

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

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

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

3.3.6.2 Primary Street Upper Story Setback

A. Intent

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

B. Applicability

S-MX-8, S-MX-8A, S-MX-12, S-MX-12A

C. Alternative

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

3.3.6.3 Transparency Alternatives

A. Intent

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

B. Allowance

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

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
S-MU	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
S-CC	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
S-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
S-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

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

3.3.6.4 Pedestrian Access (Entrance) Alternatives

A. Intent

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

B. Allowance

In the S-MX-2A, -3A, -5A, -8A, -12A zone districts for all building forms, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.3.B.4:

1. Courtyard or Plaza
2. Covered Walkway

3.3.6.5 Attached Garage Alternative

A. Intent

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

B. Applicability

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

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

C. Allowance

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

1. Garage doors shall not face the Primary Street (See Section 13.1.6.1.L);
2. Maximum 30 feet width and maximum 12 feet depth dimension for the portion of the attached garage projecting forward of the Primary Street-facing facade;

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											APPLICABLE USE LIMITATIONS														
	<ul style="list-style-type: none"> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility) 	S-SU-A	S-SU-A1	S-SU-D	S-SU-D1	S-SU-F	S-MU-3	S-MU-5	S-MU-8	S-MU-12	S-RH-2.5	S-CC-3x	S-CC-3	S-CC-5	S-MX-2	S-MX-2A	S-MX-3	S-MX-3A	S-MX-5	S-MX-5A	S-MX-8	S-MX-8A	S-MX-12	S-MX-12A	S-MS-3	S-MS-5

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS
Accessory to Primary Non-residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	L	Not Applicable - See Permitted Primary Uses	NP	NP	Not Applicable - See Permitted Primary 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	L	L	L	L	Not Applicable - See Permitted Primary Uses						\$11.7; §11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.7; §11.10.5
	College accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See Permitted Primary Uses			L	Not Applicable - See Permitted Primary Uses			\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	NP	NP	L	L	\$11.7; §11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Garden*	L	L	L	L	L	L	L	L	L	L	\$11.7; §11.10.10
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; § 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	L	L	L	L	\$11.7; §11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable						\$11.7; §11.4.6
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	\$11.7; §11.10.13
	Outdoor Gathering Area*	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; §11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	NP	NP	L-ZPIN/ZPSE	L-ZPIN/ZPSE	\$11.7; §11.10.15
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; §11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	L-ZP	L-ZP	NP	NP	L-ZP	NP	\$11.7; §11.10.17
	Outdoor Storage, Limited*	NP	NP	NP	NP	L	L	L	L	L	L	\$11.7; §11.10.18
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	L	L	L	\$11.7; §11.10.19

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
E-MU	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
E-RX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
E-CC	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
E-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
E-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

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

4.3.6.3 Pedestrian Access (Entrance) Alternatives

A. Intent

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

B. Allowance

In E-MX and E-RX zone districts, for all building forms except the Town House building form, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.3.B.4:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 4.3.7 DESIGN STANDARD EXCEPTIONS

4.3.7.1 Height Exceptions

A. Intent

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

B. Standard

Except as specifically allowed below:

1. No portion of a structure shall project beyond the maximum height in feet specified in the applicable Building Form table.
2. No portion of a structure shall project beyond the bulk plane specified in the applicable Building Form table.

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 • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	E-SU-A E-SU-A1 E-SU-B E-SU-B1 E-SU-D E-SU-D1 E-SU-Dx E-SU-D1x E-SU-G E-SU-G1										APPLICABLE USE LIMITATIONS
		E-TU-B E-TU-C	E-RH-2.5 E-MU-2.5	E-RX-3 E-RX-5	E-CC-3x E-CC-3	E-MX-2x E-MS-2x	E-MX-2A E-MX-2 E-MS-2	E-MX-3A E-MX-3	E-MS-3 E-MS-5			
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.10.13
	Outdoor Gathering Area*	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	\$11.7; \$11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.15
	Outdoor Retail Sale and Display*	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ ZPSE	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ ZPSE	\$11.7; \$11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	NP	L-ZP	L-ZP	\$11.7; \$11.10.18
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	L	L	L	L	L	L	L	\$11.7; \$11.10.19
TEMPORARY USE CLASSIFICATION												
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Unlisted Temporary Uses	L - Applicable to all Zone Districts										\$ 11.11.1
	Ambulance Service - Temporary	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						\$ 11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.7
	Health Care Center	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$ 11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Retail Sales*	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$ 11.11.11
	Outdoor Sales, Seasonal*	NP	NP	NP	L-ZPIN	L-ZP	L-ZP	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP	L-ZP	\$ 11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.13
	Retail Food Establishment, Mobile*	NP	NP	NP	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	NP	\$ 11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.15
Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.11.16	
Temporary Managed Community*	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$ 11.11.17	
Tent for Religious Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		

5.3.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

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

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
U-RX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
U-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
U-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

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

5.3.6.3 Pedestrian Access (Entrance) Alternatives

A. Intent

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

B. Allowance

In U-MX and U-RX zone districts, for all building forms except the Town House building forms, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.3.B.4:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 5.3.7 DESIGN STANDARD EXCEPTIONS

5.3.7.1 Height Exceptions

A. Intent

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

B. Standard

Except as specifically allowed below:

KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review
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 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	U-SU-A U-SU-A1 U-SU-A2 U-SU-B U-SU-B1 U-SU-B2 U-SU-C U-SU-C1 U-SU-C2 U-SU-E U-SU-E1 U-SU-H U-SU-H1								U-TU-B U-TU-B2 U-TU-C	U-RH-2.5 U-RH-3A	U-RX-3 U-RX-5	U-MX-2x U-MS-2x	U-MX-2 U-MS-2	U-MX-3	U-MS-3 U-MS-5	APPLICABLE USE LIMITATIONS
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ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts								§11.7; §11.10.1	
		NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2	
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts								§11.7; §11.10.1	
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.2	
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	Not Applicable - See permitted Primary Uses	NP	NP	Not Applicable - See permitted Primary 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	L	L	L	Not Applicable - See permitted Primary Uses	L	L	L	L	§11.7; §11.10.4	
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	L-ZP	NP	NP	L-ZP	NP	§11.7 §11.10.5	
	College Accessory to a Place for Religious Assembly	L	L	L	Not Applicable - See permitted Primary Uses	L	Not Applicable - See permitted Primary Uses			§11.7 §11.10.6	
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	L	NP	NP	L	L	§11.7; §11.10.7	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.8	
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP	NP	NP	NP		
	Garden*	L	L	L	L	L	L	L	L	§11.7; §11.10.10	
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	§11.7; §11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	L	L	§11.7; §11.10.12	
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	Not Applicable - See permitted Primary Uses	Not Applicable				§11.7; §11.4.3	
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	§11.7; §11.10.13	
Outdoor Gathering Area*	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	§11.7; §11.10.14		

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
G-MU	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
G-RO	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
G-RX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
G-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
G-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

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

6.3.6.3 Pedestrian Access (Entrance) Alternatives

A. Intent

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

B. Allowance

In the G-RO, G-MU, G-MX and G-RX zone districts for all building forms except the Town House, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.3.B.4:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 6.3.7 DESIGN STANDARD EXCEPTIONS

6.3.7.1 Height Exceptions

A. Intent

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

B. Standard

Except as specifically allowed below:

1. No portion of a structure shall project beyond the maximum height in feet specified in the applicable Building Form table.
2. No portion of a structure shall project beyond the bulk plane specified in the applicable Building Form table.
3. No portion of a structure shall exceed the maximum height in stories specified in the applicable Building Form table.

KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review
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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS						
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-3 G-RX-5	G-MX-3	G-MS-3 G-MS-5

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts							APPLICABLE USE LIMITATIONS
		G-RH-3	G-MU-3 G-MU-5 G-MU-8	G-MU-12 G-MU-20	G-RO-3 G-RO-5	G-RX-3 G-RX-5	G-MX-3	G-MS-3 G-MS-5	
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§ 11.7; § 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	NP	NP	NP	Not Applicable - See Permitted Primary Uses	Not Applicable - See Permitted Primary 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	L	L	L	L	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	L-ZP	L-ZP	NP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See Permitted Primary Uses		L	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	NP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Emergency Vehicle Access Point Garden*	NP	NP	NP	NP	NP	NP	NP	
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§ 11.7; § 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	L	§ 11.7; § 11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	L	L	L	L	Not Applicable - See Permitted Primary Uses	Not Applicable		§ 11.4.6
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	§ 11.7; § 11.10.13
	Outdoor Gathering Area*	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	§ 11.7; § 11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	NP	NP	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§ 11.7; § 11.10.15
	Outdoor Retail Sale and Display*	NP	NP	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.7; § 11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	NP	NP	NP	NP	NP	L	L	§ 11.7; § 11.10.18
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	NP	NP	NP	L	L	L	§ 11.7; § 11.10.19

7.3.6.2 Primary Street Upper Story Setback

A. Intent

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

B. Applicability

C-MS-8, C-MS-12

C. Alternative

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

7.3.6.3 Transparency Alternatives

A. Intent

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

B. Allowance

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

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
C-RX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
C-MX	Primary Street	40%	50%	60%	40%	80%
	Primary Street B	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	60%	40%	80%*
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*
C-MS	Primary Street	40%	50%	60%	40%	50%
	Side Street	40%	50%	80%	40%	50%

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

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USE CATEGORY	SPECIFIC USE TYPE					APPLICABLE USE LIMITATIONS
	<ul style="list-style-type: none"> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility) 	C-RX-5	C-MX-12	C-MS-5	C-CCN-7	
		C-RX-8	C-MX-16	C-MS-8	C-CCN-8	
		C-RX-12	C-MX-20	C-MS-12	C-CCN-12	
		C-MX-3			C-CCN-3	
		C-MX-5			C-CCN-4	
		C-MX-8			C-CCN-5	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Non-residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				\$11.7; 11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses	Not Applicable - See Permitted Primary Uses	Not Applicable - See Permitted Primary Uses	NP	\$11.7; \$11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	Not Applicable - See Permitted Primary Uses				\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services or Hotel Uses	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	Not Applicable - See Permitted Primary Uses				\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	NP	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	L-ZP	L-ZP	NP	\$11.7; \$11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	NP	
	Garden*	L	L	L	L	\$11.7; \$11.10.10
	Keeping of Animals	L/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; \$ 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	\$11.7; \$11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable - See Permitted Primary Uses	Not Applicable			\$11.4.6
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	\$11.7; \$11.10.13
	Outdoor Gathering Area*	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	\$11.7; \$11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	\$11.7; \$11.10.15
	Outdoor Retail Sale and Display*	NP	L-ZP	L-ZP/ZPSE	L-ZP/ZPSE	\$11.7; \$11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	
	Outdoor Storage, Limited*	NP	L	L	L	\$11.7; \$11.10.18
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	\$11.7; \$11.10.19	

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

ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts					APPLICABLE USE LIMITATIONS	
		D-C	D-TD	D-LD	D-CV	D-GT D-AS		
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts					\$11.7; \$11.10.1	
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses		NP	Not Applicable - See Permitted Primary Uses			
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	L	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	NP	L-ZP	NP	\$11.7; \$11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP/L-ZPSE	NP	\$11.7; \$11.10.9
	Garden*	L	L	L	L	L	L	\$11.7; \$11.10.10
	Keeping of Animals	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/ L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	\$11.7; \$ 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	\$11.7; \$11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable						
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	\$11.7; \$11.10.13
	Outdoor Gathering Area*	L/L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	L/L-ZP/L- ZPIN	\$11.7; \$11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; \$11.10.15
	Outdoor Retail Sale and Display*	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	\$11.7; \$11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	
	Outdoor Storage, Limited*	L	L	L	L	L	L	\$11.7; \$11.10.18
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	\$11.7; \$11.10.19	

B. Allowance

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

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
I-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*

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

9.1.6.3 Pedestrian Access (Entrance) Alternatives

A. Intent

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

B. Allowance

In all I-MX zone districts for the General building form, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.3.B.4:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 9.1.7 DESIGN STANDARD EXCEPTIONS

9.1.7.1 Height Exceptions

A. Intent

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

B. Standard

Except as specifically allowed below:

1. No portion of a structure shall project beyond the maximum height in feet specified in the applicable Building Form table.

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3 I-MX-5 I-MX-8 I-MX-12	I-A	I-B	APPLICABLE USE LIMITATIONS
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L - ZPIN - Applicable in all Zone Districts			§11.9; §11.9.5
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	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; §11.10.13
	Outdoor Gathering Area*	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	L/L-ZP/L-ZPIN	§11.7; §11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	§11.7; §11.10.15
	Outdoor Retail Sale and Display*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§11.7; §11.10.16
	Outdoor Storage, General*	L-ZP	L-ZP	L-ZP	§11.7; §11.10.17
	Outdoor Storage, Limited*	L-ZP	P-ZP	P-ZP	§11.7; §11.10.18
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Use	L	NP	NP	§11.7; §11.10.19	

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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)	ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION								APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts								\$11.7; §11.10.1
	Amusement Devices Accessory to Eating / Drinking Establishments, College / University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; §11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	L	L	L	L	L	L	L	NP	\$11.7; §11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	L	L	§ 11.7
	Car Wash Bay Accessory to Automobile Services	L-ZP	L-ZP	L-ZP	NP	NP	NP	L-ZP	NP	\$11.7; §11.10.5
	College Accessory to a Place for Religious Assembly	L	L	NP	L	L	L	L	NP	\$11.7; §11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	L	L	NP	\$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	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; §11.10.8
	Emergency Vehicle Access Point Garden*	L-ZPSE	NP	\$11.7; §11.10.9						
	Keeping of Animals	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L	L	L	L	\$11.7; § 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	L	L	L	\$11.7; §11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable								
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	L	L	\$11.7; §11.10.13
	Outdoor Gathering Area*	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	\$11.7; §11.10.14
	Outdoor Entertainment Accessory to Eating / Drinking Establishments Use*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	\$11.7; §11.10.15
Outdoor Retail Sale and Display*	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	\$11.7; §11.10.16	
Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.7; §11.10.17	
Outdoor Storage, Limited*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; §11.10.18	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	L	L	\$11.7; §11.10.19	

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 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice
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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Nonresidential Uses	Unlisted Accessory Uses	See Section 9.3.4.1	L - Applicable to all Zone Districts		\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses		NP	NP	
	Automobile Rental Services Accessory to Certain Retail Uses*		NP	NP	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities		L	NP	§ 11.7
	Car Wash Bay Accessory to Automobile Services		NP	NP	
	College accessory to a Place for Religious Assembly		NP	NP	
	Conference Facilities Accessory to Hotel Use		NP	NP	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales,Service, and Repair Uses*		NP	NP	
	Emergency Vehicle Access Point		NP	NP	
	Garden*		L	L	\$11.7; §11.10.10
	Keeping of Animals		L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	\$11.7; §11.10.11
	Limited Commercial Sales, Services		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	NP	\$11.7; §11.10.12
	Outdoor Gathering Area*		L/L-ZP	NP	\$11.7; §11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*		NP	NP	
	Outdoor Retail Sale and Display*		NP	NP	
	Outdoor Storage, General*		NP	NP	
	Outdoor Storage, Limited*		NP	NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	NP	

- e. The required use of scaling elements, insets, and projections to break up flat or monotonous facades, to emphasize entries, and to respond to older buildings nearby;
- f. Building and glazing materials;
- g. Location and appearance of access ramps for People with Disabilities;
- h. Location of adjacent structures; and
- i. Fence height, appearance and materials.

2. Optional Lower Floor Design Review

As an alternative to compliance with specific design standards adopted pursuant to this subsection, any new structure or any renovated structure meeting the conditions set forth in Section 9.4.5.5.B may elect to have the lower 80 feet of the building reviewed by the Zoning Administrator according to Section 12.4.3, Site Development Plan Review, and guided by the following standards:

- a. To allow more variation and architectural creativity than the design standards described in Section 9.4.5.5.B.1 above;
- b. To provide human scale through change, contrast, and intricacy in facade form, color, and/or material where lower levels of buildings face public streets and sidewalks;
- c. To spatially define the street space in order to promote pedestrian activity; and
- d. To require building facades to respond to existing building types in the area.

9.4.5.6 Washington Street Design Overlay (DO-2)

A. Creation

There is hereby created a Design Overlay District designated as the Washington Street Design Overlay District.

B. Intent

To provide additional height limitations that create a transition from the adjacent residential properties along Clarkson Street.

C. Building Height Standard

The maximum building height in the DO-2 district shall be 45 feet.

9.4.5.7 Lafayette Design Overlay (DO-3)

A. Creation

There is hereby created a Design Overlay District designated as the Lafayette Design Overlay District (DO-3). The DO-3 District includes Lots 1 through 3, and Lots 20 through 38, Block 27, Park Avenue Addition to Denver.

B. Intent

To provide additional height and upper story setback form standards that create a transition from the adjacent residential properties along Humboldt Street.

C. Height and Upper Story Setback Building Form Standard

- 1. The maximum building height shall be 60 feet
- 2. There shall be an upper story building setback that shall prevent any portion of a building on the eastern 55 feet of lots 20 through 36, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high
 - a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines

TRANSPARENCY ALTERNATIVES					
ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
Primary Street	0%	50%	0%	50%	80%
Primary Street B	0%	50%	0%	50%	80%
Side Street	0%	50%	0%	50%	80%

H. Vehicle Parking Exception for Transit Oriented Development in the DO-7 District

1. Intent

To promote multi-modal transportation options near major transit investments and provide flexibility for development with reduced automobile orientation.

2. Applicability

- a. The vehicle parking exception set forth below shall apply all to all uses located within this DO-7 district that are also located within 1/2 mile of the outer boundary of the Rail Transit Station Platform at the 38th and Blake commuter rail station.
- 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 Allowed

- a. Uses in the area described by Section 9.4.5.11.H.2.a shall be exempt from providing the minimum amount of vehicle parking otherwise required by this Code.
- b. Minimum bicycle parking requirements set forth in the Underlying Zone District shall apply.

4. Relationship to Maximum Vehicle Surface Parking for Transit Oriented Development

Where Section 10.4.4.4 Maximum Vehicle Surface Parking for Transit Oriented Development applies, maximum parking standards shall apply, based on the minimum amount of parking set forth in the Underlying Zone District for such use or structure absent any exemption or reduction.

9.4.5.12 Active Centers and Corridors Design Overlay District (DO-8)

A. Creation

There is hereby created a design overlay district designated as the Active Centers and Corridors Design Overlay District (DO-8).

B. Intent

The intent of the DO-8 Overlay Zone District is to encourage neighborhood mixed-use areas that support nonresidential active uses at the Street Level, promote active pedestrian-oriented building frontages, and provide sufficient space for transitions between the public realm and private residential Dwellings.

C. Applicability

The provisions of this DO-8 Overlay Zone District shall apply only to those areas within Residential Mixed Use (RX), Mixed Use (MX), and Main Street (MS) zone districts that are designated with the DO-8 Overlay Zone District on the Official Zone Map.

D. Primary Building Form Standards Within Overlay District

1. Intent for Overlay Building Form Standards

- a. To enable greater flexibility for Outdoor Gathering Areas and similar exterior uses, increase space for pedestrians, buffer private residential Dwellings from the public realm, and minimize the visibility of Surface Parking areas through the application of new or modified Siting Standards.
- b. To ensure Street Level heights consistent with nonresidential active uses, encourage Street Level windows, and clearly distinguish entries into individual dwelling units with additional features through the application of new or modified Design Element Standards.
- c. To promote activation of the Street and sidewalk with nonresidential active uses at the Street Level of Structures with long street-facing frontages, and locate new Structures containing only Residential Uses on only narrow lots, in districts that allow 3 stories or more of Building Height through the application of new or modified Use Building Form Standards.

2. Applicability

All Primary Structures in the DO-8 Overlay Zone District shall comply with the primary Building Form Standards stated in this Section 9.4.5.12.D.

3. General Standards

Except as modified in this Section 9.4.5.12.D, the district-specific primary Building Form Standards set forth in the Underlying Zone District shall apply.

4. Building Forms Allowed

The Shopfront and Town House primary building forms are the only building forms allowed for Primary Structures within the DO-8 Overlay Zone District.

5. Overlay District-Specific Standards

The district-specific standards of the Underlying Zone District are modified as set forth in the following tables. Additional Building Form Standards that are not listed in the tables below, but which are found in the Underlying Zone District for the applicable building form, still apply.

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	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION				
Accessory to Primary Nonresidential Uses Accessory to Primary Nonresidential Uses	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	\$11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses		NP	
	Automobile Rental Services Accessory to Certain Retail Uses*		NP	
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities		L	§ 11.7
	Car Wash Bay Accessory to Automobile Services		NP	
	College accessory to a Place for Religious Assembly		NP	
	Conference Facilities Accessory to Hotel Use		NP	
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*		NP	
	Emergency Vehicle Access Point		NP	
	Garden*		L	\$11.7; §11.10.10
	Keeping of Animals		L/L-ZP/ L-ZPIN	\$11.7; §11.10.11
	Limited Commercial Sales, Services		L	\$11.7; §11.10.1
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses		Not Applicable	
	Occasional Sales, Services Accessory to Places of Religious Assembly*		NP	
	Outdoor Gathering Area*		NP	
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*		NP	
	Outdoor Retail Sale and Display*		L-ZP	\$11.7; §11.10.15
	Outdoor Storage, Limited*		NP	
	Outdoor Storage, General*		NP	
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use		NP	

SECTION 9.7.6 DESIGN STANDARD ALTERNATIVES

9.7.6.1 Required Build-To Alternatives

A. Intent

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

B. Allowance

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:

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

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

9.7.6.2 Transparency Alternatives

A. Intent

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

B. Allowance

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

TRANSPARENCY ALTERNATIVES						
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)	WALL DESIGN ELEMENTS (MAX)	PERMANENT OUTDOOR GATHERING AREAS (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
M-RH M-RX M-CC M-GMX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	50%	80%	40%	80%
M-MX M-IMX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.	80%	40%	80%*

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

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 • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION							
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Un- less Specifically Stated in this Table or in an Ap- plicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts					§11.7; §11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	NP	Not Applicable - See Primary Uses				§ 11.7; § 11.10.3
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	Not Applicable - See Permitted Primary Uses				§ 11.7; § 11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.5
	College Accessory to a Place for Religious Assembly	L	Not Applicable - See Permitted Primary Uses				§ 11.7; § 11.10.6
	Conference Facilities Accessory to Hotel Use	NP	L	L	L	L	§ 11.7; § 11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.10.8
	Emergency Vehicle Access Point	NP	NP	NP	NP	NP	
	Garden*	L	L	L	L	L	§11.7; §11.10.10
	Keeping of Animals	L/L-ZPIN	L/L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; § 11.10.11
	Limited Commercial Sales, Services	L	L	L	L	L	§11.7; §11.10.12
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	NP	Not Applicable - See Permitted Primary Uses	Not Applicable			
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	§11.7; §11.10.13
	Outdoor Gathering Area*	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	§11.7; §11.10.14
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	NP	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	§11.7; §11.10.15
	Outdoor Retail Sale and Display*	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	§11.7; §11.10.16
	Outdoor Storage, General*	NP	NP	NP	NP	M-IMX: NP M-GMX: L-ZP	§11.7; §11.10.17
	Outdoor Storage, Limited*	NP	NP	L-ZP	L-ZP	L-ZP	§11.7; §11.10.18
	Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	NP	L	L	L	L	§11.7; §11.10.19

DIVISION 10.2 GENERAL SITE DESIGN AND FACILITY STANDARDS

SECTION 10.2.1 INTENT

This Division's general site design and facility standards are intended to supplement the more specific zone district building and design standards found in Articles 3 through 9 and, consistent with this Code's context-based approach, ensure that new development: (a) Provides adequate on-site facilities to meet the demands of residents, employees, and visitors; (b) Assures and promotes convenient pedestrian and bicycle access to parks, community amenities, and activity or employment centers; and (c) Mitigates the potential for any adverse impacts on surrounding properties and neighborhoods.

SECTION 10.2.2 APPLICABILITY

In addition to compliance with applicable building form and design standards, all development shall comply with the following general site and facility design standards. In case of conflict between an applicable zone district standard or an applicable and more specific building form standard in Articles 3 through 9 and a design standard stated in this Division 10.2, General Site Design and Facility Standards the more specific building form standard shall apply, unless otherwise expressly stated. In case of conflict between a more specific design standard stated in this Article 10 and a design standard stated in this Division 10.2, General Site Design and Facility Standards the more specific design standard shall apply, unless otherwise expressly stated.

SECTION 10.2.3 GENERAL SITE DESIGN AND FACILITY STANDARDS

All development shall provide, as applicable:

- 10.2.3.1 Adequate design of grades, paving, gutters, drainage and treatment of turf to handle storm waters, prevent erosion and formation of dust;
- 10.2.3.2 Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space, facilities for waste disposal;
- 10.2.3.3 Arrangement of buildings and vehicular circulation open spaces so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic;
- 10.2.3.4 Adequate amount and proper location of pedestrian walks, malls and landscaped spaces to separate horizontally or vertically pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities;
- 10.2.3.5 Arrangement and orientation of buildings and location of Off-Street Parking Areas so as to minimize the impacts on adjacent properties;
- 10.2.3.6 Proper arrangement of signs and lighting devices with respect to traffic control devices and adjacent residential districts;
- 10.2.3.7 In development providing for family occupancy, adequate amount and safe location of play areas for children and other recreational areas according to the concentration of occupancy;
- 10.2.3.8 In development intended for nonresidential uses and located near or abutting Residential Zone Districts, provide fences, walls or year-round screen planting when necessary to shield adjacent residential districts from parking lot illumination, headlights, fumes, heat, blowing papers and dust and to reduce the visual encroachment of commercial architectural, signs and activity on residential privacy and residential neighborhood character;
- 10.2.3.9 Adequate consideration for the access needs of People with Disabilities through the provision of accessible parking spaces, accessible routes between Off-Street Parking Areas and buildings, passenger loading zones and access to other facilities in order to give People with Disabilities an increased level of mobility;

amount of parking provided on the zone lot shall not exceed the aggregate maximum parking allowed for those uses, and may be used jointly.

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

B. Gross Floor Area for Purposes of Calculating Parking Amounts

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

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

C. “Unit” for Purposes of Calculating Parking Amounts

For the purposes of complying with minimum and maximum parking requirements, the term “unit” shall mean, as applicable, either:

1. A dwelling unit in a household living use, as “dwelling unit” is defined in Article 11, Use Limitations and Definitions; or
2. A Room, which may or may not contain kitchen or bathing facilities, intended for occupancy by a resident or guest in a Residential Care or Congregate Living use.

D. Guest Parking in Districts with Maximum Vehicle Parking Standards

1. Intent

To allow flexibility for a limited amount of guest parking in zone districts with maximum vehicle parking standards.

2. Applicability

This Section 10.4.4.2.D applies to all residential primary uses in zone districts where maximum vehicle parking standards apply.

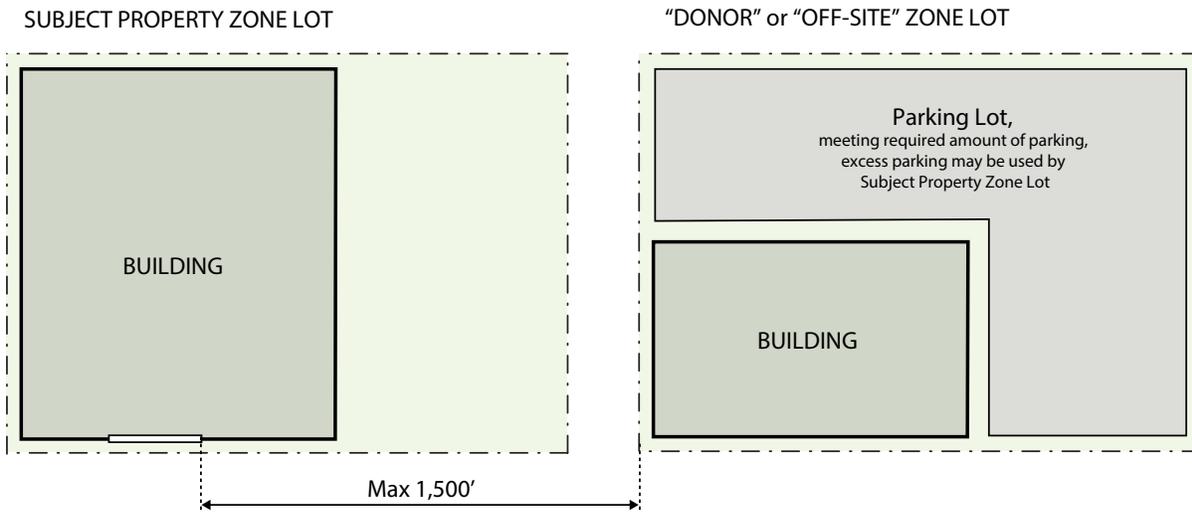
3. Standards

- a. On a zone lot containing at least 3 and no more than 19 dwelling units, one additional vehicle parking space may be provided for guest parking.
- b. On a zone lot containing 20 or more dwelling units, one additional vehicle parking space may be provided for guest parking for every 20 dwelling units. For example, a 42-unit development may provide two additional parking spaces for guest parking.
- c. Except when shared parking is being provided on a separate zone lot according to Section 10.4.5.4, Shared Vehicle Parking, all guest parking must be located on the same zone lot as the residential primary use for which it is being provided.

10.4.4.3 Accessible Vehicle Parking

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

Figure 10.4-1



SECTION 10.4.5 VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

The following uses and circumstances are exempt from providing the minimum amount of vehicle parking otherwise required by this Code, but only to the extent specified in this Section. See also Section 11.10.14.3.C for parking exceptions for Eating and Drinking Establishment Uses.

A. Pre-Existing Small Zone Lots

1. Intent

Encourage the preservation of pre-existing Small Zone Lots through exempted vehicle parking requirements to facilitate the reuse of existing buildings and/or the redevelopment of Small Zone Lots.

2. Applicability

- a. All Mixed Use Commercial Zone Districts; and
- b. Where the subject Zone Lot is currently equal to or smaller than 6,250 square feet and was equal to or smaller than 6,250 square feet on June 25, 2010 ("Small Zone Lot")

3. Exemption Allowed

a. Reuse of Existing Buildings on Small Zone Lots

- i. If a building (1) is located on a Small Zone Lot and (2) existed on March 23, 2017, then of all uses in such building, including any modifications, alterations, and expansions, shall be exempt from providing vehicle parking.
- ii. Any building located on a Small Zone Lot that is voluntarily demolished shall not be considered an existing building. "Voluntarily demolished" shall have the same meaning as the term "Demolition, Voluntary" defined in Article 13.

b. New Buildings on Small Zone Lots Located within Proximity to Transit Service

All uses housed in the lowest two stories entirely above the base plane of a new building constructed on a Small Zone Lot located within 1/2 mile of the outer boundary of a Rail Transit Station Platform or located within 1/4 mile from a High-

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 housing units that are affordable at 60 percent Area Median Income and below, and office Primary Uses. The housing use may apply 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.

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.
 - iii. Vehicle parking reductions for Eating and Drinking Establishment Uses according to Section 11.10.14.3.C.
- 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 housing units that are affordable at 60 percent Area Median Income and below, and office Primary Uses. The housing use may apply the alternative minimum vehicle parking ratio of 0.1 vehicle parking spaces per unit for a parking requirement of 10 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 90% 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.
- c. Vehicle parking reductions for Eating and Drinking Establishment Uses according to Section 11.10.14.3.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:

- e. Surface Off-Street Parking Areas;
- f. Area dedicated to permanent outdoor amenities related to the primary use, such as an Outdoor Gathering Area; or
- g. Areas that other City laws require to be kept free of live planting material.

B. Minimum Landscaping Standards

1. A minimum of 50% of the applicable area shall be landscaped with live planting material and the remaining 50% shall be landscaped with either live or non-live landscaping material, according to Section 10.5.4.6 Landscaping Material Standards. (See Figures 10.5-1 and 10.5-2)
2. Trees and shrubs in the Campus National Western Center-Core (CMP-NWC-C), Urban Center (“C-”) and Downtown (“D-”) zone districts may be located in planters.
3. Existing trees and shrubs located in the required landscape areas shall be credited towards this requirement, provided they meet Section 10.5.4.6, Landscaping Material Standards.

Figure 10.5-1

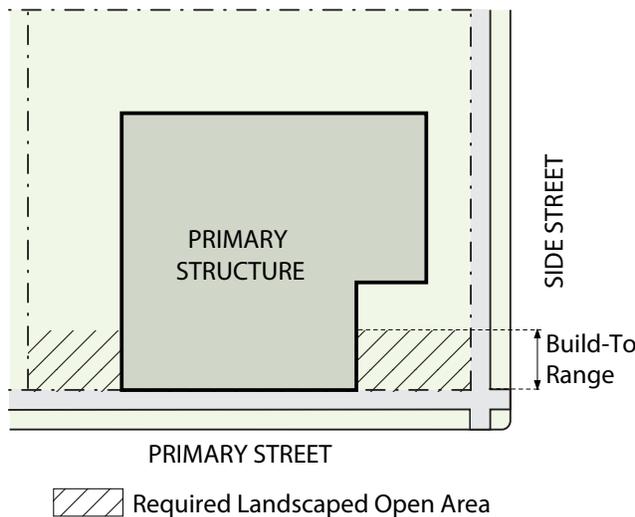
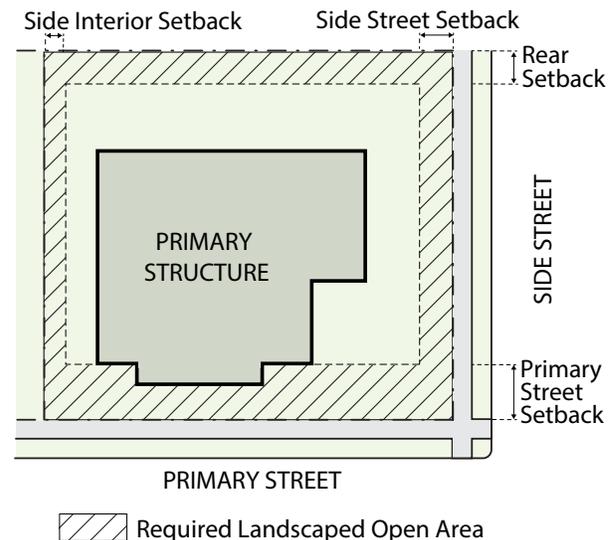


Figure 10.5-2



10.5.4.3 Site Landscaping Standards - Group 2

A. Applicability

1. This subsection 10.5.4.3 shall apply in the I-A and I-B zone districts and in I-MX zone districts to development using the Industrial Primary Building Form.
2. **Expansions of Existing Use**
 - a. This Section 10.5.4.3 shall apply to the expansion of an existing use only if the site area or gross floor area of such use is enlarged more than 15 percent of that existing on June 25, 2010.
 - b. The area of landscaping required shall be the ratio of additional floor or site area to the gross floor area or site area existing on June 25, 2010, multiplied by 5 percent.
 - i. For example, assume an industrial use is to be expanded by 23 percent of the present gross floor area or site area: $0.23 (23\%) \times 0.05 (5\%) = 0.0115$. $0.0115 \times \text{Present zone lot area} = \text{Area of required new landscaping}$. See Figure 10.5-3)

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OFFICE USE CATEGORY

SECTION 11.4.10 DENTAL/MEDICAL OFFICE OR CLINIC

11.4.10.1 G-RO Zone District

In the G-RO zone district, where permitted with limitations, Dental/Medical Office or Clinic use is permitted provided, however, that such use that expands to create a gross floor area exceeding 10,000 square feet shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice. Any such use that contains a gross floor area in excess of 10,000 square feet and which was legally established on or before September 16, 1994, shall be considered a legal, conforming use and does not need to comply with Section 12.4.2, Zoning Permit Review with Informational Notice. This limitation shall not apply to rehabilitation centers for People with Disabilities.

All Zone Districts

In all zone districts, where permitted with limitations:

- A. In all zone districts, except the RO, RX, MX-2x, MS-2x, and I-B zone districts, up to 20 patients or clients may stay overnight at any one time in a Dental/Medical Office or Clinic use.
- B. In the RO, RX, MX-2x, MS-2x and I-B zone districts, overnight patient or client stays are prohibited.

RETAIL SALES, SERVICE AND REPAIR USE CATEGORY

SECTION 11.4.11 RETAIL SALES, SERVICE AND REPAIR, ALL TYPES

11.4.11.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts

In all MX-2x, -2A, -2; and MS-2x, -2 zone districts, where permitted with limitations:

- A. Lighted signage shall be turned off during non-operating hours.
- B. All outdoor lighting shall be provided with full cut-off fixtures.
- C. Retail Marijuana Stores and Medical Marijuana Centers are prohibited in these zone districts.
- D. Zoning permit review is required according to Section 12.4.2, Zoning Permit Review with Informational Notice for Liquor Stores and Manufacturer Sales Rooms.

11.4.11.2 I-B Industrial Zone District

In the I-B Industrial zone district, where permitted with limitations

- A. Retail Sales are permitted only as a Primary Use (and not an Accessory Use) and only if the Retail Sales use complies with at least one of the following limitations:
 1. The commodity sold in the Retail Sales use is grown, manufactured, processed, or fabricated on the same Zone Lot; or
 2. Where the commodity sold in the Retail Sales is not grown, manufactured, processed, or fabricated on the site, the Retail Sales use
 - a. Operates in addition to at least one other permitted Primary Use that is not a Retail Sales use and is located on the same Zone Lot as the Retail Sales use;
 - b. Is operated and maintained under the same ownership as at least one other permitted Primary Use located on the same Zone Lot; and
 - c. Is limited to a maximum of 20 percent of the gross floor area ("GFA") of total GFA of all other Primary Uses located on the same Zone Lot; or

- e. Disinfecting and pest control service.
 2. Autoclave;
 3. Laundry, dry cleaning, commercial, industrial.
- B. In the CMP-NWC-F zone district, all Commercial Service/Repair uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.
- C. All Commercial Service/Repair uses shall be located at least 500 feet from any Residential Zone District.

MANUFACTURING AND PRODUCTION USE CATEGORY

SECTION 11.5.8 MANUFACTURING, FABRICATION, AND ASSEMBLY - CUSTOM

11.5.8.1 All Zone Districts

In all zone districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. On-site manufacturing of malted barley is prohibited.
- B. Unenclosed outdoor storage is prohibited.
- C. Outdoor tasting, serving, and seating areas are permitted as common and customary accessory uses, provided in all zone districts, except in the I-A zone district, such areas shall comply with the limitations stated in Section 11.10.14, for Outdoor Gathering Areas.

11.5.8.2 All RX and All MX -2x, -2A, -2; MS -2x, -2 Districts

In all RX, and MX-2x, -2A, -2, and MS-2x, -2 zone districts abutting a SU or TU zone district, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. Lighted signage shall be turned off during non-operating hours; and
- B. All outdoor lighting shall be provided with full cut-off fixtures.

11.5.8.3 All RX and MX -2x, MS -2x Zone Districts

In all RX, MX-2x, and MS-2x zone districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Custom uses involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following limitations:

- A. If the use is less than 100 feet from the boundary of any Protected District, all business activities open to the public shall cease by 10:00 p.m., except on Friday and Saturday nights when all business activities open to the public shall cease by 11:00 p.m.

SECTION 11.5.9 MANUFACTURING, FABRICATION, AND ASSEMBLY - GENERAL

11.5.9.1 All Zone Districts

In all zone districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - General uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator, if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a

reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District.

11.5.9.2 All Mixed Use Commercial Zone Districts

In all Mixed Use Commercial Zone Districts, where permitted with limitations:

- A. A Manufacturing, Fabrication and Assembly - General use on a zone lot greater than 60,000 square feet or operating between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. A Manufacturing, Fabrication and Assembly - General use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- C. A Manufacturing, Fabrication, and Assembly - General use involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following additional limitations:
 1. On-site manufacturing of malted barley is prohibited.
 2. Unenclosed outdoor storage is prohibited.
 3. Outdoor tasting, serving, and seating areas are permitted as common and customary accessory uses, provided such areas shall comply with the limitations stated in Section 11.10.14 for Outdoor Gathering Areas.

11.5.9.3 CMP-NWC-F Zone District

In CMP-NWC-F, where permitted with limitations, all Manufacturing, Fabrication and Assembly-General uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

SECTION 11.5.10 MANUFACTURING, FABRICATION, AND ASSEMBLY - HEAVY

11.5.10.1 All Zone Districts

- A. In all zone districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Heavy uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application.
- B. Special Exception review is required for the manufacturing, fabrication, and assembly of:
 1. (SIC 3631) Household cooking equipment;
 2. (SIC 3632) Household refrigerators and freezers;
 3. (SIC 3633) Household laundry equipment; or
 4. (SIC 3639) Household appliances.
- C. Petroleum refining is prohibited except for the following activities, which are permitted only in the I-B zone district:
 1. (SIC 295) Asphalt paving and roofing materials; or
 2. (SIC 299) Miscellaneous products of petroleum and coal.

DIVISION 11.7 ACCESSORY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains general standards applicable to all accessory uses across multiple zone districts and neighborhood contexts.

SECTION 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES

11.7.1.1 General Allowance for Accessory Uses

A. Accessory Uses are Incidental, Subordinate, and Customary to the Primary Use

Accessory uses shall be clearly incidental, subordinate, customary to, and commonly associated with operation of a primary use. Accessory uses may be incidental to a primary use permitted without limitations, or to a permitted primary use with limitations. The Use and Parking Tables in Articles 3 through 9 list specific accessory uses permitted in each zone district; applicable limitations may further restrict the type or operations of an accessory use.

B. Clarification When Primary Use is Unenclosed

For an unenclosed primary use, such as a recreational playing field, urban garden, or other similar open space, the primary use is the unenclosed use of the land. Any structures and uses common and customary to the unenclosed primary use (such as structures containing rest-rooms, equipment storage, concession stands, etc.) shall be deemed “accessory uses” and/or “accessory structures” and shall comply with the applicable accessory building form standards and accessory use limitations.

11.7.1.2 Limitations Applicable to All Accessory Uses

A. General Limitations

All accessory uses, except Accessory Dwelling Unit uses and Short-term Rental accessory uses, shall comply with all of the following general limitations. Accessory Dwelling Units uses, where permitted, shall comply with the specific limitations stated in Section 11.8.2, Accessory Dwelling Units, instead of these general limitations in Section 11.7.1.2.A. Short-term Rental accessory uses, where permitted, shall comply with the specific limitations stated in 11.8.10, Short-term Rental, instead of these general limitations in Section 11.7.1.2.A.

1. Incidental, Subordinate, and Customary to the Primary Use

Such use shall be clearly incidental, subordinate, and customary to and commonly associated with the operation of the primary use.

2. Exception to Area/Size Limits - Outdoor Accessory Uses

Subject to the general requirements in this Section that they remain incidental and subordinate to their associated primary use, the following outdoor (unenclosed) accessory uses are allowed without limit on the area (size) of such accessory outdoor use:

- a. Drive-Thru Facility;
- b. Outdoor Gathering Area;
- c. Outdoor Entertainment Area; and
- d. Garden.

3. Maintained Under Same Ownership - Exceptions

Such accessory use shall be operated and maintained under the same ownership and on the same zone lot as the primary use; provided, however, that in all Mixed Use Commercial Zone Districts, lessees or concessionaires may operate the accessory use; and provided further that in nonresidential structures owned and operated by a Place for Religious

SECTION 11.10.14 OUTDOOR GATHERING AREA

11.10.14.1 Intent

The intent of the Use Limitations in this Section 11.10.14 are as follows:

- A. Encourage Outdoor Gathering Areas that facilitate social gathering opportunities.
- B. Encourage Outdoor Gathering Areas that enhance public streets, public ways and publicly accessible components of private property by adding activation and visual interest.
- C. Integrate Outdoor Gathering Areas thoughtfully with their surroundings.
- D. Ensure an Outdoor Gathering Area remains accessory to the Primary Use permitted on the Zone Lot.
- E. Ensure Outdoor Gathering Areas are designed to be visually subordinate to the Primary Structures with which they are associated.
- F. Promote accessibility for all.
- G. Mitigate potential conflicts between vehicular activity and users of an Outdoor Gathering Area.
- H. Mitigate potential conflicts between an Outdoor Gathering Area and pedestrians.
- I. Ensure vertical elements used to delineate an Outdoor Gathering Area allow visibility into and out of an Outdoor Gathering Area when the Outdoor Gathering Area is visible from public areas or public elements of a private site, such as internal shared paths or common open space areas.
- J. Allow additional design flexibility for an Outdoor Gathering Area that is not visible from public areas or public elements of a site, such as internal shared paths or common open space areas.
- K. Enable flexibility related to required off-street vehicle parking and the Use Limitations for an Outdoor Gathering Area where the proposed design meets the zoning intent and meets or exceeds design guidelines for Outdoor Gathering Areas adopted as rules and regulations.

11.10.14.2 Zoning Permit Requirements for Outdoor Gathering Areas

In all zone districts, where permitted with limitations, a zoning permit shall be required for an Outdoor Gathering Area according to the table below:

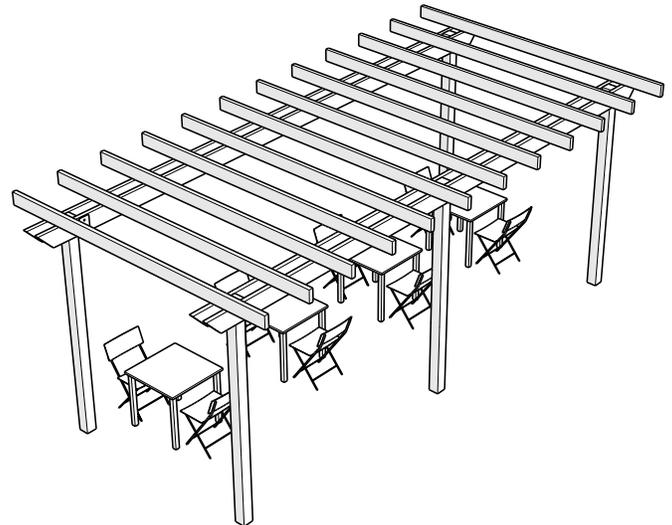
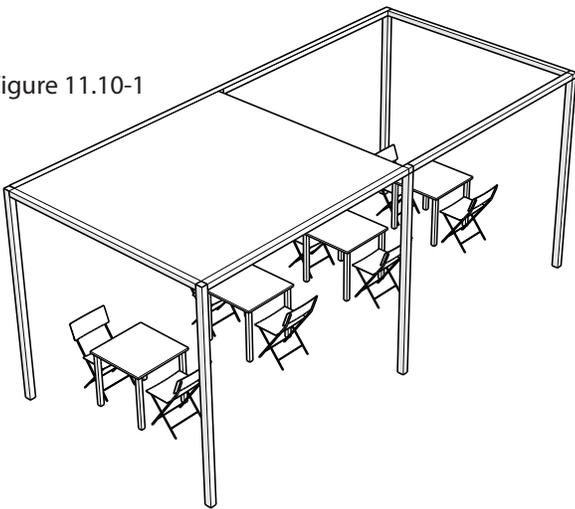
OUTDOOR GATHERING AREA	RESIDENTIAL ZONE DISTRICTS	MIXED USE COMMERCIAL ZONE DISTRICTS
	Zoning Permit Required (Yes/No)	Zoning Permit Required (Yes/No)
Outdoor Gathering Area is subject to Section 11.10.14.3.D, Limitations When Located Less than 50 feet from a Protected District	Yes	Yes
Outdoor Gathering Area is subject to Section in 11.10.14.3.E, Limitations When Located Between 50 feet and Less than 100 feet from a Protected District	Yes	Yes
Outdoor Gathering Area is accessory to a Primary Eating/Drinking Establishment Use	Yes	Yes
Outdoor Gathering Area contains Permanent Structures, such as a Delineating Element or Detached Accessory Structure	Yes	Yes
Outdoor Gathering Area requires an Administrative Adjustment per Section 12.4.5, Administrative Adjustment and Section 11.10.14.3.C	Yes	Yes
Outdoor Gathering Area is accessory to a Primary Use other than Eating/Drinking Establishment and only includes movable furnishings, such as umbrellas, picnic tables, benches, tables and chairs	No*	No
* In all Residential Zone Districts, an Outdoor Gathering Area subject to Section 11.4.6, Nonresidential Uses in Existing Business Structures in Residential Zone Districts shall require a zoning permit.		

11.10.14.3 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor Gathering Areas are permitted as accessory to a nonresidential use, and shall comply with all applicable limitations stated for the primary use to which the Outdoor Gathering Area is accessory. In case of conflict with the use limitations stated in this section specific to Outdoor Gathering Areas, the more restrictive limitation shall apply.
- B. Except where an administrative adjustment is approved by the Zoning Administrator according to Section 12.4.5, Administrative Adjustment, and according to Section 11.10.14.3.C., all Outdoor Gathering Areas shall comply with the following limitations:
 - 1. An Outdoor Gathering Area shall be located and designed according to the Americans with Disabilities Act (ADA) standards.
 - 2. **Surface**
An Outdoor Gathering Area shall have a hard, all weather surface.
 - 3. **Detached Accessory Structures Covering an Outdoor Gathering Area**
A Detached Accessory Structure, such as a pergola, trellis or similar element, may be used to permanently cover an Outdoor Gathering Area. Except as permitted according to Section 11.10.14.3.B.3.d., such covering shall comply with the following limitations. See Figure 11.10-1.
 - a. The entire area of the surface of such covering shall be at least 50% permanently open to the sky and openings shall be evenly dispersed across the surface of the covering; and
 - b. A detached permanent structure shall comply with the applicable Detached Accessory Structure building form standards except the Detached Accessory Structure building form's setback standards shall not apply; and
 - c. If walls, fences or other Delineating Elements are integrated into a Detached Accessory Structure, such elements shall comply with Section 12.10.14.2.B.4 below.

Figure 11.10-1

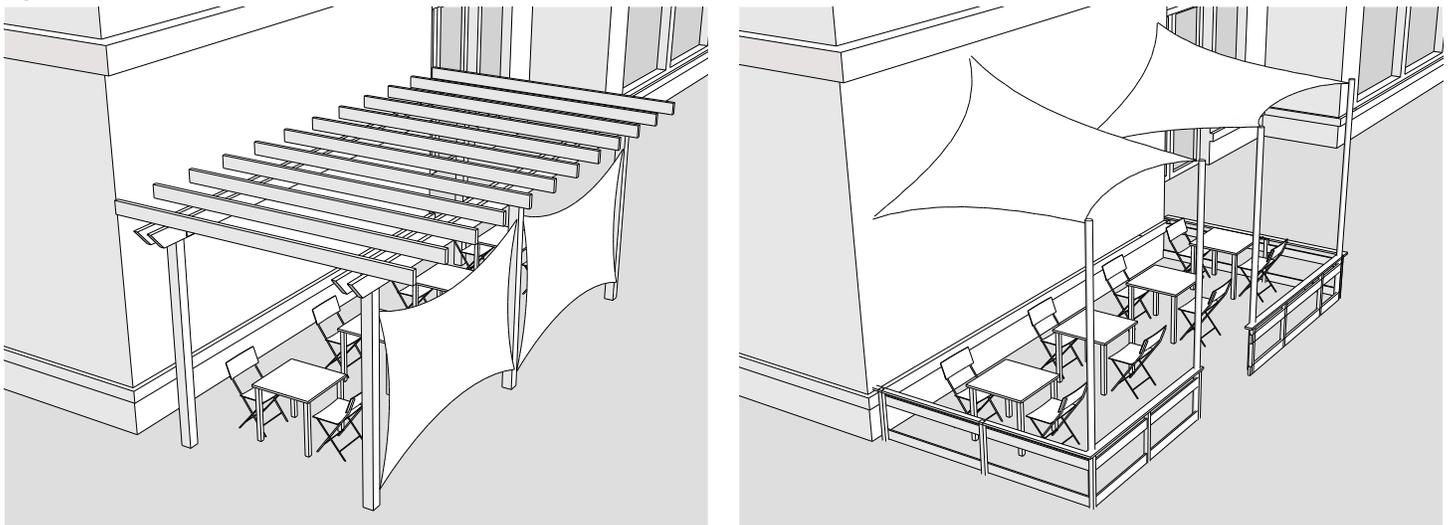


❌ A Detached Accessory Structure that is 50% permanently open to the sky but does not have evenly distributed openings.

✅ A Detached Accessory Structure that is 50% permanently open to the sky with evenly distributed openings.

- d. Exceptions include:
 - i. Canvas awnings, umbrellas or other movable or detachable elements may be utilized as shade devices, but shall not enclose any side of a permitted Detached Accessory Structure. See Figure 11.10-2.
 - ii. Poles or other similar vertical elements may be used within an Outdoor Gathering Area to support a movable shade element such as a shade sail or canvas awning. Such vertical element shall not exceed 8 inches in width as measured in any direction and such elements shall have a minimum separation of 5 feet from any other such vertical element. See Figure 11.10-3.

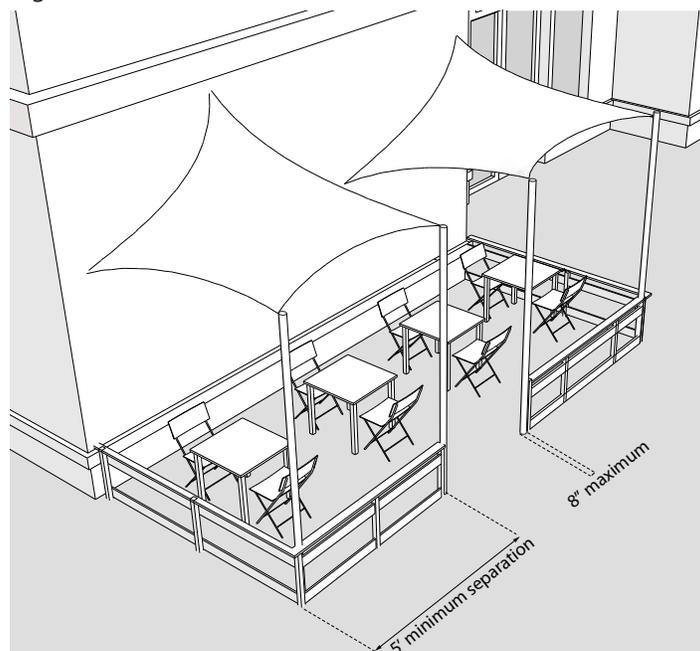
Figure 11.10-2



 A detachable shade element shall not enclose any side of a permitted Detached Accessory Structure

 Canvas awnings, umbrellas, or other moveable shade elements may be utilized as shade devices

Figure 11.10-3

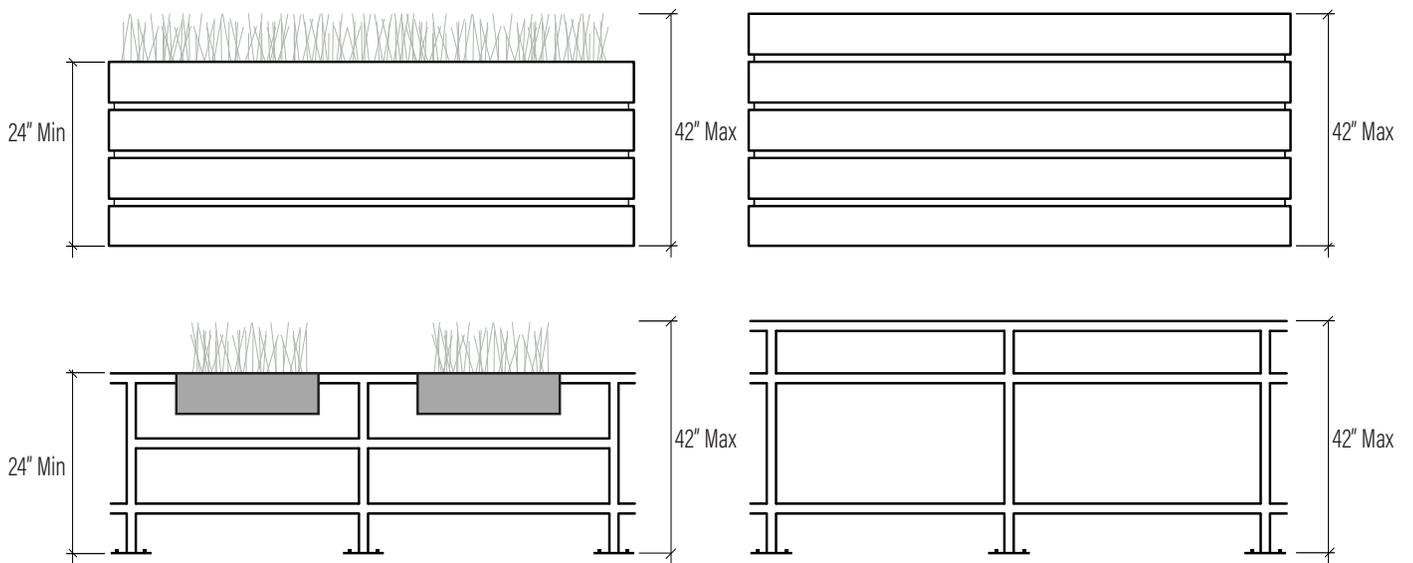


4. Delineating Elements

If the perimeter of an Outdoor Gathering Area is delineated by fences, walls, railings, or raised planters, such Delineating Element shall comply with the following limitations. See Figure 11.10-4.

- a. Shall not exceed 42 inches in height, inclusive of integrated plantings, as measured from the base of the Delineating Element.
- b. Shall be a minimum of 24 inches in height, exclusive of integrated plantings, as measured from the base of the Delineating Element.

Figure 11.10-4



5. Other Structures

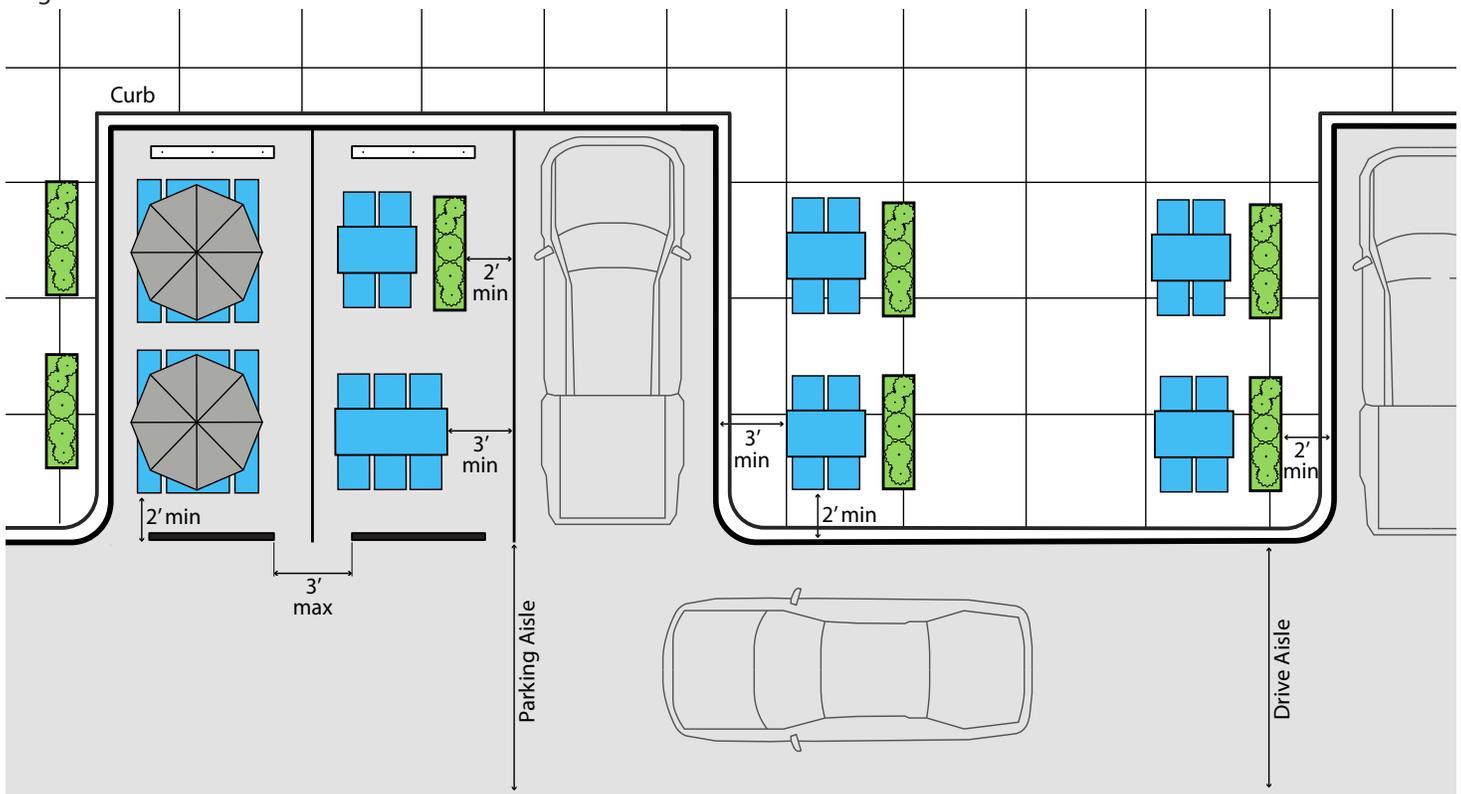
No structure shall exceed 42 inches in height as measured from the base of the structure unless expressly permitted by the Use Limitations in this Section 11.10.14.3.B.

6. Vehicle Conflicts

All vertical elements within an Outdoor Gathering Area adjacent to a vehicle Drive Aisle, Parking Aisle or off-street parking space intended for use by vehicles shall comply with the following limitations (See Figures 11.10-5 and 11.10-6):

- a. Shall be set back a minimum of 2 feet from a Drive Aisle or Parking Aisle.
- b. Shall include a vertical Delineating Element a minimum of 24 inches in height between a Parking Aisle and any other element within an Outdoor Gathering Area.
- c. A Delineating Element separating an Outdoor Gathering Area from a Parking Aisle may include intermediate space for access, but such access shall not exceed 3 feet in width.
- d. Shall be set back a minimum of 2 feet from a Parking Space intended for use by vehicles. If a Delineating Element does not separate the Outdoor Gathering Area from an adjacent Parking Space, the minimum setback shall be increased to 3 feet.

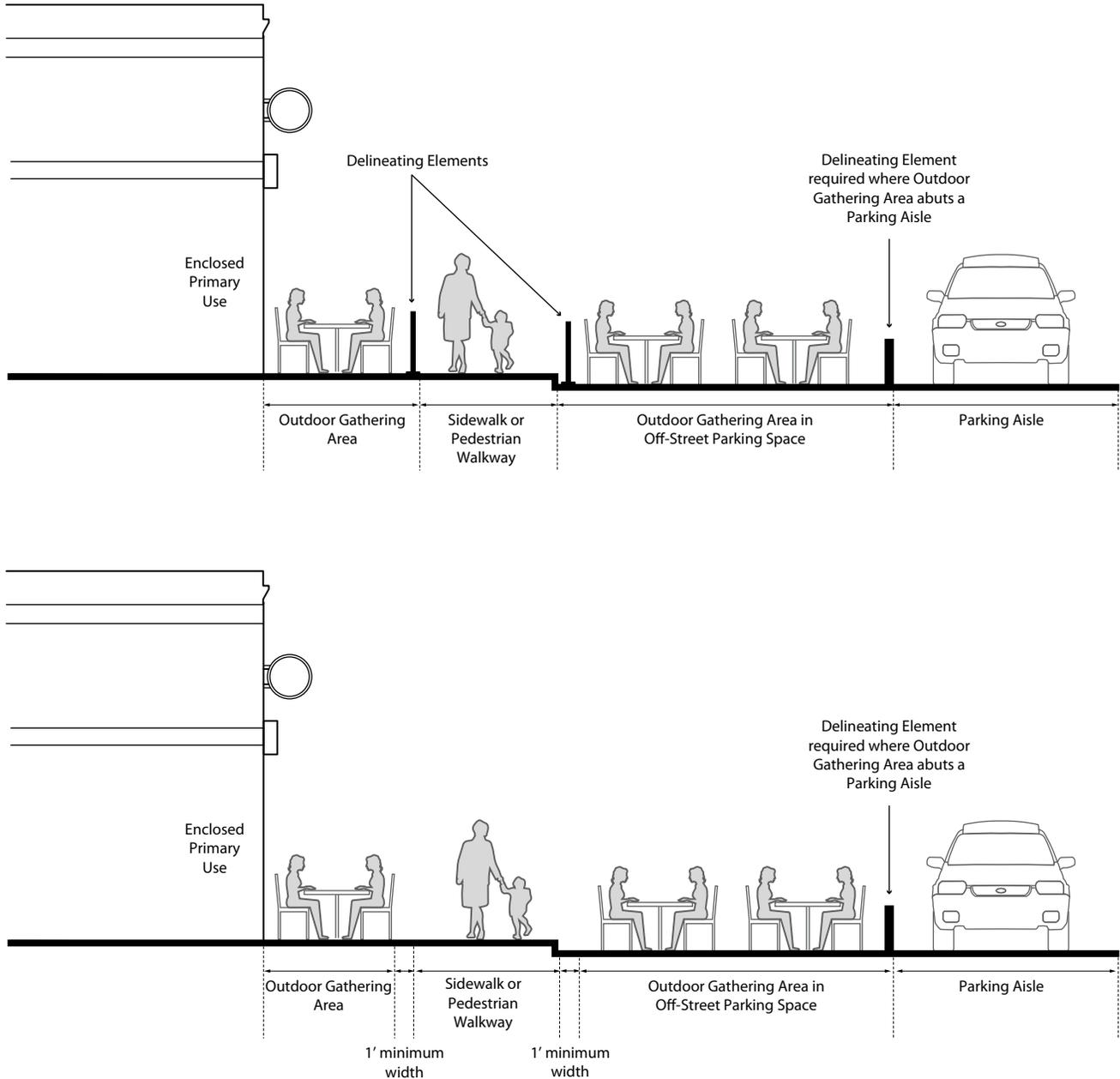
Figure 11.10-5



7. Pedestrian Conflicts

All vertical elements within an Outdoor Gathering Area adjacent to a pedestrian path or sidewalk shall be separated from the pedestrian path or sidewalk by a Delineating Element or be set back a minimum of 1 foot from the pedestrian path or sidewalk, except where the Outdoor Gathering Area extends beyond the zone lot into the right-of-way as permitted by the Department of Transportation and Infrastructure. See Figure 11.10-6.

Figure 11.10-6



- 8. Removal of Required Off-street Parking**
 Except as allowed in Section 11.10.14.3.C.3, no required off-street parking spaces shall be used for an Outdoor Gathering Area.
- 9. Allowance for Extension Beyond Zone Lot**
 An Outdoor Gathering Area may extend beyond the zone lot containing the Primary Use and into the right-of-way subject to approval and permit by the Department of Transportation and Infrastructure (DOTI).

C. Incentives Available

- 1. Purpose**
 This section authorizes regulatory relief from compliance with specified zoning standards when an Outdoor Gathering Area furthers the intent of these Use Limitations through creative design and siting alternatives that exceed the design outcomes of this Section’s minimum standards and meet or exceed the design guidelines authorized by Section 11.10.14.3.C.2.
- 2. Design Guidelines**
 The Manager has the authority to adopt rules and regulations establishing criteria and guidelines for Outdoor Gathering Areas on private property. Any regulatory flexibility identified in this Section 11.10.14.3.C is only available upon adoption of such rules and regulations.
- 3. Flexibility for Outdoor Gathering Areas**
 The Zoning Administrator may provide the following types of regulatory relief if an application for an Outdoor Gathering Area is found to meet the intent of Section 11.10.14.1 and meets or exceeds the design guidelines authorized by Section 11.10.14.3.C.2:
 - a. Waive or otherwise provide relief from compliance with the Use Limitations in Section 11.10.14.3.
 - b. Allow removal of required off-street vehicle parking spaces for a Primary Eating and Drinking Establishment use to provide an Outdoor Gathering Area, provided that no required accessible off-street parking spaces may be removed. An Outdoor Gathering Area may remove up to five required parking spaces per zone lot or up to a maximum percentage of required parking, whichever is greater, according to the table below. For a request to remove required vehicle parking spaces on a zone lot containing multiple uses or tenants, the applicant shall submit a notarized letter of approval from the property owner or landlord, as applicable.

ZONE DISTRICT	MAXIMUM NUMBER OF REQUIRED PARKING SPACES	MAXIMUM PERCENTAGE OF REQUIRED SPACES
All Main Street (MS-) Zone Districts	5	80%
All Urban Center (C-) and Campus (CMP-), except Main Street (MS) Zone Districts	5	65%
General Urban (G-), Master Planned (M-) and Industrial Mixed Use (I-MX), except Main Street (MS) Zone Districts	5	45%
Urban (U-) and Urban Edge (E-), except Main Street (MS) Zone Districts	5	35%
Suburban (S-) and Industrial (I-), except Main Street (MS) Zone Districts	5	30%

- c. Be fully enclosed provided that the number of seats in the enclosed Detached Accessory Structure shall be no greater than 20 percent of the total permitted occupancy for the permitted Primary Use to which the Outdoor Gathering Area is accessory, and any fully enclosed Detached Accessory Structure shall comply with all detached accessory building form standards.

4. Process

The process to apply for regulatory relief outlined in Section 11.10.14.3.C shall be according to Section 12.4.5.4, Administrative Adjustment Review Process.

5. Review Criteria

An application for an Outdoor Gathering Area seeking flexibility and incentives according to this Section 11.10.14.3.C shall show compliance with the following criteria:

- a. Be consistent with the overall intent of the Denver Zoning Code.
- b. Meet the intent for an Outdoor Gathering Area as stated in Section 11.10.14.1.
- c. Meet or exceed the design guidelines for an Outdoor Gathering Area established as rules and regulations according to Section 11.10.14.3.C.2.

D. Limitations When Located Less than 50 feet from a Protected District

1. Applicability

This Section 11.10.14.3.D's use limitations shall apply to all accessory Outdoor Gathering Areas, where permitted with limitations, in the following zone districts:

- a. All RX zone districts
- b. All CC-3x, -5x zone districts
- c. All CC-3, -5 zone districts except when zone district abuts a Commercial Arterial Street as designated in Blueprint Denver
- d. All MX-2x, -2A, -2 zone districts
- e. All MX-3A, -3, -5 zone districts except when zone district abuts a Commercial Arterial Street as designated in Blueprint Denver
- f. All MS-2x, -2 zone districts
- g. All MS-3, -5 zone districts except when zone district abuts a Commercial Arterial Street as designated in Blueprint Denver
- h. All C-CCN zone districts
- i. All I-MX, I-A, I-B zone districts
- j. All M-RX, -IMX, -GMX zone districts

2. Use Limitations

- a. In all C-CCN zone districts, Outdoor Gathering Areas are not permitted when located above the Street Level and less than 50 feet from the nearest boundary of a Protected District.
- b. In all other zone districts, and in all C-CCN zone districts when not located above the Street Level, Outdoor Gathering Areas located less than 50 feet from the nearest boundary of a Protected District shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
- c. Amplified sound shall not be used within the Outdoor Gathering Area.
- d. The Zoning Administrator, in addition to compliance with the general limitations for Outdoor Gathering Areas stated in this Section 11.10.14, shall allow the operation of the Outdoor Gathering Area beyond 6 p.m. only upon consideration of the following factors:

- i. Neighboring uses;
 - ii. Seating capacity of the Outdoor Gathering Area;
 - iii. The specific Primary Use and the specific activities proposed for the Outdoor Gathering Area;
 - iv. The ambient noise generated by activity on the Outdoor Gathering Area.
- e. In all cases, the use of the Outdoor Gathering Area shall cease by 10:00 p.m.
 - f. All distance and spacing requirements shall be measured according to Section 13.1.11, Measurement of Separation or Distance.

E. Limitations When Located Between 50 feet and Less than 100 feet from Protected District

1. Applicability

This Section 11.10.14.3.E's limitations shall apply to all accessory Outdoor Gathering Areas, where permitted with limitations, in the following zone districts:

- a. All RX zone districts,
- b. All CC-3x, -3, 5x zone districts, except when zone district abuts an Arterial Street as designated in Blueprint Denver,
- c. All MX-2x, -2A, -2 zone districts,
- d. All MX-3A, -3 zone districts, except when zone district abuts an Arterial Street as designated in Blueprint Denver,
- e. All MS-2x, -2 zone districts,
- f. All MS-3 zone districts except when zone district abuts an Arterial Street as designated in Blueprint Denver,
- g. All I-MX, I-A, I-B zone districts,
- h. All M-RX, -IMX, -GMX zone districts.

2. Use Limitations

- a. When the Outdoor Gathering Area is between 50 feet and less than 100 feet from the boundary of a Protected District, the use of the Outdoor Gathering Area shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the Outdoor Gathering Area shall cease by 11:00 p.m.
- b. All distance and spacing requirements shall be measured according to Section 13.1.11, Measurement of Separation or Distance.

SECTION 11.10.15 OUTDOOR ENTERTAINMENT ACCESSORY TO AN EATING/ DRINKING ESTABLISHMENT USE

11.10.15.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. Outdoor Entertainment uses are permitted accessory to a primary eating and drinking establishment use only.
- B. Outdoor Entertainment uses are subject to compliance with all applicable standards stated for primary Eating and Drinking Establishments in Section 11.4.9, Eating and Drinking Establishments - All Types. In case of conflict with the use standards stated in this Section specific to Outdoor Entertainment, the standards in this Section shall apply.
- C. All Outdoor Entertainment areas shall comply with the following standards:
 1. The Outdoor Entertainment area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.

2. The Outdoor Entertainment area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 6 feet tall, except that temporary canvas awnings or umbrellas may serve as sun shades.
 3. Any part of the Outdoor Entertainment area located outside of the Completely Enclosed Structure shall have a hard, all weather surface.
 4. No required off-street parking spaces shall be used for an Outdoor Entertainment area.
- D. If the Outdoor Entertainment area is less than 100 feet from the boundary of a Protected District (measured according to Section 13.1.11, Measurement of Separation or Distance), the use of the Outdoor Entertainment area and all activities therein shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the Outdoor Entertainment Area and all activities therein shall cease by 11:00 p.m.
- E. If the Outdoor Entertainment area is less than 50 feet from the nearest boundary of any Protected District (measured according to Section 13.1.11, Measurement of Separation or Distance), it shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

SECTION 11.10.16 OUTDOOR RETAIL SALE AND DISPLAY

11.10.16.1 All Zone Districts

In all zone districts, where permitted with limitations, Outdoor Retail Sales and Display shall comply with the following limitations:

A. Intent

To ensure accessory Outdoor Retail Sale and Display areas are located, contained, and designed to be consistent with the general purpose of the applicable zone district.

B. Exemption

Vehicles for sale, lease, or rent as part of a permitted use (including boats and manufactured housing) shall not be considered merchandise, material, or equipment subject to the requirements of this Section 11.10.14.1.

C. Location and Placement Standards

1. Outdoor retail sales and display areas shall not exceed 20 feet in height.
2. Outdoor retail sales and display areas shall not obstruct the ingress/egress paths to the public way or any required fire access lane or drive aisle abutting such facade. Display of highly combustible goods shall be located at least 5 feet from ingress/egress paths.
3. Outdoor retail sales and display areas shall not obscure visibility of exits or address numbers (premises identification) from the primary street frontage.
4. If located beneath building projections, the outdoor retail sales and display areas area shall be protected by sprinklers if the primary building is protected by sprinklers.
5. Outdoor retail sales and display areas shall be located such that ADA standards are met.
6. Outdoor retail sales and display areas shall be limited in area to no more than 10% of the Gross Floor Area of the Primary Structure(s) on the Zone Lot.
7. Outdoor retail sales and display areas located less than 50 feet from the nearest boundary of a Protected District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

Typical uses include senior or Community Centers, adult or child day care, fire and police stations, detention facilities and ambulance services.

B. Specific Community / Public Services Use Types and Definitions

1. Community Center

A building or open land, together with lawful accessory buildings and uses, used to provide social, recreational, cultural, educational, health care and/or food services, which is not operated for profit.

2. Day Care Center

An establishment used for the purposes of providing care for either children or adults for less than a 24 hour consecutive period.

a. For adults: “Day Care Center” means a facility limited to 5 or more persons who are 18 years and older and not related to the owner, operator or manager thereof, and where care is provided for less than a 24 hour consecutive period.

b. For children:

i. “Day Care Center” means a child care center organized under Chapter 11 of the Denver Revised Municipal Code, which is maintained for the whole or part of the day but for less than 24 hour care, which offers care to 5 or more children not related to the owner, operator, or manager thereof, from the ages of 6 weeks through 18 years, whether such facility is operated with or without compensation for such care, and with or without stated educational purposes, subject to the licensing requirements of the state and the city.

ii. “Day Care Center” includes, but is not limited to, facilities commonly known as Day Care Centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for children with disabilities, and includes those facilities for children under the age of 6 years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school.

iii. “Day Care Center” shall not include any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least 5 grades or operated as a component of a school district’s preschool program operated pursuant to article 28 of Title 22, C.R.S.

iv. “Day Care Center” shall not include any facility licensed as a “child day care home” or “Foster Family Care”, as defined in this Code or in the Colorado Revised Statutes.

3. Postal Facility, Neighborhood

A facility that has distribution boxes, collection, and/or retail services related to mail delivery for the general public, but no mail carriers.

4. Postal Processing Center

A facility used for the collection, sorting, processing, and distribution of bulk mail or packages to other postal facilities or to the general public, and which may have some retail services for the general public, such as stamps, postcards, or postal insurance.

5. Public Safety Facility

Facilities that provide health and safety services to the general public including, but not limited to fire stations, police stations, and emergency medicine or ambulance stations or facilities.

SECTION 11.12.9 DEFINITIONS OF USES ACCESSORY TO PRIMARY NONRESIDENTIAL USES

11.12.9.1 Amusement Devices

An electronic or mechanical device which operates as a game, contest or amusement of any description and which includes but is not limited to pinball machines, video games, foosball machines or similar devices. This term does not include musical devices, children's rides, or pool and/or billiard tables.

11.12.9.2 Automobile Rental Services

The rental of automobiles under conditions where (1) the storage of all rental automobiles is located on the same zone lot as the office for the automobile rental service, and (2) no mechanical or maintenance work on automobiles shall be done on the premises, and (3) the land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space.

11.12.9.3 Car Wash Bay

Washing, cleaning, and/or waxing of private automobiles, light trucks and vans, but not commercial fleets, by hand or with manually operated equipment or automatic machinery.

11.12.9.4 College Accessory to a Place for Religious Assembly

A post-secondary education facility operated by a place for religious assembly and physically located on a zone lot occupied by such place for religious assembly.

11.12.9.5 Conference Facilities

A facility which provides meeting halls, trade centers, merchandise marts, or convention centers for training and other gatherings for large numbers of people for similar functions; may be developed separately or in combination with another permitted use.

11.12.9.6 Drive Through Facility

An accessory use designed and operated to enable persons to receive a service or purchase goods while remaining within a motor vehicle. The facility includes the area of the drive aisle dedicated to placing orders or picking up such goods or services, as well as the actual facility for placing orders and picking up of such goods or services.

11.12.9.7 Emergency Vehicle Access Point

The entrance to portion of a building that houses a Hospital use that provides the intake of patients from Ambulances or similar emergency services vehicles. This includes the Driveway and Drive Aisles designed for access of the entrance for such emergency vehicles from the public right-of-way.

11.12.9.8 Garden

The growing and cultivation of fruits, flowers, herbs, vegetables, and/or other plants. An accessory Garden use may operate as either an enclosed or unenclosed use.

11.12.9.9 Occasional Sales, Services Accessory to Places of Religious Assembly

Retail sales of goods to the general public for a time period not to exceed 6 consecutive months in any one calendar year, and which sales are made from the same zone lot that contains a permitted religious assembly use.

11.12.9.10 Outdoor Gathering Area

An unenclosed area containing tables, chairs and other customary furnishings and elements that supports outdoor gathering, waiting, socializing, employee break areas, and other similar activities for patrons and employees of the primary nonresidential use. This use includes

Outdoor Gathering Areas where food and drinks are served to patrons of a primary eating and drinking establishment.

Outdoor Gathering Areas do not include other accessory outdoor uses, such as Amusement Devices; Outdoor Entertainment; Outdoor Retail Sale and Display; Outdoor Storage; Occasional Sales, Services Accessory to Places of Religious Assembly; or other similar accessory uses.

Except for an Outdoor Gathering Area accessory to a Primary Eating and Drinking Establishment, the Outdoor Gathering Area shall be limited to the secondary and incidental (accessory) activities described in this definition and shall not be used to allow the Primary Use's primary and substantial activities to be conducted outdoors. The Outdoor Gathering Area shall not be used to establish a different primary use outdoors in violation of this Code.

11.12.9.11 Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use

An accessory use allowing the provision of live and/or Outdoor Entertainment to the general public for a fee. The use is conducted in open or partially enclosed or screened facilities. This use does not include adult businesses or any permitted primary land uses.

11.12.9.12 Outdoor Retail Sale and Display

An accessory use; an outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the display, sale and/or advertising of a business, product, or service. The outdoor location of soft drink or similar vending machines shall be considered outdoor retail sales and display. Outdoor retail sales and display shall not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (such merchandise shall be considered "outdoor storage" as defined herein). Temporary outdoor retail sales and displays are regulated as temporary uses and structure according to Division 11.11, Temporary Use Limitations.

11.12.9.13 Outdoor Storage

The permanent placement or deposit of any equipment, furniture, machine, material, merchandise, or supplies in an outside location or outside an enclosed structure, except objects that are customarily placed outside and clearly incidental and commonly associated with the permitted primary use. "Outdoor storage" is more intensive than "Outdoor Retail Display and Sales" use, with such Outdoor Storage typically remaining outdoors overnight. Vehicles for sale, lease, or rent as part of a permitted primary use (including boats and manufactured housing) shall not be considered "outdoor storage" for purposes of this Code.

A. Outdoor Storage, General

The overnight outdoor storage of fuel, raw materials, shipping containers, lumber, pipe, steel, junk and other similar merchandise, material, or equipment.

B. Outdoor Storage, Limited

The overnight outdoor storage of vehicles awaiting repair (includes the storage of vehicles at self-storage facility); merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers; garden supplies; building supplies; plants; fleet vehicles; and other similar merchandise, material or equipment.

SECTION 11.12.10 DEFINITIONS OF TEMPORARY USES

A. Ambulance Service

The dispatching of vehicles for transportation of ill or injured persons to or from treatment facilities together with incidental storage and maintenance of such vehicles.

B. Amusement/Entertainment Uses

An amusement, entertainment, or recreation use accessible to the general public upon payment of a fee or admission charge. Examples include temporary circus or sport events.

G. Administrative Adjustments to Resolve Conflicts Between City Standards

1. Applicability

The Zoning Administrator is authorized to grant administrative adjustments from the applicability of Section 1.1.3.3.A., Conflicting Provisions, when a Standard(s) in this Code conflicts with a Standard(s) adopted by another City department or agency as authorized by the D.R.M.C.

2. Applicant Limitations

A request for an administrative adjustment authorized by this Section 12.4.7.5.G. may only be submitted by the Manager of Community Planning and Development.

3. Extent of Adjustment Authorized

The Zoning Administrator is authorized to waive the applicability of Section 1.1.3.3.A., Conflicting Provisions, and approve an administrative adjustment to any building form standard or design standard stated in Articles 3 through 10 of this Code, without limit.

4. Review Criteria

The Zoning Administrator may grant an administrative adjustment when they find, after weighing the relative public benefit(s) gained from implementation of the City policies, priorities or standards in conflict, that the waiver or adjustment of the zoning Standard(s) at issue would reasonably result in greater public benefit(s) without permanent or substantial impairment to the reasonable use and enjoyment or development of adjacent property.

H. Use Limitations for Outdoor Gathering Areas with Limited Public Visibility

1. Applicability

The Zoning Administrator may grant an administrative adjustment to waive or modify the requirements of the following sections for an Outdoor Gathering Area, related to Sections 11.10.14.3.B.3, Detached Accessory Structures Covering an Outdoor Gathering Area; Sections 11.10.14.3.B.4, Delineating Elements; and Sections 11.10.14.3.B.5, Other Structures.

2. Extent of Adjustment Authorized

The specific standards in the sections referenced above may be modified or waived through an administrative adjustment if the review criteria are met.

3. Review Criteria

The Outdoor Gathering Area is not visible from the street or other public areas (excluding alleys) or from a highly publicly accessible element of a private multi-tenant site, such as a shared internal pedestrian path, off-street parking area or internal common outdoor amenity or open space.

I. Use Limitations for Outdoor Gathering Areas with Enhanced Design

1. Applicability

The Zoning Administrator may grant an administrative adjustment to waive or modify the requirements sections 11.10.14.3.B.2 through 11.10.14.3.B.8 for Outdoor Gathering Areas.

2. Extent of Adjustment allowed

The specific standards in the sections referenced above may be modified or waived through an administrative adjustment if the review criteria are met.

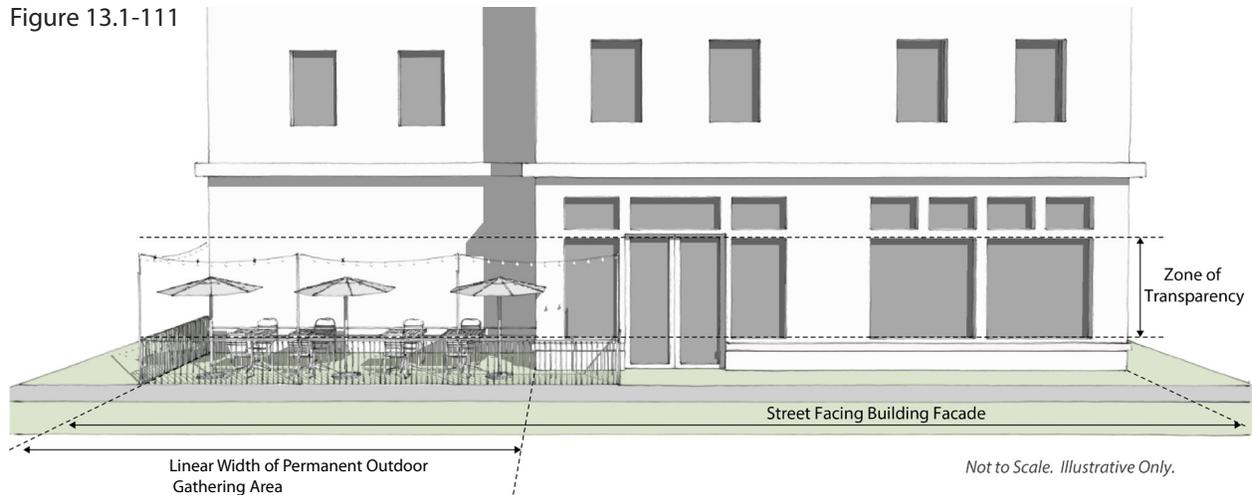
3. Review Criteria

Adjustment permitted when Zoning Administrator finds the Outdoor Gathering Area, with adjustments in design standards, is consistent with the intent for an Outdoor Gathering Area in Section 11.10.14.1 and is found to meet or exceed design guidelines as authorized by Section 11.10.14.3.C.

d. Permanent Outdoor Gathering Areas

- i. Permanent accessory Outdoor Gathering 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 Gathering Areas are measured as the linear width (in feet, measured to the outside posts or railings of an Outdoor Gathering Area), divided by the total length of the same street-facing building façade (including any open parking structure entrances). See Figure 13.1-111.

Figure 13.1-111



SECTION 13.1.10 MEASUREMENT OF MOTOR VEHICLE OR TRAILER LENGTH

When measuring the permitted length of a motor vehicle, including but not limited to recreational vehicles, trailers, buses, or trucks, the following rule of measurement shall apply: The distance measured from the front-most to the rear-most portion of the vehicle (e.g., to the front and rear bumper), except, however, when extensions or projections are added beyond the front-most or rear-most portion of the vehicle, then the measurement shall include such extensions or projections.

SECTION 13.1.11 MEASUREMENT OF SEPARATION OR DISTANCE

13.1.11.1 Measurement of Separation or Distance Between Uses

- A. When measuring a required separation between uses, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.
- B. Only when a significant part of the use is operated outside of a Completely Enclosed Structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

13.1.11.2 Measurement of Separation or Distance Between a Use and Zone District

- A. When measuring a required separation between a use and a zone district, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.
- B. Only when a significant part of the primary use requiring separation is operated outside of a Completely Enclosed Structure shall the separation be measured from the nearest point of the zone lot occupied by the primary use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.
- C. In the case of an outdoor accessory use requiring separation from a zone district (for example, an accessory Outdoor Gathering Area), distance shall be measured from the nearest point of the outdoor accessory use to the nearest point of the zone district boundary from which the separation is to be effected or established.

13.1.11.3 Measurement of Separation or Distance Between a Rail Transit Station Platform and a Zone Lot

When measuring distance between a Rail Transit Station Platform and a use, distance shall be determined from the nearest point of the Rail Transit Station Platform to the nearest point of the Zone Lot.

13.1.11.4 Measurement of Distance Between a Transit Corridor and a Zone Lot

When measuring distance between a transit corridor and a Zone Lot, distance shall be determined from the centerline of the right of way of the transit corridor to the nearest point of the Zone Lot. This rule of measurement shall apply to the following transit corridors identified in the Denver Zoning Code:

1. High-Frequency Transit Corridor
2. High/Medium-Capacity Transit Corridor
3. Transit priority street as defined in Blueprint Denver

D

D.R.M.C.: Denver Revised Municipal Code.

Deck: A platform 12 inches or more above finished grade, and supported on the ground.

Deck, Raised: A platform more than 2.5 feet above original grade, and supported on the ground.

Dedicated or Dedication: The conveyance or setting aside of land to the City Council or its designee.

Delineating Element: A vertical Permanent Structure that defines a portion of the perimeter of a permitted Outdoor Gathering Area, such as a railing, fence, raised planter, wall or other similar element.

Demolished or Destruction, Involuntary: See “Involuntary Demolition or Involuntary Destruction.”

Demolished or Demolition, Voluntary: See “Voluntary Demolition or Demolished.”

Denver Zoning Code: This Code.

Design Element Form Standards or Design Element Standards: Those standards in this Code that regulate building configuration (massing or sculpting of the building form), transparency, and building entrances

Development: Any of the following activities:

1. Any construction activity, grading and/or ongoing operation that changes the basic character or the use of the environment in which the construction activity, grading, or operation occurs; or any use or extension of the use of land; but not including total demolition of any structure.
2. A new parking area; expansion of an existing parking area; a change in the use of a structure that changes the off-street parking requirement; or a change in the gross floor area of a structure that changes the off-street parking requirement.

Development, Residential: Development intended for residential occupancy.

DIA Airport Influence Area: An area within the City of Denver proximate to Denver International Airport (DIA), which is recognized by the City Council as containing lands that are expected to be significantly affected by noise and/or safety hazards associated with aircraft operations associated with DIA.

Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.

Person (Or People) with a Disability (or Disabilities): A person with a physical or mental impairment that substantially limits a major life activity.

Display Surface or Face: The area made available by the sign structure for the purpose of displaying the message.