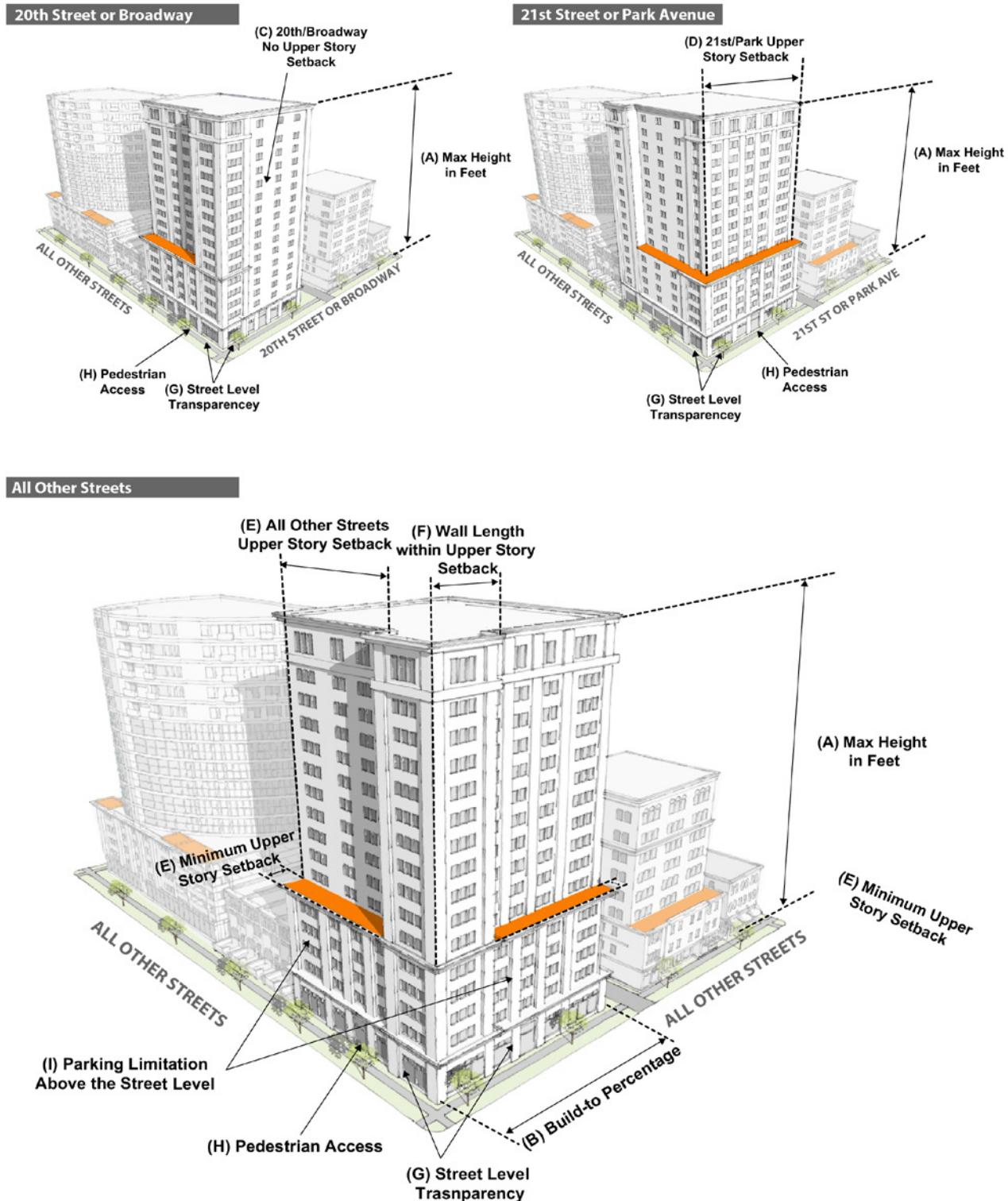
DESIGN ELEMENTS	D-AS-12+ and D-AS-20+ Districts
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>	
<b>C 20th Street, Broadway – Upper Story Setback above 5 stories and 70'</b>	No Upper Story Setback required
<b>D 21st Street, Park Avenue – Upper Story Setback above 5 stories and 70'</b> (min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

USES	D-AS-12+ and D-AS-20+ Districts
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11 Uses and Minimum/Maximum Parking Requirements; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.	

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

## B. General with Height Incentive

Not to Scale. Illustrative Only.



## GENERAL WITH HEIGHT INCENTIVE

HEIGHT		D-AS-12+	D-AS-20+
Stories (max)		na8	na12
A Feet (max)		150'110'	250'150'
<u>Stories/Feet, with incentives (max)</u>		na/150'	na/250'
Height Exceptions		See Section 8.8.5.3	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B All Primary Streets (min build-to %)		70%	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)		0'/15'; Residential Only Buildings: 0'/20'	
Southeast (light rail) Side of Welton Street (min/max build-to range)		0'/20'; Residential Only Buildings: 0'/25'	
All Other Streets (min/max build-to range)		0'/10'; Residential Only Buildings: 0'/15'	
Build-to Exceptions and Alternatives		See Sections 8.8.6.1 and 8.8.7.1	
SETBACKS			
Primary Street (min)		0'	
Side Interior (min)		0'	
Rear, alley 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; 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			
C 20th Street, Broadway - Upper Story Setback above 5 stories and 70'		No Upper Story Setback required	
D 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)		100%/10'*	
E All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)		65%/10'	
20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)		na	
F All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)		80'	
21st Street, Park Avenue - Primary Street Upper Story Setback Alternative		See Section 8.8.6.2	
STREET LEVEL ACTIVATION			
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	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
I Limitation on Visible Parking above Street Level <u>when utilizing height incentives</u> , 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 <u>Uses and Minimum/Maximum Parking Requirements</u> ; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

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

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

## POINT TOWER

HEIGHT		D-AS-12+	D-AS-20+
Stories (max)		na8	na12
A Feet (max)		250'110'	375'150'
<u>Stories/Feet, with incentives (max)</u>		na/250'	na/375'
Height Exceptions		See Section 8.8.5.3	
Height Exceptions		See Section 8.10.1.1	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B All Primary Streets (min build-to %)		70%	
21st Street, Arapahoe Street, Curtis Street (min/max build-to range)		0'/15'; Residential Only Buildings: 0'/20'	
Southeast (light rail) Side of Welton Street (min/max build-to range)		0'/20'; Residential Only Buildings: 0'/25'	
All Other Streets (min/max build-to range)		0'/10'; Residential Only Buildings: 0'/15'	
Build-to Exceptions and Alternatives		See Sections 8.8.6.1 and 8.8.7.1	
SETBACKS			
Primary Street (min)		0'	
Side Interior (min)		0'	
Rear, alley 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; 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			
C 20th Street, Broadway - Upper Story Setback above 5 stories and 70'		No Upper Story Setback required	
D 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)		100%/10'*	
E All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)		65%/10'	
20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)		na	
F All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)		80'	
21st Street, Park Avenue - Primary Street Upper Story Setback Alternative		See Section 8.8.6.2	
BUILDING CONFIGURATION			
G Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)		11,000 square feet / 165'	
Tower Floor Plate Linear Dimension Alternative (max)		180' - See Section 8.8.6.4	
STREET LEVEL ACTIVATION			
H 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	
I Pedestrian Access, Primary Street		Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
J 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 <a href="#">Uses and Minimum/Maximum Parking Requirements</a> ; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.		

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

[See Sections 8.8.5, 8.8.6, and 8.10.1 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions](#)

## SECTION 8.8.5 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 with Height Incentive building form when utilizing height incentives allowed by Section 8.8.5.3 below and the Point Tower building forms in the D-AS-12+ and D-AS-20+ zone districts.

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**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 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 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 13.1.5.8.E)

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

### 8.9.3.1 Applicability

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

### 8.9.3.2 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.

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

■ = Allowed    □ = Allowed subject to geographic limitations

## GENERAL

HEIGHT		D-CPV-R	D-CPV-T	D-CPV-C
<b>BASE HEIGHT</b>				
A	Base Stories (max)	5	5	5
A	Base Feet (min/max)	25' / 70'	25' / 70'	25' / 70'
<b>INCENTIVE HEIGHT</b>				
B	Incentive Stories/Feet <u>with incentives</u> (max)	na	12 / 150' – See Section 8.9.5.5 12 / 150' See Section 8.9.5.5	12 / 150' 12 / 150' See Section 8.9.5.5

SITING		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 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		

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

USES		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

## STANDARD TOWER

HEIGHT & FLOOR AREA RATIO		D-CPV-C
<b>BASE HEIGHT</b>		
A	Base Stories (max)	5
A	Base Feet (min/max)	25' / 70'
<b>INCENTIVE HEIGHT</b>		
B	Incentive Stories/Feet, with incentives (max)	No Maximum - See Section 8.9.5.5
FLOOR AREA RATIO		
	Floor Area Ratio (max)	20.0
SITING		D-CPV-C
REQUIRED BUILD-TO		
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'
SETBACKS		
E	Primary Street (min % of Zone Lot width/min Setback)	100%/2' and 50%/5'
	Side Interior and Rear (min)	0'
RESIDENTIAL SETBACKS		
E	Primary Street (min)	7'
OPEN SPACE BY ZONE LOT SIZE OR WIDTH		
	Private Open Space on Lots >50,000 sf or >250' Wide (min)	5%
PARKING		
	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
DESIGN ELEMENTS		D-CPV-C
BUILDING CONFIGURATION		
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
INCREMENTAL MASS REDUCTION FOR LOTS > 25,000 SF		
J	Incremental Mass Reduction for Stories 1-5	15%
J	Incremental Mass Reduction for Stories 6-8	25%
STREET LEVEL ACTIVATION		
	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
USES		D-CPV-C
Permitted Primary Uses		All permitted Primary Uses shall be allowed within this building form;
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)		100% - See Section 8.9.5.1
Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement)		70% - See Section 8.9.5.2
Limitation on Primary Residential Uses (max % of Gross Floor Area above 8 stories and 110')		50% - See Section 8.9.5.3

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

## POINT TOWER

HEIGHT		D-CPV-R	D-CPV-C
<b>BASE HEIGHT</b>			
A Base Stories (max)		5	
A Base Feet (min/max)		25' / 70'	
<b>INCENTIVE HEIGHT</b>			
B Incentive Stories/Feet, <u>with incentives</u> (max)	No Maximum - See Section 8.9.5.5		
SITING		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 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		
DESIGN ELEMENTS		D-CPV-R	D-CPV-C
<b>BUILDING CONFIGURATION</b>			
F/G Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)		11,000 square feet / 165'	na
F/G Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)		na	11,000 square feet / 165'
Tower Floor Plate Linear Dimension Alternative (max)		180' - See Section 8.9.6.3	
H Tower Floor Plate Separation above 5 stories and 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 and 70' (min % of zone lot width/min setback)		65% / 15'	na
I Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)		na	65% / 15'
Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)		70% - See Section 8.9.5.4	
<b>INCREMENTAL MASS REDUCTION FOR LOTS &gt; 25,000 SF</b>			
J Incremental Mass Reduction for Stories 1-5		15%	15%
J Incremental Mass Reduction for Stories 6-8		na	25%
<b>STREET LEVEL ACTIVATION</b>			
Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)		60% / 40%	
Pedestrian Access, Primary Street		Entrance	
Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)	Dwelling Unit Entrance with Entry Feature		
USES		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

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

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

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

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

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

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

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

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

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

~~Implement specific adopted plan policies for the Central Platte Valley - Auraria area to provide affordable housing and other community benefits in excess of standard requirements. 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 ~~in conjunction with applicable requirements in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.~~
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. Maximum Base Height Standards**

###### **1. Enhanced Affordable Housing**

~~A Structure that 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 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.~~

###### **3. Maximum Base Height shall be the maximum height in stories and feet set forth in the building form tables.**

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4. ~~Structures that do not exceed the maximum Base Height shall not be subject to the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height.~~

**D. Maximum Incentive Height**

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

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

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

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

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

**A. Intent**

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

**B. Allowance**

The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it meets the requirements stated in Section 13.1.5.8.E)

<b>REQUIRED BUILD-TO ALTERNATIVE</b>	
<b>ZONE DISTRICT</b>	<b>PRIVATE OPEN SPACE (MAX % OF BUILD-TO)</b>
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.

## SECTION 9.1.2 DISTRICTS ESTABLISHED

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

### Industrial Context

I-MX-3, -5, -8, <del>-12</del>	Industrial Mixed Use District
I-A	Light Industrial District
I-B	General Industrial District

### 9.1.2.1 Purpose

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

#### A. I-MX Industrial Mixed Use Districts (I-MX-3, -5, ~~-8, -12~~)

##### 1. General Purpose

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

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

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

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

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

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

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

##### 5. Industrial Mixed Use 8 (I-MX-12)

I-MX-12 applies to industrially-dominated areas served primarily by collector or arterial streets with a maximum building height of 12 stories.

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

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

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

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

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### **9.1.2.2 Specific Building Form Intent**

#### **A. Town House**

Establish standards for buildings containing Side-by-Side Dwelling Units that require Dwelling Units located near the street to be oriented to the street. Additional Dwelling Units are permitted behind the Dwelling Units Oriented to the Street.

#### **B. General**

Establishes a base set of standards to define and activate the public street. The building form requires a minimum of one pedestrian entrance at the street, in addition to other design elements that promote an active street front. The building form allows for a variety of site configurations, but does not allow structures containing mostly Side-by-side Dwelling Units.

#### **C. Industrial**

Establishes standards that allow for greater flexibility to accommodate industrial uses as allowed by the zone district.

## **SECTION 9.1.3 DESIGN STANDARDS**

### **9.1.3.1 Applicability**

All development in the I-MX, I-A, I-B zone districts.

### **9.1.3.2 Primary Building Form**

#### **A. 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.

Industrial (I-) Neighborhood Context Zone Districts		Building Forms		
		Town House	General	Industrial
Max Number of Primary Structures per Zone Lot		No Maximum		
Industrial Mixed Use	I-MX-3, -5, -8, <u>-12</u>	■	■	■
Light Industrial	I-A		■	■
General Industrial	I-B		■	■

■ = Allowed

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**TOWN HOUSE**

<b>HEIGHT</b>		<b>I-MX-3</b>	<b>I-MX-5 I-MX-8 <u>I-MX-12</u></b>
<b>A</b> Stories (max)		3	5
<b>A</b> Feet (max)		38'	70'

<b>SITING</b>		<b>I-MX-3</b>	<b>I-MX-5 I-MX-8 <u>I-MX-12</u></b>
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**REQUIRED BUILD-TO**

<b>B</b> Primary Street (min % within min/max)	70% (10'/15')	70% (10'/15')
--	------------------	------------------

**SETBACKS**

<b>C</b> Primary Street (min)	10'	10'
<b>D</b> Side Street (min)	7.5'	7.5'
<b>E</b> Side Interior (min)	5'	5'
<b>F</b> Side Interior, adjacent to Protected District (min)	10'	10'
Rear (min)	0'	0'
Rear Setback adjacent to Protected District alley/ no alley (min)	5'/10'	5'/10'

**PARKING**

Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
Surface Parking Screening	See <a href="#">Section 10.5.4.4</a>
Vehicle Access	From Alley; or Street access allowed when no Alley present

<b>DESIGN ELEMENTS</b>		<b>I-MX-3</b>	<b>I-MX-5 I-MX-8 <u>I-MX-12</u></b>
<b>G</b> Dwelling Units Oriented to the Street		Required if any portion of the Dwelling Unit is located within 20' of Primary Street Zone Lot Line or 20' of the Side Street Zone Lot Line.	
Dwelling Unit Configuration		Structure may contain Side-by-Side Dwelling Units	
Upper Story Setback Above 27'; adjacent to <b>H</b> Protected District: alley/no alley and Side Interior (min)	20'/25'	20'/25'	
Upper Story Setback Above 51'; adjacent to Protected District: alley/no alley and Side Interior (min)	na	35'/40'	
<b>STREET LEVEL ACTIVATION</b>			
<b>I</b> Transparency, Primary Street (min)	40%	40%	
Transparency, Side Street (min)	25%	25%	
<b>J</b> Pedestrian Access, Primary Street	Each Dwelling Unit Oriented to the Street shall have Dwelling Unit Entrance with Entry Feature.		

<b>USES</b>		<b>I-MX-3</b>	<b>I-MX-5 I-MX-8 <u>I-MX-12</u></b>
Primary Uses shall be limited to Two Unit Dwelling and Multi Unit Dwelling (3+) uses. See Section <a href="#">9.1.5 9.1.9 Uses and Parking</a>			

See Section [9.1.4 9.1.5 - 9.1.7](#) for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

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**GENERAL**

<b>HEIGHT</b>		I-MX-3	I-MX-5	I-MX-8	<u>I-MX-12</u>	I-A	I-B
A Stories (max)		3	5	8	<u>12</u>	na	na
Feet (max)		45'	70'	110'	<u>150'</u>	na	na
<u>Stories/Feet, with incentives (max)</u>		<u>4/55'</u>	<u>7/95'</u>	<u>12/150'</u>	<u>16/200'</u>	<u>na</u>	<u>na</u>
See Section 10.12.1							
Feet within 175' of a Protected District (max)	na	<u>na</u> <u>75'</u>	75'	<u>75'</u>	75'	75'	

<b>SITING</b>		I-MX-3	I-MX-5	I-MX-8	<u>I-MX-12</u>	I-A	I-B
<b>ZONE LOT</b>							
Floor Area Ratio (FAR) (max)		na	na	na	<u>na</u>	2.0	2.0
<b>REQUIRED BUILD-TO</b>							
B Primary Street (min % within min/max)		50% (0/10')	50% (0/10')	50% (0/10')	<u>50%</u> <u>(0/10')</u>	na	na
<b>SETBACKS</b>							
C Primary Street (min)		0'	0'	0'	<u>0'</u>	20' 10'	20' 10'
D Side Street (min)		0'	0'	0'	<u>0'</u>	Can reduce to 5' on lot less than 100ft in width on the long side of the block	Can reduce to 5' on lot less than 100ft in width on the long side of the block
E Side Interior (min)		0'	0'	0'	<u>0'</u>	0'	0'
Side Interior, adjacent to Protected District (min)		10'	10'	10'	<u>10'</u>	10'	10'
F Rear (min)		0'	0'	0'	<u>0'</u>	0'	0'
Rear Setback adjacent to Protected District alley, no alley (min)		5'/10'	5'/10'	5'/10'	<u>5'/10'</u>	10'	10'
<b>PARKING</b>							
Surface Parking between building and Primary Street/Side Street					Not Allowed/Allowed	Allowed/Allowed	
Surface Parking Screening					See <u>Section 10.5.4.4</u>		
Vehicle Access					Access determined as part of Site Development Plan Review		

<b>DESIGN ELEMENTS</b>		I-MX-3	I-MX-5	I-MX-8	<u>I-MX-12</u>	I-A	I-B
Structure may contain Side-by-Side Dwelling Units							
Dwelling Unit Configuration					Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA		
G Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and Side Interior (min)		20'/25'	20'/25'	20'/25'	<u>20'/25'</u>	20'/25'	20'/25'
H Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and Side Interior (min)		na	35'/40'	35'/40'	<u>35'/40'</u>	35'/40	35'/40
<b>STREET LEVEL ACTIVATION</b>							
I Transparency, Primary Street (min)		40%	40%	40%	<u>40%</u>	na	na
Transparency, Side Street (min)		25%	25%	25%	<u>25%</u>	na	na
Pedestrian Access, Primary Street				Entrance		na	na

<b>USES</b>		I-MX-3	I-MX-5	I-MX-8	<u>I-MX-12</u>	I-A	I-B
All permitted Primary Uses shall be allowed within this building form. See Section <u>9.1.5 9.1.9 Uses and Parking</u>							
See Section <u>9.1.4 9.1.5 - 9.1.7</u> for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions							

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**INDUSTRIAL**

<b>HEIGHT</b>	<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8 I-MX-12</b>	<b>I-A</b>	<b>I-B</b>
<b>A Stories (max)</b>	3	5	8	na	na
<b>A Feet (max)</b>	45'	70'	110'	na	na
Feet within 175' of a Protected District (max)	na	na	75'	75'	75'

<b>SITING</b>	<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8 I-MX-12</b>	<b>I-A</b>	<b>I-B</b>
<b>ZONE LOT</b>					
Floor Area Ratio (FAR) (max)	na	na	na	2.0	2.0
<b>SETBACKS</b>					
<b>B Primary Street (min)</b>	0'	0'	0'	20'	20'
<b>C Side Street (min)</b>	0'	0'	0'	10'	10'
Can reduce to 5' on lot less than 100ft in width on the long side of the block					
<b>D Side Interior (min)</b>	0'	0'	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>E Rear (min)</b>	0'	0'	0'	0'	0'
Rear Setback adjacent to Protected District (min)	10'	10'	10'	10'	10'
<b>PARKING</b>					
Surface Parking Screening	See <a href="#">Section 10.5.4.4</a>				
Vehicle Access, 3 or more side-by side dwelling units in one structure	From Alley, or Street access allowed when no Alley present ( <a href="#">See Section 9.1.3.8 9.1.7.6</a> )				
Vehicle Access	Access determined as part of Site Development Plan Review				

<b>DESIGN ELEMENTS</b>	<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8 I-MX-12</b>	<b>I-A</b>	<b>I-B</b>
Upper Story Setback Above 27' adjacent to					
<b>F Protected District: alley/no alley and side, interior (min)</b>	20'/25'	20'/25	20'/25	20'/25	20'/25
<b>STREET LEVEL ACTIVATION</b>					
Transparency, Primary Street (min)	na	na	na	na	na
Transparency, Side Street (min)	na	na	na	na	na
Pedestrian Access, Primary Street	Pedestrian Connection			na	na

<b>USE</b>	<b>I-MX-3</b>	<b>I-MX-5</b>	<b>I-MX-8 I-MX-12</b>	<b>I-A</b>	<b>I-B</b>
	For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010 Vehicle/Equipment Sales, Rentals, Service & Repair Use Category Uses and Industrial, Manufacturing & Wholesale Primary Use Classification Uses Only.				

See Section [9.1.4 9.1.5 - 9.1.7](#) for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

All permitted Primary Uses shall be allowed within this building form. See Section [9.1.5 9.1.9 Uses and Parking](#)

## SECTION 9.1.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

### 9.1.4.1 Applicability

All detached accessory structures in all the Industrial Neighborhood Context zone districts

### 9.1.4.2 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, and other similar Partially Enclosed Structures.

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

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

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

Examples include, but are not limited to the following:

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

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

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

###### c. Air conditioning units

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

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

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

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

All accessory fences, walls and retaining walls, including fences and walls used for required screening, shall comply with the fence, wall and screening standards in Division 10.5, instead of this Section [9.1.39.1.4](#).

##### 6. 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 [7.3.49.1.4](#).

###### 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

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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 [7.3.49.1.4](#).

#### **9.1.4.3 Supplemental Standards**

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

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

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

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

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

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

#### **9.1.4.4 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.

Industrial (I-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms			
			Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
Industrial Mixed Use (MX)	I-MX-3, -5, -8, <u>-12</u>	no max*				■
Light Industrial)	I-A	no max				■
General Industrial	I-B	no max				■

■ = Allowed   □ = Allowed subject to limitations \*One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5

### 9.1.4.5 District Specific Standards

#### A. Detached Accessory Structures

HEIGHT	All I-MX	I-A	I-B
Stories (max)	1	na	na
Feet (max)	17'	na	na
SITING	All I-MX	I-A	I-B
ZONE LOT			
Allowed Number of Dwelling Units (min/max)	0/0	0/0	0/0
SETBACKS			
Primary Street (min)	10'	20'	20'
Side Street (min)	10'	10'	10'
	Can reduce to 5' on Zone Lot less than 100' in width along the long side of the block		
Side Interior (min)	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'
Rear (min)	0'	0'	0'
Rear, adjacent to Protected District (min)	10'	10'	10'
DESIGN ELEMENTS	All I-MX	I-A	I-B
Gross Floor Area (max)	Shall Not Exceed 10% of the Zone Lot Area; does not apply to detached accessory structures with vehicle access doors		Shall Not Exceed 10% of the Zone Lot Area
USE	All I-MX, I-A, I-B	Accessory Uses Only. See Section <a href="#">9.1.5</a> <a href="#">9.1.9</a> for permitted Accessory Uses.	

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## SECTION 9.1.5 SUPPLEMENTAL DESIGN STANDARDS

### 9.1.5.1 Surface Parking Between the Building and the Primary/Side Street

## A. Intent

Allow for the functional siting of Buildings and Surface Parking while continuing to minimize the impacts of Surface Parking on the pedestrian experience.

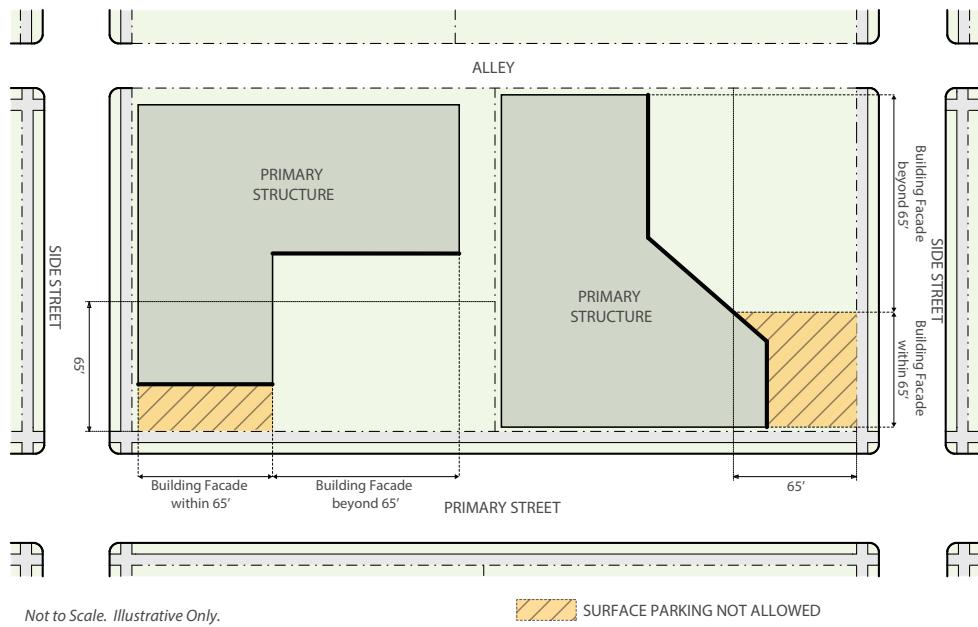
## B. Applicability

This Section [9.1.4.1](#) [9.1.5.1](#) applies to the General and Town House building forms in the I-MX zone districts.

### C. Surface Parking Not Allowed

Where a building form specifies that Surface Parking is not allowed between a Building and a Primary Street and/or Side Street, Surface Parking shall not be located in the area directly between the applicable Street and any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between the applicable Street and any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street.

Figure 9.1-1



### 9.1.5.2 Rooftop and/or Second Story Decks

#### A. Intent

To protect the privacy of adjacent rear yards when adjacent to low-scale residential neighborhoods.

## B. Applicability

Town House building form in all the I-MX zone districts when the Zone Lot is adjacent to a zone district with a limitation on rooftop and/or second story decks in the rear 35% of the Zone Lot depth.

### C. Supplemental Design Standard

1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the Zone Lot depth.

2. The Zoning Administrator may prohibit other similar structures in the rear 35% of the Zone Lot depth, including detached or freestanding structures but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop and/or Second Story Deck.

### 9.1.5.3 Dwelling Units Oriented to the Street

#### A. Intent

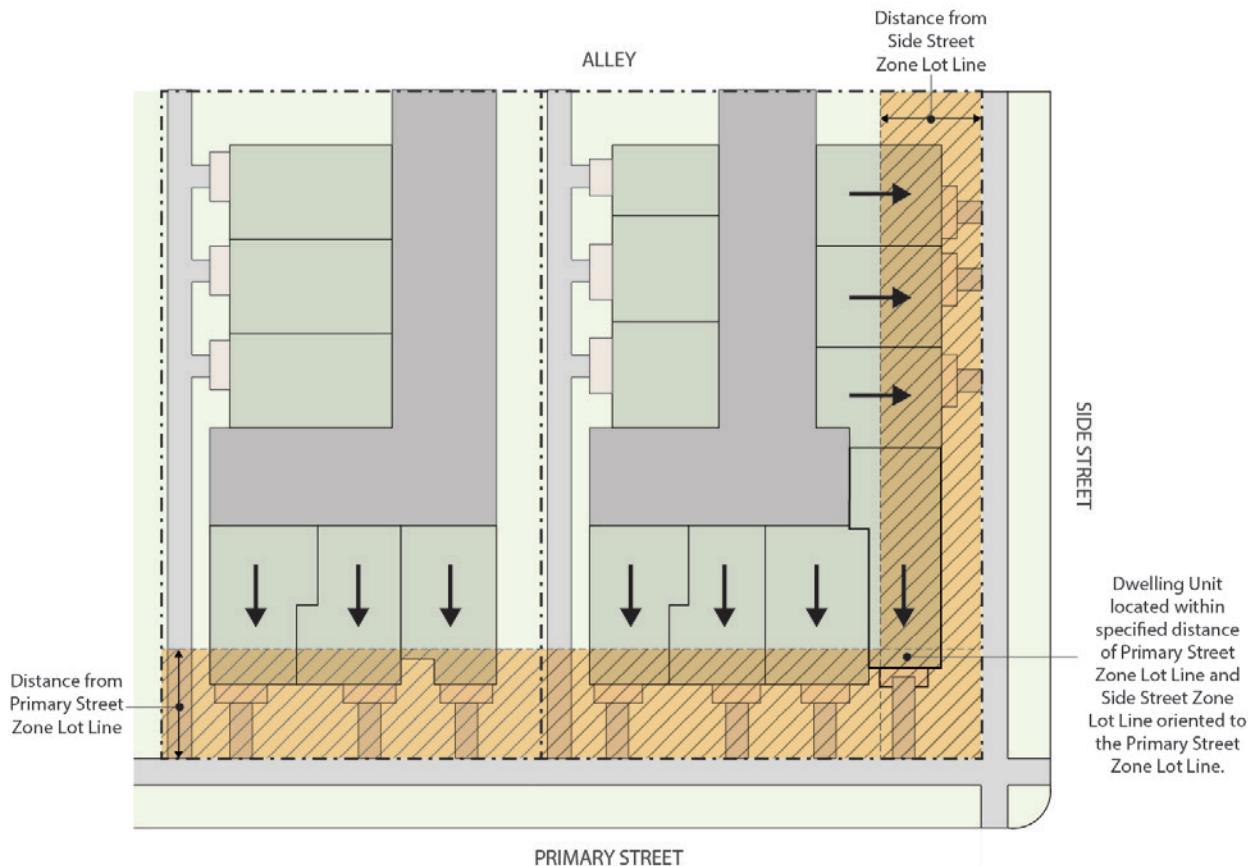
To ensure that buildings containing Side-by-Side Dwelling Units contribute to vibrant pedestrian-oriented street frontages with Dwelling Units that clearly Orient to the Street.

#### B. Applicability

This Section [9.1.4.3](#) [9.1.5.3](#) shall apply to development under the Town House building form in all I-MX zone districts when required by the building form standards.

#### C. Supplemental Design Standard

1. On an Interior Zone Lot, Dwelling Units must be oriented to the Primary Street Zone Lot Line.
2. On a Zone Lot with more than one street frontage, Dwelling Units shall be oriented to the Primary Street Zone Lot Line or the Side Street Zone Lot Line.
  - a. Dwelling Units located within 20 feet of the Primary Street Zone Lot Line shall be oriented to the Primary Street Zone Lot Line.
  - b. Dwelling Units located within 20 feet of the Side Street Zone Lot Line shall be oriented to the Side Street Zone Lot Line.
  - c. Dwelling Units located within both 20 feet of the Primary Street Zone Lot Line and Side Street Zone Lot Line shall be oriented to the Primary Street Zone Lot Line.



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- d. On a Zone Lot with more than one Primary Street, the Zoning Administrator shall determine the street to which the Dwelling Unit shall orient based on an analysis, at a minimum, of:
  - i. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
  - ii. Block and lot shape;
  - iii. The functional street classification of all abutting streets as adopted by the Department of Transportation and Infrastructure ("DOTI");
  - iv. The future street classification of all abutting streets as adopted in Blueprint Denver; and
  - v. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan.

#### **9.1.5.4 Height for Sloped Roofs**

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

To allow for design flexibility for sloped roofs that promote variations within the building forms.

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

The I-MX-3 zone districts in the Town House building form.

##### **C. Supplemental Design Standard**

1. For any portion of a primary building's roof with a minimum pitch of 6:12, the maximum building height for the subject portion shall be 45 feet in the I-MX-3 zone districts.
2. Development of a primary building with a roof with a minimum pitch that takes advantage of the maximum height allowed per this Section [9.1.4.4](#) [9.1.5.4](#) may apply one or more height exceptions allowed in Section [9.1.4.6](#) [9.1.7.1](#), except that such height exceptions shall be measured from an allowed maximum of height of 38 feet in the I-MX-3 zone district.



### 9.1.5.5 Required Screening and Enclosure Standards

#### A. Solid Wall or Fence Screens

When required by this Code, screening shall comply with the following minimum requirements:

1. Fences and walls used for required screening shall be a minimum of 6 feet in height.
2. Fences and walls must be of wood, brick, masonry, textured concrete or aggregate concrete. Materials such as corrugated or sheet metal, tires, car doors, or other discarded materials are not permitted. Chain link or wire mesh may be used only in combination with plant material of sufficient density to create a year round opaque screen.
3. Other materials may be used upon approval by the Zoning Administrator according to Section 12.4.5, Administrative Adjustment.
4. In flood-prone areas, the Zoning Administrator may approve the use of open materials, such as open bars or chain link, at the bottom of required screening up to the flood elevation.
5. The requirement for a solid wall or fence may be satisfied by an equivalent visual barrier consisting of chain link fence containing an approved sight-obscuring material.
6. Within 50 feet of the intersection of the right-of-way lines of intersecting streets, the height and location of such walls or fences shall be determined by the Department of Transportation and Infrastructure ("DOTI").
7. All walls or fences shall be maintained in good condition at all times.

## SECTION 9.1.6 DESIGN STANDARDS ALTERNATIVES

### 9.1.6.1 Required Build-To Alternatives

#### A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades. Additionally, to allow relief for vehicle access when alley access is not feasible per Section [9.1.4.7-9.1.7.6](#), in the Town House building form.

#### B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.8.E:

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### 9.1.7.5 ~~Required Screening and Enclosure Standards~~

#### A. ~~Solid Wall or Fence Screens~~

~~When required by this Code, screening shall comply with the following minimum requirements:~~

1. ~~Fences and walls used for required screening shall be a minimum of 6 feet in height.~~
2. ~~Fences and walls must be of wood, brick, masonry, textured concrete or aggregate concrete. Materials such as corrugated or sheet metal, tires, car doors, or other discarded materials are not permitted. Chain link or wire mesh may be used only in combination with plant material of sufficient density to create a year round opaque screen.~~
3. ~~Other materials may be used upon approval by the Zoning Administrator according to Section 12.4.5, Administrative Adjustment.~~
4. ~~In flood-prone areas, the Zoning Administrator may approve the use of open materials, such as open bars or chain link, at the bottom of required screening up to the flood elevation.~~
5. ~~The requirement for a solid wall or fence may be satisfied by an equivalent visual barrier consisting of chain link fence containing an approved sight-obscuring material.~~
6. ~~Within 50 feet of the intersection of the right-of-way lines of intersecting streets, the height and location of such walls or fences shall be determined by the Department of Transportation and Infrastructure ("DOTI").~~
7. ~~All walls or fences shall be maintained in good condition at all times.~~

### 9.1.7.6 Vehicle Access From Alley Required - Exceptions

#### A. **No Alley**

Where a building form specifies "street access allowed when no Alley present", vehicle access from the street is allowed when a Zone Lot is not bounded by an Alley.

#### B. **Alley Access Required**

Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless the applicant can demonstrate at the time of zoning permit application that an exception stated in this Section [9.1.4.8](#) [9.1.7.6](#) applies.

#### C. **DOTI Approval Required for All Exceptions to Alley Access**

The Department of Transportation and Infrastructure ("DOTI") shall approve all requests for an exception to required Alley access under this Section [9.1.4.8](#) [9.1.7.6](#).

#### D. **General Exceptions**

When one or more of the conditions listed in this Section [9.1.4.8.D](#) [9.1.7.6.D](#) apply, street access may be used instead of alley access. However, if improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which improvements resolve one or more conditions for an exception specified in this Section [9.1.4.8.D](#) [9.1.7.6.D](#), then vehicular Alley access shall be required.

1. The Alley is not provided with an all-weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The Alley is less than 12 feet in width;
3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street.

4. The Department of Transportation and Infrastructure ("DOTI") prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic; or
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the DRC determines during Site Development Plan review that street access is more consistent with the Comprehensive Plan, or is necessary to ensure safety or vehicle operational needs.

**E. Special Exception for Pre-Existing Street Access**

When the conditions listed in this Section [9.1.4.8.E](#) [9.1.7.6.E](#) apply, street access may be used instead of alley access.

1. Vehicular access from the street to an accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010, and has been Continuously Maintained; and
2. The Primary Structure containing either a Single-Unit or Two-Unit Dwelling use on the same Zone Lot is not Voluntarily Demolished. In the case of Voluntary Demolition of the Primary Structure, vehicle access must be taken from the Alley unless otherwise allowed by this Section [9.1.4.8.](#) [9.1.7.6.](#)

## **SECTION 9.1.8 REFERENCE TO OTHER DESIGN STANDARDS**

### **9.1.8.1 Article 10: General Design Standards**

Refer to the following Divisions for other applicable design standards:

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

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## **SECTION 9.1.9 USES AND REQUIRED MINIMUM PARKING**

### **9.1.9.1 Applicability**

- A. This Section [9.1.4](#) [9.1.9](#) sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Industrial Context zone districts.
- B. Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

### **9.1.9.2 Organization**

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

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

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

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

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

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

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

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

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

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

### **9.1.9.3 Explanation of Table Abbreviations**

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

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

### 9.1.9.5 District Specific Standards

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
ZP = Zoning Permit Review 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, ZPIN, ZPCIM, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE				APPLICABLE USE LIMITATIONS
	<ul style="list-style-type: none"> <li>Vehicle Parking Requirement -# of spaces per unit of measurement</li> <li>Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)</li> </ul>	I-MX-3 I-MX-5 I-MX-8 <b>I-MX-12</b>	I-A	I-B	
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>					
Household Living	Dwelling, Single Unit <ul style="list-style-type: none"> <li>No Parking Requirements.</li> </ul>	L-ZP	L-ZP	L-ZP	\$11.2.1, §11.2.6
	Dwelling, Two Unit <ul style="list-style-type: none"> <li>Vehicle - I-MX only: 1/unit</li> <li>Vehicle: 1.25/unit</li> <li>Bicycle: No requirement</li> </ul>	L-ZP	L-ZP	L-ZP	\$11.2.2, §11.2.6
	Dwelling, Multi-Unit <ul style="list-style-type: none"> <li>Vehicle - I-MX only: 1/unit</li> <li>Vehicle: 1.25/unit</li> <li>Bicycle: 1/ 5 units (80/20)</li> </ul>	L-ZP	L-ZP	L-ZP	\$11.2.3, §11.2.6
	Dwelling, Live / Work <ul style="list-style-type: none"> <li>Vehicle - I-MX only: 1/unit</li> <li>Vehicle: 1.25/unit</li> <li>Bicycle: 1/ 5 units (80/20)</li> </ul>	L-ZP	L-ZP	L-ZP	\$11.2.4, §11.2.6
Residential Care	Residential Care, Type 1 <ul style="list-style-type: none"> <li>Vehicle - I-MX only: .25/1,000 sf GFA</li> <li>Vehicle: .5/1,000 sf GFA</li> <li>Bicycle: No Requirement</li> </ul>	L/L-ZP	NP	NP	\$11.2.7; §11.2.8
	Residential Care, Type 2 <ul style="list-style-type: none"> <li>Vehicle - I-MX only: .25/1,000 sf GFA</li> <li>Vehicle: .5/1,000 sf GFA</li> <li>Bicycle: No Requirement</li> </ul>	L-ZP	NP	NP	\$11.2.7; §11.2.9
	Residential Care, Type 3 <ul style="list-style-type: none"> <li>Vehicle - I-MX only: .25/1,000 sf GFA</li> <li>Vehicle: .5/1,000 sf GFA</li> <li>Bicycle: No Requirement</li> </ul>	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.2.7; §11.2.10
	Residential Care, Type 4 <ul style="list-style-type: none"> <li>Vehicle - I-MX only: .25/1,000 sf GFA</li> <li>Vehicle: .5/1,000 sf GFA</li> <li>Bicycle: No Requirement</li> </ul>	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.2.7; §11.2.11
Congregate Living	All Types <ul style="list-style-type: none"> <li>Vehicle - I-MX only: .25/1,000 sf GFA</li> <li>Vehicle: .5/1,000 sf GFA</li> <li>Bicycle: 1/20,000 sf GFA (80/20)</li> </ul>	P-ZP	NP	NP	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>					
Basic Utilities	Utility, Major Impact* <ul style="list-style-type: none"> <li>Vehicle: .5/ 1,000 s.f. GFA</li> <li>Bicycle: No requirement</li> </ul>	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* <ul style="list-style-type: none"> <li>Vehicle: .5/ 1,000 s.f. GFA</li> <li>Bicycle: No requirement</li> </ul>	L-ZP	L-ZP	L-ZP	§ 11.3.2

**DZC TEXT AMENDMENT – EXPANDING HOUSING AFFORDABILITY**  
**LUTI DRAFT – 04/19/2022**

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3 I-MX-5 I-MX-8 <b>I-MX-12</b>	I-A	I-B	APPLICABLE USE LIMITATIONS
Community/ Public Services	Community Center* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Day Care Center •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •Vehicle - I-MX only: 1.875 / 1,000 s.f. GFA •Vehicle: 2.5 / 1,000 s.f. GFA •Bicycle: 1 / 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Public Safety Facility •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Hospital	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Correctional Institution	NP	NP	NP	
	Cemetery* •No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.3.6
	Library •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Museum •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School •Vehicle - I-MX only: 1/ 1,000 s.f. GFA •Vehicle - High School, I-A and I-B: 2/1,000 s.f. GFA •Bicycle - High School, I-A and I-B: 1 / 20,000 s.f. GFA (0/100) •Vehicle - All Others, I-A and I-B: 1 / 1,000 s.f. GFA •Bicycle - All Others, I-A and I-B: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	NP	§ 11.3.8
	University or College •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.8
	Vocational or Professional School •Vehicle: 1 / 1,000 s.f. GFA •Bicycle: 1 / 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	

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<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor •Vehicle - Artist Studio: 0.3/1000 sf GFA •Vehicle - All Others - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle - All Others: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA(20/80)	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	\$11.4.3
	Event Space with Alternate Parking and Loading* •Vehicle: No requirement •Bicycle: No requirement	NP	NP	NP	
	Sports and/or Entertainment Arena or Stadium* •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	\$11.4.5
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		Not Applicable			
Parking of Vehicles	Parking, Garage •No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Parking, Surface* •No Parking Requirements	P-ZP	P-ZP	P-ZP	
Eating & Drinking Establishments	All Types •Vehicle - I-MX only: 3.75/ 1,000 s.f. GFA •Vehicle: 5/ 1,000 s.f. GFA •Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging •Vehicle - I-MX only: 1/guest room or unit •Vehicle: 1.25/guest room or unit •Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	NP	NP	
	Lodging Accommodations, All Others •Vehicle - I-MX only: 1/guest room or unit •Vehicle: 1.25/guest room or unit •Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	

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Office	Dental / Medical Office or Clinic •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (60/40)	L-ZP	L-ZP	L-ZP	\$11.4.10
	Office, All Others •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Animal Sales and Services, All Others •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	\$11.4.13
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Food Sales or Market •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	P-ZP	P-ZP	\$11.4.14
	Pawn Shop Retail Sales, Service & Repair -- Outdoor* •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	NP	NP	NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Retail Sales, Service & Repair - Firearms Sales •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	\$11.4.16; \$11.4.11
	Retail Sales, Service & Repair, All Others •Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA •Vehicle: 2.5/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (20/80)	P-ZP	P-ZP	L-ZP	\$11.4.11
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Automobile Services, Light •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.4.18; \$11.4.19
	Automobile Services, Heavy •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.4.18; \$11.4.20
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.4.21
	Heavy Vehicle/ Equipment Sales, Rentals & Service* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPSE	L-ZPIN	L-ZP	\$11.4.22

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<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>					
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP	\$11.5.2
	Communication Services •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Telecommunications Towers* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	\$11.5.2
	Telecommunications Tower - Alternative Structure •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP	\$11.5.2
Industrial Services	Contractors, Special Trade - General •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.4
	Food Preparation and Sales, Commercial •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.5
	Laboratory, Research, Development and Technological Services •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.6
	Service/Repair, Commercial •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	P-ZP	P-ZP	\$11.5.8
	Manufacturing, Fabrication & Assembly -- General •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP/ZPSE	L-ZP	L-ZP	\$11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.10
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.11
	Sand or Gravel Quarry* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.12
	Wind Energy Conversion Systems* •No Parking Requirements	L-ZP	L-ZP	L-ZP	\$11.5.13

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		I-MX-3	I-MX-5	I-MX-8	
Transportation Facilities	Airport*	NP	NP	NP	
	Helipad, Heliport, Heliport* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.14
	Railroad Facilities* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.14.1
	Railway Right-of-Way* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Terminal, Freight, Air Courier Services •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.17
Waste Related Services	Automobile Parts Recycling Business* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.18
	Junkyard* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP	\$11.5.19
	Recycling Center •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPIN	L-ZP	L-ZP	\$11.5.20
	Recycling Collection Station •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	
	Recycling Plant, Scrap Processor •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.21
	Solid Waste Facility •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	P-ZPIN	P-ZP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.22
	Mini-storage Facility •Vehicle: 0.1/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.5.23
	Vehicle Storage, Commercial* •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.24
	Wholesale Trade or Storage, General •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.5.25
	Wholesale Trade or Storage, Light •Vehicle: .3/ 1,000 s.f. GFA •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	\$11.5.26

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<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Aquaculture* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.6.1
	Garden, Urban* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	\$11.6.2
	Husbandry, Animal* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	NP	L-ZP	\$11.6.3
	Husbandry, Plant* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	NP	L-ZP	L-ZP	\$11.6.4
	Plant Nursery •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP*	L-ZP*	\$11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Residential Uses  In the I-A and I-B Zone Districts, see Sections 11.2.1 through 11.2.3 for additional limitations on accessory uses.  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			\$11.7
	Accessory Dwelling Unit	L-ZP	NP	NP	\$11.7; \$11.8.2
	Domestic Employee	L	NP	NP	\$11.8.3
	Garden*	L	L	L	\$11.7; \$11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	NP	NP	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses	NP	NP	\$11.7; \$11.8.7
	Outdoor Storage, Residential*	L	L	L	\$11.7; \$11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	\$11.8.9
	Short-term Rental	L	L	L	\$11.7; \$11.8.10
	Vehicle Storage, Repair and Maintenance*	L	L	L	\$11.7; \$10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses			
	Yard or Garage Sales*	L	L	L	\$11.7; \$11.8.11

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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, ZPIN, ZPCIM, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3 I-MX-5 I-MX-8 <b>I-MX-12</b>	I-A	I-B	APPLICABLE USE LIMITATIONS
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**HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L - ZPIN - Applicable in all Zone Districts		\$11.9; \$11.9.5	

**ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION**

Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			\$11.7; \$11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses			\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See Permitted Primary Uses	L	L	\$11.7
	Car Wash Bay Accessory to Automobile Services	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.5
	College Accessory to a Place for Religious Assembly	Not Applicable - See Permitted Primary Uses			\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	
	Garden*	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	\$11.7; \$11.10.11
	Limited Commercial Sales, Services	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 Places of Religious Assembly*	L	L	L	\$11.7; \$11.10.12
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10.13
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.14
	Outdoor Retail Sale and Display*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10.15
	Outdoor Storage, General*	L-ZP	L-ZP	L-ZP	
	Outdoor Storage, Limited*	L-ZP	P-ZP	P-ZP	\$11.7; \$11.10.17
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Use	L	NP	NP	\$11.7; \$11.10.18

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		I-MX-3	I-MX-5	I-MX-8	
<b>TEMPORARY USE CLASSIFICATION</b>					
Temporary Uses	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*	L-ZP	L-ZP	L-ZP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	\$11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	NP	NP	\$11.11.16
	Temporary Tiny Home Village	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.11.17
	Tent for Religious Services	L-ZP	L-ZP	L-ZP	\$11.11.18

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## **SECTION 9.4.6 INCENTIVE OVERLAY DISTRICTS (IO)**

### **9.4.6.1 General Purpose**

Incentive Overlay Districts are intended to serve one or more of the following purposes:

- A. Provide flexibility in zoning standards for projects that deliver specified community or citywide benefits beyond what is required by the Denver Zoning Code and other regulations, including, but not limited to:
  1. Affordable housing;
  2. Community amenities;
  3. Cultural facilities; or
  4. Publicly-accessible open space.
- B. Incentivize provision of community benefits specified in an adopted neighborhood or small area plan that sets forth community priorities and is adopted as part of the Comprehensive Plan.
- C. Incentivize provision of community benefits that are not attainable through other requirements or programs.
- D. Provide clear and predictable development outcomes.

### **9.4.6.2 Minimum Requirements for Establishment**

In addition to the minimum criteria for official map amendment applications specified in Section 12.4.10 Official Map Amendment (Rezoning), an application for a rezoning to apply an Incentive Overlay District shall comply with the following provisions:

#### **A. Application Requirements**

An application to rezone to an Incentive Overlay District shall include, in addition to other submittal requirements, the following information:

1. A statement of purpose and an explanation of how the review criteria stated in Section 9.4.6.2.B are met.
2. A map indicating the boundaries of all lots located within the proposed Incentive Overlay District and the Underlying Zone Districts contained within the proposed Incentive Overlay District.

#### **B. Review Criteria for Approval of District**

In addition to the review criteria applicable to rezonings stated in Section 12.4.10, Official Map Amendment (Rezoning), and to text amendments stated in Section 12.4.11 Text Amendment, the Incentive Overlay District shall meet the following criteria:

1. Application of an Incentive Overlay District will provide community benefits that further one or more adopted city policies; and
2. Such community benefits have been determined by the City to be best achieved through incentives, rather than requirements; and
3. Application of an Incentive Overlay District will ensure clear and predictable outcomes consistent with the applicable neighborhood context, building forms, and the stated purpose and intent of the applicable zone district; and
4. Application of an Incentive Overlay District will apply equally to all similar properties in an area or district to provide equitable outcomes consistent with adopted City policies.

### **9.4.6.3 ~~Modification of Underlying Zone District Standards~~**

#### **A. ~~Modification of Permitted Uses~~**

1. ~~An Incentive Overlay District shall not modify uses permitted in the Underlying Zone District.~~
2. ~~An Incentive Overlay District may modify use limitations otherwise applicable to permitted uses in the Underlying Zone District.~~

#### **B. ~~Modification of Standards~~**

1. ~~An Incentive Overlay District may modify building form standards and general design standards otherwise applicable in the Underlying Zone District to incentivize specified community benefits. Allowed modifications include, but are not limited to:~~
  - a. ~~Increased building height; and/or~~
  - b. ~~Increased floor area; and/or~~
  - c. ~~Reduced setbacks; and/or~~
  - d. ~~Reduced minimum vehicular parking.~~
2. ~~An Incentive Overlay District shall not introduce new building form standards or general design standards that are not applicable in the Underlying Zone District. However, the adoption of an Incentive Overlay District may be accompanied by the adoption of a Conservation Overlay District or Design Overlay District that includes the introduction of new building form standards and/or general design standards.~~

### **9.4.6.4 ~~Incentive Overlay Districts Established~~**

The following Incentive Overlay Districts are established:

INCENTIVE OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
38th and Blake Station Area Incentive Overlay	IO-4

### **9.4.6.5 ~~Effect of Approval~~**

#### **A. ~~Official Map Designator~~**

~~Each Incentive Overlay District shall be shown on the official map by an “IO-#” designator and an appropriate number placed after the Underlying Zone District designation.~~

#### **B. ~~Limitation on Permit Issuance~~**

~~No building permit for development within an Incentive Overlay District shall be issued by the City unless the development meets the standards set forth in the adopted Incentive Overlay District, any applicable incentive requirements set forth in the Denver Revised Municipal Code (D.R.M.C) and any applicable approved Rules and Regulations. Coordination with, and approval from other City agencies, such as the Office of Economic Development, may be required prior to permit issuance in an Incentive Overlay District.~~

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#### **9.4.6.6 38th and Blake Station Area Incentive Overlay District (I0-1)**

##### **A. Creation**

There is hereby created an Incentive Overlay District designated as the 38th and Blake Station Area Incentive Overlay District (I0-1).

##### **B. General Purpose of Overlay District**

1. Ensure that higher intensity development in the area covered by the adopted 38th and Blake Station Area Height Amendments complements public transit investments by providing specific community benefits as recommended by the adopted plan; and
2. Implement specific adopted plan policies for the 38th and Blake Station area by requiring additional affordable housing and other community benefits in excess of standard requirements for development above plan-specified Base Heights; and
3. Implement an incentive-based system to that recognizes development entitlements within Underlying Zone Districts while allowing greater development potential for projects that provide community benefits in excess of standard requirements.

##### **C. Applicability**

1. The provisions of this I0-1 district shall apply only to those areas within Denver Zoning Code Mixed Use Commercial, Mixed Use Industrial and Residential Mixed Use Underlying Zone Districts that are designated with the I0-1 Overlay Zone District on the Official Zone Map.
2. The provisions of this I0-1 district shall apply in conjunction with applicable requirements in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

##### **D. Maximum Base Height**

1. Maximum Base Height shall be the maximum height in stories and feet set forth in the Underlying Zone District.
2. Structures that do not exceed the maximum Base Height shall not be subject to the requirements set forth in Section 9.4.6.6.F Requirements for Structures Using Incentive Height.

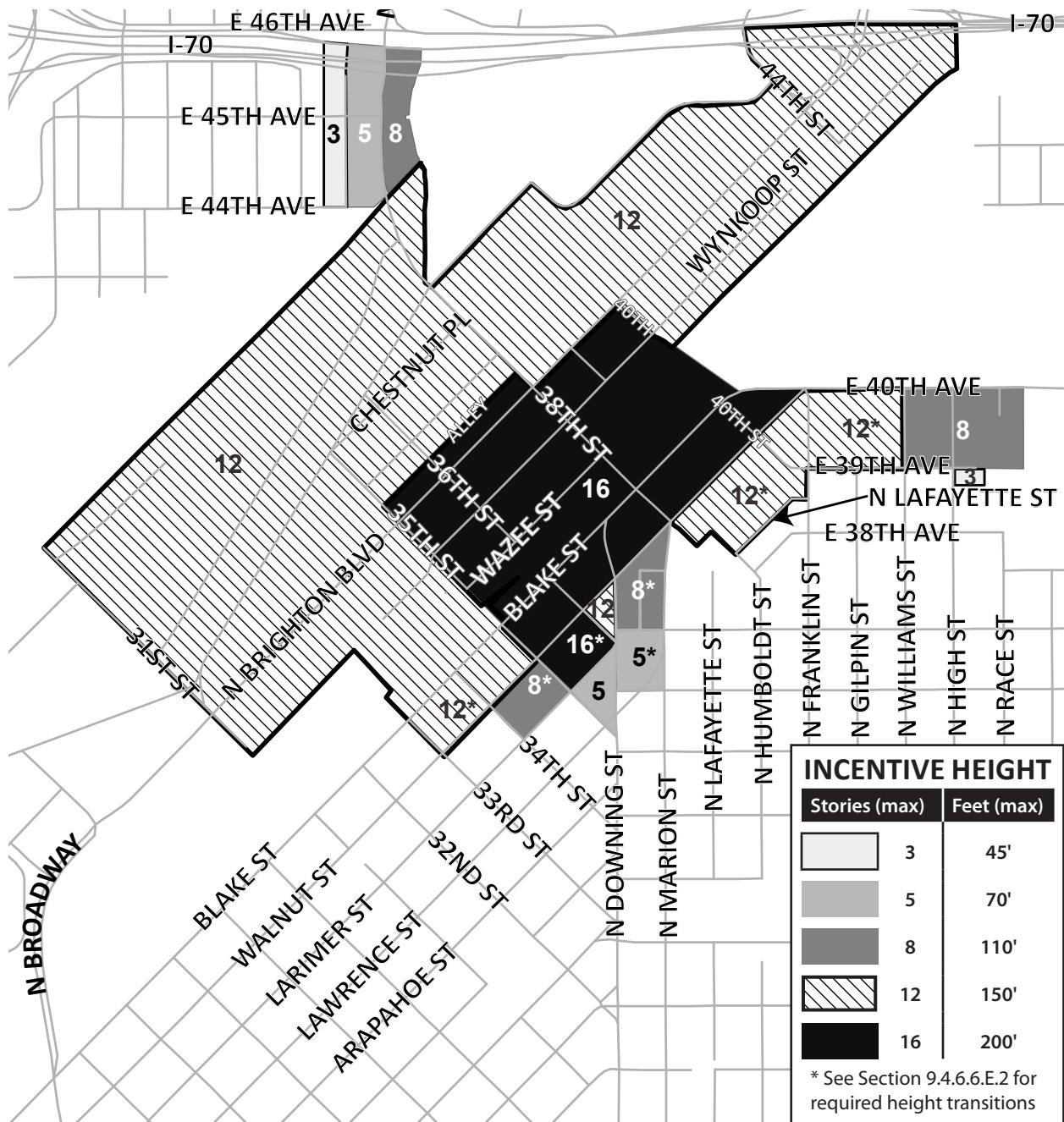
#### E. Maximum Incentive Height

Structures that meet the requirements set forth in Section 9.4.6.6.F Requirements for Structures Using Incentive Height may exceed the maximum Base Height and instead develop to the maximum Incentive Height set forth in this Section 9.4.6.6.E.

##### 1. Maximum Incentive Height Map

- a. For properties in the I0-1 district, Incentive Height maximums are set forth on the map in Figure 9.4-24, except where height transitions are required by Section 9.4.6.6.E.2.
- b. Community Planning and Development shall maintain a detailed map for application of Incentive Height to specific Zone Lots.

Figure 9.4-24



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**2. Incentive Height in Transition Areas**

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

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

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

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

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

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

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

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

1. No building permit for development of a Structure exceeding Base Height within this I0-1 district shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within this I0-1 district shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height.

<b>DIVISION 10.9</b>	<b>PARKING, KEEPING AND STORAGE OF VEHICLES .....</b>	<b>10.9-1</b>
Section 10.9.1	Parking / Storage on Residential Zone Lots .....	10.9-1
Section 10.9.2	Reserved .....	10.9-1
Section 10.9.3	Keeping of Motor Vehicles Accessory to a Dwelling Unit .....	10.9-1
<b>DIVISION 10.10</b>	<b>SIGNS .....</b>	<b>10.10-1</b>
Section 10.10.1	Intent .....	10.10-1
Section 10.10.2	Applicability & General Provisions .....	10.10-1
Section 10.10.3	Signs Permitted In All Districts .....	10.10-2
Section 10.10.4	Sign Area / Volume Measurement .....	10.10-10
Section 10.10.5	Single Unit Zone Districts Sign Standards .....	10.10-12
Section 10.10.6	Multi-Unit Zone Districts Sign Standards .....	10.10-13
Section 10.10.7	Campus Zone Districts Sign Standards .....	10.10-15
Section 10.10.8	District Sign Plan For CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R Zone Districts .....	10.10-20
Section 10.10.9	Residential Mixed Use Zone Districts Sign Standards .....	10.10-31
Section 10.10.10	Mixed Use 2x, Suburban Neighborhood Context Mixed Use 2A, and Main Street 2x Zone Districts Sign Standards .....	10.10-34
Section 10.10.11	Mixed Use Commercial Zone Districts-Tier 1 Sign Standards .....	10.10-36
Section 10.10.12	Mixed Use Commercial Zone Districts-Tier 2 Sign Standards .....	10.10-39
Section 10.10.13	Industrial Zone Districts Sign Standards .....	10.10-41
Section 10.10.14	Downtown Zone Districts Sign Standards .....	10.10-44
Section 10.10.15	Sign Plan For D-TD .....	10.10-47
Section 10.10.16	Special Provisions for D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C .....	10.10-50
Section 10.10.17	Special Provisions For D-C, D-TD, D-LD, D-CV, AND D-AS .....	10.10-52
Section 10.10.18	Open Space and O-1 Zone Districts Sign Standards .....	10.10-58
Section 10.10.19	Cherry Creek North Zone Districts Sign Standards .....	10.10-59
Section 10.10.20	Special Provisions For Signs In Civic Center Area .....	10.10-69
Section 10.10.21	Outdoor General Advertising Devices In The Billboard Use Overlay Zone District .....	10.10-72
<b>DIVISION 10.11</b>	<b>LIMITATIONS ON EXTERNAL EFFECTS OF USES .....</b>	<b>10.11-1</b>
Section 10.11.1	Noise, Vibrations, Air Pollution / Odors, & Radioactivity .....	10.11-1
Section 10.11.2	Other Emissions .....	10.11-1
Section 10.11.3	Change in Drainage Patterns .....	10.11-1
Section 10.11.4	Truck and Rail Loading Operations .....	10.11-1
<b>DIVISION 10.12</b>	<b>INCENTIVES FOR AFFORDABLE HOUSING .....</b>	<b>10.12-1</b>
<u>Section 10.12.1</u>	<u>Height Incentives .....</u>	<u>10.12-1</u>
<u>Section 10.12.2</u>	<u>Floor Area Premiums or Incentives .....</u>	<u>10.12-3</u>
<u>Section 10.12.3</u>	<u>Parking Incentives .....</u>	<u>10.12-3</u>

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## DIVISION 10.1 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

In addition to the zoning design standards applicable to development under this Code, design standards found in other parts of the Denver Revised Municipal Code may apply. An applicant for development is encouraged to investigate whether these other standards may apply, and to work with Community Planning and Development and other agencies to determine how all applicable standards interplay with applicable zoning regulations. Other applicable design standards include, but are not limited to:

- 10.1.1 Chapter 49 (Streets, Sidewalks and Other Public Ways), D.R.M.C., regarding the designation of Parkways and the establishment of Parkway setbacks for buildings and structures.
- 10.1.2 Chapter 30 (Landmark Preservation), D.R.M.C., regarding the designation of Historic Structures and historic districts;
- 10.1.3 Chapter 10 (Buildings and Building Regulations), D.R.M.C., regarding the establishment of view plane protection areas, which may restrict the height of structures more stringently than the applicable zoning.
- 10.1.4 Chapter 8 (Animals), D.R.M.C., regarding licensing and permitting for the keeping of animals, including but not limited to dogs, cats, livestock, and fowl, within the City of Denver.
- 10.1.5 Chapter 56 (Utilities), D.R.M.C., regarding water, drainage, sanitary and floodplain regulations affecting land development.
- 10.1.6 Chapter 57 (Vegetation), D.R.M.C., regarding maintenance of landscaping in general, and maintenance of plantings in the public rights-of-way.
- 10.1.7 Chapter 27 (Housing), D.R.M.C., regarding requirements for certain developments to include a minimum number amount of moderately priced affordable housing ~~units or units built as an alternative to payment of the linkage fee~~.
- 10.1.8 Chapter 24 (Health and Sanitation), Article XI (Medical Marijuana Dispensaries) for regulations relating to the establishment and operation of medical marijuana retail dispensaries, a type of retail sales and service land use.
- 10.1.9 Chapter 6 (Alcohol Beverages and Retail Marijuana), Article IV (Malt, Vinous and Spirituous Liquors), D.R.M.C., for regulations relating to the establishment and operation of Liquor Stores, a type of retail sales and service land use.
- 10.1.10 Chapter 6 (Alcohol Beverages and Retail Marijuana), Article V (Denver Retail Marijuana Code), D.R.M.C., for regulations relating to the establishment and operation of retail marijuana dispensaries, a type of retail sales and service land use.
- 10.1.11 Rules and regulations adopted by the Manager according to D.R.M.C., Chapter 12, including but not limited to Urban Design Standards and Guidelines and the Denver Streetscape Manual.

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4. In the D-LD zone district, this subsection 10.4.5.1.C. shall have no force and effect, and Section 8.4.1.4, Off-Street Parking Requirements, shall govern the parking of Historic Structures.

**D. Preservation of Existing Trees**

If, in order to comply with standards in this Article 10 for the landscaping of parking areas and with this Division 10.4. Parking and Loading, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in either (1) the size of required landscaped areas (for the purpose of accommodating the required parking), or (2) the number of required parking spaces. Requests for this exception from the minimum parking requirements shall be reviewed according to Section 12.4.5, Administrative Adjustment.

**E. Vehicle Parking Exemptions for Enhanced Affordable Housing near Multi-Modal Transportation**

**1. Intent**

To remove barriers to mixed income development by eliminating vehicle parking requirements for projects that are near high-capacity transit and provide enhanced affordable housing beyond mandatory requirements.

**2. Applicability**

- a. This Section 10.4.5.1.E shall apply to Zone Lots that have their nearest point within 1/4 mile of the outer boundary of a Rail Transit Station Platform and are located in a Mixed Use Commercial Zone District, Multi Unit (MU) zone district, Residential Office (RO) zone district, or Residential Mixed Use (RX) zone district.
- b. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11 Measurement of Separation or Distance.

**3. Exemption**

All Dwelling Units on a Zone Lot shall be exempt from the minimum amount of vehicle parking otherwise required by this Code if the Structure 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.

**10.4.5.2 Alternative Minimum Vehicle Parking Ratios**

The following uses are allowed alternative minimum vehicle parking ratios instead of the minimum parking ratios otherwise required by this Code, but only to the extent specified in Section 10.4.5.2.

**A. General Provisions Applicable to All Alternative Minimum Vehicle Parking Ratios**

**1. Alternative Minimum Vehicle Parking Ratios Not Applicable to Accessible Parking**

The number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required for the subject land use in the applicable Use and Parking Table before application of an eligible alternative minimum vehicle parking ratio. The number of required accessible parking spaces shall not be calculated based on alternative minimum vehicle parking ratios.

**2. No Combination with Reductions**

A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.

a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units that are affordable at 60 percent Area Median Income and below, and office Primary Uses. The affordable housing use may apply applies the affordable housing alternative minimum vehicle parking ratio of 0.1 vehicle parking spaces per unit for a parking requirement of 10 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable-housing units may not be reduced further.

**3. Combination of Multiple Alternative Ratios Allowed**

If more than one alternative parking ratio applies to an applicable use(s), an Applicant may choose which alternative parking ratio to apply or may combine multiple alternative parking ratios in the same development.

a. For example, in a Main Street zone district, a new primary structure will include 80 housing units that are affordable to persons with at 60 percent area median income and below, and another 50 housing units that are market-rate rentals but are each under 550 square feet in gross floor area. In this case, the applicant may apply the affordable housing alternative parking ratio to the 80 affordable units, and the small dwelling unitss alternative parking ratio to the 50 small units.

**B. Alternative Minimum Vehicle Parking Ratios Allowed**

The Zoning Administrator shall allow an applicant to apply an alternative minimum vehicle parking ratio upon finding that the additional requirements stated in the following table have been met:

TYPE OF ALTERNATIVE	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	ALTERNATIVE ALLOWED
Affordable Housing	All Zone Districts	Primary Residential Uses	Housing that is affordable <u>for persons with at</u> 60 percent <u>a</u> <u>Area Median Income and below</u>	Alternative minimum vehicle parking ratio of 0.1 vehicle parking spaces per unit
<u>Mandatory Affordable Housing On-Site Compliance</u>	<u>All Zone Districts</u>	<u>Primary Residential Uses</u>	<u>All required Income Restricted Units are located on the Zone Lot</u>	<u>Alternative minimum vehicle parking ratio for all Dwelling Units of 0.75 vehicle parking spaces per unit in Suburban (S) and Industrial (I) contexts; 0.5 vehicle parking spaces per unit in Urban Edge (E), Urban (U), and General Urban (G) contexts; and 0.25 vehicle parking spaces per unit in Urban Center (C) context</u>
Small Dwelling Units	All Main Street Zone Districts	Primary Residential Uses	Dwelling Units that are under 550 square feet in gross floor area may utilize this reduction	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit
Shelters	All Zone Districts	Primary Residential Care Use	Residential Care Uses that provide temporary housing or shelter primarily to guests who are at risk of homelessness or are experiencing homelessness.	Alternative minimum vehicle parking ratio of 0.125 vehicle parking spaces per 1,000 sf GFA
Congregate Living	All Main Street Zone Districts	Congregate Living Primary Use	n/a	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit

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TYPE OF ALTERNATIVE	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	ALTERNATIVE ALLOWED
Household Living for Older Adults	All Main Street Zone Districts	Household Living Primary Use	Dwelling unit must be occupied only by older adults (individuals 55 or more years of age) who comprise a single, non-profit housekeeping unit, and do not meet the definition of a "Residential Care Use."	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit
Other Housing	All Main Street Zone Districts	Primary Residential Uses	Other special needs housing with similar reduced parking demands, as approved by the Zoning Administrator	Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit

### 10.4.5.3 Vehicle Parking Reductions

#### A. General Provisions Applicable to All Vehicle Parking Reduction Allowances

##### 1. Calculation

In determining the total number of required vehicle parking spaces that may be reduced through any one or combination of this Section's permitted reductions, calculations shall be based on the minimum number of required vehicle parking spaces using the ratio contained in the applicable Use and Parking Table, and not based an alternative minimum vehicle parking ratio pursuant to Section 10.4.5.2.

##### 2. Reductions Not Applicable to Accessible Parking

The number of required accessible parking spaces shall not be reduced, and the number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required not including any reduction.

##### 3. No Combination with Alternative Minimum Vehicle Parking Ratios

A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.

a. For example: A Zone Lot in a Main Street zone district includes 100 ~~affordable~~ housing units that are affordable at 60 percent Area Median Income and below, and office Primary Uses. The ~~affordable~~ housing use may applies the affordable housing alternative minimum vehicle parking ratio of 0.125 vehicle parking spaces per unit for a parking requirement of 1025 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

##### 4. Maximum Reduction Allowed

a. The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection's permitted reductions, with the following exceptions:

- i. Vehicle parking reductions for small lots in the C-CCN zone districts provided in Section 10.4.5.3.C.
- ii. Vehicle parking reductions for Pre-Existing Small Zone Lots provided in Section 10.4.5.1.A.

b. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection's permitted reductions.

- i. For example, a Zone Lot in a G-MS-5 zone district includes 100 ~~affordable~~ housing units that are affordable at 60 percent Area Median Income and be-

low, and office Primary Uses. The ~~affordable~~ housing use may applies the alternative minimum vehicle parking ratio of 0.125 vehicle parking spaces per unit for a parking requirement of 1025 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable-housing units is a 9075% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

**5. Informational Notice Required for Certain Reduction Requests**

A request for greater than a 25% reduction in the required amount of parking shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, with the following exceptions:

- a. Alternative vehicle parking ratios
- b. Vehicle parking reductions for small lots in the C-CCN zone districts under Section 10.4.5.3.C.

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

- a. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.3, may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division 10.4 and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.
- b. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.3 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if:
  - i. The owner(s) demonstrate that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement; or,
  - ii. By no fault of the owner(s), the justification or factual basis for the reduction no longer applies or exists. Example, the relocation of a Multi-Modal Transportation stop, where the subject property is no longer within the requisite proximity to receive a parking reduction.

**B. Reductions Allowed**

The Zoning Administrator shall allow an applicant to apply reductions to the minimum number of required vehicle parking spaces upon finding that the additional requirements and special review process stated in the following table have been met:

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TYPE OF REDUCTION	APPLICABLE ZONE DISTRICTS	APPLICABLE USE	ADDITIONAL REQUIREMENTS	REDUCTION ALLOWED	SPECIAL REVIEW PROCESS
<b>Affordable Housing</b>	All Zone Districts	Primary Residential Uses	The development provides proof that it is eligible for an exception to payment of the linkage fee under D.R.M.C. Section 27-154(a)-(d), or the development provides proof that it complies with the provisions of D.R.M.C. Section 27-155	20% reduction in the total number of required vehicle parking spaces for all primary residential uses contained in a building that provides housing that can only be rented or purchased by households of a certain area median income level; this reduction will not apply to any structure that does not provide the housing described above	See Section 10.4.5.3.A.5
Assisted Living Facility	All Zone Districts	Assisted Living Primary Use	The reduction shall be allowed only upon finding that the assisted living facility generates less parking need or demand due to the specific nature and character of the facility, its occupants, and/or visitors; and if a reduction is permitted under this provision, no additional parking reduction otherwise available under this Code shall be granted	0.5 space per unit reduction in the total number of required vehicle parking spaces	Section 12.4.2, Zoning Permit with Informational Notice
Proximity to Multi-Modal Transportation	Suburban (S-), Urban Edge (E-), Urban (U-), or General Urban (G-), Industrial (I-), or Master Planned (M-) Zone District	Any Primary Use	Any Primary Use located on a Zone Lot having its nearest point within 1/4 mile of the outer boundary of a Rail Transit Station Platform or 1/4 mile of an enhanced transit corridor as defined in Blueprint Denver	25% reduction in the total number of required vehicle parking spaces	See Section 10.4.5.3.A.5
On-Site Car Sharing	All Zone Districts, except Campus Zone Districts	Any Residential Primary Use	Where an active car-sharing program is available in the same building or on the same zone lot as that Primary Use and is made available to the residents in the same building where the residential units are located	5 required vehicle parking spaces reduced for each 1 car share space provided	See Section 10.4.5.3.A.5
	Campus Zone Districts	Any Primary Use			

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## **DIVISION 10.12 INCENTIVES FOR AFFORDABLE HOUSING**

### **SECTION 10.12.1 HEIGHT INCENTIVES**

#### **10.12.1.1 Enhanced Affordable Housing**

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

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

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

This Section 10.12.1.1 shall apply to the Apartment, General, and Shopfront primary building forms in the following zone districts.

###### **1. Suburban Context (S-)**

- a. Multi Unit (MU) zone districts: S-MU-3, S-MU-5, S-MU-8, S-MU-12, S-MU-20
- b. Commercial Corridor (CC) zone districts: S-CC-3, S-CC-3x, S-CC-5, S-CC-5x
- c. Mixed Use (MX) zone districts: S-MX-3, S-MX-3A, S-MX-5, S-MX-5A, S-MX-8, S-MX-8A, S-MX-12, S-MX-12A
- d. Main Street (MS) zone districts: S-MS-3, S-MS-5

###### **2. Urban Edge Context (E-)**

- a. Residential Mixed Use (RX) zone districts: E-RX-3, E-RX-5
- b. Commercial Corridor (CC) zone districts: E-CC-3, E-CC-3x
- c. Mixed Use (MX) zone districts: E-MX-3, E-MX-3A
- d. Main Street (MS) zone districts: E-MS-3, E-MS-5

###### **3. Urban Context (U-)**

- a. Residential Mixed Use (RX) zone districts: U-RX-3, U-RX-5
- b. Mixed Use (MX) zone districts: U-MX-3
- c. Main Street (MS) zone districts: U-MS-3, U-MS-5

###### **4. General Urban Context (G-)**

- a. Multi Unit (MU) zone districts: G-MU-3, G-MU-5, G-MU-8, G-MU-12, G-MU-20
- b. Residential Office (RO) zone districts: G-RO-3, G-RO-5
- c. Residential Mixed Use (RX) zone districts: G-RX-3, G-RX-5
- d. Mixed Use (MX) zone districts: G-MX-3
- e. Main Street (MS) zone districts: G-MS-3, G-MS-5

###### **5. Urban Center Context (C-)**

- a. Residential Mixed Use (RX) zone districts: C-RX-5, C-RX-8, C-RX-12
- b. Mixed Use (MX) zone districts: C-MX-3, C-MX-5, C-MX-8, C-MX-12, C-MX-16, C-MX-20
- c. Main Street (MS) zone districts: C-MS-5, C-MS-8, C-MS-12

###### **6. Industrial Context (I-)**

- a. Mixed Use (MX) zone districts: I-MX-3, I-MX-5, I-MX-8, I-MX-12

**C. Exceptions**

1. This Section 10.12.1.1 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.
2. This Section 10.12.1.1 shall not apply to the Downtown Arapahoe Square 12+ and 20+ (D-AS-12+, D-AS-20+) zone districts or the Downtown Central Platte Valley - Auraria (D-CPV-T, D-CPV-R, D-CPV-C) zone districts. Refer to Article 8 for specific height incentive applicability and standards.

**D. Standards**

1. A Structure that 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 and summarized below.

<b>MAXIMUM HEIGHT WITH INCENTIVES IN STORIES AND FEET</b>			
<b>ZONE DISTRICT</b>	<b>APARTMENT BUILDING FORM</b>	<b>GENERAL BUILDING FORM</b>	<b>SHOPFRONT BUILDING FORM</b>
<u>3-story zone districts</u>	<u>4/50'</u>	<u>4/55'</u>	<u>4/55'</u>
<u>5-story zone districts</u>	<u>7/90'</u>	<u>7/95'</u>	<u>7/95'</u>
<u>8-story zone districts</u>	<u>12/140'</u>	<u>12/150'</u>	<u>12/150'</u>
<u>12-story zone districts</u>	<u>16/185'</u>	<u>16/200'</u>	<u>16/200'</u>
<u>16-story zone districts</u>	<u>22/250'</u>	<u>22/275'</u>	<u>22/275'</u>
<u>20-story zone districts</u>	<u>30/340'</u>	<u>30/375'</u>	<u>30/375'</u>

2. Maximum height with incentives may be limited if the Primary Structure is located near a Protected District per the rules set forth in the applicable building form standards and in Section 13.1.3.4 Height in Feet.

**10.12.1.2 Enhanced Linkage Fees**

**A. Intent**

To encourage additional affordable housing linkage fee payments beyond mandatory requirements by providing flexibility in building height for nonresidential projects near high-capacity transit.

**B. Applicability**

This Section 10.12.1.2 shall apply to the General and Shopfront primary building forms on Zone Lots that have their nearest point within 1/2 mile of the outer boundary of a Rail Transit Station Platform and are located in Urban Center Residential Mixed Use (C-RX), Mixed Use (C-MX), or Main Street (C-MS) zone districts.

**C. Standards**

1. 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 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.

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<u>MAXIMUM HEIGHT WITH INCENTIVES IN STORIES AND FEET</u>		
<u>ZONE DISTRICT</u>	<u>GENERAL BUILDING FORM</u>	<u>SHOPFRONT BUILDING FORM</u>
<u>3-story zone districts</u>	<u>4/55'</u>	<u>4/55'</u>
<u>5-story zone districts</u>	<u>7/95'</u>	<u>7/95'</u>
<u>8-story zone districts</u>	<u>12/150'</u>	<u>12/150'</u>
<u>12-story zone districts</u>	<u>16/200'</u>	<u>16/200'</u>
<u>16-story zone districts</u>	<u>22/275'</u>	<u>22/275'</u>
<u>20-story zone districts</u>	<u>30/375'</u>	<u>30/375'</u>

2. Maximum height with incentives may be limited if the Primary Structure is located near a Protected District per the rules set forth in the applicable building form standards and in Section 13.1.3.4 Height in Feet.

## **SECTION 10.12.2 FLOOR AREA PREMIUMS OR INCENTIVES**

### **10.12.2.1 Intent**

To encourage additional affordable housing beyond mandatory requirements by providing flexibility in building floor area where applicable in Downtown Neighborhood Context (D-) zone districts.

### **10.12.2.2 Applicability**

This Section 10.12.2 shall apply to the Downtown Core and Downtown Theater District (D-C/D-TD), Downtown Golden Triangle (D-GT), and Downtown Arapahoe Square (D-AS) zone districts.

### **10.12.2.3 Standards**

Refer to Article 8 for specific floor area premium or incentive applicability and standards.

## **SECTION 10.12.3 PARKING INCENTIVES**

### **10.12.3.1 Intent**

To encourage on-site affordable housing and mixed income development by reducing or eliminating vehicle parking requirements.

### **10.12.3.2 Standards**

Refer to Section 10.4.5.1, Vehicle Parking Exemptions and Section 10.4.5.2 Alternative Minimum Vehicle Parking Ratios for specific applicability and standards.

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**B. Unusual Physical Conditions or Circumstances**

1. There are unusual physical circumstances or conditions, including, without limitation:
  - a. Irregularity, narrowness or shallowness of the lot; or
  - b. Exceptional topographical or other physical conditions peculiar to the affected property; or
  - c. Unusual physical circumstances or conditions arising from an ~~existing~~, nonconforming or compliant structure existing on the affected property; and
2. The circumstances or conditions do not exist throughout the neighborhood or zone district in which the property is located, or the circumstances or conditions relate to drainage conditions and challenges found consistently throughout the neighborhood or zone district in which the property is located; and
3. The unusual physical circumstances or conditions have not been created by the applicant.

**C. Designated Historic Property or District**

The property could be reasonably developed in conformity with the provisions of this Code, but the building has been designated as a Historic Structure or is in a designated historic district. As part of the review pursuant to D.R.M.C., Chapter 30 (Landmark Preservation), the approving authority has found that development on the Zone Lot conforming to this Code's regulations would have an adverse impact upon the historic character of the individual landmark or the historic district, if a historic district is involved.

**D. Compatibility with Existing Neighborhood**

1. The property could be reasonably developed in conformity with the provisions of this Code, but the proposed adjustment or variance will result in a building form that is more compatible, in terms of building height, siting, and design elements, with the existing neighborhood in which the subject property is located. In making a determination of whether the subject property, with the proposed variance, would be more compatible with the existing neighborhood, the decision-making body may choose not to consider primary or accessory buildings in the existing neighborhood that have been granted variances or administrative adjustments based on unusual physical circumstances or conditions of such properties.
2. "Existing neighborhood" shall mean:
  - a. For changes in building or site elements within the rear 35% of a zone lot: Any similar zone lot or building on a zone lot which is located on the same face block or on an adjacent face block (i.e., across a rear property line or rear alley).
  - b. For changes in building or site elements within the front 65% of a zone lot: Any zone lot or primary building on a zone lot which is located on the same face block or the face block across a public street from the subject building.
3. For purposes of a variance review only, the Board of Adjustment may consider similar buildings located beyond the same face block, opposite face block, or adjacent face block from the subject building if the Board deems doing so reasonable and necessary to make its determination of compatibility with the existing neighborhood. This allowance does not apply to review of a request for an administrative adjustment.

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

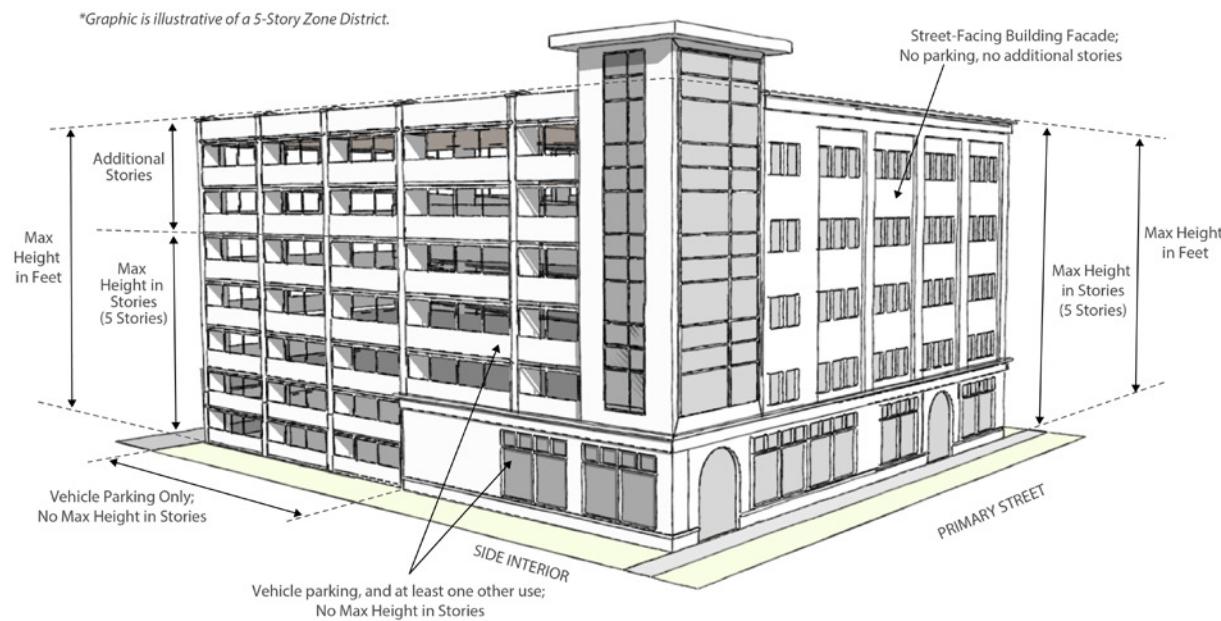
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Figure 13.1-18



iii. In addition to the standards in Sections 13.1.2.3.B.5.c.i and ii, the following additional standards shall apply:

- An additional story in height is allowed only at such locations within the structure Structure where vehicle parking and another non-parking use both occur and are vertically aligned; and
- Except as detailed in the building form standard tables in each of Articles 3-9, a sStructure shall not be exempt from the maximum height in feet allowed by the applicable Building Form; and;
- A Structure exceeding the maximum height in stories as allowed by this Section 13.1.2.3.B.5 that is not utilizing the height flexibility allowed by Section 10.12.1 Height Incentives, shall not be required to meet the increased requirements 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.

**C. Exceptions From Stories (Max)**

Exceptions from overall height in stories are found in each of Articles 3-9 of this Code.

**13.1.3.4 Height in Feet**

**A. Feet (max)**

**1. Rule of Measurement**

Overall height in feet shall be measured as the vertical distance in feet from a base plane to the highest point of a building or structure. See Figures 13.1-19 and -20.

**2. Exceptions**

Exceptions from overall height in feet are found in each of Articles 3-9 of this Code.

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Figure 13.1-19

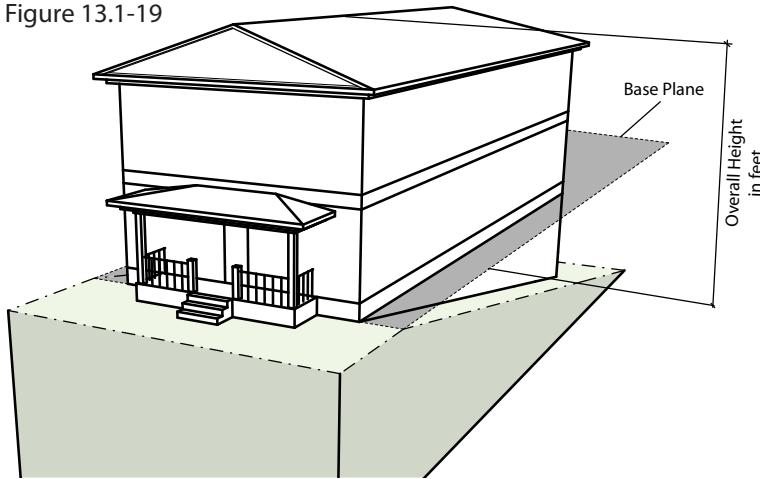
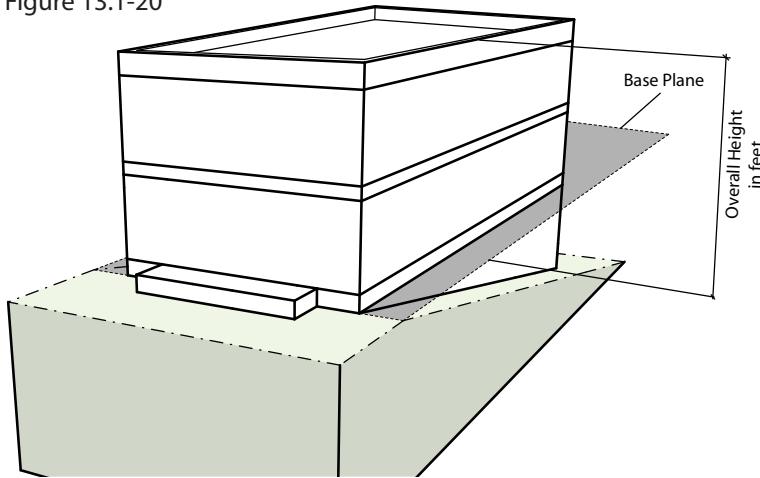


Figure 13.1-20



**B. Feet, within 175 feet of Protected District (max)**

**1. Rule of Measurement**

Height of a building Structure or any portion thereof, developed with or without height incentives, that is within 175 feet of a Protected District on the subject property shall not exceed the maximum height standard contained within the specified in the applicable building form table if the subject building is within a certain distance from any Protected District zone district boundary line.

**C. Feet (min)**

**1. Intent**

To provide a minimum street wall.

**2. Rule of Measurement**

Minimum building height shall be measured as the vertical distance in feet from a base plane to the highest point of a roof or to the top of a parapet wall which runs along the Street-facing sides of the building. See Figure 13.1-21.

#### **D. Basis of Zone Lot Size (Area) and Width**

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

To recognize historic development patterns by requiring certain specified dimensions of a Zone Lot to be measured based on Record Documents rather than based on actual surveyed dimensions, and where Record Documents are not ~~available~~available, to clarify how certified survey measurements will be interpreted for purposes of zoning compliance.

##### **2. Applicability and Exceptions**

This rule of measurement shall be applied to determine the dimensions of a Zone Lot as they relate to compliance with the following standards only:

- a. Qualifications for permitted height increase based on Zone Lot Width in the applicable Building Form Tables in Articles 3-9;
- b. Zone Lot Size (Area) as stated in the following Code provisions:
  - i. In the applicable Building Form Tables in Articles 3-9 for the Suburban House, Urban House, Duplex, Tandem House, and Row House Primary Building Forms; and
  - ii. In Residential Zone Districts only, the applicable Building Form Tables in Articles 3-9 for Detached Garage, Detached Accessory Dwelling Unit, and Other Detached Accessory Structure ~~Building~~Building Forms for detached accessory structures;
  - iii. In the applicable Cherry Creek General - Small Lot on South Side of 3rd Avenue Building Form table in Article 7;
  - iv. As applicable, Zone Lot Area in Overlay District standards stated in Article 9. and
  - v. Qualification for a "Small Zone Lot" according to Section 10.4.5.1, Vehicle Parking Exemptions, of this Code.
- c. Zone Lot Width as stated in the following Code provisions:
  - i. In the applicable Building Form Tables in Articles 3-9 for the Suburban House, Urban House, Duplex, Tandem House, and Row House Primary Building Forms;
  - ii. In Residential Zone Districts only, in the applicable Building Form Tables in Articles 3-9 for Detached Garage, Detached Accessory Dwelling Unit, and Other Detached Accessory Structure ~~Building~~Building Forms for detached accessory structures;
  - iii. In the applicable Cherry Creek General - Small Lot on South Side of 3rd Avenue Building Form table in Article 7; and
  - iv. As applicable, Zone Lot Width in Overlay District standards stated in Article 9.
- d. All other standards and rules of measurement in this Code that reference dimensions of the subject Zone Lot or real property shall be based on measurements contained in an Improvement Survey Plat (ISP) or a Land Survey Plat (LSP) prepared by a Qualified Professional.

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**3. Rule of Measurement**

- a. The Zoning Administrator shall make a final determination of the dimensions of the Zone Lot based on the Record Document, where available. For the purposes of this provision, a "Record Document" shall mean the recorded Plat or Subdivision that specifies historic platted lot measurements applicable to the subject property.
- b. Where a Record Document is not available, an applicant shall submit an Improvement Survey Plat (ISP) or a Land Survey Plat (LSP) prepared by a Qualified Professional to determine the dimensions of the Zone Lot. When a Zone Lot measurement is within one-tenth of a foot per 25 feet of the applicable standard, it shall be determined to meet that standard.

**For example:** The required minimum side interior setback for an Urban House building form in an U-SU zone district varies depending on the Zone Lot Width. According to this rule of measurement, for example, as long as the ISP or LSP shows a Zone Lot Width of between 74.7' and 75.3', the setback standard applicable to a 75-foot wide Zone Lot will apply. The formula applied in this example is broken down below:

- The Zone Lot Width threshold at issue for determining the applicable setback is 75 feet. Using the results of an ISP or LSP, an applicant needs to know whether to apply the setback standard for a less-than-75-feet wide zone lot (5 feet) or the setback standard for a 75 feet or more wide zone lot (7.5 feet).
- One-tenth of 1 foot = 0.10
- For a 75-foot width threshold at issue, 25 feet goes into 75 feet 3 times (75 divided by 25 = 3)
- $0.10 \times 3 = .30$
- 75 feet minus .30 feet = 74.7 feet, which is the minimum end-point of a survey measurement that will get applied as equivalent to 75 feet.
- 75 feet plus .30 feet = 75.3 feet, which is the maximum end-point of a survey measurement that will get applied as equivalent to 75 feet.

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

**A. General Provisions**

**1. Intent and Applicability**

**a. Intent**

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

**b. Applicability**

This Section 13.1.5.2 shall apply to determine Zone Lot Lines in all zone districts except in the CC, MX, MS, C-CCN, D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts.

**2. General Requirements**

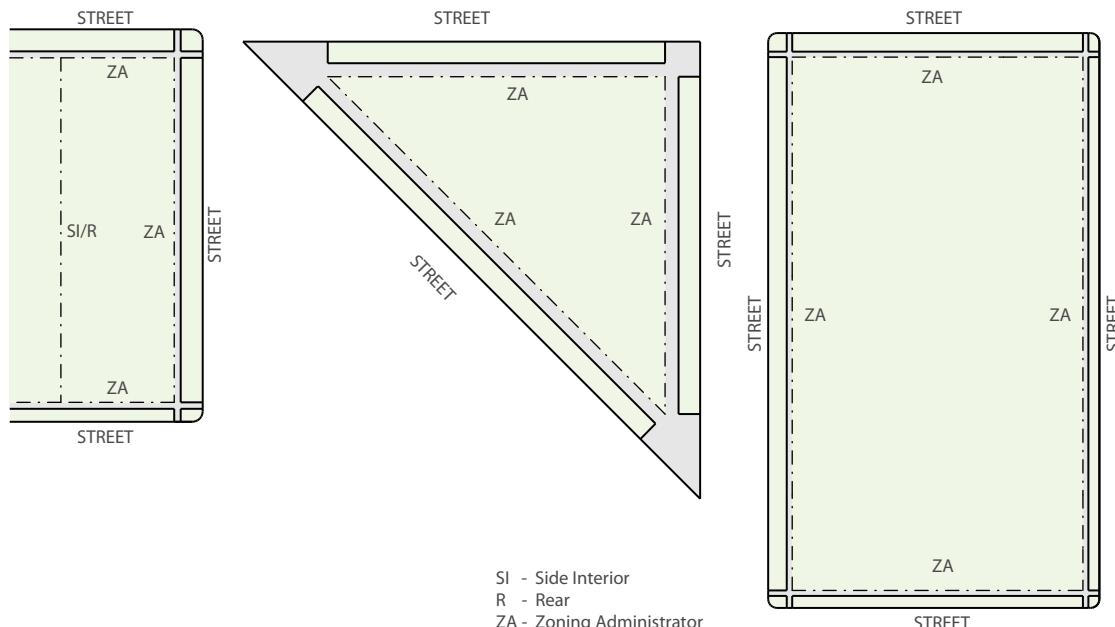
- a. A primary street zone lot line or a side street zone lot line may abut a private street if approved by the Zoning Administrator.
- b. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development,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

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**4. Zone Lots with Frontage on 3 or More Streets/Full Blocks: Primary Street, Side Street, Side Interior and Rear Zone Lot Lines**

Using the criteria in Section 13.1.5.2.A.3, for Corner Lots with frontage on 3 or more streets, including Zone Lots with full block frontage, the Zoning Administrator shall designate the Primary Street Zone Lot Line, and may designate more than one Primary Street Zone Lot Line, and shall designate the remaining Zone Lot Lines as Side Interior, Side Street, or Rear Zone Lot Lines. See Figure 13.1-43.

Figure 13.1-43



**13.1.5.3 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines for all CC, MX, and MS Zone Districts**

**A. Intent and Applicability**

**1. Intent**

This Section provides a reference of measurement for standards related to form and building placement (e.g. Build-to, Setbacks).

**2. Applicability**

This Section 13.1.5.23 shall apply to determine Zone Lot Lines in all CC, MX, and MS Zone Districts.

**B. General Requirements**

1. Each Zone Lot Line shall have a designation of Primary Street, Side Street, Side Interior or Rear.
2. Each Zone Lot shall have at least one Primary Street Zone Lot Line.
3. A Primary Street Zone Lot Line or a Side Street Zone Lot Line may abut a private street if approved by the Zoning Administrator.
4. Once designated for a Zone Lot, a Primary Street Zone Lot Line designation cannot be changed after development (e.g., a Primary Street Zone Lot Line cannot, for purposes of

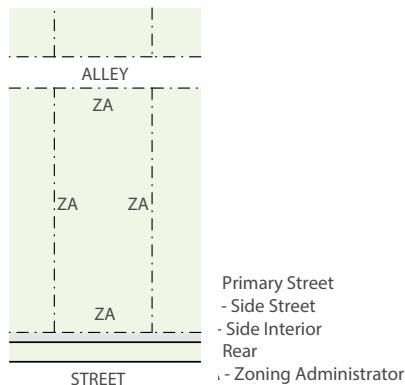
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**D. Interior Zone Lots**

**1. MS Zone Districts**

Using the the criteria in Section 13.1.5.~~43~~.C, the Zoning Administrator shall designate the Primary Street, Side Street, Side Interior and Rear Zone Lot Lines for all Zone Lots in the MS zone districts. See Figure 13.1-44.

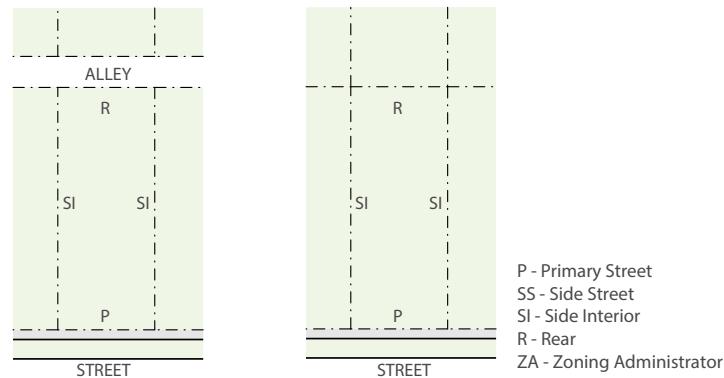
Figure 13.1-44



**2. CC and MX Zone Districts**

- The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
- The Rear Zone Lot Line shall be the Zone Lot Line opposite the Primary Street.
- The Side Interior Zone Lot Line shall be the remaining two Zone Lot Lines.
- There shall be no Side Street Zone Lot Line designation.
- See Figure 13.1-45.

Figure 13.1-45



## E. Corner Zone Lots

### 1. CC and MX Zone Districts

- a. The applicant shall designate a Primary Street Zone Lot Line and Side Street Zone Lot Line.
- b. Using the the criteria in Section 13.1.5.43.C, the Zoning Administrator may designate additonal Primary Street Zone Lot Lines, and shall designate remaining Zone Lot Lines as either Side Interior and/or Rear Zone Lot Lines. See Figure 13.1-46.

### 2. MS Zone Districts

Using the the criteria in Section 13.1.5.43.C, the Zoning Administrator shall designate one or more Primary Street Zone Lot Lines, and shall designate remaining Zone Lot Line as either Side Street, Side Interior, or Rear Zone Lot Line(s). See Figure 13.1-47.

Figure 13.1-46

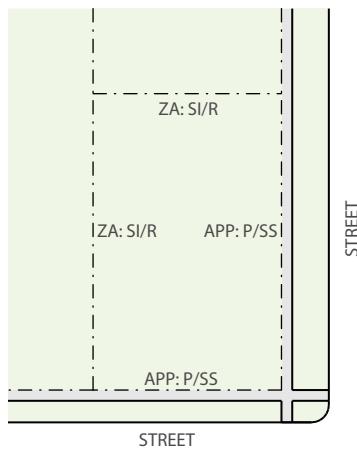
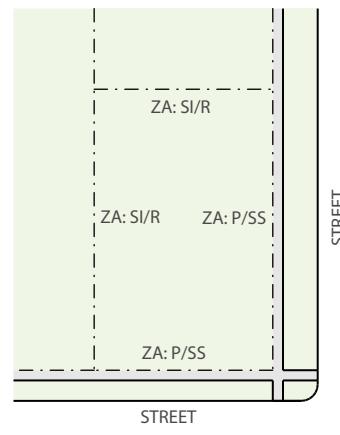
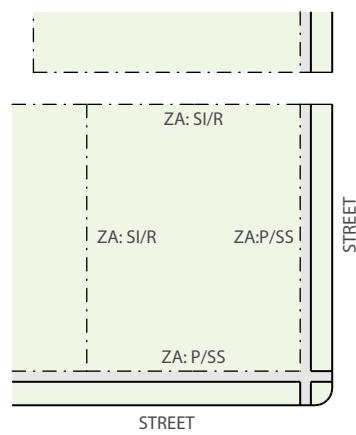


Figure 13.1-47

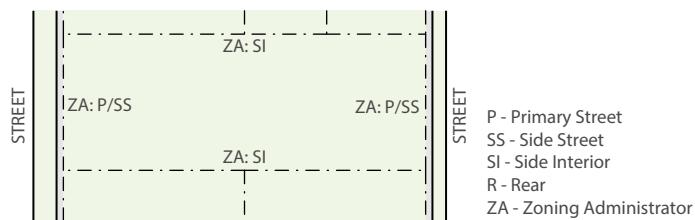


P - Primary Street  
SS - Side Street  
SI - Side Interior  
R - Rear  
ZA - Zoning Administrator

## F. Double Frontage Zone Lots

Using the the criteria in Section 13.1.5.43.C, for Zone Lots with double frontage, the Zoning Administrator shall determine one or more Primary Street Zone Lot Lines, and shall designate the remaining Zone Lot Lines as either Side Street, Side Interior, or Rear Zone Lot Line(s). See Figure 13.1-48.

Figure 13.1-48



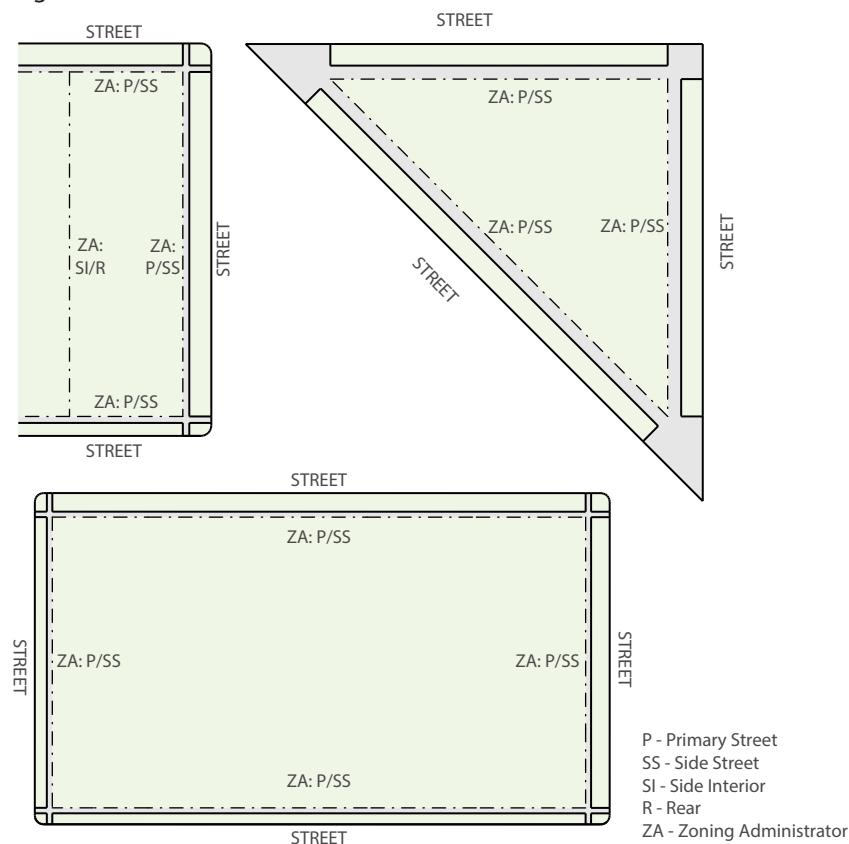
P - Primary Street  
SS - Side Street  
SI - Side Interior  
R - Rear  
ZA - Zoning Administrator

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**G. Zone Lots with Frontage on 3 or More Streets/Full Block**

Using the criteria in Section 13.1.5.43.C, for Corner Zone Lots with frontage on 3 or more streets, including zone lots with full block frontage, the Zoning Administrator shall designate one or more Primary Street Zone Lot Lines, and shall designate the remaining Zone Lot Lines as either Side Interior Zone Lot Lines and/or Rear Zone Lot Lines. See Figure 13.1-49.

Figure 13.1-49



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

**A. Intent**

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

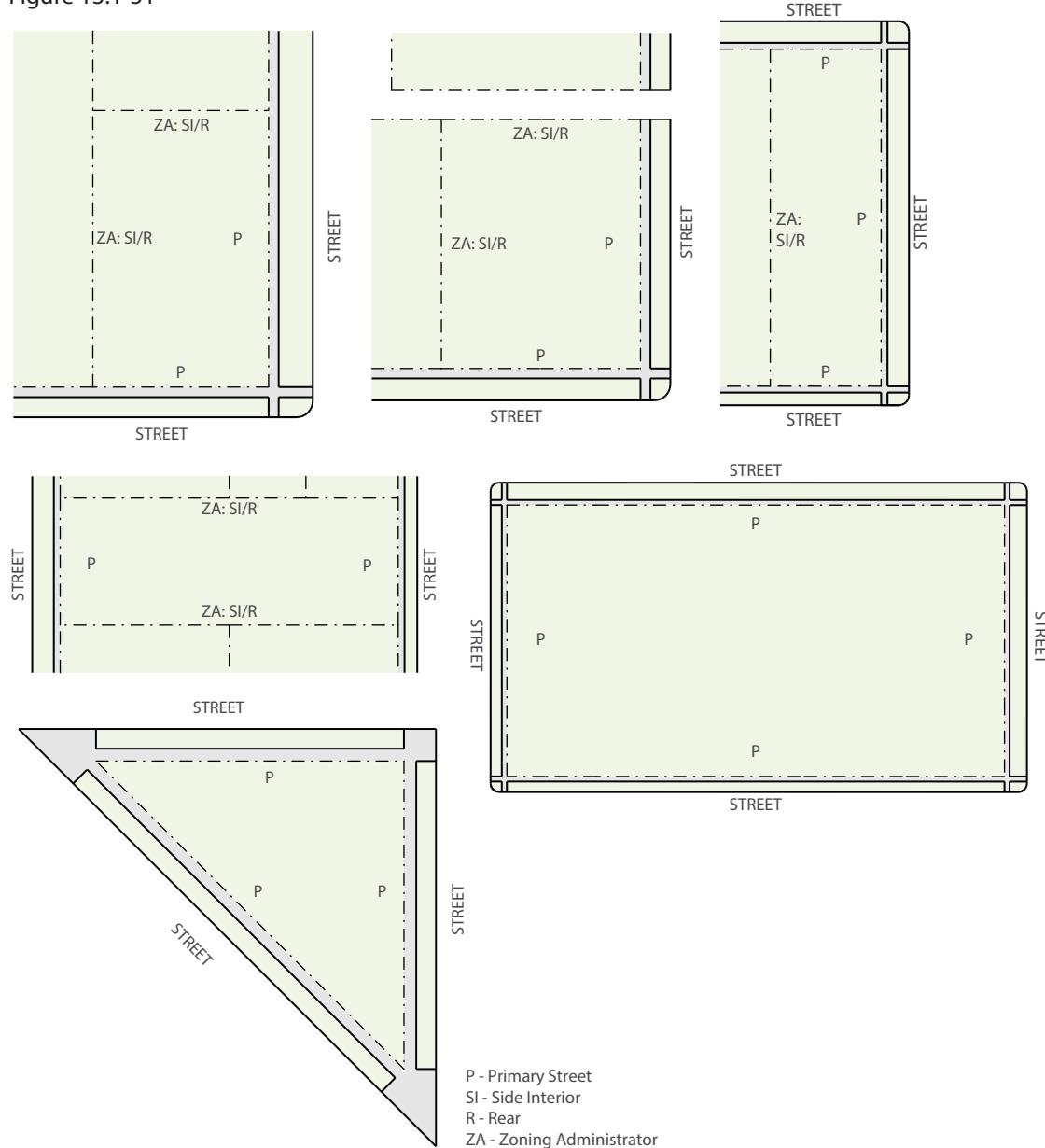
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**3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block**

For all Corner Zone Lots, double frontage Zone Lots, and Zone Lots with frontage on 3 or more streets or a full block in all C-CCN, D-GT, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts:

- a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street Zone Lot Lines.
- b. Based on the criteria in Section 13.1.5.54.C, the Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable. See Figure 13.1-51.

Figure 13.1-51



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

#### A. Intent

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

#### B. General Requirements

The general requirements set forth for all CC, MX, and MS Zone Districts in Section 13.1.5.~~43~~.B, General Requirements, shall apply in addition to the requirements set forth in this Section 13.1.5.6.

#### C. Criteria for Zoning Administrator Determinations

For all Underlying Zone Districts, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.~~43~~.C, Criteria for Zoning Administrator Determinations, except that:

1. In lieu of the provisions set forth in Section 13.1.5.~~43~~.C.2.a, the Zoning Administrator may designate more than one Primary Street Zone Lot Line in any Underlying Zone District where:
  - a. Guidance provided in any applicable Infrastructure Master Plan, Site Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan, indicates the need for designation of multiple Primary Street Zone Lot Lines.
  - b. The Blueprint Denver Street Classification of all Abutting streets, per the table in Section 13.1.5.~~43~~.C.2.b indicates Primary Street Zone Lot Line designation for more than one Abutting street.
2. The Zoning Administrator shall designate Zone Lot Lines that Abut named streets (such as Wynkoop and Larimer streets) as Primary Street Zone Lot Lines, except that:
  - a. Any Zone Lot Line that is Adjacent to 35th Street shall also be designated as a Primary Street Zone Lot Line in addition to the named street.
  - b. Where a Corner Zone Lot Abuts more than one named street, the Zoning Administrator may elect to designate only one of the named streets as a Primary Street based on an analysis of the Blueprint Denver Street Classification of each named street.
3. Any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River, shall be designated as a Primary Street Zone Lot Line. See Figure 13.1-54.
4. Any Zone Lot Line that Abuts a Public Park shall be designated as a Side Street Zone Lot Line.

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

In lieu of the provisions set forth in Sections ~~13.1.5.4.E-6~~ ~~13.1.5.3.E-G~~, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, according to the criteria set forth in Section 13.1.5.~~65~~.C. See Figure 13.1-52.

**C. Criteria for Zoning Administrator Determinations**

Where Section 13.1.5.76.D does not apply, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan.
2. If criterion C.1 does not apply, then the following criteria shall be used:
  - a. The prevailing building orientation and setback patterns of buildings located on the same Face Block(s) as the subject Zone Lot; and
  - b. Block and lot shape.

**D. Determining Zone Lot Lines**

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

- a. In CMP-NWC-C, CMP-NWC-F, and CMP-NWC-R zone districts only, any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River; or a Street that is Adjacent to the South Platte River; shall be designated as a Primary Street Zone Lot Line.
- b. In the CMP-NWC-C zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting Bettie Cram Drive.
- c. In the CMP-NWC-G zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting National Western Drive.
- d. In the CMP-NWC-F zone district only, the Primary Street Zone Lot Lines shall be Zone Lot Lines abutting National Western Drive and Race Court.
- e. In the CMP-NWC-R zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting National Western Drive.
- f. Where a Zone Lot does not Abut any of the streets identified as a Primary Street in this Section 13.1.5.76.D, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.76.C.

**2. Interior Zone Lots - Primary Street Zone Lot Lines**

For Interior Zone Lots in the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts:

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

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

For all Corner Zone Lots in the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts:

- a. The Primary Street Zone Lot Line shall be as specified in Section 13.1.5.76.D.1.
- b. The Side Street Zone Lot Line shall be the remaining Zone Lot Line abutting a named or numbered street.
- c. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street Zone Lot Line.
- d. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

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### **13.1.5.7 Required Build-To**

#### **A. Intent**

To clearly define the public realm through consistent building placement, massing and orientation.

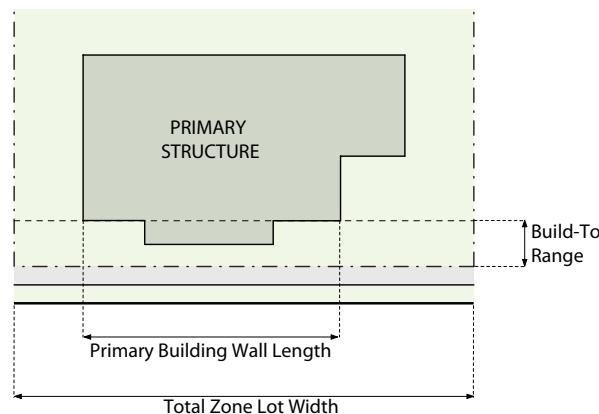
#### **B. Applicability**

The Primary Building Form Standards in Articles 3 through 9 specify required build-to standards for many Primary Building Forms. Rules of measurement, general requirements, and build-to alternative requirements are provided in this Section 13.1.5.<sup>87</sup>.

#### **C. Rule of Measurement**

See Figure 13.1-53.

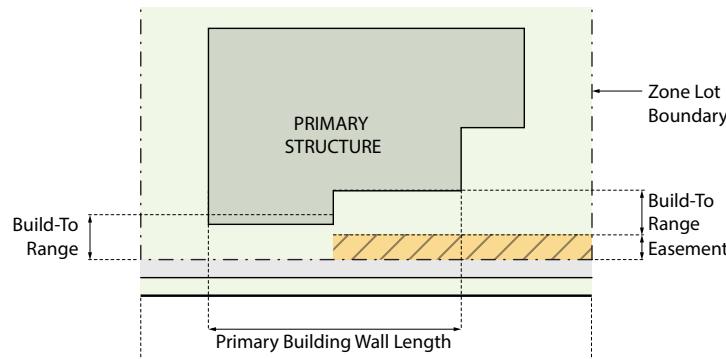
Figure 13.1-53



#### **1. Min/Max Range:**

- a. Required build-to standards are measured from and perpendicular to the Zone Lot Line abutting a named or numbered street.
- b. Where a Zone Lot includes an easement for public access or for the benefit of a public utility, and such easement abuts the public street right-of-way, a required build-to shall be measured from the easement rather than from the Zone Lot Line. See Figure 13.1-54.
- c. Where a Zone Lot includes open space meeting the requirements of 12.4.12.5 abutting the public street right-of-way, a required Build-to shall be measured from the open space rather than the Zone Lot Line.

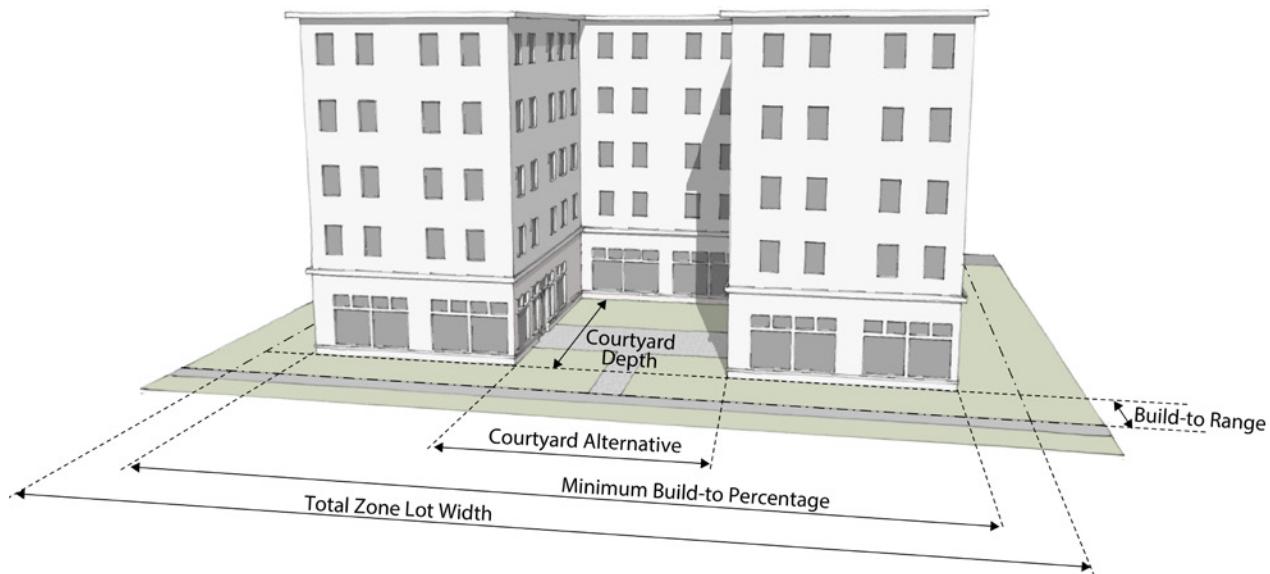
Figure 13.1-54



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Figure 13.1-60

*Not to Scale. Illustrative Only.*



## 7. Drive Way Access

### a. **Applicability**

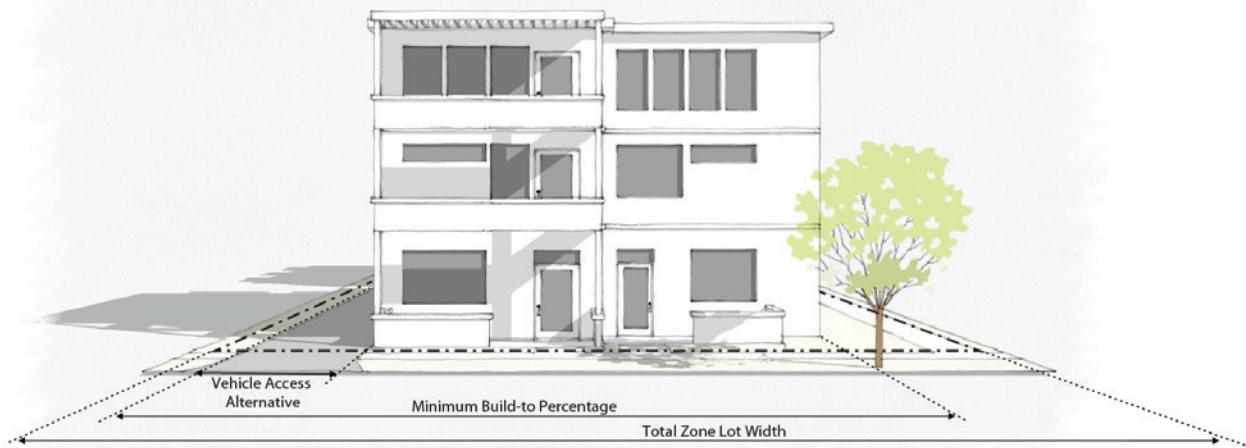
The build-to alternative Drive Way Access may only be used when vehicular access is required from the street.

### b. **Rule of Measurement**

The Build-To Alternative shall be calculated by subtracting the alternative from the Build-To requirement. For example, on a 100 foot wide Zone Lot where the Build-To percentage is 70 percent, 70 feet of the building must be within the build-to range. When using the Drive Way Access Build-To Alternative, a maximum of 12 feet is subtracted from 70 foot required build-to, resulting in a required build-to of 58 feet. See Figure 13.1-61.

Figure 13.1-61

*Not to scale. Illustrative Only.*



### 13.1.5.8 Setbacks

#### A. Intent

Setbacks are intended to provide adequate separation for privacy and access to sunlight and to provide a minimum unobstructed horizontal distance between a Zone Lot line and the location of Uses and Structures on a Zone Lot.

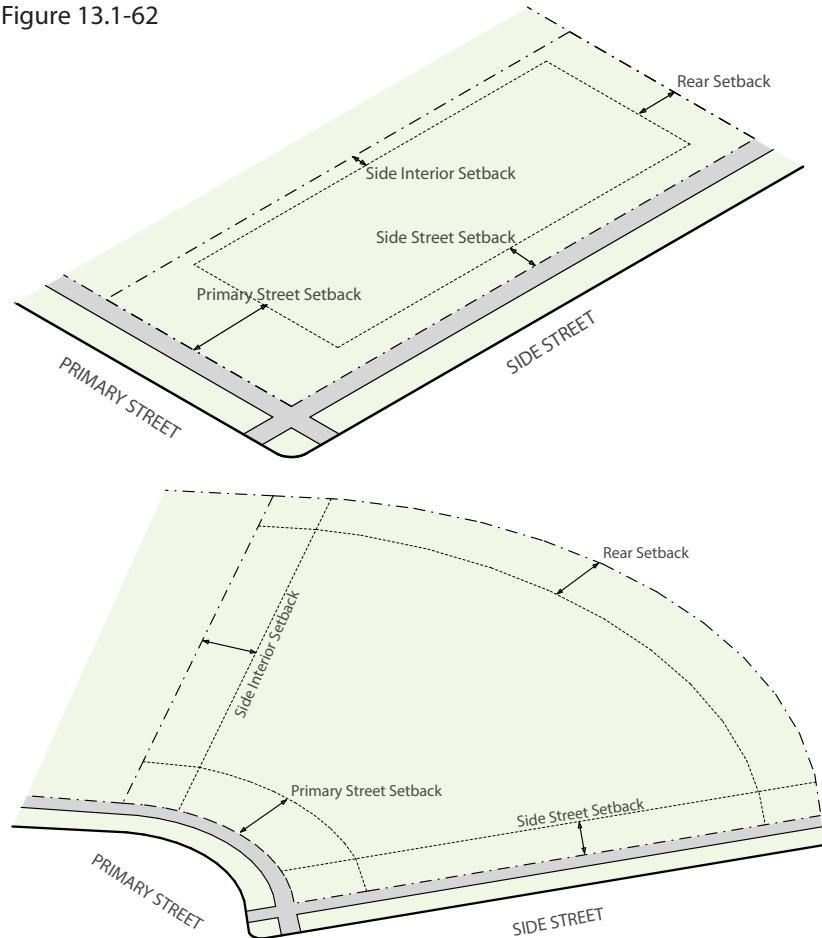
#### B. Applicability

This Section 13.1.5.8 shall provide rules of measurement for Setbacks in all zone districts, except when the more specific rule of measurement for "Residential Setback" in Section 13.1.5.10 applies. See also Section 13.1.5.9 for determining the Primary Street Setback Offset Offset Distance.

#### C. Rule of Measurement

The Setback shall be the portion of the Zone Lot located between a Zone Lot Line and a continuous parallel line or curve offset from and following along the respective Zone Lot Line. Except as specifically required below, the offset distance shall be equal to that specified in the applicable Building Form table or in an applicable standard stated elsewhere in this Code or in a Planned Unit Development Development (PUD) zone district. The Setback shall extend continuously across the full width or length of the Zone Lot, overlapping with any other Setback. See Figure 13.1-62.

Figure 13.1-62



### 13.1.5.9 Determination of Primary Street Setback Offset Distance

#### A. Intent

To provide a method to establish a contextual Primary Street setback offset distance appropriate to existing conditions.

#### B. Applicability

This Section 13.1.5.9 shall apply when no single numerical distance is prescribed for the Primary Street setback offset distance in the applicable ~~building building~~ form table, except when the more specific rule for "Residential Setback" in Section 13.1.5.10 applies. See also Section 13.1.5.8 for how to measure the determined for Primary Street Setback offset distance.

#### C. Determination of Primary Street Setback Offset Distance

##### 1. Using Reference Lots

Except for the conditions identified below, Reference Zone Lots shall be identified per Section 13.1.5.9.D to determine the Primary Street Setback offset distance. The Primary Street setback offset distance shall be equal to the one shortest distance measured from a Facade of a Primary Residential Structure on the Reference Zone Lots to its respective Primary Street Zone Lot Line.

##### 2. Conditions When Reference Zone Lots are Not Applicable

For the conditions identified below, Reference Zone Lots are not required to establish the Primary Street setback offset distance and the Primary Street setback offset distance shall be determined as follows:

- a. When a single numerical distance is prescribed for the Primary Street setback offset distance in the applicable building form table (with no reference to this Section 13.1.5.9), the Primary Street setback offset distance shall be equal to that prescribed numerical distance.
- b. When the conditions described in the table below exist, the Primary Street setback offset distance shown in the table below shall apply:

Zone District	Building Form	Conditions When Reference Zone Lots are Not Applicable	Primary Street Setback Offset Distance
G-MU-3 and G-RO-3	Garden Court, Town House, and Apartment Building Forms	If the Face Block of the subject Zone Lot does not include at least 3 Zone Lots, including the subject Zone Lot, that (a) contain Primary Residential Structures that are completely constructed, and (b) share the same Primary Street Zone Lot Line designation as the subject Zone Lot.	10 feet
	All Other Building Forms		20 feet
All Other Zone Districts	All Building Forms		20 feet

##### 3. Administrative Adjustment Available

The applicant may request an Administrative Adjustment to determine the Primary Street setback distance per Section 12.4.5.3, Permitted Types of Administrative Adjustments.

#### D. Identification of Reference Zone Lots

##### 1. Standard

Except as specifically required below, the Reference Zone Lots for establishing the Primary Street Setback shall be determined by identifying the two closest Zone Lots to the

ii. The rules for determining the Reference Zone Lots follow, and only one rule from the three possible rules below shall apply:

- If only one Zone Lot in the evaluation has a Primary Street setback less than 20 feet, said Zone Lot with the less than 20 feet setback shall be considered an outlier and removed from consideration of establishing the minimum setback. The next two closest Reference Zone Lots (not including the subject property or the outlier zone lot) shall be evaluated to establish the minimum setback. See Figure 13.1-65.
- If a majority of the Zone Lots in the evaluation have a Primary Street setback of less than 20 feet, the two closest Reference Zone Lots (not including the subject property) shall be evaluated to establish the minimum setback. See Figure 13.1-66.
- If a minority of Zone Lots in the evaluation has a Primary Street setback of less than 20 feet, the Zoning Administrator shall establish the minimum setback based on an analysis of the pattern of all Zone Lots on the subject Face Block. See Figure 13.1-67.

Figure 13.1-65

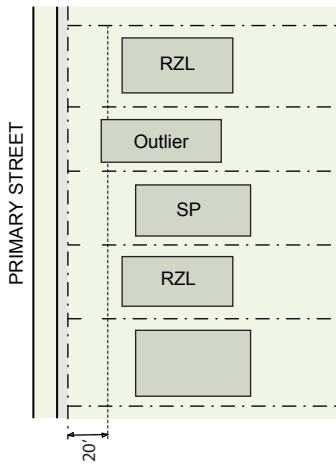


Figure 13.1-66

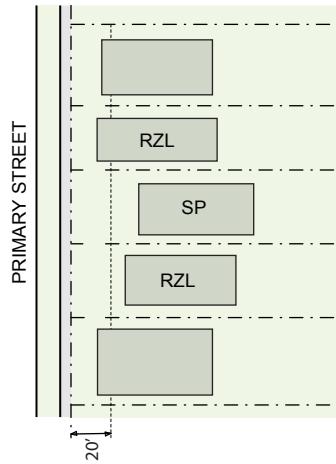
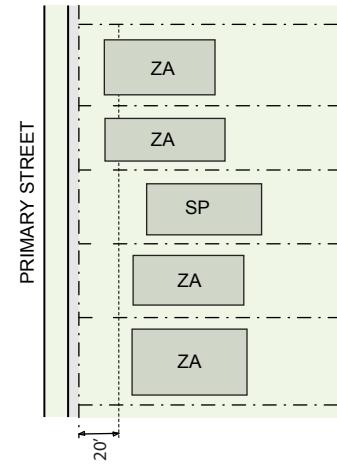


Figure 13.1-67



SP = Subject Property  
RZL = Reference Zone Lot  
ZA = Zoning Administrator

**c. Exception when Reference Zone Lot Front Facade Setback 50% of the Zone Lot Depth or Greater**

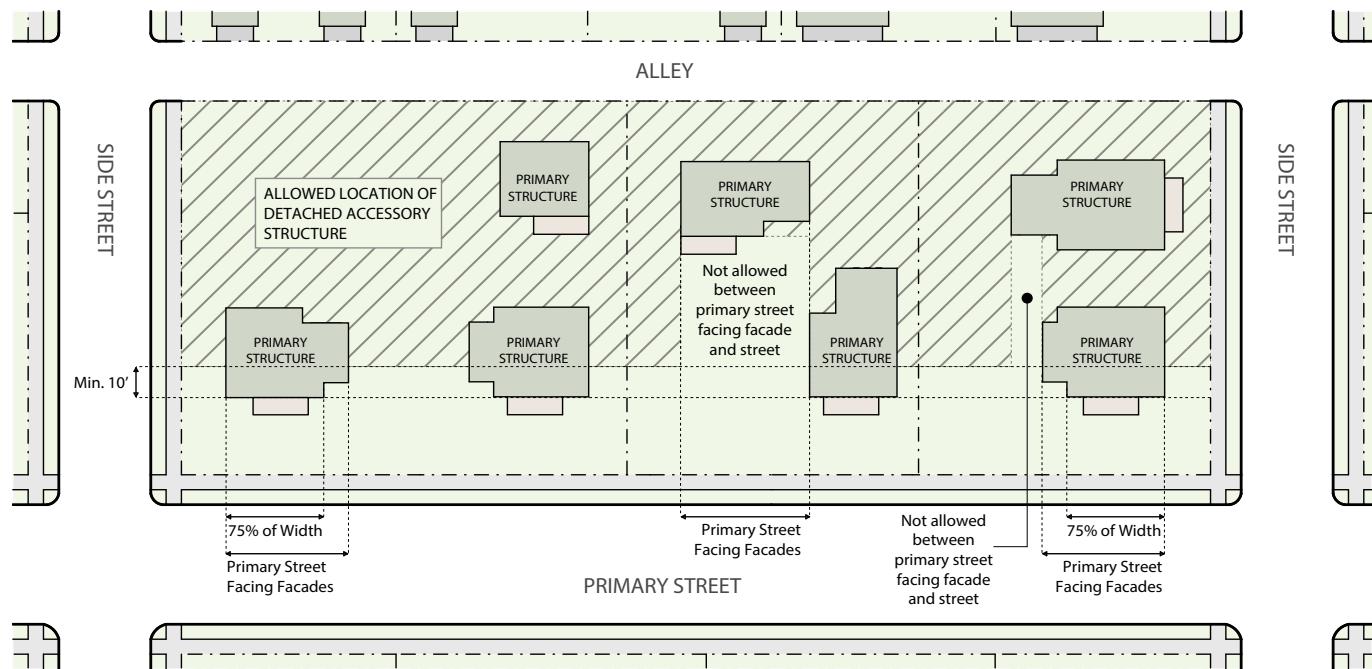
- If the facade of only one of the structures on a Reference Zone Lot, identified in subsection 13.1.5.9.D.1. above, is setback 50% of the Zone Lot Depth or more from the Primary Street Zone Lot Line, then the next two closest qualifying Reference Zone Lots shall be added into the evaluation. For purposes of this subsection, "closest" is measured as the shortest linear distance in feet between the two nearest Zone Lot Lines of the subject property and a possible Reference Zone Lot.
- The subject Zone Lot shall be added to the evaluation if it contains a structure that will not be demolished, as evidenced in submitted plans, issued permits, or otherwise determined by the Zoning Administrator. The rules for ~~determining~~ determining the reference Zone Lots follow, and only one rule from the possible rules below shall apply:

### 3. Rule of Measurement

- a. A detached accessory structure subject to this rule of measurement:
  - i. Shall be located a minimum of 10 feet behind 75% of the total width of the Primary Street-facing facade(s) of at least one Primary Structure on the zone lot; and
  - ii. Shall not be located between any portion of the Primary Street-facing Facades of each Primary Structure on the zone lot and the Primary Street zone lot line, except that a detached accessory structure may be located between two or more Primary Structures as long as the subject detached accessory structure does not have a Primary Street-facing Facade.
  - iii. A Facade is "Street-facing" when it meets the criteria in Section 13.1.6.5 Determination of "Street-Facing" Building Elements.

See Figure 13.1-72.

Figure 13.1-72



- b. As an alternative to compliance with the rule stated in Section 13.1.5.12.C above, the DRC may approve the location(s) of detached accessory structures during the Site Development Plan process stated in Section 12.4.3. The DRC shall find that the location(s) of such detached accessory structures is consistent with the intent stated in this Section 13.1.5.12.C. The approved location(s) for detached **accessory accessory** structures shall be shown on the face of the approved Site Development Plan to allow future permitting consistent with such location(s).

#### D. Location of Detached Structure When There is No Primary Street-facing Facade

When a Zone Lot does not contain a Primary Structure with a Primary Street-facing Facade, the Zoning Administrator shall determine a Primary Street Setback applicable to a detached accessory structure consistent with the intent of this Section 13.1.5.12 and based upon an analysis of the prevailing building orientation and setback patterns for all structures located on the same and opposite Face Blocks as the subject Zone Lot.

## SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

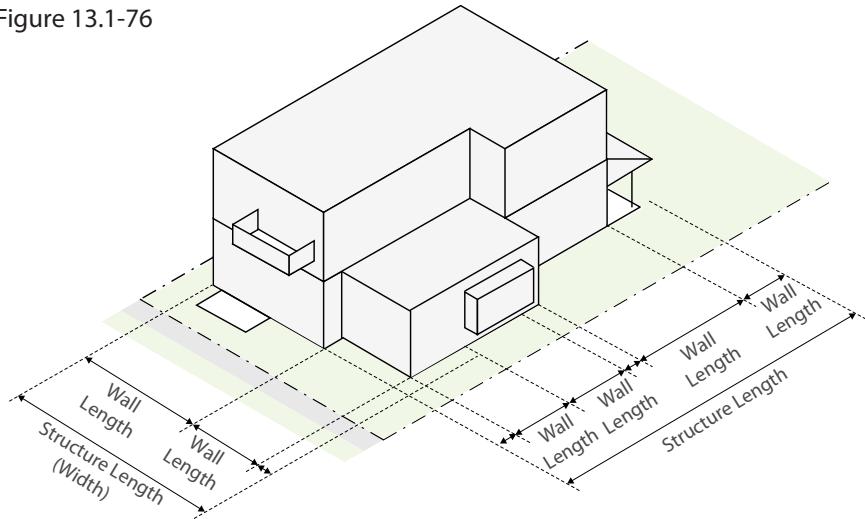
The design element form standards of this Code are defined and measured as set forth below.

### 13.1.6.1 Building Configuration

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

1. The length of the front or side wall of a structure, or the overall structure length, shall be measured parallel to the primary street, side street, or side interior zone lot line and includes the length of a Completely Enclosed Structure plus the length of any portion of any attached Partially Enclosed Structure(s), as shown in Figure 13.1-76.
2. The overall structure width includes the length of a Completely Enclosed Structure plus the length of any portion of any attached Partially Enclosed Structure(s) and shall be measured parallel to the primary street zone lot line or the side street/side interior zone lot line, whichever zone lot line is shorter.
3. The Zoning Administrator shall determine the zone lot line corresponding with the overall structure width in cases where the length of the primary street zone lot line and side street/side interior zone lot line are equal.

Figure 13.1-76



#### B. Private Open Space

##### 1. Intent

To create quality privately owned open spaces that are adjacent and physically open to the street. Private open space should provide visual interest and activate the pedestrian realm.

##### 2. Applicability

This section applies where Primary Building Form Standards or Overlay District Standards specify a minimum percentage of Private Open Space or when Private Open Space is used as an alternative to a Street Level nonresidential active use requirement.

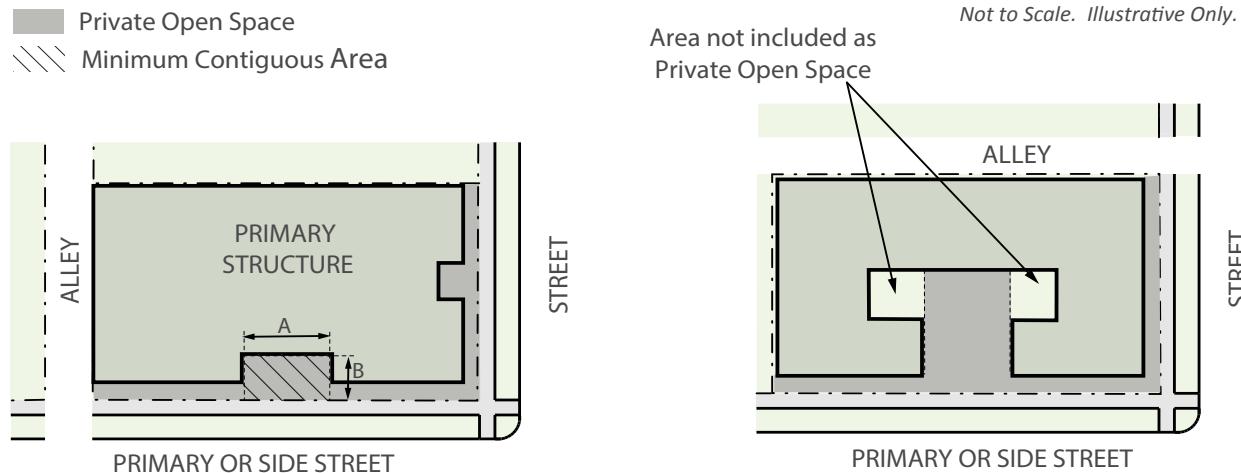
##### 3. Rules of Measurement

- a. Private Open Space shall be calculated as a percentage (%) using the total area open to the sky, subject to the below requirements, divided by the total gross square footage of the Zone Lot and multiplied by 100.
- b. For purposes of Private Open Space measurement, the total area open to the sky:

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- i. Shall not be covered by Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies. Private Open Space may also include tables, chairs, benches, sculptures and similar elements.
- ii. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district.
- iii. Shall Abut a Primary Street or Side Street Zone Lot Line.
- iv. Shall be fully visible from a Primary Street or Side Street.
- v. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
- vi. Shall contain at least one Minimum Contiguous Area, subject to the minimum dimensions below. The width of the Minimum Contiguous Area shall be measured parallel to the Primary Street or Side Street Zone Lot Line, shown as "A" in Figure 13.1-77. The depth of the Minimum Contiguous Area shall be measured as the horizontal distance between the Primary Street or Side Street Zone Lot Line and the closest facade of the exterior building wall facing the Primary Street or Side Street, measured perpendicular to the Zone Lot Line, shown as "B" in Figure 13.1-77.
  - a) For Zone Lots 9,375 square feet or less, as of October 27, 2014, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep.
  - b) For Zone Lots 9,375 square feet or less as of October 27, 2014, in the C-CCN zone districts, where the Zone Lots Abuts the southern boundary of the 3rd Avenue right-of-way, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep and shall Abut, be fully visible from, and fully accessible from the 3rd Avenue right-of-way.
  - c) For Zone Lots in the D-GT zone district, at least one instance of Private Open Space shall contain a Minimum Contiguous Area at least 15 feet wide and 30 feet deep. Any additional separate Private Open Space areas shall contain a Minimum Contiguous Area at least 15 feet wide and 15 feet deep.
  - d) For all other Zone Lots the Minimum Contiguous Area shall be at least 15 feet wide and 30 feet deep.

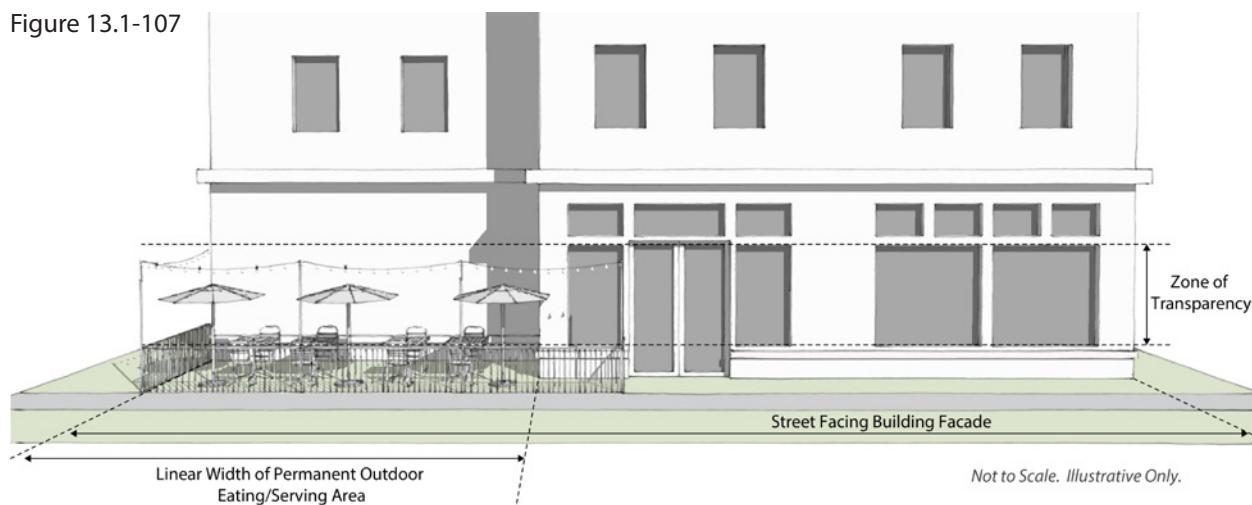
Figure 13.1-77



**d. Permanent Outdoor Eating/Serving Areas**

- i. Permanent accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.
- ii. Outdoor eating/serving areas are measured as the linear width (in feet, measured to the outside posts or railings of an outdoor eating/serving area), divided by the total length of the same street-facing building façade (including any open parking structure entrances). See Figure 13.1-107.
- iii. —
- iv. —

Figure 13.1-107



## SECTION 13.1.12 MEASUREMENT TO DETERMINE VOLUNTARY DEMOLITION

### 13.1.12.1 Rule of Measurment Measurement

- A. "Voluntary Demolition," as defined in Division 13.3, shall be calculated by dividing the total square footage (surface area) of any component of the Exterior Wall assemblies to be removed by the total square footage (surface area) of the subject Exterior Wall assemblies. The calculation shall be expressed as a percentage. The full area of the new or enlarged opening shall be included in calculating the total surface area of removal.
- B. See Division 13.3 for definitions of "Exterior Wall" and "Voluntary Demolition."

### 13.1.12.2 Exceptions

In calculating the total square footage (surface area) of any component of the Exterior Wall assemblies, only that square footage (surface area) of the Exterior Wall assemblies located at or above Street Level shall be included in the calculation. See Division 13.3 for definition of "Street Level."

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## **DIVISION 13.3 DEFINITIONS OF WORDS, TERMS & PHRASES**

The following words, terms and phrases, when used in this Code, shall have the meanings respectively ascribed to them. Definitions of uses are found in Article 11, Division 11.12, Use Definitions.

### **A**

**Abandonment:** The voluntary relinquishment of an established use with the intent of permanently terminating such use or occupancy.

**Abut or Abutting:** To physically touch at a point or line; or to share a common property line, or zone lot line. Intervening streets and alleys destroy "abutting," except where specifically allowed by this Code. For example, two zone lots that share a common zone lot line are "abutting" (and also "adjacent").

**Access:** A way or means of approach to provide physical entrance to a property.

**Accessory Structure:** See definition of "Structure, Accessory".

**Accessory Use:** See definition of "Use, Accessory."

**Adjacent:** Sharing a zone lot line or being separated only by an alley. Named or numbered streets destroy adjacency, except where specifically allowed by this Code.

**Alley:** Public right-of-way that is less in size than a "local" street (as classified by the DOTI), which is not designed for general vehicle travel, but which is used primarily as a means of vehicle access to the rear of residences and business establishments.

**Alley, Private:** An Alley that has been reserved in perpetuity by deed, easement, subdivision plat, or similar legal means for the primary purpose of vehicle access, but not dedicated to the City for public use.

**Alter or Alteration:** Any structural change in the supporting or load-bearing members of a building or structure, including but not limited to bearing walls, columns, beams, girders, floor joints.

**Antenna:** Any exterior transmitting or receiving devices mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

**Applicant:** The owner or any other person with a recognized interest in the land for which development is proposed, or an authorized agent. The City may also be considered an applicant.

**Application, Complete:** See definition of "Complete Application" below.

**Arcade:** A covered passage, open on at least one side and accessible to the public at all times, extending along the outside wall of a building, and supported by arches or columns. "Arcade" shall not include off-street loading areas, driveways, off-street parking areas.

**Area Median Income:** Unless otherwise more specifically defined by this Code, shall have the same meaning as stated in D.R.M.C., Chapter 27, Article V Dedicated Funding for Affordable Housing.

**DRAFT**

**DZC TEXT AMENDMENT – EXPANDING HOUSING AFFORDABILITY**  
**LUTI DRAFT – 04/19/2022**

## B

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

**Balcony, Exterior:** An elevated floor space projecting beyond the exterior walls of a building that is not supported on the ground by posts, columns, or similar supporting structural elements. Generally, an exterior balcony is intended to be used for outdoor living, gardening, or other actively used outdoor space. An exterior balcony shall not include a landing abutting an entry.

**Base Floor Area Ratio:** ~~The maximum floor area ratio, including all Structures on a Zone Lot, established in the Underlying Zone District to which Structures can be constructed without meeting the additional requirements set forth in the Underlying Zone District.~~

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

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

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

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

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

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

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

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

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

**Building Connector:** A walkway covered by a Roof and used exclusively as a pedestrian trafficway external to the Structures it connects.

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

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

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DZC TEXT AMENDMENT – EXPANDING HOUSING AFFORDABILITY  
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I

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

**Incentive Floor Area Ratio:** ~~The maximum floor area ratio, including all Structures on a Zone Lot, established in the Underlying Zone District to which Structures can be constructed by meeting the additional requirements set forth in the Underlying Zone District.~~

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

**Income Restricted Unit:** ~~A Dwelling Unit that meets specific criteria related to affordable housing as set forth in D.R.M.C., Chapter 27, Article X Mandatory Affordable Housing, any applicable Rules and Regulations, and has been approved by the City.~~

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

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

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Amendment: 1

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June 25, 2010 | Republished July 1, 2021

| 13.3-15

**Street, Private:** Any road or street that is privately developed, owned, and maintained that provides access within a development.

**Street Front or Frontage:** Any boundary line of a zone lot or parcel of land that runs parallel to and within 20 feet of the right-of-way of a street or highway designated and assigned an individual name or number by the legislative action of the City.

**Street Property Line:** A common boundary between private property and a dedicated street or alley.

**Structural Feature:** Any part of a structure which is designed for or indicative of the intent to accommodate any given use.

**Structure:** Anything which is constructed or erected and the use of which requires more or less permanent location on ground or attachment to something other than wheels having permanent location on ground; an edifice or a building of any kind; any production or piece of work, artificially built up or composed of parts and joined together in some definite manner.

*Structure - Group A:*

**Structure, Completely Enclosed:** A structure enclosed by a permanent Roof less than 50% open to the sky and by solid Exterior Walls,

**Structure, Partially Enclosed:** A structure enclosed by a Roof less than 50% open to the sky and which does not have solid Exterior Walls.

**Structure, Open:** A structure that is at least 50% open to the sky.

*Structure - Group B:*

**Structure, Conforming:** A structure which, when originally constructed, was in full compliance with all zoning regulations applicable to structures, and which complies with the following current regulations applicable to structures:

1. All building form standards in this Code;
2. Standards for permitted structures in the Downtown, Campus, I-A, and I-B zone districts, as applicable, and
3. Standards established in Division 10.3, Multiple Buildings on a Single Zone Lot, as applicable.

A structure that meets this definition of “conforming structure”, but which does not comply with zoning standards that are inapplicable to structures (e.g., site design standards such as landscaping, parking amount, signage), are still “conforming structures” under this Code.

**Structure, Compliant:** A Structure that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to comply with one or more of the following Building Form Standards in this Code:

1. Height Standards
  - a. Minimum, feet
  - b. Maximum, feet and stories
  - c. Maximum, feet and stories with incentives
  - d. 3rd Avenue CCN bulk plane