



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

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## ARTICLE 9. SPECIAL CONTEXTS AND DISTRICTS

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## DIVISION 9.1 INDUSTRIAL CONTEXT (I-MX, I-A, I-B)

### SECTION 9.1.1 INDUSTRIAL CONTEXT DESCRIPTION



**General Character:** The Industrial Context consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use. The Industrial Context includes parts of the city where outdoor uses and activities are accommodated, with appropriate screening, including outdoor storage, heavy commercial services, and waste services. Forms are often tall single-story buildings or multi-story buildings with tall ceilings that accommodate industrial processes, loading bays, and specialized equipment. Industrial uses are primarily located along or in proximity to highway or arterial streets, and often include heavy rail access.

**Street, Block, and Access Patterns:** The Industrial Context consists of an irregular pattern of large blocks. Vehicle access is typically a drive from the street to a surface parking lot. Truck access, loading, and parking are important attributes. The Industrial Mixed Use Districts have a more urban context with a rectangular street grid and alley access.

**Building Placement and Location:** Industrial buildings are typically placed to accommodate the specific activity, often with parking surrounding the building. In many cases, the Industrial Context incorporates existing buildings with raised loading docks presenting particular access and parking challenges. Building placement in the Industrial Mixed Use districts is closer to the street with parking, loading and access in the rear of the site. Reuse of existing industrial buildings with street facing loading presents design challenges.

**Building Height and Form:** Building heights range from 1-8 stories which utilize simple forms to maximize open floor space to accommodate warehousing, although older industrial areas include multi-story warehouse buildings, manufacturing uses, adaptive re-use of industrial structures, and multi-storied mixed use buildings.

**Mobility:** The Industrial Context has typically had a relatively low level of access to the multi-modal transit system, although many areas are adjacent to transitioning Areas of Change associated with new or existing rail transit lines.

## SECTION 9.1.2 DISTRICTS ESTABLISHED

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

### Industrial Context

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

### 9.1.2.1 Purpose

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

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

##### 1. General Purpose

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

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

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

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

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

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

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

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

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

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

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

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

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

### 9.1.2.2 Specific Building Form Intent

#### A. Town House

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

#### B. General

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

#### C. Industrial

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

## SECTION 9.1.3 DESIGN STANDARDS

### 9.1.3.1 Applicability

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

### 9.1.3.2 Primary Building Form Standards for Primary Structures

#### A. District Specific Standards Summary

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

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

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

■ = Allowed



### 9.1.3.3 District Specific Standards

#### A. Town House

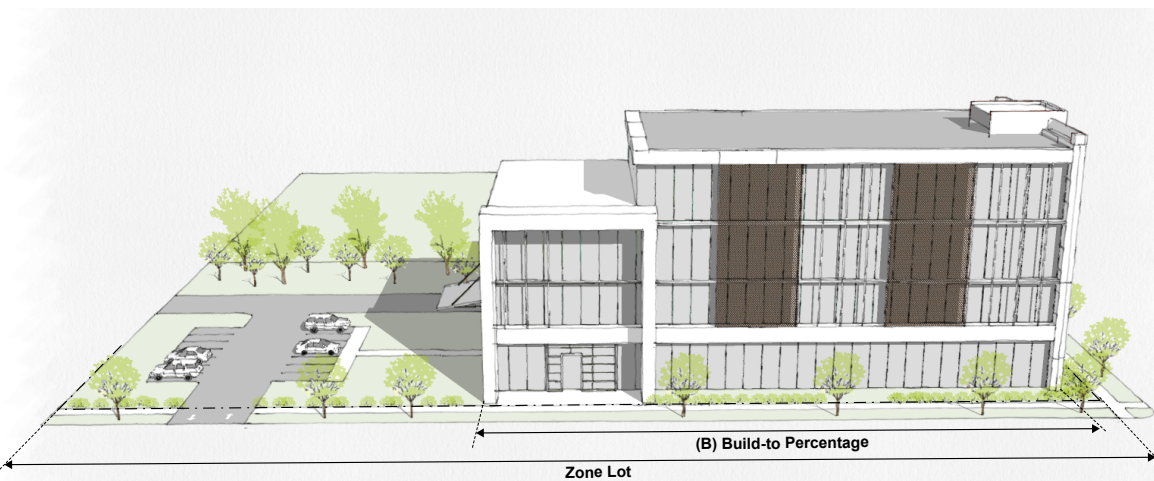
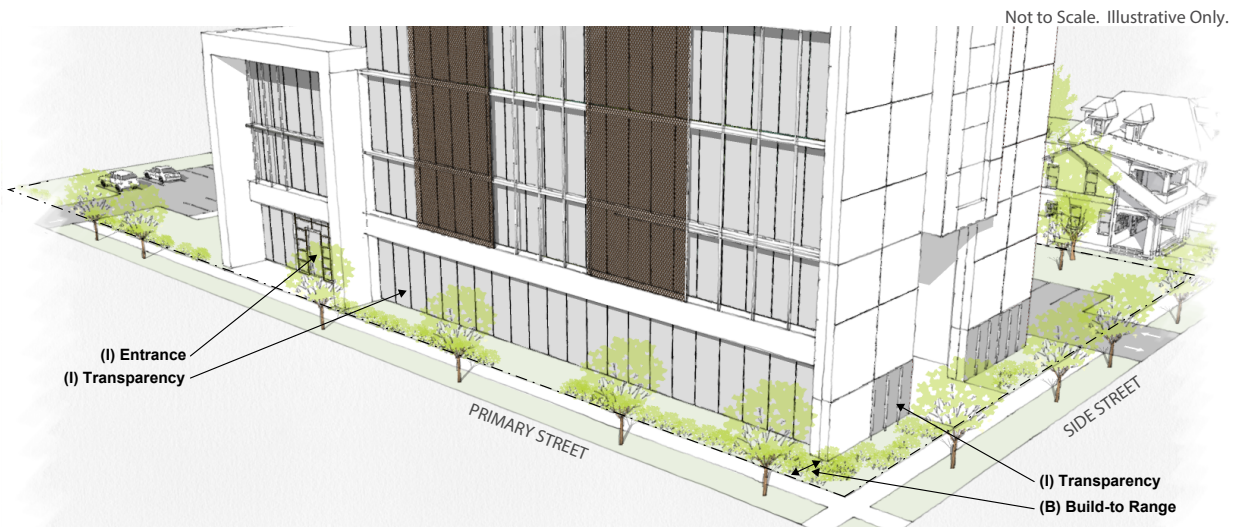
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## TOWN HOUSE

HEIGHT		I-MX-3	I-MX-5 I-MX-8 I-MX-12
A	Stories (max)	3	5
A	Feet (max)	38'	70'
SITING		I-MX-3	I-MX-5 I-MX-8 I-MX-12
REQUIRED BUILD-TO			
B	Primary Street (min % within min/max)	70% (10'/15')	70% (10'/15')
SETBACKS			
C	Primary Street (min)	10'	10'
D	Side Street (min)	7.5'	7.5'
E	Side Interior (min)	5'	5'
F	Side Interior, adjacent to Protected District (min)	10'	10'
	Rear (min)	0'	0'
	Rear Setback adjacent to Protected District alley/ no alley (min)	5'/10'	5'/10'
PARKING			
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed	
	Surface Parking Screening	See Section 10.5.4.4	
	Vehicle Access	From Alley; or Street access allowed when no Alley present	
DESIGN ELEMENTS		I-MX-3	I-MX-5 I-MX-8 I-MX-12
G	Dwelling Units Oriented to the Street	Required if any portion of the Dwelling Unit is located within 20' of Primary Street Zone Lot Line or 20' of the Side Street Zone Lot Line.	
	Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units	
H	Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and Side Interior (min)	20'/25'	20'/25'
	Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and Side Interior (min)	na	35'/40'
STREET LEVEL ACTIVATION			
I	Transparency, Primary Street (min)	40%	40%
	Transparency, Side Street (min)	25%	25%
J	Pedestrian Access, Primary Street	Each Dwelling Unit Oriented to the Street shall have Dwelling Unit Entrance with Entry Feature.	
USES		I-MX-3	I-MX-5 I-MX-8 I-MX-12
Primary Uses shall be limited to Two Unit Dwelling and Multi Unit Dwelling (3+) uses. See Section 9.1.9			
See Section 9.1.5 - 9.1.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions			

## B. General



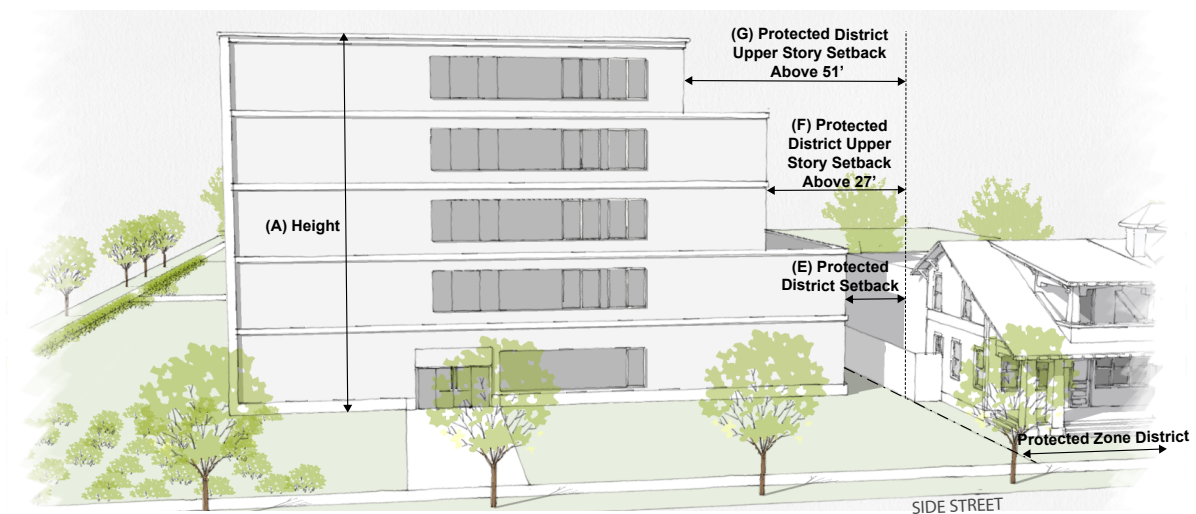
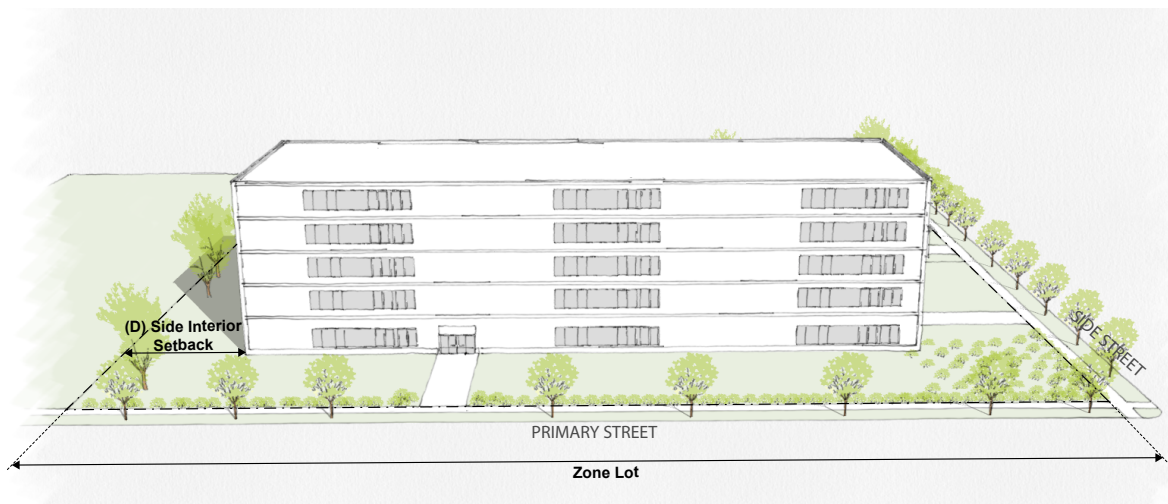
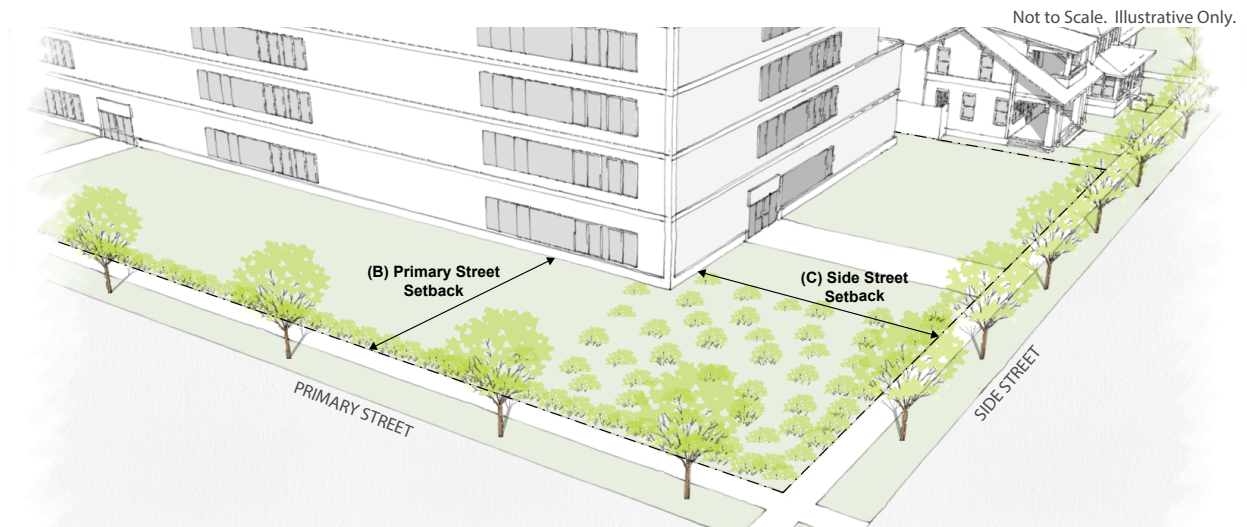


## GENERAL

HEIGHT		I-MX-3	I-MX-5	I-MX-8	I-MX-12	I-A	I-B
A	Stories (max)	3	5	8	12	na	na
	Feet (max)	45'	70'	110'	150'	na	na
	Stories/Feet, with incentives (max)	4/55'	7/95'	12/150'	16/200'	na	na
		See Section 10.12.1					
	Feet within 175' of a Protected District (max)	na	75'	75'	75'	75'	75'
SITING		I-MX-3	I-MX-5	I-MX-8	I-MX-12	I-A	I-B
ZONE LOT							
	Floor Area Ratio (FAR) (max)	na	na	na	na	2.0	2.0
REQUIRED BUILD-TO							
B	Primary Street (min % within min/max)	50% (0/10')	50% (0/10')	50% (0/10')	50% (0/10')	na	na
SETBACKS							
C	Primary Street (min)	0'	0'	0'	0'	20'	20'
D	Side Street (min)	0'	0'	0'	0'	10'	10'
						Can reduce to 5' on lot less than 100ft in width on the long side of the block	Can reduce to 5' on lot less than 100ft in width on the long side of the block
E	Side Interior (min)	0'	0'	0'	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
F	Rear (min)	0'	0'	0'	0'	0'	0'
	Rear Setback adjacent to Protected District alley, no alley (min)	5'/10'	5'/10'	5'/10'	5'/10'	10'	10'
PARKING							
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed				Allowed/Allowed	
	Surface Parking Screening	See Section 10.5.4.4					
	Vehicle Access	Access determined as part of Site Development Plan Review					
DESIGN ELEMENTS		I-MX-3	I-MX-5	I-MX-8	I-MX-12	I-A	I-B
	Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA					
G	Upper Story Setback Above 27'; adjacent to Protected District: alley/no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
H	Upper Story Setback Above 51'; adjacent to Protected District: alley/no alley and Side Interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
STREET LEVEL ACTIVATION							
I	Transparency, Primary Street (min)	40%	40%	40%	40%	na	na
	Transparency, Side Street (min)	25%	25%	25%	25%	na	na
	Pedestrian Access, Primary Street	Entrance				na	na
USES		I-MX-3	I-MX-5	I-MX-8	I-MX-12	I-A	I-B
All permitted Primary Uses shall be allowed within this building form. See Section 9.1.9							

See Section 9.1.5 - 9.1.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

### C. Industrial



## INDUSTRIAL

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

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

DESIGN ELEMENTS		I-MX-3	I-MX-5	I-MX-8 I-MX-12	I-A	I-B
F	Upper Story Setback Above 27', adjacent to Protected District: alley/no alley and side, interior (min)	20'/25'	20'/25	20'/25	20'/25	20'/25
G	Upper Story Setback Above 51', adjacent to Protected District: alley/no alley and side, interior (min)	na	35'/40'	35'/40'	35'/40'	35'/40'
STREET LEVEL ACTIVATION						
	Transparency, Primary Street (min)	na	na	na	na	na
	Transparency, Side Street (min)	na	na	na	na	na
	Pedestrian Access, Primary Street	Pedestrian Connection			na	na

USE		I-MX-3	I-MX-5	I-MX-8 I-MX-12	I-A	I-B
	<p>For Primary Structures constructed on or before June 25, 2010, all permitted Primary Uses shall be allowed within this building form; however, for Primary Structures constructed after June 25, 2010 Vehicle/Equipment Sales, Rentals, Service &amp; Repair Use Category Uses and Industrial, Manufacturing &amp; Wholesale Primary Use Classification Uses Only.</p> <p>All permitted Primary Uses shall be allowed within this building form. See Section 9.1.9</p>					

See Section 9.1.5 - 9.1.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## SECTION 9.1.4 ~~DETACHED ACCESSORY~~ BUILDING FORM STANDARDS FOR DETACHED ACCESSORY STRUCTURES

### 9.1.4.1 Applicability

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

### 9.1.4.2 General Standards

#### A. Detached Accessory Structures Allowed

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

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

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

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

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

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

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

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

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

- a. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- b. Solar thermal and photo-voltaic energy systems
- c. ~~Air-conditioning units-Ground-mounted mechanical equipment such as air conditioning units and heat pumps~~
- d. Pool pumps, heating and water filtration systems
- e. ~~Mailboxes including individual mailbox structures and cluster box units (CBUs)~~
- f. Other similar Detached Accessory Structures, Utilities, and Equipment common and customary to the Primary Structure and/or Use

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

All accessory ~~f~~Fences, ~~w~~Walls, and ~~r~~Retaining ~~w~~Walls, including ~~f~~Fences and ~~w~~Walls used for required screening, shall comply with the ~~f~~Fence, ~~w~~Wall, and screening standards in Division 10.5, instead of this Section 9.1.4.

**6. Accessory Structures Not Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 9.1.4.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the

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

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.1.4.

#### 9.1.4.3 Supplemental Standards

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

###### 1. Public Art

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

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

###### 1. ~~Required Building Materials~~

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

#### 9.1.4.4 District Specific Standards Summary

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

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

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

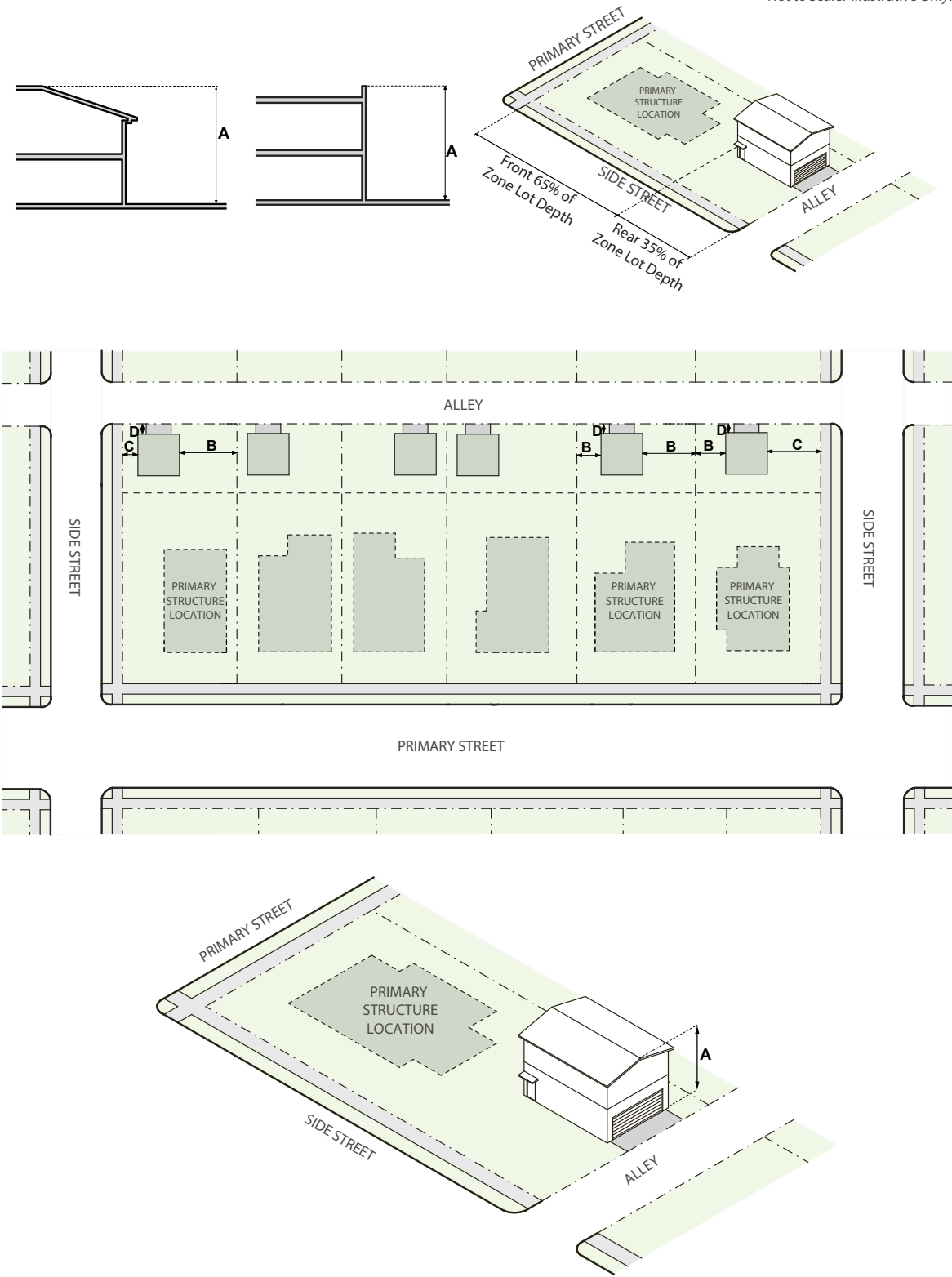
Industrial (I-) Neighborhood Context Zone Districts		<del>Max Number of Detached Accessory Structures per Zone Lot</del>	Building Forms			
			Detached Accessory Dwelling Unit	<del>General Detached Structure Detached Garage</del>	<del>Other Minor Detached Accessory Structures</del>	<del>Detached Accessory Structures</del>
<u>Maximum number of detached accessory structures per Zone Lot</u>			<u>One per Primary Dwell- ing Unit*</u>	<u>No max*</u>	<u>Option A: No max</u>  <u>Option B: No max</u>	
Industrial Mixed Use (MX)	I-MX-3, -5, -8, -12	<del>no max*</del>	■	■	■	■
Light Industrial)	I-A	<del>no max</del>		■	■	■
General Industrial	I-B	<del>no max</del>		■	■	■

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

9.1.4.5 District Specific Standards

A. Detached Accessory Dwelling Unit

Not to Scale. Illustrative Only.





## DETACHED ACCESSORY DWELLING UNIT

### HEIGHT

All I-MX

- A Stories (max)  
A Feet (max)

2  
24'

### SITING

All I-MX

#### SETBACKS

- Location of Structure Located in the rear 35% of the zone lot depth
- B Side Interior (min) 3'
- C Side Street (min) 3'
- Rear, ~~where~~ no Alley abut~~ting a~~ Rear Zone Lot Line (min) 5'
- D Rear, where Alley (public or private) abuts a Rear Zone Lot Line and garage doors face Alley (min) 5'
- Rear, ~~where a~~Alley (public or private) abuts a Rear Zone Lot Line and where garage doors do not face Alley (min) 0'

#### PARKING

- Vehicle Access From Alley; or Street access allowed when no Alley present  
See Sec. 9.1.7.5 for exceptions

### DESIGN ELEMENTS

All I-MX

#### BUILDING CONFIGURATION

- Building Footprint (max) ~~1,000~~ 864-sf per unit
- Rooftop ~~and/or~~ Second Story Decks See Section 9.1.5.2

### USES

All I-MX

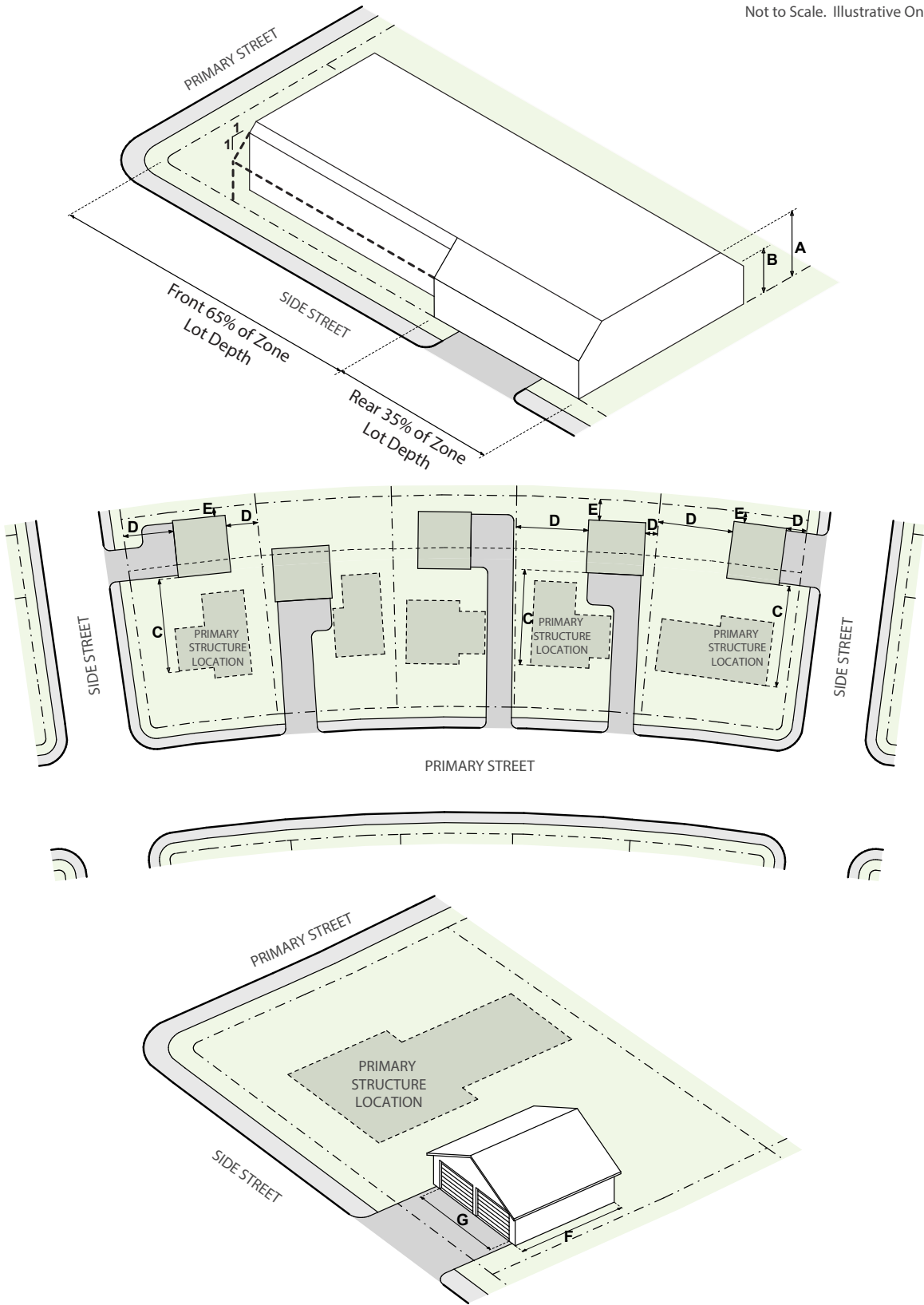
An Accessory Dwelling Unit use must be concurrently permitted and approved for occupancy in this building form. The Accessory Dwelling Unit use may be combined with other uses Accessory to Primary Residential Uses.  
See Division 9.1.9 for permitted Uses Accessory to Primary Residential Uses

See Sections 9.1.4.3 and 9.1.5 - 9.1.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions



B. **General** Detached **Accessory** Structures

Not to Scale. Illustrative Only.



## GENERAL DETACHED STRUCTURE

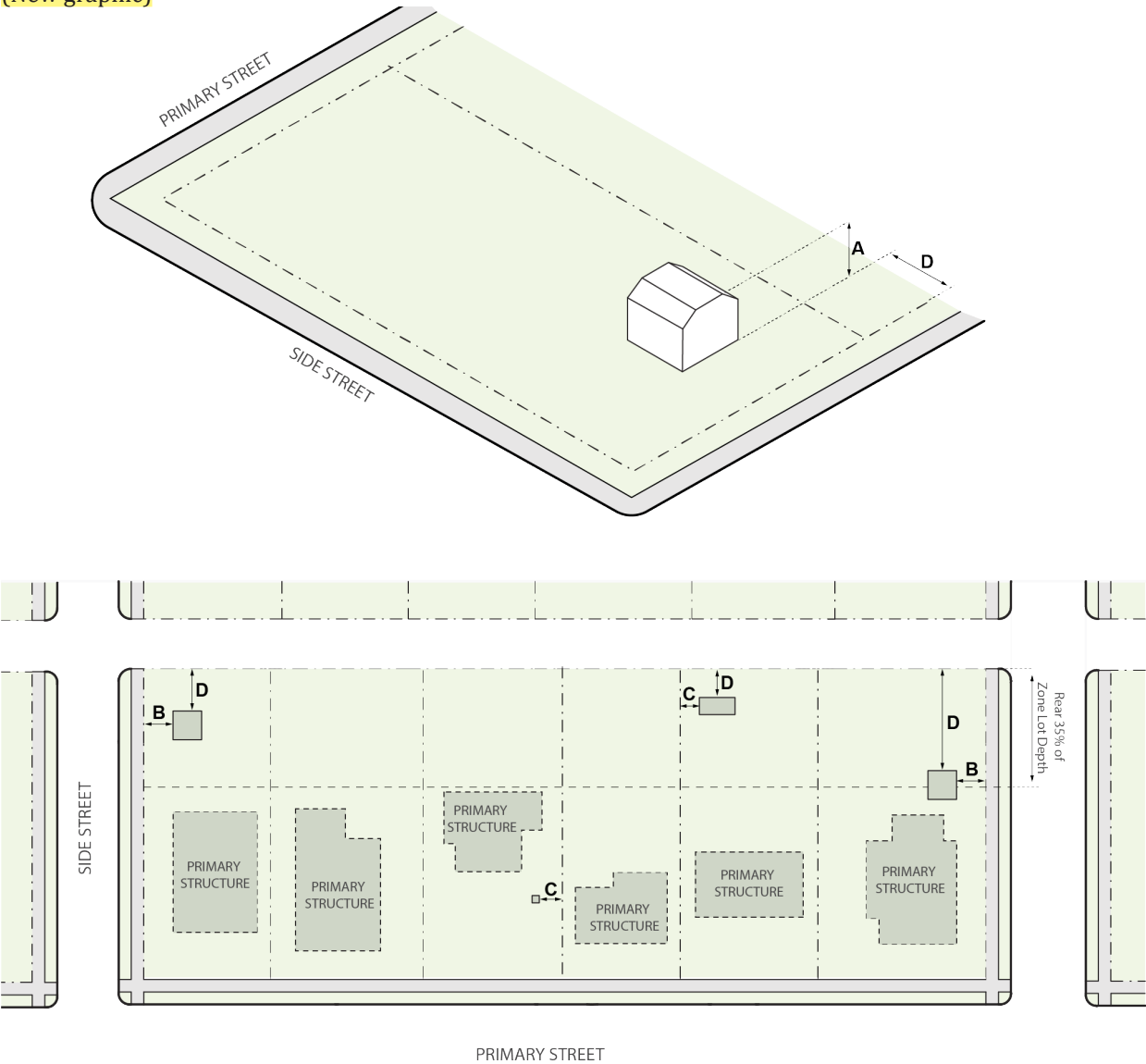
HEIGHT	All I-MX	I-A	I-B
Stories (max)	1	na	na
Feet (max)	17'	na	na

SITING	All I-MX	I-A	I-B
<b>ZONE LOT</b>			
Allowed Number of Dwelling Units (min/max)	0/0	0/0	0/0
<b>SETBACKS</b>			
Primary Street (min)	10'	20'	20'
Side Street (min)	10'	10'	10'
	Can reduce to 5' on Zone Lot less than 100' in width along the long side of the block		
Side Interior (min)	0'	0'	0'
Side Interior, adjacent to Protected District (min)	10'	10'	10'
Rear (min)	0'	0'	0'
Rear, adjacent to Protected District (min)	10'	10'	10'

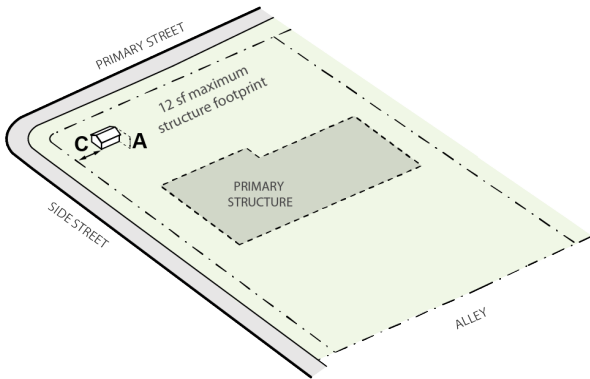
DESIGN ELEMENTS	All I-MX	I-A	I-B
Gross Floor Area (max)	Shall Not Exceed 10% of the Zone Lot Area; does not apply to detached accessory structures with vehicle access doors	Shall Not Exceed 10% of the Zone Lot Area	

USE	All I-MX, I-A, I-B
Accessory Uses Only. See Section 9.1.9 for permitted Accessory Uses.	

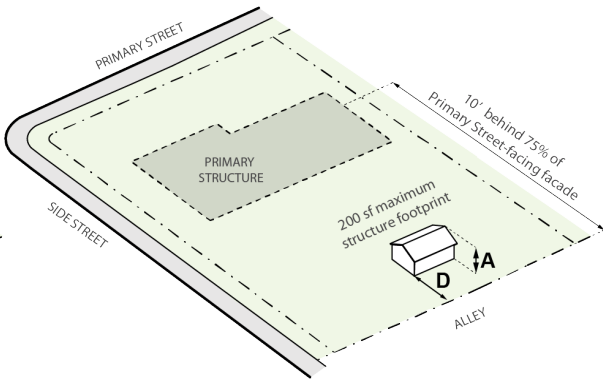
C. **Minor Detached Structures**  
(New graphic)



Option A: Located Anywhere on Lot



Option B: Located Behind Primary Street-Facing Facade



## MINOR DETACHED STRUCTURES

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

		All I- Zone Districts	
HEIGHT		Option A*	Option B*
A	Stories (max)	1	1
A	Feet (max)	4'	14'
		All I- Zone Districts	
SITING		Option A	Option B
Total number of each structure (max)		na	na
LOCATION OF STRUCTURE			
Ground-Mounted Mechanical Equipment		Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**
Public Utility Equipment		Allowed anywhere on the Zone Lot	
All Others		Allowed anywhere on the Zone Lot	
SETBACKS			
B	Side Street (min)	5'	5'
C	Side Interior, for structure entirely in rear 35% of zone lot (min)	0'	0'
	Side Interior, for structure not entirely in rear 35% of zone lot (min)	5'	5'
	Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'
D	Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)	0'	0'
Building Coverage per Zone Lot (max)		See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	
		All I- Zone Districts	
DESIGN ELEMENTS		Option A	Option B
BUILDING CONFIGURATION			
Structure footprint (max)		12 sf	200 sf
USES		All I- Zone Districts	
		Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Section 9.1.9 for permitted Accessory Uses.	



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See Sections 9.1.5 - 9.1.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

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

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

## SECTION 9.1.5 SUPPLEMENTAL DESIGN STANDARDS

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

#### A. Intent

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

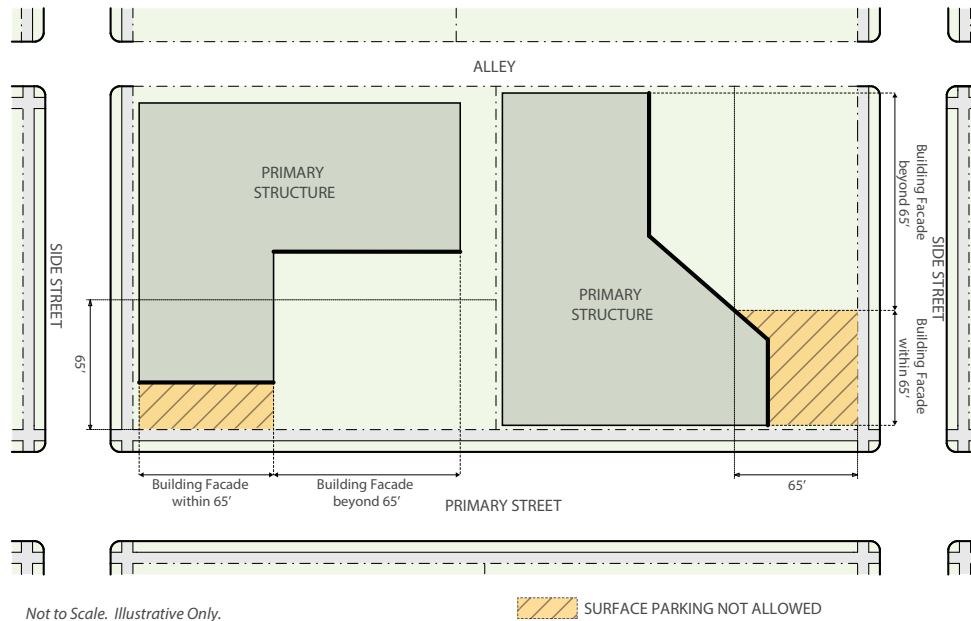
#### B. Applicability

This Section 9.1.5.1 applies to the General and Town House building forms in the I-MX zone districts.

#### C. Surface Parking Not Allowed

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

Figure 9.1-1



### 9.1.5.2 Rooftop and/or Second Story Decks

#### A. Intent

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

#### B. Applicability

~~Town House building form in all the I-MX zone districts when the Zone Lot is adjacent to a zone district with a limitation on rooftop and/or second story decks in the rear 35% of the Zone Lot depth. This Section 9.1.5.2 applies to the following building forms and conditions:~~

1. A Town House primary building form in all I-MX zone districts; or
2. A Detached Accessory Dwelling Unit accessory building form when accessory to a Town House primary building form in all I-MX zone districts; and
3. When the Zone Lot is adjacent to a zone district with a limitation on Rooftop or Second Story Decks in the rear 35% of the Zone Lot depth.

#### C. Supplemental Design Standard

1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the zone lot depth except with a Detached Accessory Dwelling Unit building form.
2. A Rooftop and/or Second Story Deck with a Detached Accessory Dwelling Unit building form is subject to the following limits:
  - a. Shall only be allowed when the subject property has a ~~r~~Rear ~~z~~Zone ~~H~~Lot ~~H~~Line that abuts an Alley;
  - b. Must be sited entirely within 15 feet of the rear zone lot line abutting an Alley;
  - c. May have an upper walking surface with a maximum area of 100 square feet, including posts, railings, walls or other structural features, but excluding any above

- grade stairways at the Street Level connected to a Rooftop ~~and/or~~ Second Story Deck;
  - d. May encroach into a required setback only if the Rooftop ~~and/or~~ Second Story Deck complies with the additional standards stated in Sec 9.1.7.4 Setback Exceptions; and
  - e. The upper walking surface of the Rooftop ~~and/or~~ Second Story Deck may not exceed 14 feet in height.
3. The Zoning Administrator may prohibit other similar structures in the rear 35% of the Zone Lot depth, including detached or freestanding structures but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop ~~and/or~~ Second Story Deck.

### **9.1.5.3 Dwelling Units Oriented to the Street**

#### **A. Intent**

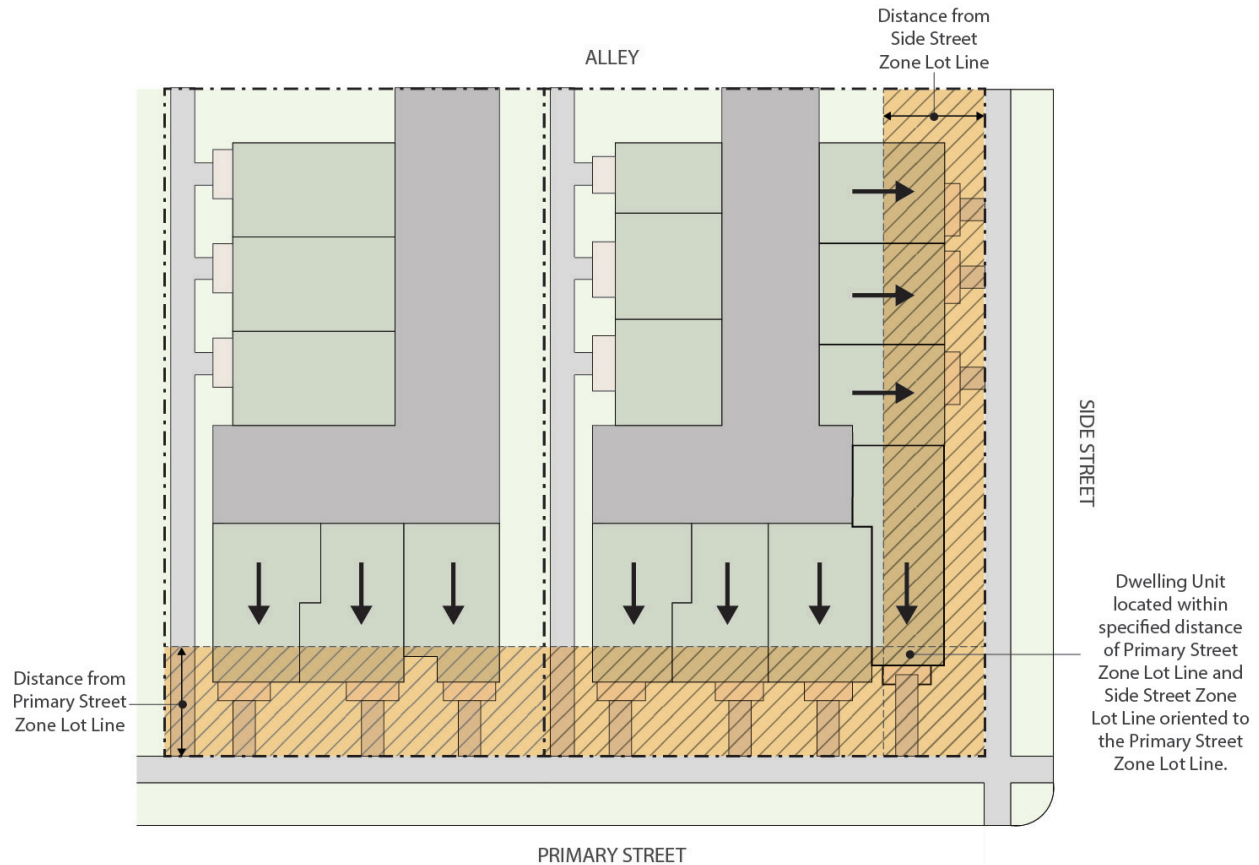
To ensure that buildings containing Side-by-Side Dwelling Units contribute to vibrant pedestrian-oriented street frontages with Dwelling Units that clearly Orient to the Street.

#### **B. Applicability**

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

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

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



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

#### 9.1.5.4 Height for Sloped Roofs

##### A. Intent

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

##### B. Applicability

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



### C. Supplemental Design Standard

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



### 9.1.5.5 Required Screening and Enclosure Standards

#### A. Solid Wall or Fence Screens

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

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

6. Within 50 feet of the intersection of the right-of-way lines of intersecting streets, the height and location of such walls or fences shall be determined by the Department of Transportation and Infrastructure ("DOTI").
7. All walls or fences shall be maintained in good condition at all times.

## SECTION 9.1.6 DESIGN STANDARD ALTERNATIVES

### 9.1.6.1 Required Build-To Alternatives

#### A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades. Additionally, to allow relief for vehicle access when alley access is not feasible per Section 9.1.7.5 in the Town House building form.

#### B. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.7.E:

REQUIRED BUILD-TO ALTERNATIVES									
ZONE DISTRICT	BUILDING FORMS	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)	VEHICLE ACCESS (MAX FEET OF BUILD-TO)
I-MX	Town House	na	na	na	na	na	na	30%	12 feet
I-MX	General	na	na	25%*	30%*	30%*	100%	na	na

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

### 9.1.6.2 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)
I-MX	Primary Street	40%	50%	60%	40%	80%
	Side Street	40%	<del>100%; provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.</del>	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, including any incentive height allowed by this Code.
2. No portion of a structure shall project beyond the bulk plane specified in the applicable Building Form table.
3. No portion of a structure shall exceed the maximum height in stories specified in the applicable Building Form table.

#### C. Exceptions

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

1. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended

function of the feature ~~and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.~~

2. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
3. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
4. The Zoning Administrator shall determine the applicable feature type and associated height exception standards for a given building feature.
5. Where a building feature exceeds the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY <del>ENCROACH INTO THE</del> EXCEED UPPER STORY SETBACK HEIGHT BY:
Roof Overhangs, gutters, and downspouts, each extending no more than 3-feet measured perpendicular from the exterior face of the Exterior Wall to the furthest edge of the projection	All I- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All I- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All 5-Story or greater I-MX Zone Districts, I-A, I-B	No	Yes	28'	Not applicable	Not allowed	Not allowed

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY <del>ENCROACH INTO THE</del> EXCEED UPPER STORY SETBACK HEIGHT BY:
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment.	I-MX-3 Zone District in the Town House Building Form	Yes	Yes, from the perimeter of the portion of the building Facing the Primary Street, Side Street, Side Interior or Rear Zone Lot Line.  No, from the perimeter of the portion of the building that does not face a Zone Lot Line.	12'	1 story	Not Allowed	Not Allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	I-MX-3, all other building forms	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	12'	1 story	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	I-MX-3	Yes	Yes	12'	1 story	Not allowed	Not allowed

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY:
Elevator lobbies	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	I-MX-3	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All 5-Story or greater I-MX Zone Districts, I-A, I-B	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
<del>Parapet Wall or Safety Railing</del>	<del>I-MX-3</del>	<del>No</del>	<del>No</del>	<del>Not allowed</del>	<del>Not applicable</del>	<del>Not allowed</del>	<del>4'</del>
Parapet Wall <del>and/</del> or Safety Railing	All 5-Story or greater I-MX Zone Districts, I-A, I-B	No	No	Any distance	Not applicable	Not allowed	<del>Not allowed</del> <del>4'</del>
<del>Flush-mounted</del> <del>S</del> solar panels	All I- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All I- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All I- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance
Pedestrian bridge	All I- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

### 9.1.7.2 Required Build-To Exceptions (Moved to 13.1.5.7)

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

##### 1. ~~Intent~~

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

##### 2. ~~Standard~~

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

#### B. ~~Parkways~~

##### 1. ~~Intent~~

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

##### 2. ~~Standard~~

~~Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range,~~

~~the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.~~

#### **9.1.7.3 Setback Exception – Parkway (Moved to 13.1.5.8)**

**A. Intent**

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

**B. Standard**

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

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

#### **9.1.7.4 Setback Exceptions - Architectural, Site, Service & Utility Elements**

**A. Intent**

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

**B. Standard**

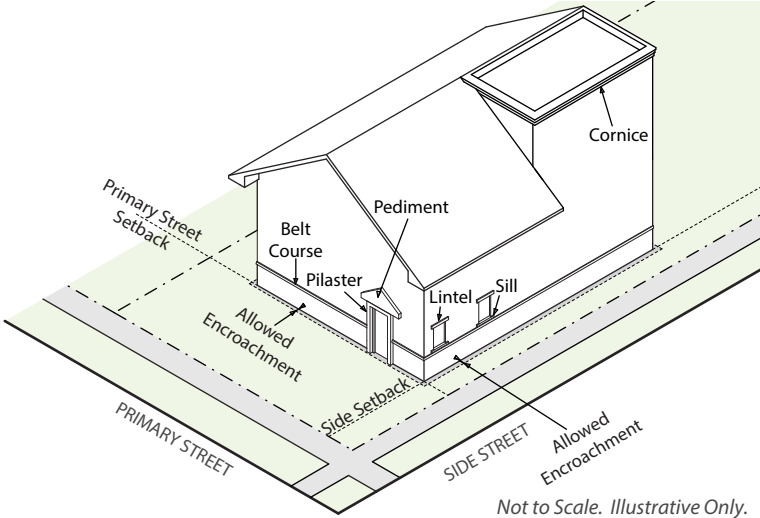

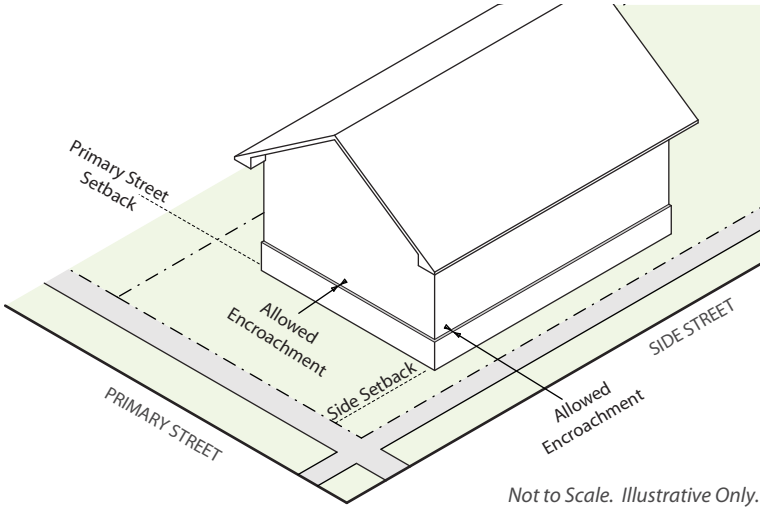
Except as specifically allowed below, Setbacks specified in the applicable Building Form tables shall be open and unobstructed.

**C. Exceptions**

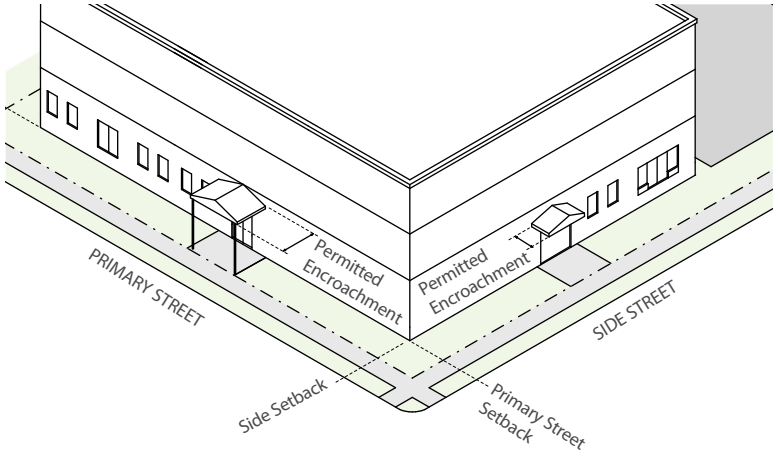

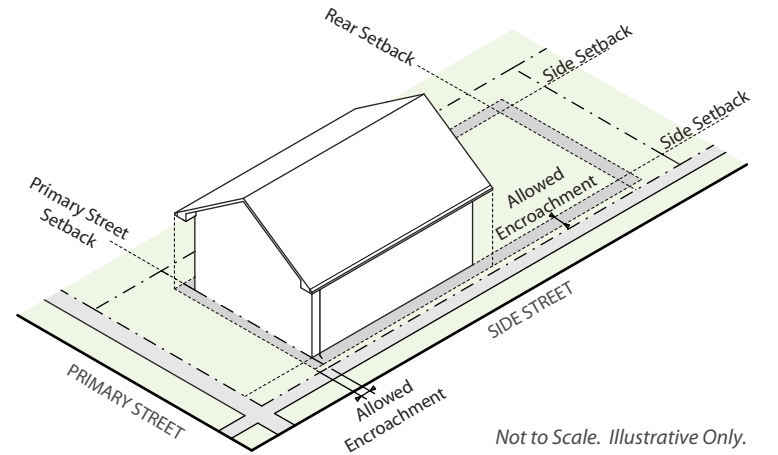

The following Structures or portions of Structures are permitted to encroach into the Setbacks subject to the limitations in the tables below. No portion of a Structure that encroaches into the Setbacks shall extend into a required Setback beyond the maximum Setback encroachment distance specified in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

**1. Architectural Elements**

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices	All I- Zone Districts	All building forms	1.5' Cornices only: 3'	1.5' Cornices only: 3'	1.5' Cornices only: 3'; if setback is less than 5': 2'	1.5' Cornices only: 5'
Intent: To allow common, minor decorative elements which are integral to a building.						
 <i>Illustrative only</i>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All I- Zone Districts	All building forms	6"	6"	6"	6"
Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.						



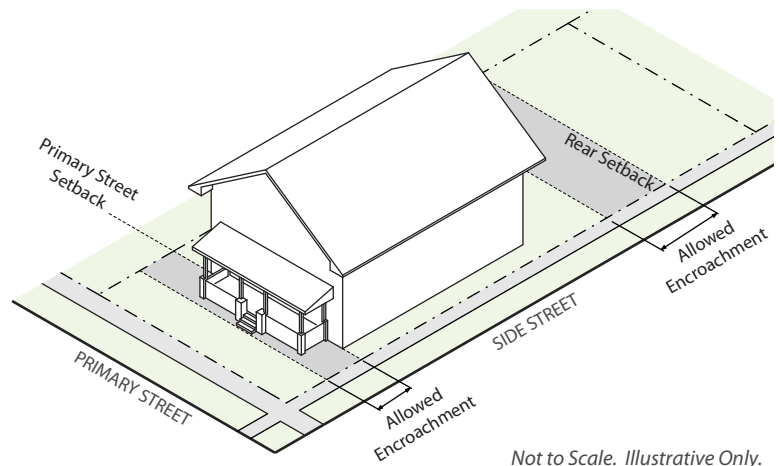
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: •The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and •Shall be open on three sides.	All I- Zone Districts	Town House	Any distance	Any distance	2' and at no point closer than 3' to the Zone Lot line	Not allowed
		All Others	Any distance	Any distance	Not allowed	Not allowed
Intent: Provide protection from the weather for pedestrian entering the building and define street entrances to the building	 <p>Not to Scale. Illustrative Only.</p>					
 <p><i>Illustrative only</i></p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Gutters, Downspouts and Roof Overhangs	All I- Zone Districts	All building forms	3'	3'	3'; if setback is less than 5': 2'	5'
Intent: To allow features of structures intended to repel weather	 <p>Not to Scale. Illustrative Only.</p>					
 <p><i>Illustrative only</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><del>Unenclosed</del> Porches, <del>Decks</del>, Patios, Exterior Balconies, <del>Stoops</del>, and above-grade stairways at the Street Level:</p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li> </ul>	All I- Zone Districts	All building forms	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	<p><u>Patios: Maximum of 5' wide, any distance</u></p> <p><u>All others: Not allowed</u></p>	<p><u>Patios: Any distance</u></p> <p><u>All others: 5'</u></p>

Intent: To promote elements which provide for street activation and human scale.



*Illustrative only*

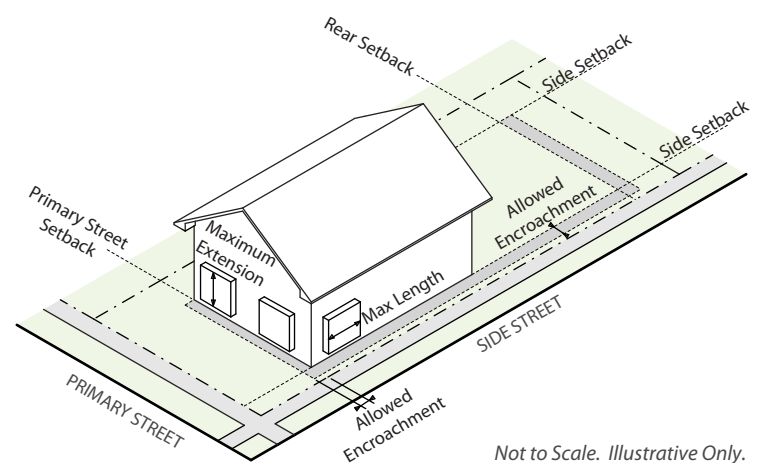


	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><del>Projecting Windows:</del></p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor-to-ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.</li> </ul>	All I- Zone Districts	Town House	1.5'	1.5'	1.5'	1.5'
		All Others	1.5'	1.5'	Not Allowed	1.5'


Intent: To allow for improved interior daylighting.




*Illustrative only*




	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: Projections from Exterior Walls intended to control light entering through windows or doors.</p> <ul style="list-style-type: none"><li>Horizontal shading devices shall include awnings, horizontal sunshades, and other shading devices projecting in a horizontal plane</li><li>All other shading devices shall include vertical sunshades, vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades)</li><li>Vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades) shall be at least 50% open</li></ul>	All I- Zone Districts	All Building Forms	Horizontal shading devices: 5'	Horizontal shading devices: 3'	Horizontal shading devices: 3'	Horizontal shading devices: 10'
			All other shading devices: 1.5'	All other shading devices: 1.5	All other shading devices: 1.5	All other shading devices: 1.5
Intent: To allow for elements either integral or attached to a building which control entering light	<div></div>					




Horizontal Sunshade



Awnings



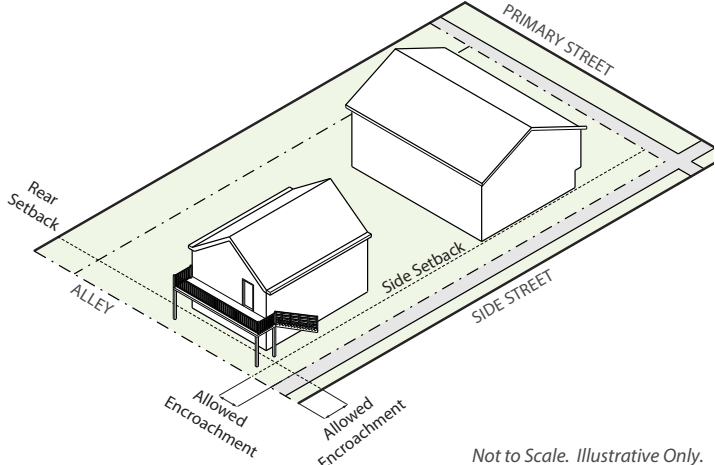

Vertical Sunshades



Vertical Screen

Illustrative only

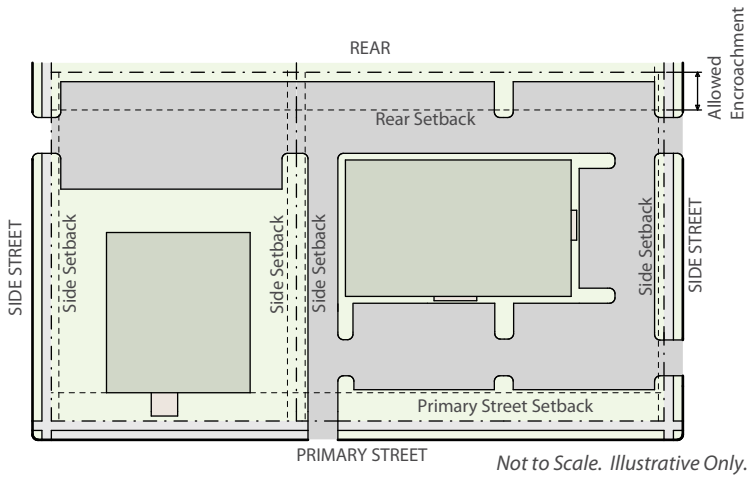
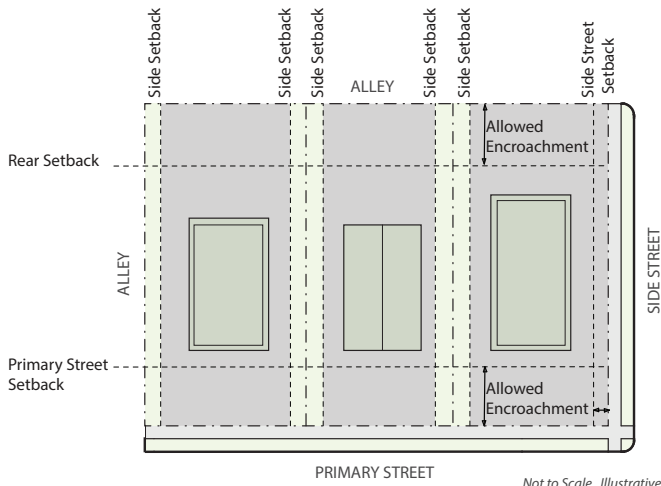

Not to Scale. Illustrative Only.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Rooftop <u>and/or</u> Second Story Decks, <u>above grade stairways equal to or less than 4 feet in width, and landings equal to or less than 16 square feet in area.</u></p> <ul style="list-style-type: none"> <li>All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li> </ul> <p>*Exception applies <u>when only to a the</u> Rear Zone Lot Line <u>abutting an Alley or Street.</u></p> <p>Note: Added this language to match changes to setbacks noted in the building form table for DADU, referencing a street at the rear. If that's not the right thing to do, please comment here.</p>	All I- Zone Districts	Detached Accessory Dwelling Unit	Not allowed	5'	Not allowed	5'*
<p>Intent: To allow for second story exterior building entrances and an outdoor space allowance for detached ADU uses.</p>						
 <p><i>Illustrative only</i></p>						

## 2. Site Elements

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

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Surface Parking	All I- Zone Districts	All building forms	I-A and I-B: 10'; 15' when garden wall screening is provided following Section 10.5.4.4  I-MX: Not applicable	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	<div></div> <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Drive or Driveway	All I- Zone Districts	All building forms	Any distance	Any distance	Not allowed	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	<div></div> <p>Not to Scale. Illustrative Only.</p>					
<div></div> <p>Illustrative only</p>						

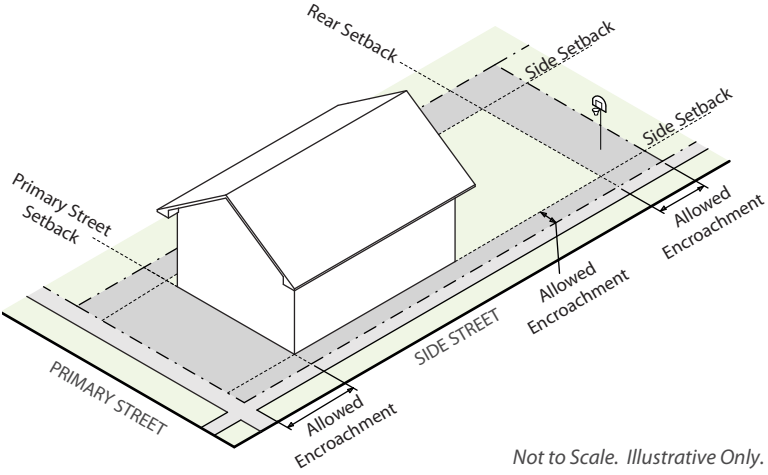


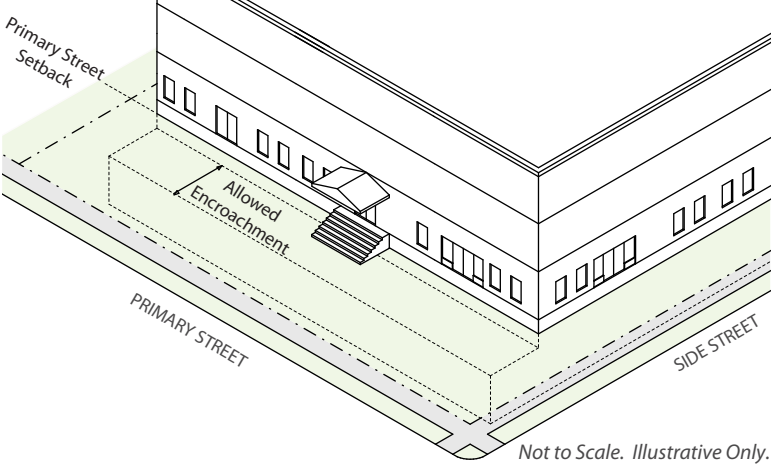
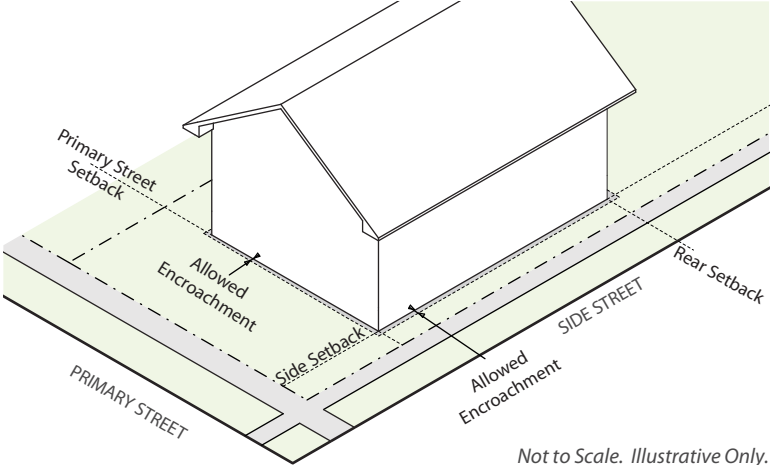
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Flatwork <del>providing pedestrian access to entrances and buildings:</del>	All I- Zone Districts	All building forms	Any distance, but may not exceed 50% of the area within the setback	Any distance, but may not exceed 50% of the area within the setback	Maximum of 5' wide; Any distance	Maximum of 5' wide; Any distance
Intent: To provide pedestrian <del>access routes</del> to entrances and buildings, but restrict coverage and width to ensure adequate openness						
<p><i>Illustrative only</i></p>						

### 3. Service & Utility Elements

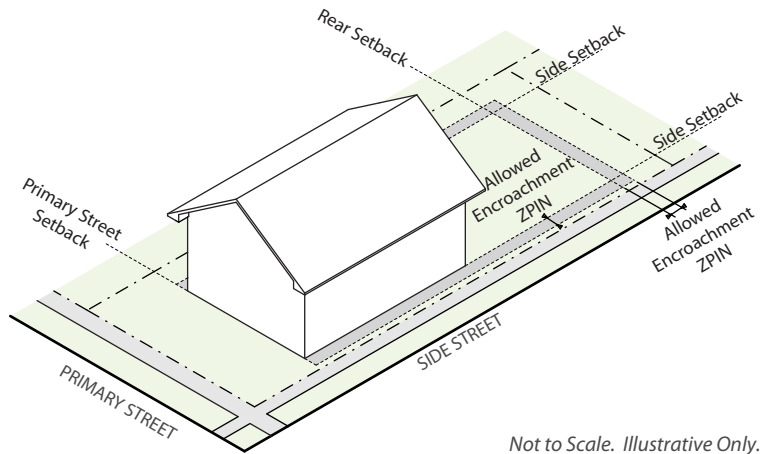
To allow for minor service and utility elements while maintaining an open and unobstructed setback.

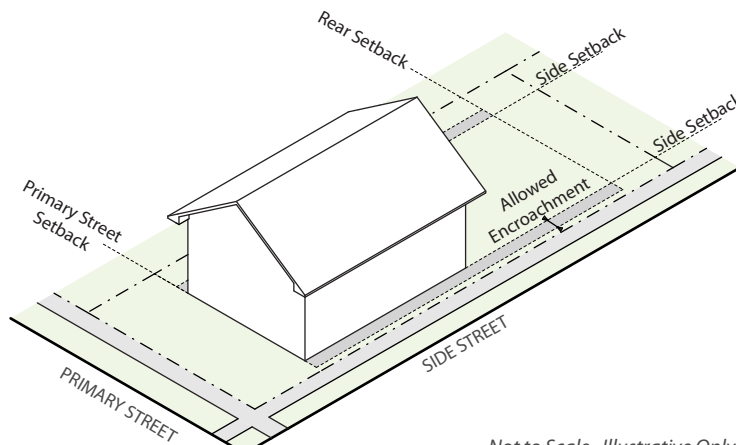
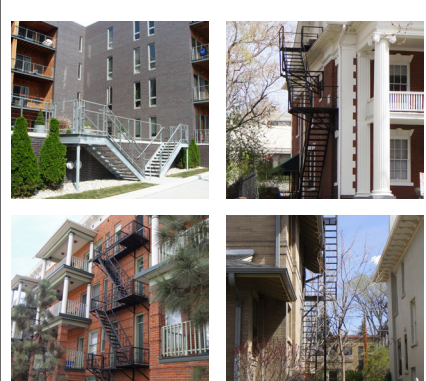
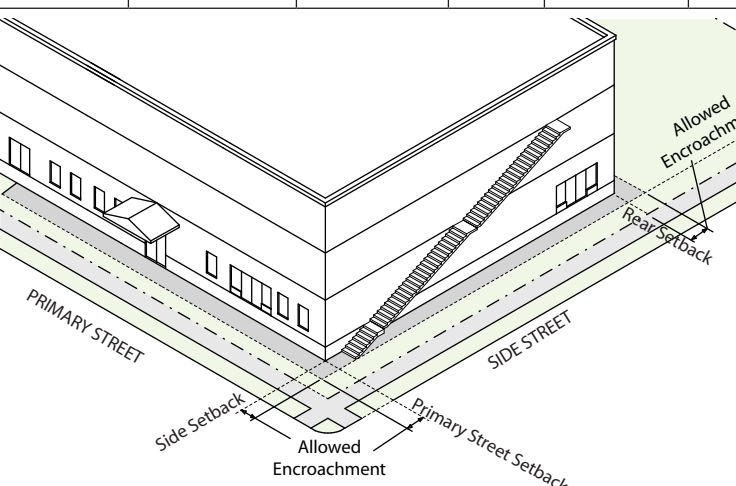
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access structures <del>providing access to existing buildings, when no alternative location is available.</del> • <del>Setback encroachments for barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.</del>	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of barrier-free access <del>structures to existing buildings.</del>						
<p><i>Illustrative only</i></p>						

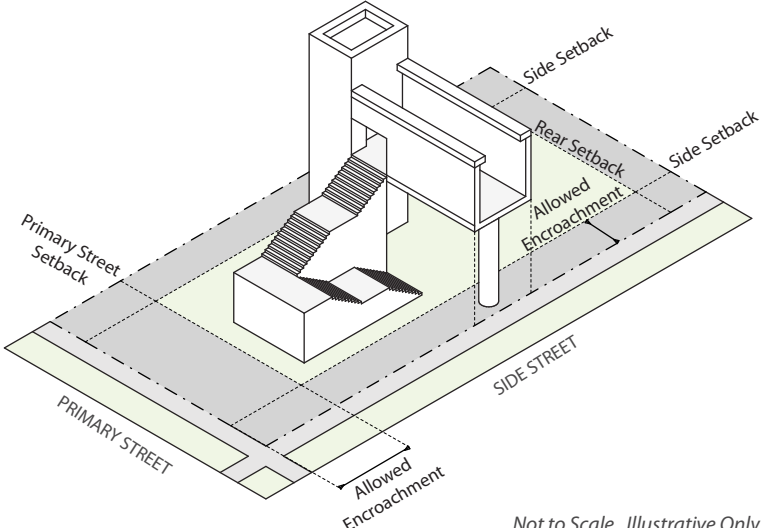

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
	 <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Bomb shelter or fallout shelter entrances not more than 2-feet above grade; Bomb shelter or fallout shelter vents not more than 3-feet above grade	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<del>Existing</del> Chimneys originally designed and constructed to enclose fireboxes, smoke chambers, and flues serving wood-burning fireplaces and not exceeding 6-feet in width	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<u>Enclosed structure that is below the original grade and completely underground, of any setback, except as otherwise restricted by this Code</u>	<u>All I- Zone Districts</u>	<u>All building forms</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>	<u>Any distance</u>


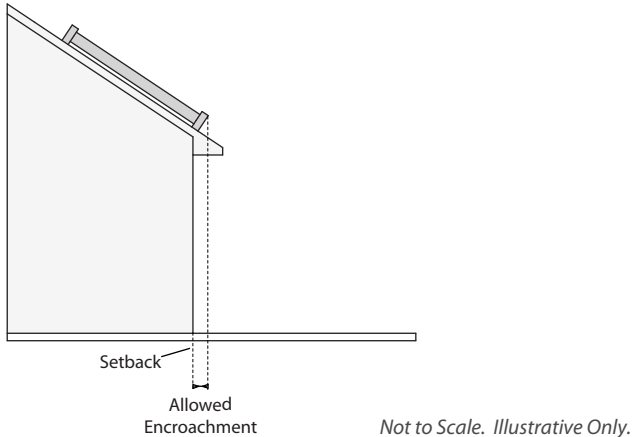
<p>Intent: To allow below grade structures that do not disrupt the streetscape.</p>	 <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Gas and electric meters</p>	All I- Zone Districts	All building forms	1.5'	1.5'	1.5'	1.5'
<p>Intent: To allow for functional siting.</p>	 <p>Not to Scale. Illustrative Only.</p>					

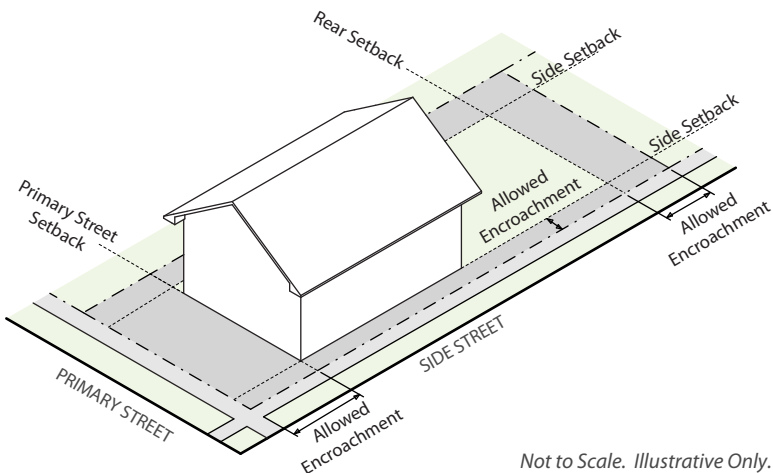
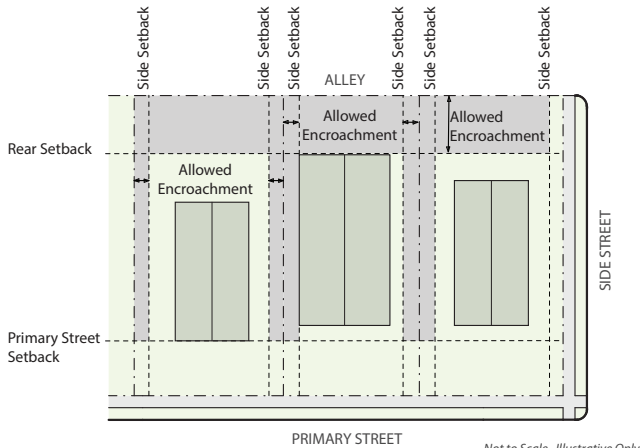



	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground-mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:</p> <ul style="list-style-type: none"> <li>Removed this exception because these can be allowed with the Minor Detached Structure</li> </ul>	All I- Zone Districts	All building forms	Not allowed	3'- subject to Zoning Permit Review with Informational Notice	3'- subject to Zoning Permit Review with Informational Notice	3'- subject to Zoning Permit Review with Informational Notice
<ul style="list-style-type: none"> <li>Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>Does not exceed 2 units per zone lot;</li> <li>Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and</li> <li>The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>						
<p>Intent: To allow for functional siting:</p>	 <p>Not to Scale. Illustrative Only.</p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><del>Ground-mounted evaporative coolers:</del></p> <ul style="list-style-type: none"> <li><del>located behind the front of the primary structure and</del></li> <li><del>screened from adjacent properties and public rights-of-way, and</del></li> <li><del>not to exceed the noise standards of D.R.M.C. Section 36-6</del></li> <li>Removed this exception because these can be allowed with the Minor Detached Structure</li> </ul>	All I- Zone Districts	All building forms	Not allowed	3'	3'	Not allowed
<p>Intent: To allow for functional siting:</p>  <p>Not to Scale. Illustrative Only.</p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, <del>but including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways.</del></p>	All I- Zone Districts	All building forms	5'	3'	3'	10'
<p>Intent: To provide for egress from a building only for emergency purposes</p> <div>  <p>Illustrative only</p> </div>  <p>Not to Scale. Illustrative Only.</p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Pedestrian Bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided the Department of Transportation and Infrastructure ("DOTI") has approved a right-of-way encumbrance.	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes..	 <p>Not to Scale. Illustrative Only.</p>					
 <p><i>Illustrative only</i></p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas, (1) shall not extend more than 6-inches above grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served	All I- Zone Districts	All building forms	4'	4'	4'	4'
Intent: To allow for openings to below-grade spaces						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas for exits, exit discharges, and emergency escape and rescue openings required by the Denver Building and Fire Code, (1) shall not extend more than 6-inches above <b>finished</b> grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served; and (3) shall not <b>extend more than -exceed</b> 4-feet <b>into the setback in width</b> as measured perpendicular to the exterior walls of the structure served; and (4) shall not exceed the minimum number of exits or emergency escape and rescue openings required by the Denver Building and Fire Code	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for minimum means of egress components and minimum emergency escape and rescue openings required for life-safety						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, <b>Flush Mounted building-mounted</b>	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow <b>flush mounted</b> solar panels on <b>the roof of existing</b> structures <b>that which</b> may not meet a required minimum setback.						
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 43' in height.	All I- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Greater than 3' in height but not exceeding 8' in height above Finished Grade.	All I- Zone Districts	All building forms	Not allowed	Not allowed	Any distance	Any distance
Intent: To allow for functional siting.	 <p>Not to Scale. Illustrative Only.</p>					
 <p>Illustrative only</p>						

[illegible]



<p>Wall-mounted fixtures, wiring, conduit, piping, and vents integral to conventional mechanical, electrical, plumbing, and fire protection systems</p> <p>(1) not otherwise identified as an allowed setback encroachment; and</p> <p>(2) serving permitted uses on the zone lot; and</p> <p>(3) projecting no more than 18-inches from the exterior face of the exterior wall</p> <p>Including but not limited to electrical panelboards, controllers, sensors, meters, drains, hosebibs, hydrants, fire department connections, sprinklers, alarms, dryer vents, bathroom vents, furnace vents, radon exhaust fans, lighting fixtures, and similar minor utility features approved by the Zoning Administrator</p>	All I- Zone Districts	All building forms	<p>Wall-mounted lighting fixtures and elements of fire protection systems: Any Distance</p> <p>All Others: Not Allowed</p>	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						

#### 9.1.7.5 Vehicle Access From Alley Required - Exceptions

##### A. No Alley

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

##### B. Alley Access Required

Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless the applicant can demonstrate at the time of zoning permit application that an exception stated in this Section 9.1.7.5 applies.

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

The Department of Transportation and Infrastructure ("DOTI") shall approve all requests for an exception to required Alley access under this Section 9.1.7.5.

##### D. General Exceptions

When one or more of the conditions listed in this Section 9.1.7.5.D apply, street access may be used instead of alley access. However, if improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which improvements resolve one or more conditions for an exception specified in this Section 9.1.7.5.D, then vehicular Alley access shall be required.

1. The Alley is not provided with an all-weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The Alley is less than 12 feet in width;
3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street.
4. The Department of Transportation and Infrastructure ("DOTI") prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic; or
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the DRC determines during Site Development Plan review that street access is more consistent



with the Comprehensive Plan, or is necessary to ensure safety or vehicle operational needs.

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

When the conditions listed in this Section 9.1.7.5.E apply, street access may be used instead of alley access.

1. Vehicular access from the street to an accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010, and has been Continuously Maintained; and
2. The Primary Structure containing either a Single-Unit or Two-Unit Dwelling use on the same Zone Lot is not Voluntarily Demolished. In the case of Voluntary Demolition of the Primary Structure, vehicle access must be taken from the Alley unless otherwise allowed by this Section 9.1.7.5.

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

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

Refer to the following Divisions for other applicable design standards:

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

## SECTION 9.1.9 USES AND REQUIRED MINIMUM PARKING

### 9.1.9.1 Applicability

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

### 9.1.9.2 Organization

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

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

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

##### 1. Primary Use Classifications

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

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

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

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

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

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

### 9.1.9.3 Explanation of Table Abbreviations

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

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

## **B. Permitted, Limited, Not Permitted**

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

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

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

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

### **3. Uses Not Permitted (“NP”)**

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

### **4. Zoning Procedure Use Subject to Zoning Permit Review (“ZP”)**

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

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

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

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

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

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

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

### **8. Uses Where More Than One Zoning Procedure Is Indicated**

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

## **9.1.9.4 Enclosure of Uses**

All primary, accessory and temporary uses must be established, operated and maintained within a Completely Enclosed Structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a Completely Enclosed Structure by including an asterisk “\*” next to the specific use type. For



example, the asterisk following the “Telecommunication Tower\*” use type in the tables indicates that a telecommunication tower land use need not be enclosed.

### 9.1.9.5 District Specific Standards

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

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<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>					
Household Living	Dwelling, Single Unit • No Parking Requirements.	L-ZP	L-ZP	L-ZP	§11.2.1, §11.2.6
	Dwelling, Two Unit • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.2.2, §11.2.6
	Dwelling, Multi-Unit • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	L-ZP	§11.2.3, §11.2.6
	Dwelling, Live / Work • Vehicle - I-MX only: 1/unit • Vehicle: 1.25/unit • Bicycle: 1/ 5 units (80/20)	L-ZP	L-ZP	L-ZP	§11.2.4, §11.2.6
Residential Care	Residential Care, Type 1 • Vehicle - I-MX only: .25/1,000 sf GFA • Vehicle: .5/1,000 sf GFA • Bicycle: No Requirement	L/L-ZP	NP	NP	§11.2.7; §11.2.8
	Residential Care, Type 2 • Vehicle - I-MX only: .25/1,000 sf GFA • Vehicle: .5/1,000 sf GFA • Bicycle: No Requirement	L-ZP	NP	NP	§11.2.7; §11.2.9
	Residential Care, Type 3 • Vehicle - I-MX only: .25/1,000 sf GFA • Vehicle: .5/1,000 sf GFA • Bicycle: No Requirement	L-ZPCIM	L-ZPCIM	L-ZPCIM	§11.2.7; §11.2.10
	Residential Care, Type 4 • Vehicle - I-MX only: .25/1,000 sf GFA • Vehicle: .5/1,000 sf GFA • Bicycle: No Requirement	L-ZPCIM	L-ZPCIM	L-ZPCIM	§11.2.7; §11.2.11
Congregate Living	All Types • Vehicle - I-MX only: .25/1,000 sf GFA • Vehicle: .5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA (80/20)	P-ZP	NP	NP	
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>					
Basic Utilities	Utility, Major Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§ 11.3.2

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Community/ Public Services	Community Center* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Day Care Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Postal Processing Center • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 20,000 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	
	Public Safety Facility • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	Hospital	NP	NP	NP	
	Correctional Institution	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery* • No Parking Requirements	L-ZP	L-ZP	L-ZP	§11.3.6
	Library • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	
	Museum • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School • Vehicle - I-MX only: 1/ 1,000 s.f. GFA • Vehicle - High School, I-A and I-B: 2/1,000 s.f. GFA • Bicycle - High School, I-A and I-B: 1/ 20,000 s.f. GFA (0/100) • Vehicle - All Others, I-A and I-B: 1/ 1,000 s.f. GFA • Bicycle - All Others, I-A and I-B: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	NP	§ 11.3.8
	University or College • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.8
	Vocational or Professional School • Vehicle: 1/ 1,000 s.f. GFA • Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	

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<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>					
Adult Business	All Types	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation and Entertainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 sf GFA • Vehicle - All Others - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle - All Others: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA(20/80)	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	\$11.4.3
	Event Space with Alternate Parking and Loading* • Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	
	Sports and/or Entertainment Arena or Stadium* • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	\$11.4.5
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		Not Applicable			
Parking of Vehicles	Parking, Garage • No Parking Requirements	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	P-ZP	P-ZP	P-ZP	
Eating & Drinking Establishments	All Types • Vehicle - I-MX only: 3.75/ 1,000 s.f. GFA • Vehicle: 5/ 1,000 s.f. GFA • Bicycle: 1/5,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	
Lodging Accommodations	Bed and Breakfast Lodging • Vehicle - I-MX only: 1/guest room or unit • Vehicle: 1.25/guest room or unit • Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	NP	NP	
	Lodging Accommodations, All Others • Vehicle - I-MX only: 1/guest room or unit • Vehicle: 1.25/guest room or unit • Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2.5/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (60/40)	L-ZP	L-ZP	L-ZP	\$11.4.10
	Office, All Others • Vehicle - I-MX only: 1.875/ 1,000 s.f. GFA • Vehicle: 2/ 1,000 s.f. GFA • Bicycle: 1/20,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	



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

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

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

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

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HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	L-ZP <del>IN</del>	L-ZP <del>IN</del>	L-ZP <del>IN</del>	\$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 <u>Primary</u> Places of Religious Assembly or <u>Primary Uses Operated by Nonprofit Organizations</u> *	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
	<u>Retail Food Establishment, Mobile (Food Truck)*</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>\$11.7; \$11.10.20</u>

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

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	I-MX-3 I-MX-5 I-MX-8 I-MX-12	I-A	I-B	APPLICABLE USE LIMITATIONS
TEMPORARY USE CLASSIFICATION					
Temporary Uses	Unlisted Temporary Uses	L - Applicable to all Zone Districts			\$11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses			\$11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	L-ZP	L-ZP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	\$11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile (Food Truck)*	<u>L</u> /L-ZP	<u>L</u> /L-ZP	<u>L</u> /L-ZP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	NP	NP	\$11.11.16
	Temporary Managed Community*	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.11.17
	Tent for Religious Services	L-ZP	L-ZP	L-ZP	\$11.11.18

## DIVISION 9.2 CAMPUS CONTEXT (CMP)

### SECTION 9.2.1 CAMPUS CONTEXT DESCRIPTION



**General Character:** The Campus Context generally consists of midsize to large medical, institutional, educational, or entertainment sites. The context is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements that may be recognized through an urban design plan that expresses stakeholder visions for the campus and its surrounding area. Campus contexts tend to have transitional areas that taper off in intensity towards adjacent residential neighborhood contexts, but can also incorporate and be adjacent to more intense development.

**Street, Block, and Access Patterns:** While Campus sites are often connected to the City via the traditional street grid, transportation and access patterns within the campus site are widely varied.

**Building Placement and Location:** Campus buildings are typically placed to accommodate the specific activity, with multiple buildings often oriented in a way appropriate to their use. Buildings may be oriented toward an internal public space or central courtyard. In some cases, buildings are used to line the perimeter of a campus to introduce pedestrian-oriented uses.

**Building Height:** Buildings are compatible with the scale of the surrounding neighborhood context with greater variation in massing and height in the interior of the site.

**Mobility:** Priority is often given to pedestrians. Vehicular access can be disconnected from the grid within the campus zone, but pedestrian and vehicular permeability should be encouraged. Shared structured and surface parking often exist internal to the campus to serve multiple buildings and uses, while internal pedestrian ways connect the campus structures. The Campus Context often has high levels of access to the multi-modal transit system.



## SECTION 9.2.2 DISTRICTS ESTABLISHED

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

CAMPUS CONTEXT	
CMP-H	Campus - Healthcare
CMP-H2	Campus - Healthcare 2
CMP-EI	Campus - Education Institution
CMP-EI2	Campus - Education Institution 2
CMP-ENT	Campus - Entertainment
CMP-NWC	Campus - National Western Center
CMP-NWC-C	Campus - National Western Center - Core
CMP-NWC-G	Campus - National Western Center - General
CMP-NWC-F	Campus - National Western Center - Flex
CMP-NWC-R	Campus - National Western Center - Riverfront

## SECTION 9.2.3 CAMPUS HEALTHCARE AND HEALTHCARE 2 (CMP-H, CMP-H2)

### 9.2.3.1 Intent

These districts are intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses. Buildings should be designed to orient outward to the surrounding area to encourage public safety.

The CMP-H district is intended to include the principal structures and related facilities of each healthcare institution. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods.

The CMP-H2 district is generally adjacent to a single unit, two unit, or row house residential zone district to act as a transition zone by requiring more open space and limiting building height more than in the CMP-H zone. In all other respects, the CMP-H2 is similar to the CMP-H district. Any CMP-H2 District shall be incorporated into the Zone Lot plan for the adjacent CMP-H District.

### 9.2.3.2 Design Standards

#### A. Applicability

All development in the CMP-H, CMP-H2 zone districts.

#### B. General Standards

##### 1. Campus Design Standards

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Plan Review when available.

##### 2. Zone Lot

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.5.2, Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot

Line, and Rear Zone Lot Line for All zone districts EXCEPT CC, MX, and MS, and Division 1.2, Zone Lots. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

**3. Reference to Article 10 Design Standards**

Refer to the following Divisions for other applicable design standards

- a. Parking and Loading: Division 10.4
- b. Landscaping, Fences, Walls and Screening: Division 10.5
- c. Site Grading: Division 10.6
- d. Outdoor Lighting: Division 10.7
- e. Signs: Division 10.10

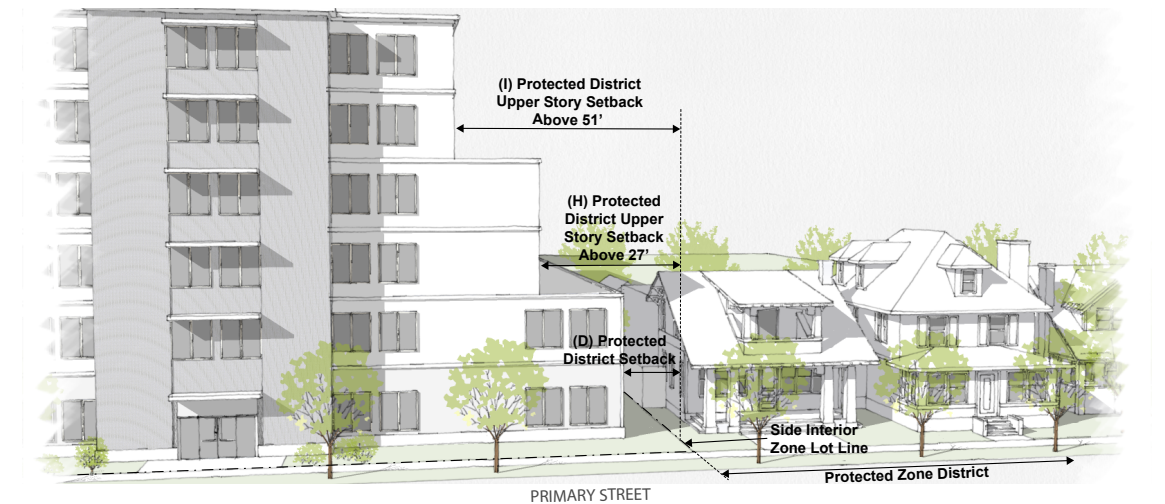
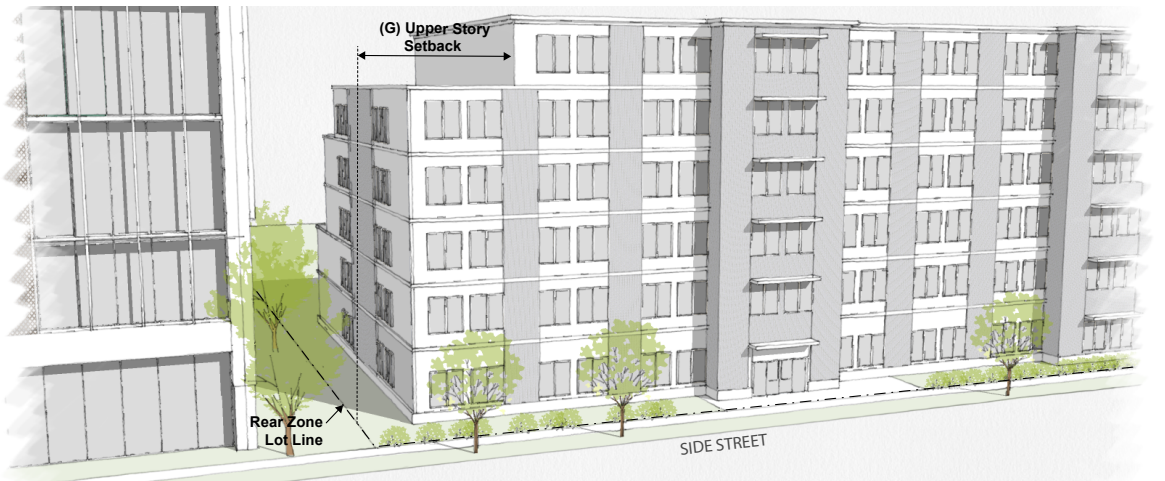
**9.2.3.3 District Specific Standards**

- A. The CMP-H and CMP-H2 Districts allow a variety of building forms appropriate for the Campus Context as set out below.
- B. See Section 1.2.3.5 for the permitted number of uses and structures allowed per Zone Lot. See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.

## C. District Specific Standards

### 1. General (1 of 2)

Not to Scale. Illustrative Only.



## GENERAL (1 OF 2)

### HEIGHT

	CMP-H
A Feet, (max)	200'
A Feet, within 125' of Protected District (max)	75'

### SITING

#### SETBACKS

	CMP-H
B Primary Street (min)	10'
C Side Street (min)	7.5'
D Side Interior (min)	7.5'
Side Interior, adjacent to Protected District (min)	10'
E Rear, <del>where an alley (public or private) abuts a rear zone lot line (min)</del>	10'/ <del>20'</del>
E <del>Rear, where no alley (public or private)/no alley abuts a rear zone lot line (min)</del>	20'

#### PARKING

Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4)
Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review

### DESIGN ELEMENTS

	CMP-H
F Upper Story Setback Above 40'; Side Interior (min)*	15'
G Upper Story Setback Above 65'; Rear, alley/rear, no alley and side interior (min)*	20'/30'
H Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
H Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
I Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'

### USES

	CMP-H
	All permitted Uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking

\* When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared zone district boundary are not applicable



## 2. General (2 of 2)

Not to Scale. Illustrative Only.



## GENERAL (2 OF 2)

### HEIGHT

	CMP-H2
A Feet, (max)	140'
A Feet, within 125' of Protected District (max)	75'
B Bulk Plane Vertical Height at Centerline of Primary Street*	10'
C Bulk Plane Vertical Height at Centerline of Side Street*	10'
D Bulk Plane Vertical Height at Side Interior Property Line*	10'
E Bulk Plane Vertical Height at Rear Property Line, or Centerline of alley if present	10'
Bulk Plane Slope*	45°

### SITING

	CMP-H2
<b>SETBACKS AND</b>	
F Primary Street (min)	20'
G Side Street (min)	7.5
H Side Interior (min)	7.5'
I Rear, <del>where an alley (public or private) abuts a rear zone lot line (min)</del>	10' <del>20'</del>
I <del>Rear, where no alley (public or private) abuts a rear zone lot line (min)</del>	20'
<u>Building Coverage</u> , including all accessory structures (max)	60%

### PARKING

Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4)
Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review

### USES

	CMP-H2
	All permitted Uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking

\* When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared zone district boundary are not applicable.

## SECTION 9.2.4 CAMPUS-EDUCATION/INSTITUTION (CMP-EI, CMP-EI2)

### 9.2.4.1 Intent

The Campus Education/Institution Districts are intended for educational institutions that incorporate primary, intermediate, high school, college and university uses and associated programming including student boarding facilities. This district also accommodate other types of large scale civic, public and institutional uses such as museums, public and religious assembly uses. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods.

The CMP-EI district is intended to be applied to institutions and campuses of larger area and scale, where additional flexibility is desired to accommodate the unified treatment of master planned campus elements, such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas and green spaces, signage, and site landscaping.

The CMP-EI2 district is intended to be applied to smaller- to medium-scale campus sites generally adjacent to a single unit, two unit, town house, or row house residential zone district, where it is important to require more open space and more limited building height than in the CMP-EI zone to assure adequate transitions to adjacent, lower-scale residential neighborhoods. In addition, certain land uses with the potential for off-site impacts are more strictly limited in the CMP-EI2 district than in the CMP-EI district. In all other respects, the CMP-EI2 is similar to the CMP-EI district.

### 9.2.4.2 Design Standards

#### A. Applicability

All development in the CMP-EI, CMP-EI2 zone districts.

#### B. General Standards

##### 1. Campus Design Standards

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Development Plan Review where available.

##### 2. Zone Lots

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.5.2, Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All zone districts EXCEPT CC, MX, and MS, and Division 1.2, Zone Lots. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

##### 3. Reference to Article 10 Design Standards

Refer to the following Divisions for other applicable design standards

- a. Parking and Loading: Division 10.4
- b. Landscaping, Fences, Walls and Screening: Division 10.5
- c. Site Grading: Division 10.6
- d. Outdoor Lighting: Division 10.7
- e. Signs: Division 10.10



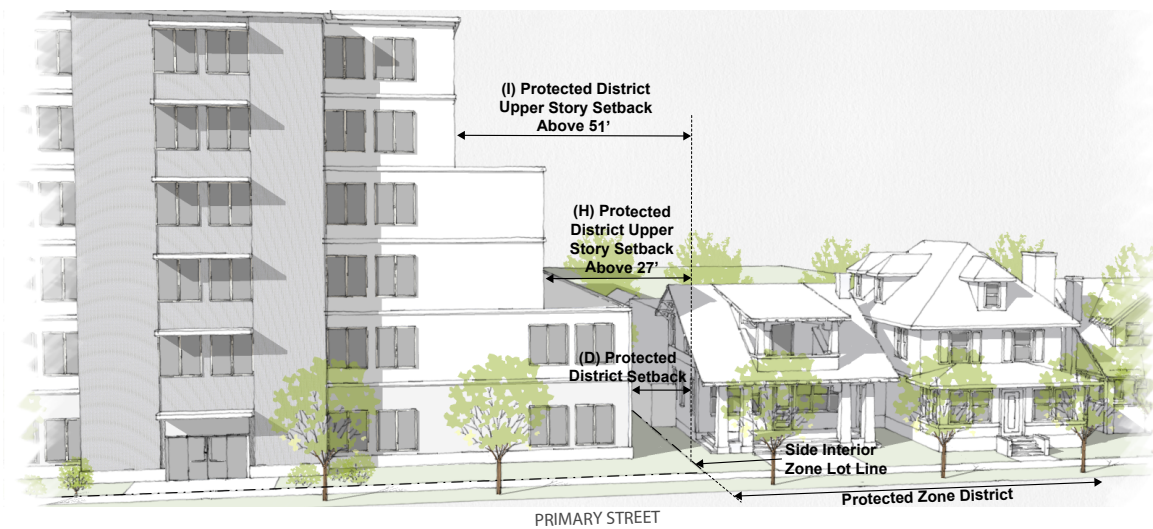
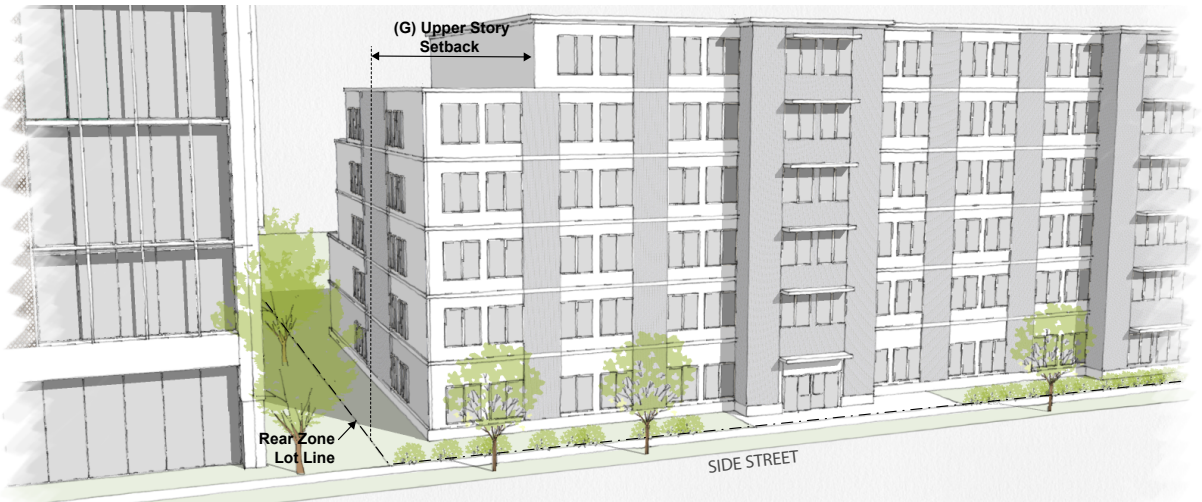
### 9.2.4.3 District Specific Standards

- A. The CMP-EI and CMP-EI2 Districts allow a variety of building forms appropriate for the Campus Context as set out below.
- B. See Section 1.2.3.5 for the permitted number of uses and structures allowed per Zone Lot. See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.

## C. District Specific Standards

### 1. General (1 of 2)

Not to Scale. Illustrative Only.



## GENERAL (1 OF 2)

### HEIGHT

	CMP-EI
A Feet, (max)	150'
A Feet, within 175' of Protected District (max)	75'

### SITING

#### SETBACKS

	CMP-EI
B Primary Street (min)	10' 0' abutting Speer Boulevard, Auraria Parkway, or 5th Street or 7th Street between Auraria and Colfax
C Side Street (min)	7.5'
D Side Interior (min)	7.5'
Side Interior, adjacent to Protected District (min)	10'
E Rear, <del>where A</del> <u>Alley (public or private) abuts a rear zone lot line (min)</u>	10' <del>/20'</del>
<del>E</del> <u>Rear, where no A</u> <del>Alley (public or private)/no alley abuts a rear zone lot line (min)</del>	20'

#### PARKING

Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4)
Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review

### DESIGN ELEMENTS

	CMP-EI
F Upper Story Setback Above 40', Side Interior (min)	15'
G Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)	20'/30'
H Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
H Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/ Rear, no alley (min)	30'/40'
I Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'

### USES

All permitted Uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking

## **2. General (2 of 2)**

Not to Scale. Illustrative Only.



## GENERAL (2 OF 2)

HEIGHT		CMP-EI2
A	Feet (max)	150'
A	Feet, within 175' of Protected District (max)	75'
B	Bulk Plane Vertical Height at Centerline of Primary Street	10'
C	Bulk Plane Vertical Height at Centerline of Side Street	10'
D	Bulk Plane Vertical Height at Side Interior Property Line	10'
E	Bulk Plane Vertical Height at Rear Property Line, or Centerline of alley if present	10'
	Bulk Plane Slope	45°

SITING		CMP-EI2
SETBACKS AND		
F	Primary Street (min)	20'
G	Side Street (min)	7.5'
H	Side interior (min)	7.5'
I	Rear, <del>where an alley (public or private) abuts a rear zone lot line (min)</del>	10' <del>20'</del>
I	<del>Rear, where no alley (public or private) abuts a rear zone lot line (min)</del>	20'
	, including all accessory structures (max)	60%
PARKING		
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4))
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review

USES		CMP-EI2
		All permitted Uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking

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## SECTION 9.2.5 CAMPUS- ENTERTAINMENT (CMP-ENT)

### 9.2.5.1 Intent

This district is intended to promote and encourage the maintenance and concentration of existing and proposed entertainment venues, including sports arenas and amusement parks. The CMP-ENT district is intended to include primary buildings, independent amusement structures and associated accessory buildings. The maximum height within this district is 200 feet subject to a bulk plane to place taller structures and buildings toward the interior of the site unless otherwise exempted through the Special Review process outlined in this Article.

### 9.2.5.2 Design Standards

#### A. Applicability

All development in the CMP-ENT zone district.

#### B. General Standards

##### 1. Campus Design Standards

Campus design review processes and standards (such as those outlined in campus master plans, design guidelines, or neighborhood plans) that address campus building height transitions, architectural elements, parking plans, and vehicular and pedestrian access shall be applied during Site Plan Review where available.

##### 2. Zone Lot

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.5.2, Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All zone districts EXCEPT CC, MX, and MS, and Division 1.2, Zone Lots. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

##### 3. Reference to Article 10 Design Standards

Refer to the following Divisions for other applicable design standards

- a. Parking and Loading: Division 10.4
- b. Landscaping, Fences, Walls and Screening: Division 10.5
- c. Site Grading: Division 10.6
- d. Outdoor Lighting: Division 10.7
- e. Signs: Division 10.10

### 9.2.5.3 District Specific Standards

- A. The CMP-ENT District allow a variety of building forms appropriate for the Campus Context as set out below.
- B. See Section 1.2.3.5 for the permitted number of uses and structures allowed per Zone Lot. See also Division 1.4, Building Form Standards - General Provisions, for additional standards related to initial assignment of building form standards to new and existing structures and for rules governing combining or changing building forms. Building Connectors between two detached structures shall follow the standards provided in Section 1.4.5.

C. District Specific Standards  
1. General

Not to Scale. Illustrative Only.



## GENERAL

HEIGHT		CMP-ENT
A	Feet (max)	200'
A	Feet, within 175' of Protected District (max)	75'
SITING		CMP-ENT
SETBACKS		
B	Primary Street (min)	10'
C	Side Street (min)	7.5'
D	Side Interior (min)	7.5'
D	Side Interior, adjacent to Protected District (min)	10'
E	Rear, <u>where <del>A</del>alley (public or private) abuts a rear zone lot line (min)</u>	10'/ <del>20'</del>
	<u>Rear, where <del>no A</del>alley (public or private)/<del>no alley</del> abuts a rear zone lot line (min)</u>	<u>20'</u>
PARKING		
Vehicle Access, 3 or more side-by-side dwelling units in one structure,		From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4)
Vehicle Access, all other permitted uses		Access determined as part of Site Development Plan Review
DESIGN ELEMENTS		CMP-ENT
F	Upper Story Setback Above 40', Side Interior (min)	15'
G	Upper Story Setback Above 65', Rear, alley/rear, no alley and side interior (min)	20'/30'
H	Upper Story Setback Above 27' adjacent to Protected District, Side Interior (min)	25'
	Upper Story Setback Above 40' adjacent to Protected District, Rear, alley/Rear, no alley (min)	30'/40'
I	Upper Story Setback Above 51' adjacent to Protected District, Side Interior (min)	40'
USES		CMP-ENT
		All permitted Uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking

## **SECTION 9.2.6 CAMPUS - NATIONAL WESTERN CENTER (CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R)**

### **9.2.6.1 Intent**

The Campus-National Western Center (CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R) zone district is intended to facilitate the creation of a year-round destination that brings together cultural, educational, research, entertainment, food, agricultural, human and animal health, recreational, competition, commerce, industry, history, science, and art activities. The zone district is intended to encourage development of a unified campus that includes structures and facilities that accommodate a vibrant and pedestrian-friendly mix of agricultural activities, cultural, research and educational uses, entertainment venues, civic, public and institutional, residential and commercial uses.

#### **A. Campus-National Western Center (CMP-NWC)**

This district is specifically intended to implement the land use and development objectives in the National Western Center Master Plan, as amended from time to time. The building form standards for this district are intended to allow the flexible placement of multiple building types within the boundaries of the campus while providing compatible height transitions to adjacent communities. This district also is intended to accommodate the unified treatment of master planned campus elements, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas and green spaces, signage, and site landscaping while implementing the community and neighborhood integration guiding principles identified in the National Western Center Master Plan, as amended from time to time.

#### **B. Campus-National Western Center-Core (CMP-NWC-C)**

The CMP-NWC-C District is intended to establish the area generally surrounding east-west streets connecting Globeville to Elyria-Swansea Neighborhoods through the National Western Center campus as the key pedestrian-oriented streets. Buildings will house a variety of indoor uses. Development will contribute to an engaging pedestrian experience by creating safe, comfortable and visually interesting neighborhood connections through the heart of campus. This area will provide critical pedestrian access points to site interiors. Anchor buildings will house more permanent uses as compared to other districts where activities change significantly from event to event.

#### **C. Campus-National Western Center-General (CMP-NWC-G)**

The CMP-NWC-G District is intended to accommodate a wide range of facilities that support the activities of the National Western Stock Show and other events throughout the year in highly flexible, large floorplate buildings. A wide range of outdoor and service activities will be accommodated by flexible plaza spaces and loading areas, including some spaces where access may be restricted during events. Development will contribute to a safe, comfortable and visually interesting experience along adjacent public streets, and particularly those streets that provide critical connections across the campus and to nearby neighborhoods.

#### **D. Campus-National Western Center-Flex (CMP-NWC-F)**

The CMP-NWC-F District is intended to accommodate the widest variety of uses on campus, including short- and long-term outdoor and indoor events, service- and maintenance-oriented activities, and complementary enclosed uses. This district will be home to the Stockyards, which will accommodate livestock pens during the National Western Stock Show and provide flexible space for small and large-scale outdoor events and/or surface parking during other times. This zone district will be home to “back-of-the-house” activities that are required for the campus to operate successfully. Complementary enclosed campus uses may include artist studios, professional offices, utility buildings or light industrial facilities. Streets flanking properties in this district will meet their service requirements while establishing comfortable and safe pedestrian routes. Given the functional requirements of roadways in this zone district, additional flexibility for the design of sites and buildings adjacent to the street is appropriate.

**E. Campus-National Western Center-Riverfront (CMP-NWC-R)**

The CMP-NWC-R District is intended to accommodate passive open space, activity nodes, pedestrian circulation, natural riparian habitat and formal green and plaza spaces. It will accommodate small format, low scale buildings intended to activate the area and support outdoor functions. The Riverfront zone district will facilitate safe and direct access to the South Platte River and serve as an amenity for users of the National Western Center and the surrounding neighborhoods. Buildings in this district will be visually subordinate to the open space amenity and establish a strong visual and physical relationship to National Western Drive and the South Platte River.

**9.2.6.2 Primary Building Form Intent**

**A. Height**

1. Encourage buildings whose forms are responsive to the surrounding context, including opportunities to reinforce existing and evolving nodes of mixed-use, pedestrian and transit activities.
2. Arrange building heights, and scaling devices to provide transitions to surrounding areas.

**B. Siting**

**1. Required Build-To**

- a. Provide a consistent street edge to enhance character of the context.
- b. Define streets to promote pedestrian activity and sense of place.
- c. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

**2. Setbacks**

- a. Site buildings to be consistent with the intended character and functional requirements of the urban context.
- b. Site buildings to define the street edge/public realm.
- c. Ensure adequate separation of uses that may have negative environmental or urban design impacts from the South Platte River, public streets and Residential Zone Districts.
- d. Promote flexibility within site interiors of the campus to meet operational and programming requirements.

**3. Parking Location**

- a. Minimize the visual impact of parking areas on streets and adjoining properties.
- b. Minimize conflicts between pedestrians and vehicles.

**C. Design Elements**

**1. Building Configuration**

- a. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
- b. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
- c. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

**2. Transparency**

- a. Maximize transparency of windows at the Street Level to activate the street.
- b. Utilize doors and windows to establish scale, variation and patterns on building facades that provide visual interest and reflect the uses within the building.



- c. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

### 3. Entrances

- a. Give prominence to the pedestrian realm as a defining element of neighborhood character.
- b. Provide convenient access to buildings and active uses from the street.
- c. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
- d. Provide a positive relationship to the street through access, orientation and placement of entries.
- e. Create visually interesting and human-scaled facades.

#### 9.2.6.3 Primary Building Form Standards for Primary Structures

##### A. Applicability

All development in the CMP-NWC zone district. All development, except detached accessory structures, in the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts.

##### B. General Standards

###### 1. Design Review

Campus design review processes and standards (such as those outlined in City administered urban design standards and guidelines) that address campus building height transitions, architectural elements, parking plans, site landscaping and open spaces, and vehicular and pedestrian access shall be applied during Site Development Plan Review. The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts.

###### 2. Zone Lot

- a. The area within a designated zone lot within the CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, and CMP-NWC-R zone districts shall include one or more primary uses.
- b. An Accessory Use to a Primary Use within the CMP-NWC, CMP-NWC-C, CMP-NWC-G, or CMP-NWC-F or CMP-NWC-R zone districts may be located in any of the CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F or CMP-NWC-R districts unless it is expressly prohibited by Section 9.2.8 of this Code.

###### 3. Reference to Article 10 Design Standards

Refer to the following Divisions for other applicable design standards

- a. Parking and Loading: Division 10.4
- b. Landscaping, Fences, Walls and Screening: Division 10.5
- c. Site Grading: Division 10.6
- d. Outdoor Lighting: Division 10.7
- e. Signs: Division 10.10

##### C. District Specific Standards Summary

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

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

Campus-National Western Center Districts (CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R)	Building Form
	General
Max Number of Primary Structures per Zone Lot	No Maximum
Campus National Western Center (CMP-NWC)	■
Campus National Western Center - Core (CMP-NWC-C)	■
Campus National Western Center - General (CMP-NWC-G)	■
Campus National Western Center - Flex (CMP-NWC-F)	■
Campus National Western Center - Riverfront (CMP-NWC-R)	■

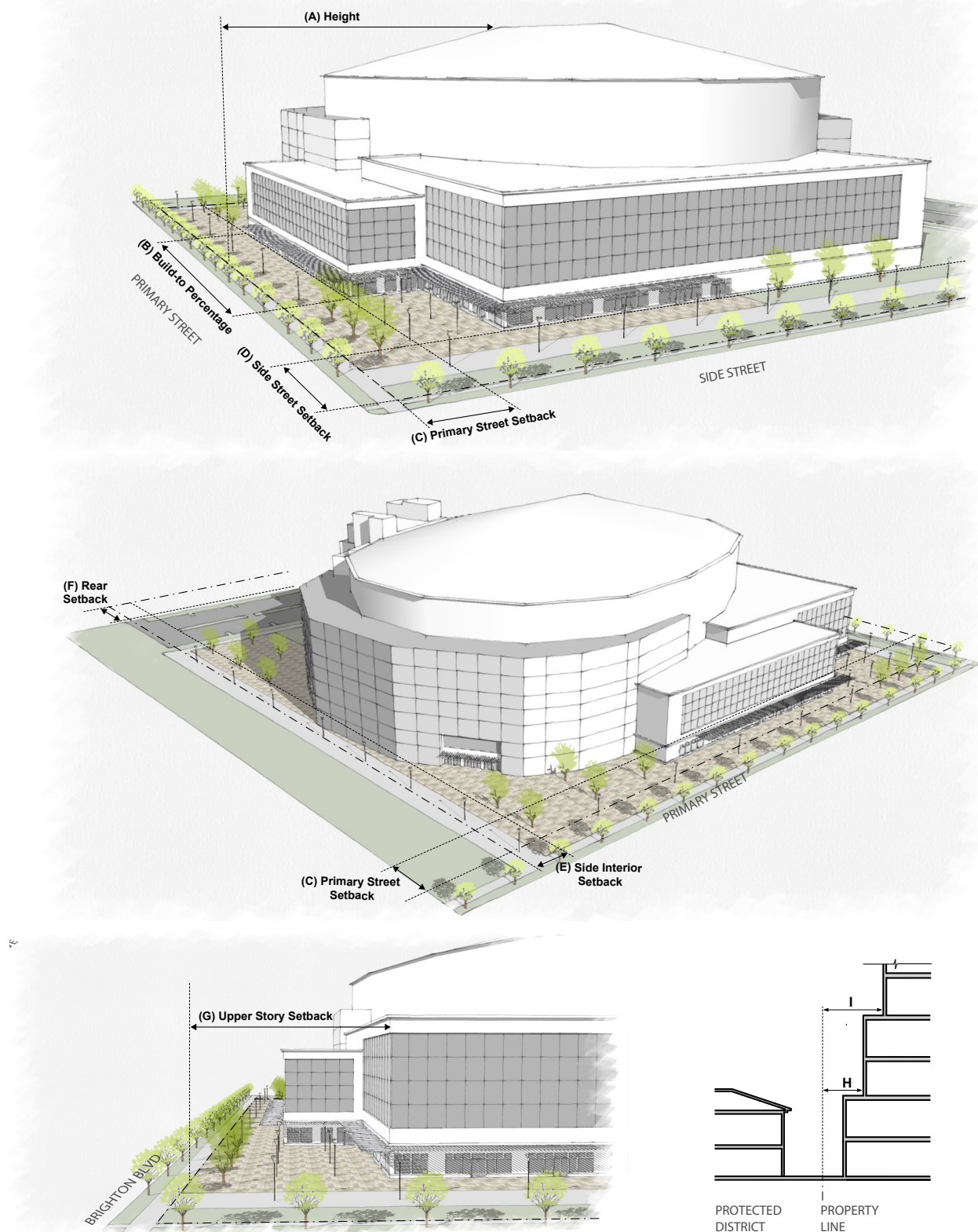
■ = Allowed



**D. District Specific Standards**

**1. General**

Not to Scale. Illustrative Only.



## GENERAL

HEIGHT		CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R
A	Feet (max)	150'	150'	150'	150'	40'
A	Feet, within 175' of Protected District (max)	75'	75'	75'	75'	40'

SITING		CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R
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<b>B REQUIRED BUILD-TO</b>						
	Primary Street (min build-to % within min/max range)	na	60% 0'/25'	50% 0'/25'	na	na
	South Platte River Primary Street (min build-to % within min/max range)	na	na	na	na	na
	Side Street (min build-to % within min/max range)	na	35% 0'/25'	na	na	na

<b>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</b>						
C	Primary Street (min)	5'	0'	0'	5'	5'
C	South Platte River Primary Street (min)	na	25'	na	25'	25'
D	Side Street (min)	5'	0'	0'	5'	10'
E	Side Interior (min)	0'	0'	0'	0'	10'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
F	Rear, <del>alley/no alley</del> (min)	<del>0'/0'</del>	<del>0'/0'</del>	<del>0'/0'</del>	<del>0'/0'</del>	<del>0'/0'</del>
	Rear, adjacent to Protected District, <u>where an alley (public or private) abuts a rear zone lot line/no alley</u> (min)	<u>5'/10'</u>	<u>5'/10'</u>	<u>5'/10'</u>	<u>5'/10'</u>	<u>5'/10'</u>
	<u>Rear, adjacent to Protected District, where no alley (public or private) abuts a rear zone lot line (min)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	<u>Building Coverage</u> per Zone Lot, including all accessory structures (max)	na	na	na	na	30%

<b>PARKING</b>						
	Surface Parking between Building and Primary Street/Side Street	na	Not Allowed/ Not Allowed	Not Allowed/ Not Allowed	Allowed/ Allowed	Not Allowed/ Not Allowed
	Primary Street Parking Setback, Surface/Structured (min)	na	65'/40'	na	na	na
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4)				
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review				

## GENERAL (CONT'D)

DESIGN ELEMENTS		CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R
<b>BUILDING CONFIGURATION</b>						
G	Upper Story Setback above 5 stories or 70' (min); only applicable to a Zone Lot Line abutting Brighton Boulevard	25'	25'	25'	25'	na
H	Upper Story Setback Above 27' adjacent to Protected District, alley/no alley and Side Interior (min)	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
I	Upper Story Setback Above 51' adjacent to Protected District, alley/no alley and Side Interior (min)	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'

STREET LEVEL ACTIVATION					
Transparency, Primary Street (min)	na	60%	10%	na	40%
Transparency, South Platte River Primary Street (min)	na	60%	10%	40%	40%
Transparency, Side Street (min)	na	35%	na	na	na
Pedestrian Access, Primary Street	na	Entrance	Entrance	Pedestrian Connection	Entrance
Pedestrian Access, Side Street	na	Entrance	na		na

U S E S					
	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R
Street Level Active Uses (minimum percentage of Primary Street building frontage meeting build-to requirement, see Section 9.2.6.5.B)	na	100%	20%	na	na
Permitted Primary Uses	All permitted uses shall be allowed within this building form. See Section 9.2.8 Uses and Parking				
See Sections 9.2.6.5 -9.2.6.6 for Supplemental Design Standards and Design Standard Alternatives. See Sections 9.2.6.7 and 9.2.7 for Design Standard Exceptions.					

#### 9.2.6.4 ~~Detached Accessory~~ Building Form Standards ~~for Detached Accessory Structures~~

##### A. Applicability

All detached accessory structures in the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts.

##### B. General Standards

###### 1. Design Review

Campus design review processes and standards (such as those outlined in City administered urban design standards and guidelines) for detached accessory structures shall be applied during Site Development Plan Review. The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts.

###### 2. Detached Accessory Structures Allowed

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

###### a. Structures, Completely Enclosed

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

###### b. Structures, Partially Enclosed

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

###### c. Structures, Open

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

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

Examples include, but are not limited to the following:

- i. Radio and Television Receiving Antennas and Support Structures
- ii. Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- iii. Solar thermal and photo-voltaic energy systems
- iv. ~~Air conditioning units~~ Ground-mounted mechanical equipment such as air conditioning units and heat pumps
- v. Pool pumps, heating and water filtration systems
- vi. ~~Mailboxes including individual mailbox structures and cluster box units (CBUs)~~
- vii. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

###### e. Fences, Walls and Retaining Walls

All accessory ~~f~~Fences, ~~w~~Walls, and ~~r~~Retaining ~~w~~Walls shall comply with the ~~f~~Fence and ~~w~~Wall standards in Division 10.5, instead of this Section 9.2.6.7.

###### f. Accessory Structures Not Listed

- i. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in

Articles 3 through 9, or not otherwise covered by the standards in this Section 9.2.6.7.

- ii. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
- iii. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- iv. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.2.6.7.

### C. District Specific Standards Summary

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

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

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

CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Zone Districts	Max Number of Detached Accessory Structures per Zone Lot	Building Forms				
		Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	General Detached Accessory Structures	Minor Detached Structure
Campus-National Western Center-Core (CMP-NWC-C)	no max				■	■
Campus-National Western Center-General (CMP-NWC-G)	no max				■	■
Campus-National Western Center-Flex (CMP-NWC-F)	no max				■	■
Campus-National Western Center-Riverfront (CMP-NWC-R)	no max				■	■

■ = Allowed

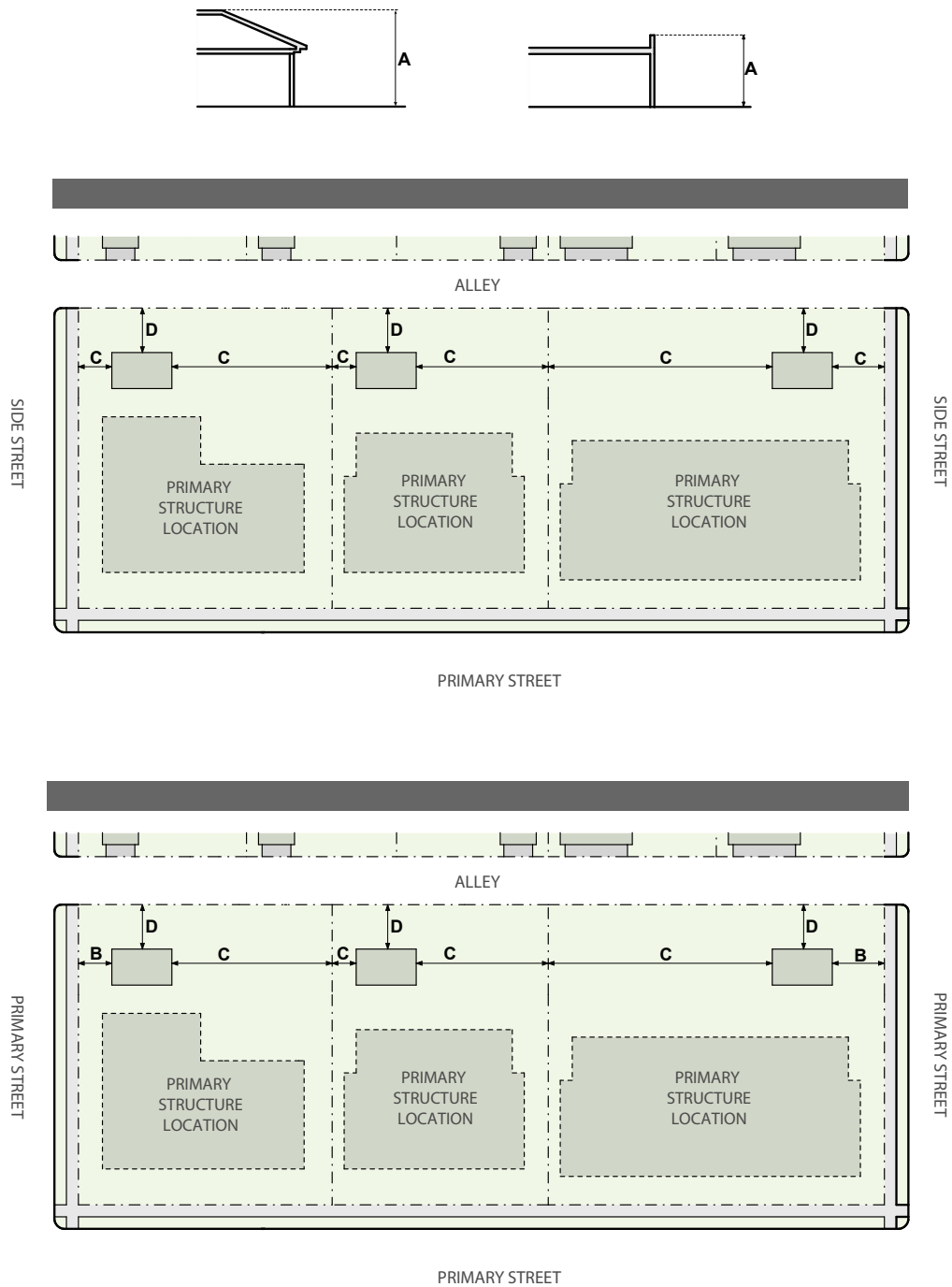


**D. District Specific Standards**

**1. General Detached ~~Accessory~~ Structures**



Not to Scale. Illustrative Only.

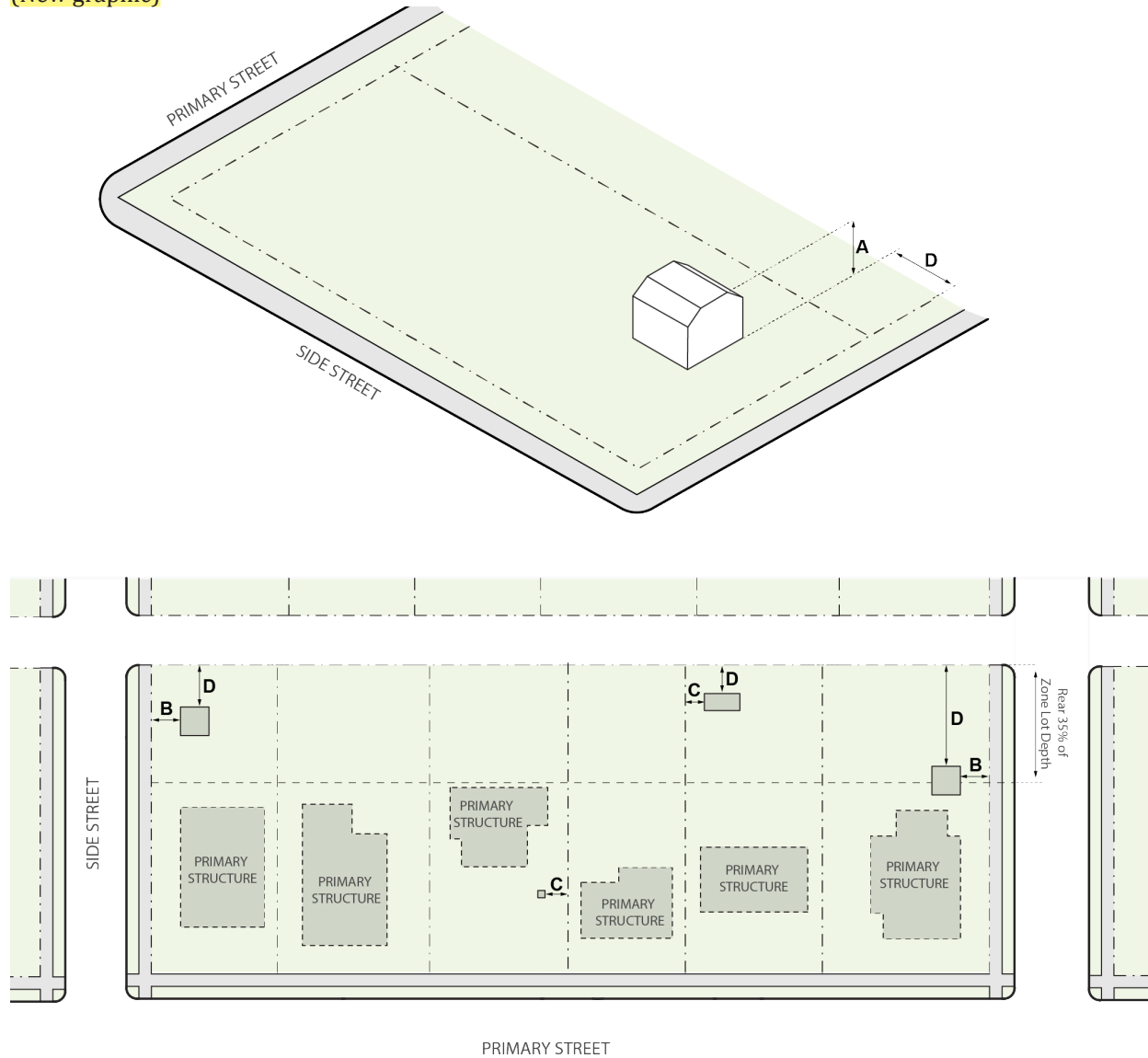


## GENERAL DETACHED ACCESSORY STRUCTURES

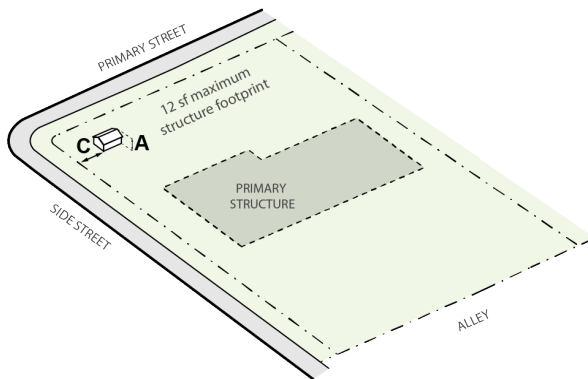
HEIGHT		CMP-NWC-C, CMP-NWC-G, CMP-NWC-F	CMP-NWC-R
A	Feet (max)	150'	40'
SITING SETBACKS		CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R	
B	Primary Street	0'	
C	Side Interior and Side Street (min)	0'	
D	Rear, <del>where no alley</del> <del>(public or private)/no alley abuts a rear zone lot line</del> (min)	0'	
DESIGN ELEMENTS		CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R	
	Gross Floor Area (max)	10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles.	
USES		CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R	
		Accessory Uses Only	

## 2. Minor Detached Structures

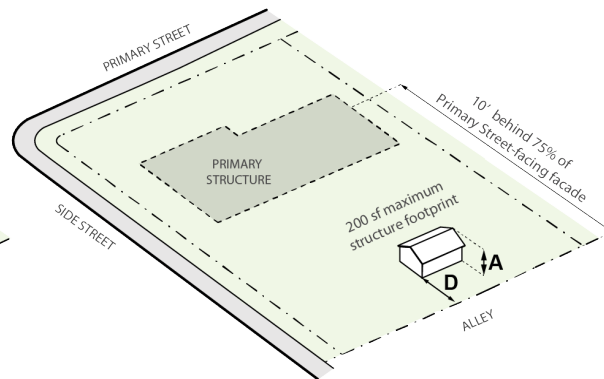
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### Option A: Located Anywhere on Lot



### Option B: Located Behind Primary Street-Facing Facade



## MINOR DETACHED STRUCTURES

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

<b>HEIGHT</b>		<b>All CMP-NWC Zone Districts</b>	
		<b>Option A*</b>	<b>Option B*</b>
<b>A</b>	Stories (max)	1	1
<b>A</b>	Feet (max)	4'	14'
<b>SITING</b>		<b>All CMP-NWC Zone Districts</b>	
		<b>Option A</b>	<b>Option B</b>
	Total number of each structure (max)	na	na
<b>LOCATION OF STRUCTURE</b>			
	Ground-Mounted Mechanical Equipment	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**
	Public Utility Equipment	Allowed anywhere on the Zone Lot	
	All Others	Allowed anywhere on the Zone Lot	
<b>SETBACKS</b>			
<b>B</b>	Side Street (min)	5'	5'
<b>C</b>	Side Interior, for structure entirely in rear 35% of zone lot (min)	0'	0'
	Side Interior, for structure not entirely in rear 35% of zone lot (min)	5'	5'
	Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'
<b>D</b>	Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)	0'	0'
	Building Coverage per Zone Lot (max)	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	
<b>DESIGN ELEMENTS</b>		<b>All CMP-NWC Zone Districts</b>	
		<b>Option A</b>	<b>Option B</b>
<b>BUILDING CONFIGURATION</b>			
	Structure footprint (max)	12 sf	200 sf
<b>USES</b>		<b>All CMP-NWC Zone Districts</b>	
		Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Section 9.2.8 for permitted Accessory Uses.	

See Sections 9.2.6.5 - 9.2.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

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

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

### 9.2.6.5 Supplemental Design Standards

#### A. Surface Parking Between a Building and the Primary/Side Street

##### 1. Intent

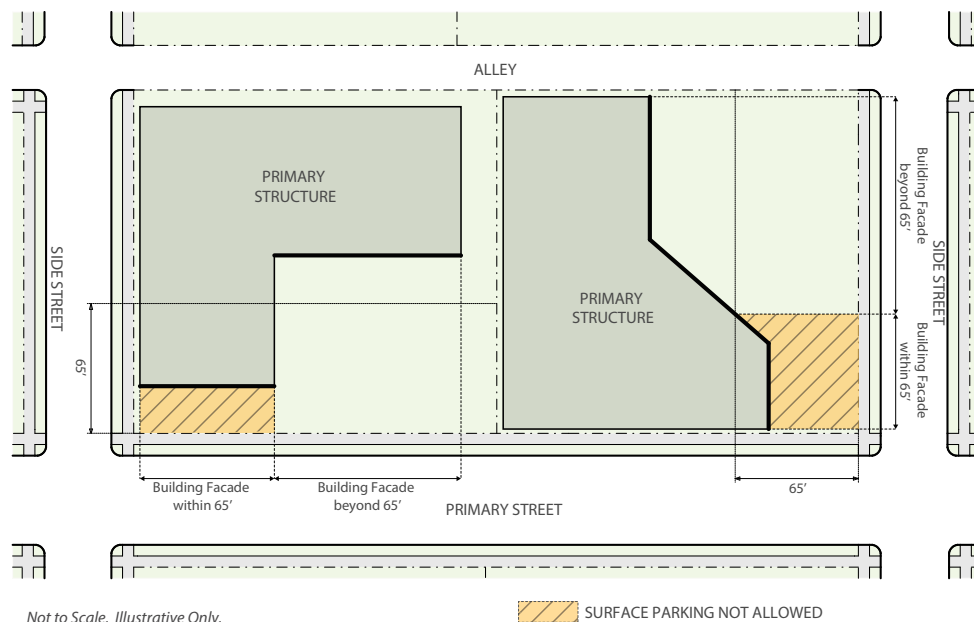
Allow for the functional siting of Buildings and Surface Parking while minimizing the impacts of Surface Parking on the pedestrian experience.

##### 2. Applicability

This section 9.2.6.5.A applies to the General building form in the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts.

##### 3. Surface Parking Not Allowed

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



#### B. Street Level Active Uses

##### 1. Intent

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

##### 2. Applicability

- This section 9.2.6.4.B applies to the General building form in the CMP-NWC-C and CMP-NWC-G zone districts.
- This section shall not apply to a South Platte River Primary Street Zone Lot Line.

##### 3. Street Level Active Uses

- Street Level active uses include all permitted primary uses.
- Street Level active uses include all permitted accessory uses except the following:
  - Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.



- c. Street Level active uses shall not include Parking Spaces or Parking Aisles.
- d. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet in the CMP-NWC-G District and a minimum depth of 30 feet in the CMP-NWC-C District.
- e. The required depth for a Street Level active use may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards.
- f. The length of any build-to alternatives permitted by Section 9.2.6.5 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level Active Use.

### 9.2.6.6 Design Standard Alternatives

#### A. Required Build-To Alternatives

**1. Intent**

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

**2. Allowance**

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 13.1.5.7.E:

REQUIRED BUILD-TO ALTERNATIVES		
ZONE DISTRICT	BUILDING FORM	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)
CMP-NWC-C	General	15%
CMP-NWC-G	General	30%

#### B. Transparency Alternatives

**1. Intent**

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

**2. Allowance**

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

TRANSPARENCY ALTERNATIVES					
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	<del>DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)</del>	<del>WALL DESIGN ELEMENTS (MAX)</del>	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
CMP-NWC-C	Primary Street	<del>10%</del>	<del>10%</del>	10%	15%
	Side Street	<del>20%</del>	<del>20%</del>	30%	40%
CMP-NWC-R	Primary Street	<del>15%</del>	<del>15%</del>	20%	30%
	Side Street	<del>na</del>	<del>na</del>	na	na

### 9.2.6.7 Design Standard Exceptions for the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R Zone Districts

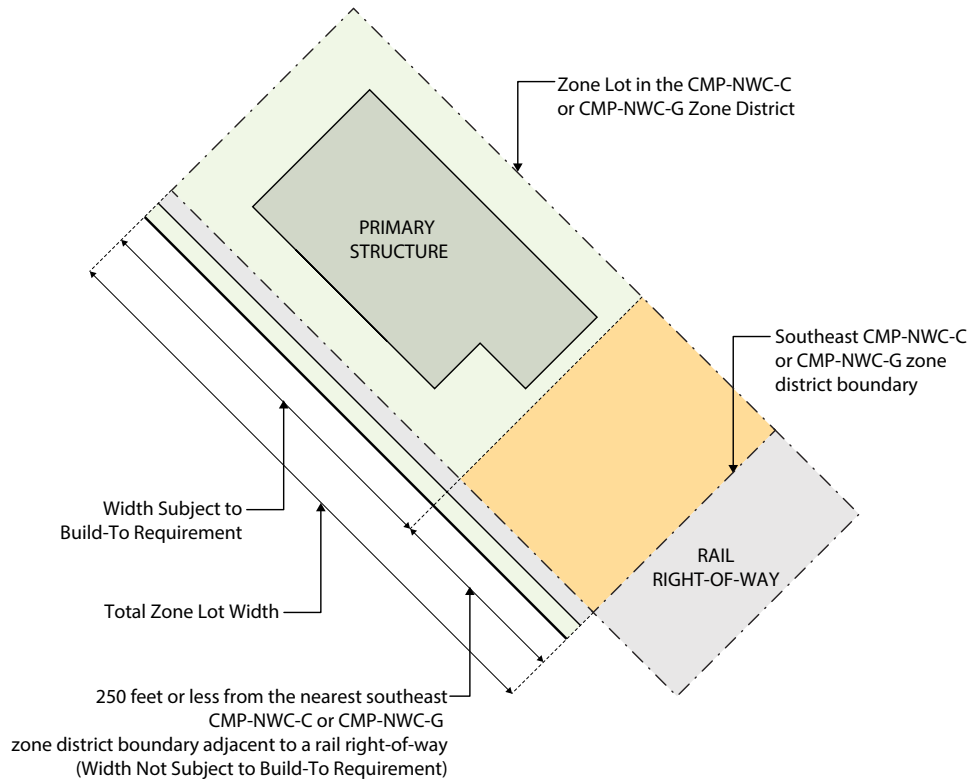
#### A. Required Build-to

##### 1. Intent

- a. To allow flexibility for Required Build-to standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.

##### 2. Standard

- a. In the CMP-NWC-C and CMP-NWC-G zone districts only, no portion of the zone lot line abutting the applicable street right-of-way 250 feet or less from the nearest southeast boundary of the CMP-NWC-C or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be used to calculate Required Build-to.



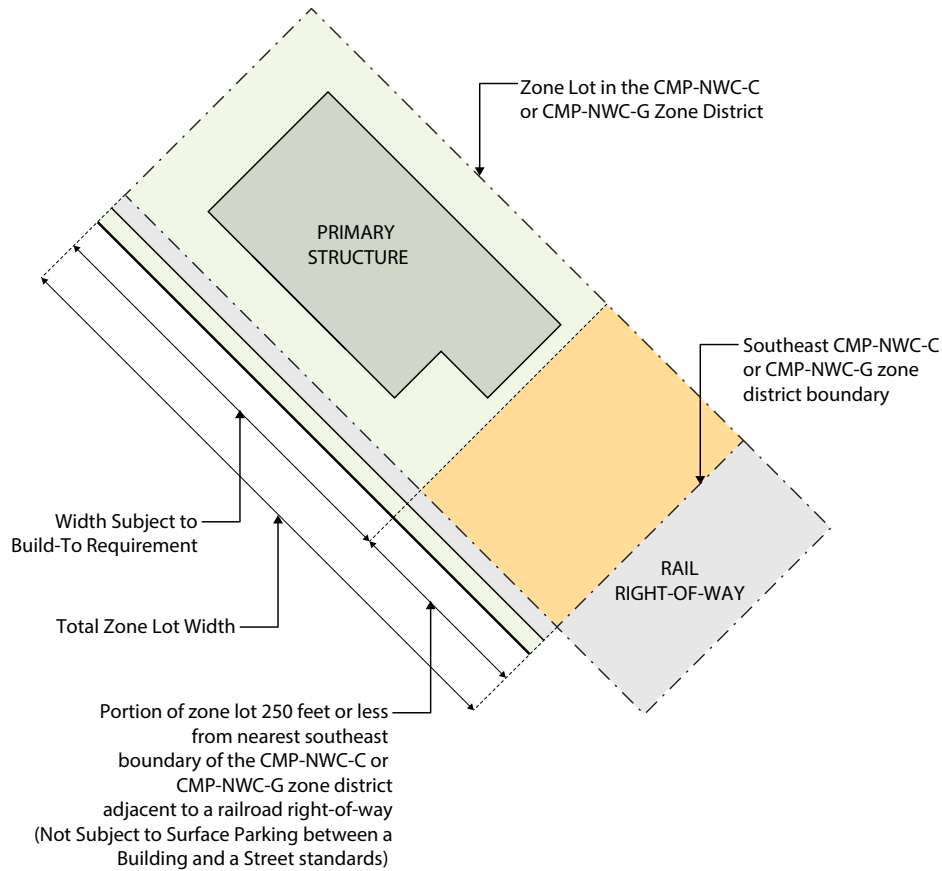
## B. Surface Parking Between a Building and a Primary/Side Street

### 1. Intent

To allow flexibility for Surface Parking Between a Building and a Primary Street/Side Street standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.

### 2. Standard

In the CMP-NWC-C and CMP-NWC-G zone districts only, where a building form specifies that Surface Parking is not allowed between a Building and a Primary and/or Side Street, no portion of the zone lot 250 feet or less from the nearest southeast boundary of the CMP-NWC-C or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



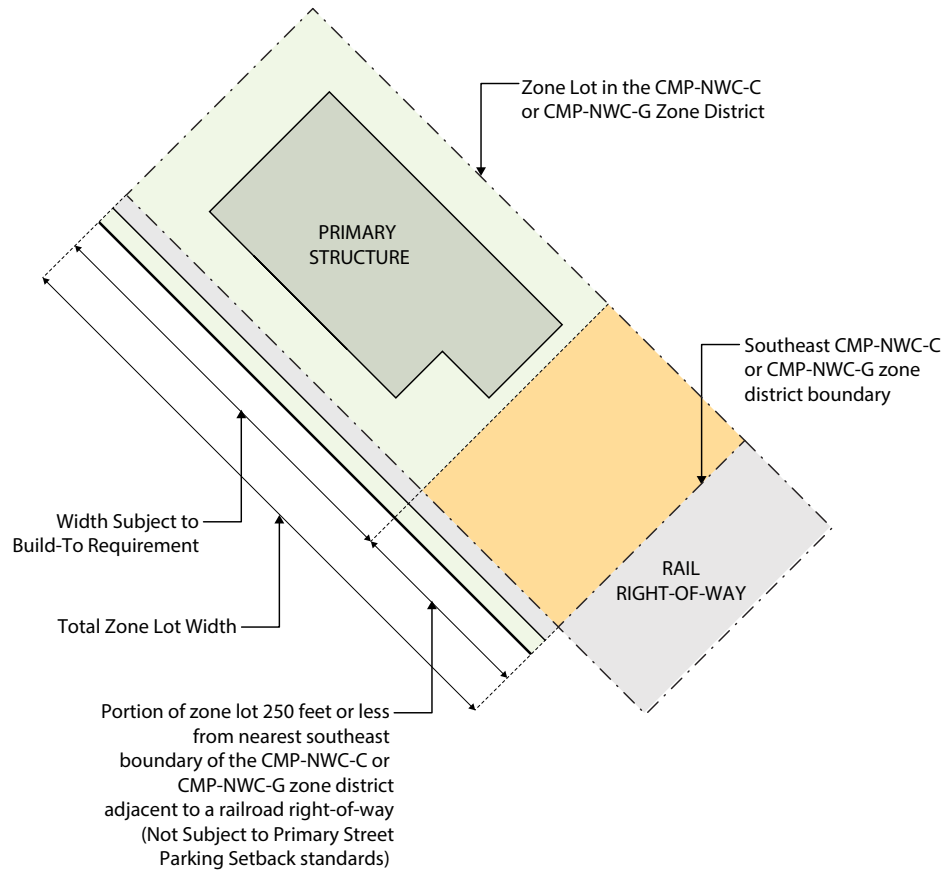
### C. Primary Street Parking Setback

#### 1. Intent

To allow flexibility for Parking Setback standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.

#### 2. Standard

In the CMP-NWC-C and CMP-NWC-G zone districts only, where a building form specifies a Primary Street Parking Setback from the zone lot line abutting the applicable street, no portion of the zone lot 250 feet or less from the nearest southeast boundary of the CMP-NWC-C or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



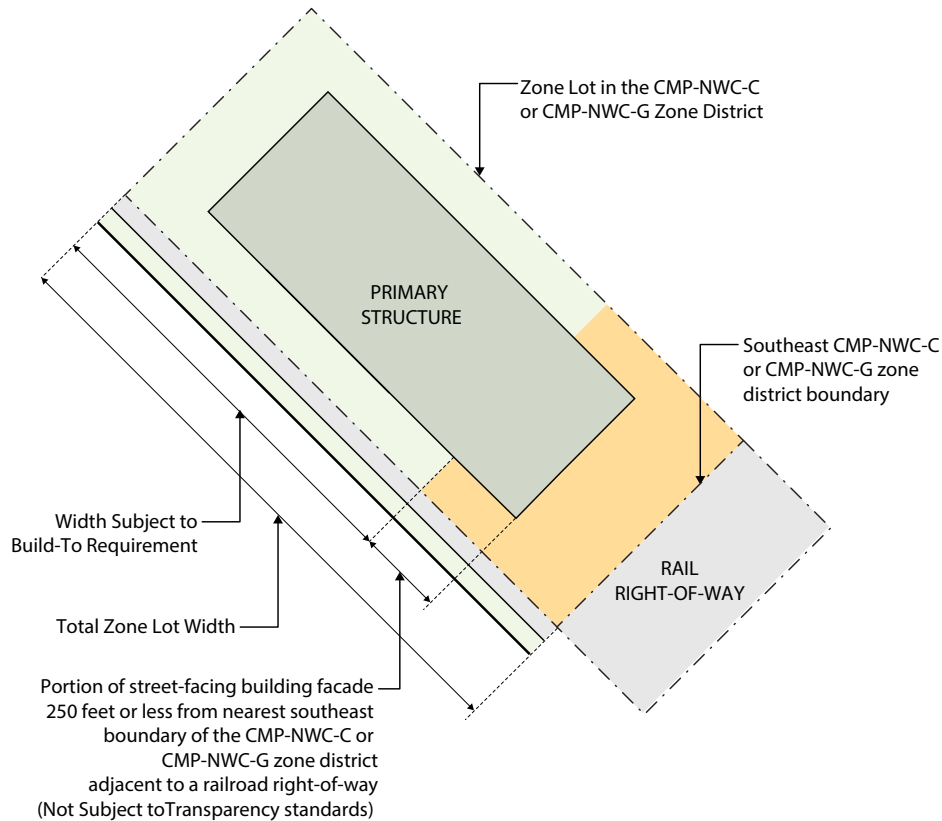
#### D. Transparency

##### 1. Intent

To allow flexibility for Transparency standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.

##### 2. Standard

In the CMP-NWC-C and CMP-NWC-G zone districts only, no portion of a street-facing building facade 250 feet or less from the nearest southeast boundary of the CMP-NWC-C or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



#### E. Pedestrian Access

##### 1. Intent

To allow flexibility in the orientation of buildings and placement of pedestrian entries relative to a South Platte River Primary Street while still ensuring visual interest is provided on a building facade that faces a South Platte River Primary Street..

##### 2. Standard

In the CMP-NWC-C, CMP-NWC-F and CMP-NWC-R zone districts only, Pedestrian Access standards shall not be required between the South Platte River Primary Street and the primary uses within the building.

### SECTION 9.2.7 DESIGN STANDARD EXCEPTIONS CMP-H, CMP-H2; CMP-EI, CMP-EI2; CMP-ENT; CMP-NWC, CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R

#### 9.2.7.1 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.

### C. Exceptions

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

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

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY <del>ENCROACH INTO THE</del> EXCEED UPPER STORY SETBACK HEIGHT BY
Roof Overhangs, gutters, and downspouts, each extending no more than 3-feet measured perpendicular from the exterior face of the Exterior Wall to the furthest edge of the projection	All CMP- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All CMP- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All CMP- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed



BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCR OACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All CMP- Zone Districts	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All CMP- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Open Structures	All CMP- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All CMP- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed- 4'
Flush-mounted solar panels	All CMP- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All CMP- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All CMP- Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance
Pedestrian bridge	All CMP- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

### 9.2.7.2 Setback Exception - Parkway (Moved to 13.1.5.8)

#### A. Intent

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

#### B. Standard

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

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

### 9.2.7.3 Setback Exceptions - Architectural, Site, Service & Utility Elements

#### A. Intent

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

#### B. Standard

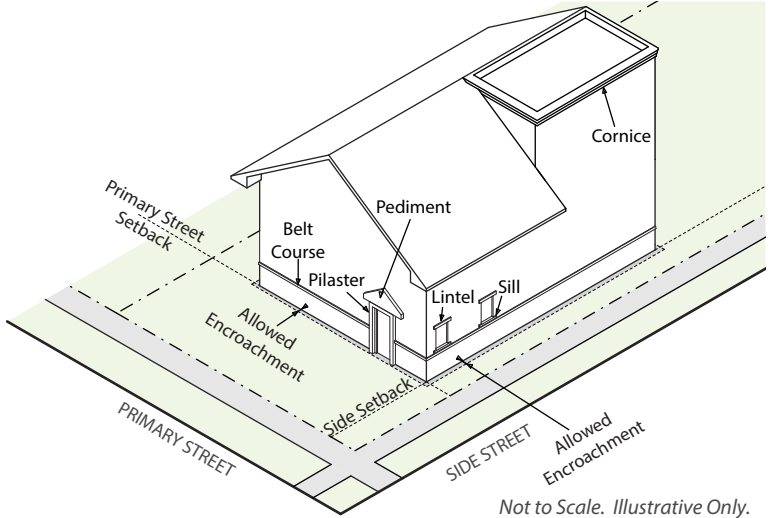

Except as specifically allowed below, Setbacks specified in the applicable Building Form tables shall be open and unobstructed.

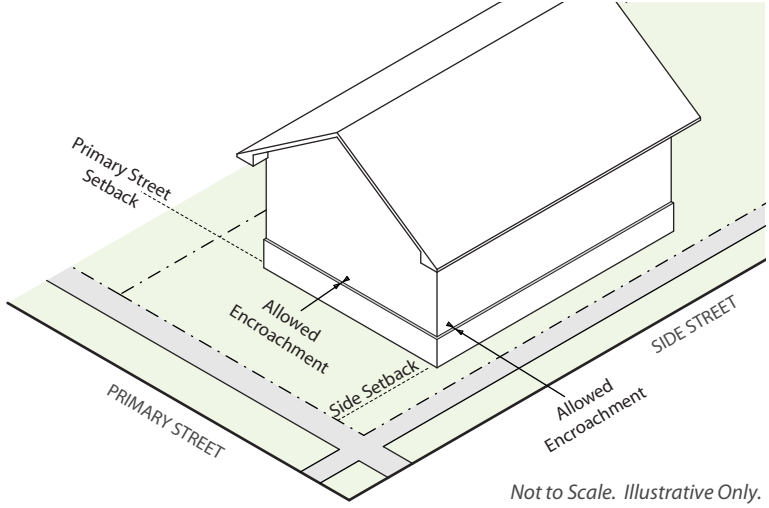

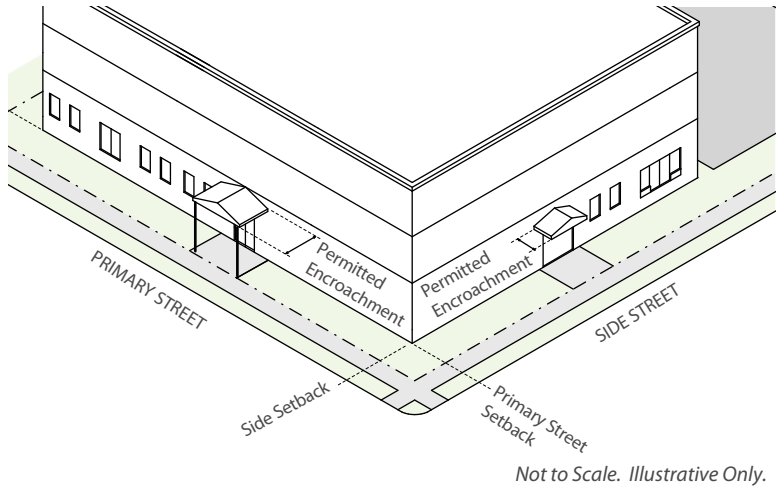
### C. Exceptions


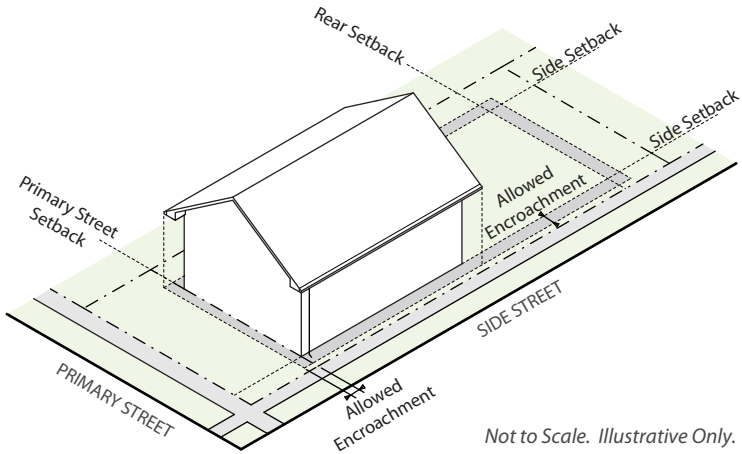
The following Structures or portions of Structures are permitted to encroach into the Setbacks subject to the limitations in the tables below. No portion of a Structure that encroaches into the Setbacks shall extend into a required Setback beyond the maximum Setback encroachment distance specified in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


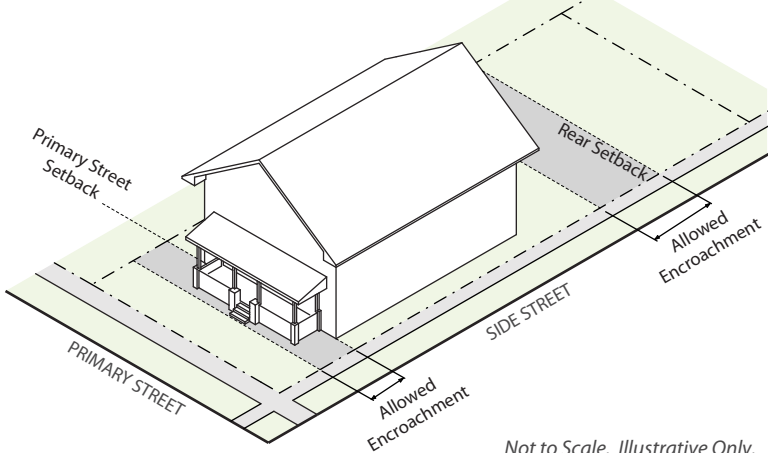

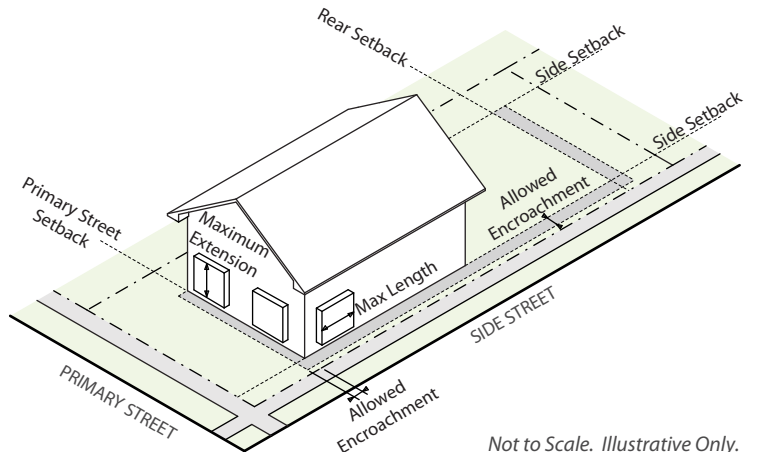
#### 1. Architectural Elements

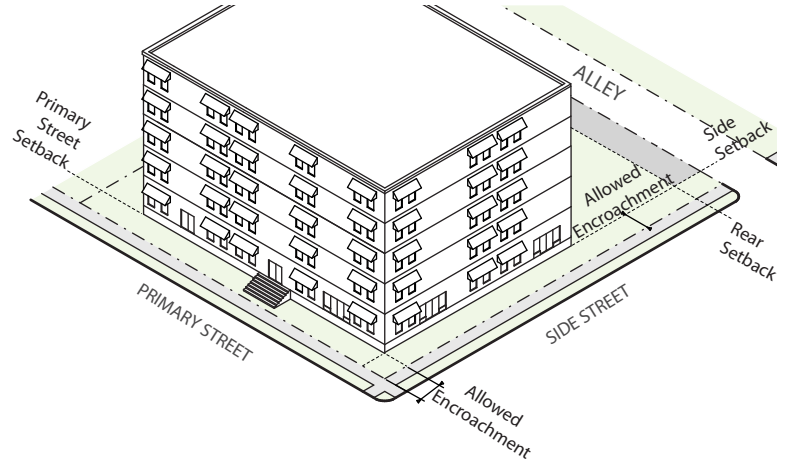
To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices	All CMP- Zone Districts	All Building Forms	1.5' Cornices only: 3'	1.5' Cornices only: 3'	1.5' Cornices only: 3'; if setback is less than 5': 2'	1.5' Cornices only: 5'
Intent: To allow common, minor decorative elements which are integral to a building.						
 <p><i>Illustrative only</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All CMP- Zone Districts	All Building Forms	6"	6"	6"	6"
<p>Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.</p>  <p><i>Not to Scale. Illustrative Only.</i></p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Canopies providing cover to an entrance:</p> <ul style="list-style-type: none"> <li>• The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and</li> <li>• Shall be open on three sides.</li> </ul>	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Not allowed	Not allowed
<p>Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.</p>  <p><i>Illustrative only</i></p>  <p><i>Not to Scale. Illustrative Only.</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Gutters, Downspouts and Roof Overhangs	All CMP- Zone Districts	All Building Forms	3'	3'	3'; if setback is less than 5': 2'	5'
Intent: To allow features of structures intended to repel weather	<div><p><i>Illustrative only</i></p></div> <div><p><i>Not to Scale. Illustrative Only.</i></p></div>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><b>Unenclosed Porches, Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level:</b></p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li> </ul>	All CMP- Zone Districts	All Building Forms	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	<p><u>Patios: Maximum of 5' wide, any distance</u></p> <p><u>All others: Not allowed</u></p>	<p><u>Patios: Any distance</u></p> <p><u>All others: 5'</u></p>
<p>Intent: To promote elements which provide for street activation and human scale.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><b>Projecting Windows:</b></p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor-to-ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building;</li> </ul>	All CMP- Zone Districts	All Building Forms	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting:</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Shading devices: Projections from Exterior Walls intended to control light entering through windows or doors. <ul style="list-style-type: none"><li>Horizontal shading devices shall include awnings, horizontal sunshades, and other shading devices projecting in a horizontal plane</li><li>All other shading devices shall include vertical sunshades, vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades)</li><li>Vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades) shall be at least 50% open</li></ul>	All CMP- Zone Districts	All Building Forms	Horizontal shading devices: 5'	Horizontal shading devices: 3'	Horizontal shading devices: 3'	Horizontal shading devices: 10'
			All other shading devices: 1.5'	All other shading devices: 1.5	All other shading devices: 1.5	All other shading devices: 1.5
Intent: To allow for elements either integral or attached to a building which control entering light	<div></div> <p>Not to Scale. Illustrative Only.</p>					


## 2. Site Elements

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




	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Surface Parking	All CMP- Zone Districts	All Building Forms	Not allowed	Not allowed	Not allowed	Any distance
Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.	<p>REAR</p> <p>Rear Setback</p> <p>Side Setback</p> <p>Primary Street Setback</p> <p>PRIMARY STREET</p> <p>Side STREET</p> <p>Allowed Encroachment</p> <p>Not to Scale. Illustrative Only.</p>					



	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Drive or Driveway	All CMP-Zone Districts	All Building Forms	Any distance	Any distance	Not allowed (*see exception below)	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.						
						


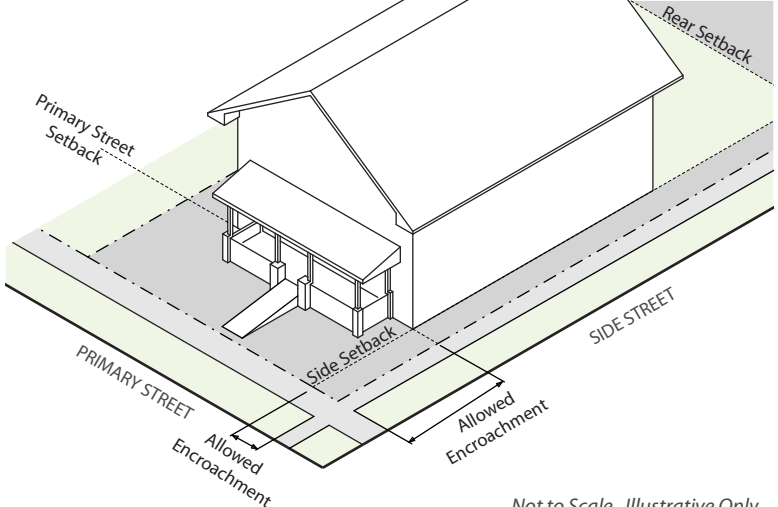
\*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:

- The Side Interior setback Abuts a public Alley;
- Other public right-of-way, or an easement for public access Abutting a public Alley; or
- Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Flatwork providing pedestrian access to entrances and buildings:	All CMP-Zone Districts	All Building Forms	Any distance, but may not exceed 50% of the area within the setback	Any distance, but may not exceed 50% of the area within the setback	Maximum of 5' wide; Any distance	Maximum of 5' wide; Any distance
Intent: To provide pedestrian access routes to entrances and buildings, but restrict coverage and width to ensure adequate openness						
						

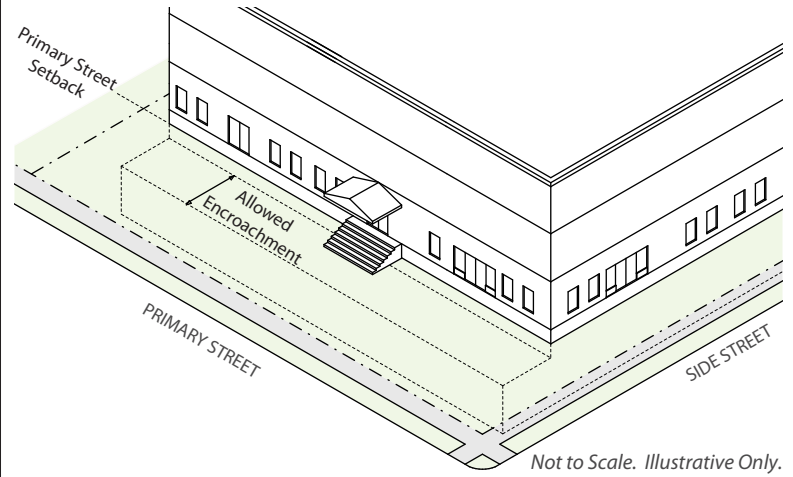
### 3. Service & Utility Elements

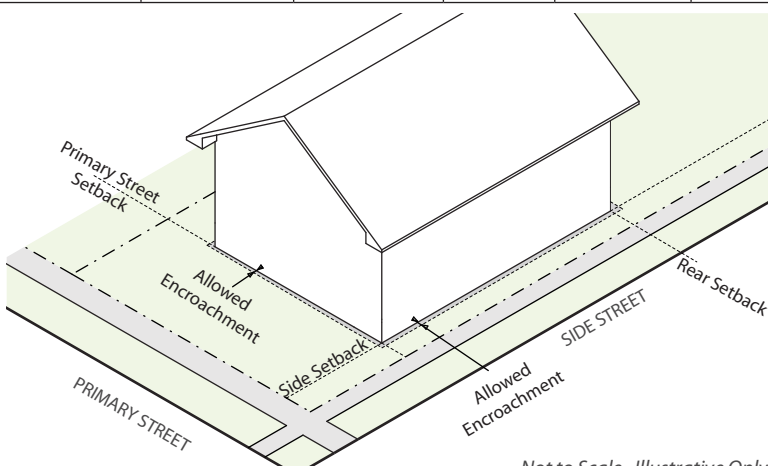
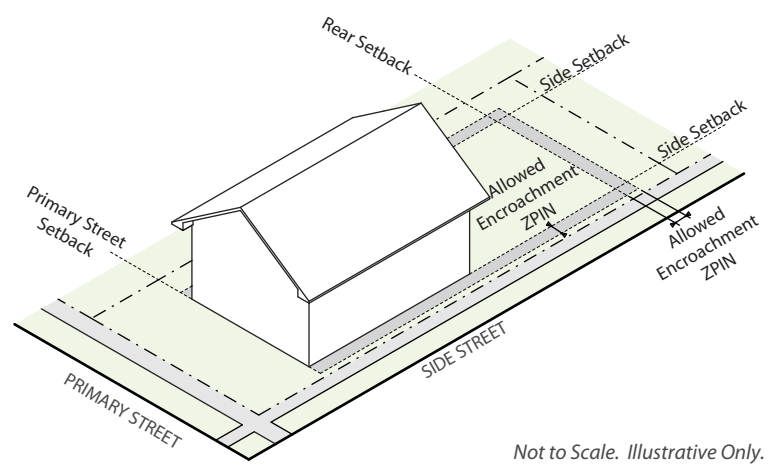
To allow for minor service and utility elements while maintaining an open and unobstructed setback.

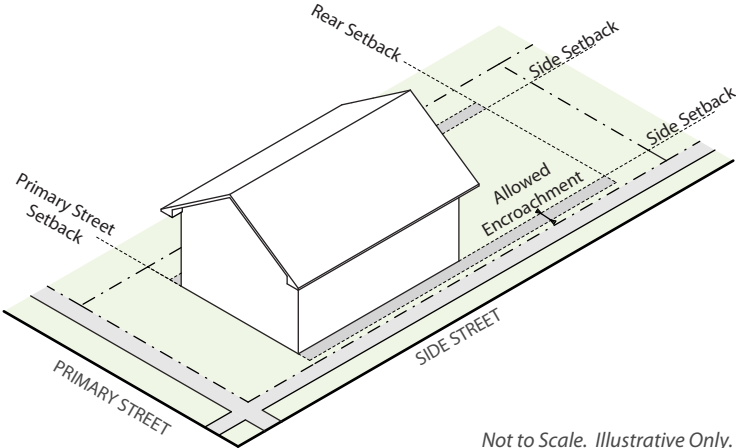
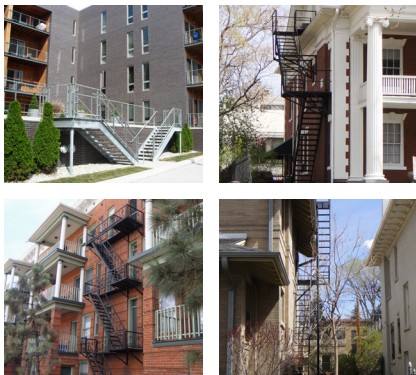
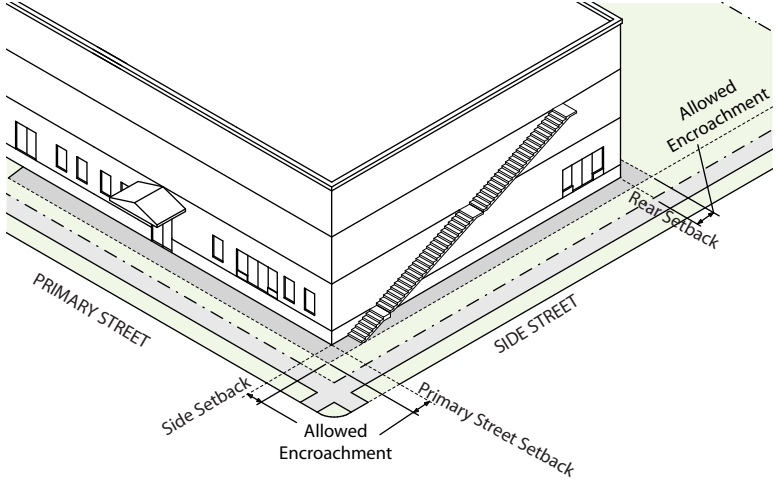
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Barrier-free access structures <del>providing access to existing buildings, when no alternative location is available.</del></p> <ul style="list-style-type: none"> <li><del>Setback encroachments for barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.</del></li> </ul>	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
<p>Intent: To provide flexibility in the location of barrier-free access <del>structures to existing buildings.</del></p> <div>  <p>Illustrative only</p> </div>	 <p>Not to Scale. Illustrative Only.</p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
<p>Not to Scale. Illustrative Only.</p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Bomb shelter or fallout shelter entrances not more than 2-feet above grade; Bomb shelter or fallout shelter vents not more than 3-feet above grade	All CMP- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<del>Existing</del> Chimneys originally designed and constructed to enclose fireboxes, smoke chambers, and flues serving wood-burning fireplaces and not exceeding 6-feet in width	All CMP- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Enclosed structure that is below the original grade and completely underground, of any setback, except as otherwise restricted by this Code	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance

Intent: To allow below grade structures that do not disrupt the streetscape.

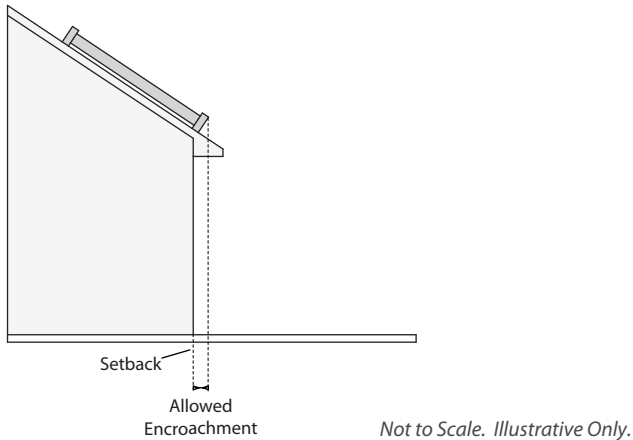



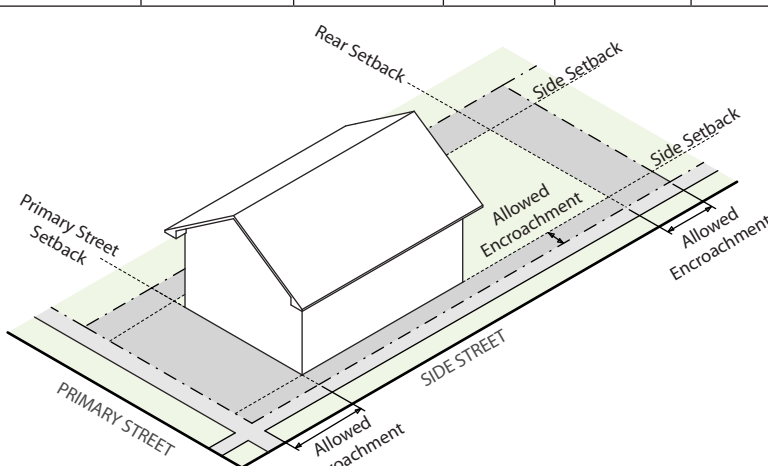
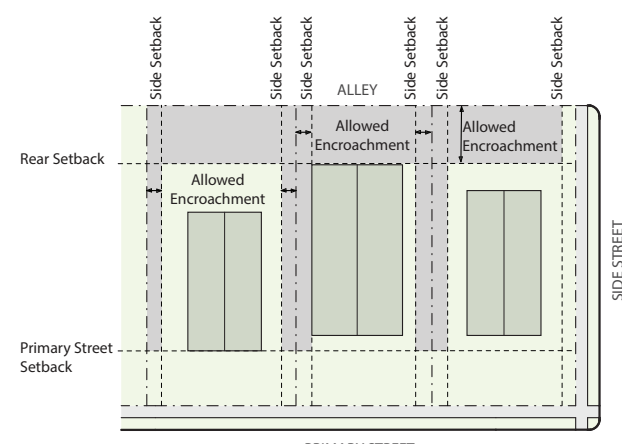

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Gas and electric meters	All CMP- Zone Districts	All Building Forms	1.5'	1.5'	1.5'	1.5'
Intent: To allow for functional siting.	 <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground-mounted air-conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:</p> <ul style="list-style-type: none"> <li>Removed this exception because these can be allowed with the Minor Detached Structure</li> </ul>	All CMP- Zone Districts	All Building Forms	Not allowed	3'-; subject to Zoning Permit Review with Informational Notice	3'-; subject to Zoning Permit Review with Informational Notice	3'-; subject to Zoning Permit Review with Informational Notice
<ul style="list-style-type: none"> <li>Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>Does not exceed 2 units per zone lot;</li> <li>Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and</li> <li>The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>						
Intent: To allow for functional siting.	 <p>Not to Scale. Illustrative Only.</p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><del>Ground-mounted evaporative coolers:</del></p> <ul style="list-style-type: none"> <li><del>located behind the front of the primary structure and</del></li> <li><del>screened from adjacent properties and public rights-of-way; and</del></li> <li><del>not to exceed the noise standards of D.R.M.C. Section 36-6</del></li> <li>Removed this exception because these can be allowed with the Minor Detached Structure</li> </ul>	All CMP- Zone Districts	All Building Forms	Not allowed	3'	3'	Not allowed
<p>Intent: To allow for functional siting:</p>  <p>Not to Scale. Illustrative Only.</p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, <u>but including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code</u> and excluding above-grade walkways.</p>	All CMP- Zone Districts	All Building Forms	5'	3'	3'	10'
<p>Intent: To provide for egress from a building only for emergency purposes</p>  <p>Illustrative only</p>						
 <p>Not to Scale. Illustrative Only.</p>						

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



	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas, (1) shall not extend more than 6-inches above grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served	All CMP- Zone Districts	All building forms	4'	4'	4'	4'
Intent: To allow for openings to below-grade spaces						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas for exits, exit discharges, and emergency escape and rescue openings required by the Denver Building and Fire Code, (1) shall not extend more than 6-inches above <u>finished</u> grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served; and (3) shall not <u>extend more than exceed</u> 4 -feet <u>into the setback in width</u> as measured perpendicular to the exterior walls of the structure served; and (4) shall not exceed the minimum number of exits or emergency escape and rescue openings required by the Denver Building and Fire Code	All CMP- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for minimum means of egress components and minimum emergency escape and rescue openings required for life-safety						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, <u>Flush Mounted building-mounted</u>	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow <u>flush mounted</u> solar panels on <u>the roof of existing</u> structures <u>that which</u> may not meet a required minimum setback.						
 <p><i>Illustrative only</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 43' in height.	All CMP- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Greater than 3' in height but not exceeding 8' in height above Finished Grade.	All CMP- Zone Districts	All Building Forms	Not allowed	Not allowed	Any distance	Any distance
Intent: To allow for functional siting.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
 <p><i>Illustrative only</i></p>						

[illegible]

Wall-mounted fixtures, wiring, conduit, piping, and vents integral to conventional mechanical, electrical, plumbing, and fire protection systems (1) not otherwise identified as an allowed setback encroachment; and (2) serving permitted uses on the zone lot; and (3) projecting no more than 18-inches from the exterior face of the exterior wall  Including but not limited to electrical panelboards, controllers, sensors, meters, drains, hosebibs, hydrants, fire department connections, sprinklers, alarms, dryer vents, bathroom vents, furnace vents, radon exhaust fans, lighting fixtures, and similar minor utility features approved by the Zoning Administrator	All CMP- Zone Districts	All building forms	Wall-mounted lighting fixtures and elements of fire protection systems: Any Distance  All Others: Not Allowed	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						

#### **9.2.7.4 Vehicle Access From Alley Required - Exceptions**

**A. No Alley**

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

**B. Alley Access Required**

Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless the applicant can demonstrate at the time of zoning permit application that an exception stated in this Section 9.2.7.4 applies.

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

The Department of Transportation and Infrastructure ("DOTI") shall approve all requests for an exception to required Alley access under this Section 9.2.7.4.

**D. General Exceptions**

When one or more of the conditions listed in this Section 9.2.7.4.D apply, street access may be used instead of alley access. However, if improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which improvements resolve one or more conditions for an exception specified in this Section 9.2.7.4.D, then vehicular Alley access shall be required.

1. The Alley is not provided with an all-weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The Alley is less than 12 feet in width;
3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street.
4. The Department of Transportation and Infrastructure ("DOTI") prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic; or
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the DRC determines during Site Development Plan review that street access is more consistent with the Comprehensive Plan, or is necessary to ensure safety or vehicle operational needs.

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

When the conditions listed in this Section 9.2.7.4.E apply, street access may be used instead of alley access.

1. Vehicular access from the street to an accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010, and has been Continuously Maintained; and
2. The Primary Structure containing either a Single-Unit or Two-Unit Dwelling use on the same Zone Lot is not Voluntarily Demolished. In the case of Voluntary Demolition of the Primary Structure, vehicle access must be taken from the Alley unless otherwise allowed by this Section 9.2.7.4.E.

## SECTION 9.2.8 USES AND REQUIRED MINIMUM PARKING

### 9.2.8.1 Applicability

- A. This Section 9.2.8 sets forth the land uses permitted, the required zoning procedures and the required minimum parking for all the Campus Context zone districts.
- B. Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

### 9.2.8.2 Organization

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

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

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

##### 1. Primary Use Classifications

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

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

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

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

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

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

### 9.2.8.3 Explanation of Table Abbreviations

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

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

#### B. Permitted, Limited, Not Permitted

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

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

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

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

**3. Uses Not Permitted (“NP”)**

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

**C. Zoning Procedure**

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

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

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

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

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

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

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

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

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

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

**9.2.8.4 Enclosure of Uses**

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



### 9.2.8.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	APPLICABLE USE LIMITATIONS
RESIDENTIAL PRIMARY USE CLASSIFICATION										
Household Living	Dwelling, Single Unit •No Parking Requirements	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.2.6
	Dwelling, Two Unit •Vehicle: 0.75/unit •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	NP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.2.6
	Dwelling, Multi-Unit •Vehicle: 0.75/unit •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 2 units (80/20)	L-ZPIN	EI: L-ZP EI2: L-ZPIN	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.2.6
	Dwelling, Live / Work •Vehicle: 0.75/unit •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 2 units (80/20)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
Residential Care	Residential Care, Type 1 •Vehicle: .5/1,000 sf GFA •Bicycle: No requirement	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	§11.2.7; §11.2.8
	Residential Care, Type 2 •Vehicle: .5/1,000 sf GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.2.7; §11.2.9
	Residential Care, Type 3 •Vehicle: .5/1,000 sf GFA •Bicycle: No requirement	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	§11.2.7; §11.2.10
	Residential Care, Type 4 •Vehicle: .5/1,000 sf GFA •Bicycle: No requirement	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	§11.2.7; §11.2.11
Congregate Living	All Types •Vehicle: 1/1,000 sf GFA •Bicycle: 1/20,000 sf GFA	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review  
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 Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)									APPLICABLE USE LIMITATIONS
		CMP-H CMP- H2	CMP-EI CMP-EI2	CMP- ENT	CMP- NWC	CMP- NWC-C	CMP- NWC-G	CMP- NWC-F	CMP- NWC-R	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION										
Basic Utili- ties	Utility, Major Impact* •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Commu- nity/ Public Services	Community Center* •Vehicle: No requirement •Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Postal Processing Center	NP	NP	NP	NP	NP	NP	NP	NP	
	Public Safety Facility •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Hospital	P-ZP	NP	NP	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	NP	NP	NP	
Cultural/ Special Purpose/ Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	NP	NP	
	Library •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	NP	NP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	APPLICABLE USE LIMITATIONS
Education	Elementary or Secondary School •Vehicle: 1/1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle - High School: 1/ 5,000 s.f. GFA (0/100) •Bicycle-All Others: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	University or College •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Vocational or Professional School •Vehicle: 1/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Public and Religious Assembly	All Types •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION										
Adult Business	All Types	NP	NP	NP	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor •Vehicle - Artist Studio: 0.3/1000 sf GFA •Vehicle - All Others: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (20/80)	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.4.3
	Event Space with Alternate Parking and Loading* •Vehicle: No requirement •Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZP	L-ZP	NP	\$11.4.4
	Sports and/or Entertainment Arena or Stadium* •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (20/80)	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)		Not Applicable								
Parking of Vehicles	Parking, Garage •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Parking, Surface* •No Parking Requirements	L-ZP	L-ZP	P-ZP	P-ZP	NP	P-ZP	P-ZP	NP	\$11.4.8

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS								
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	
Eating & Drinking Establishments	All Types •Vehicle: 2.5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/1,500 s.f. GFA (0/100)	H: P-ZP H2: L-ZP	EI: P-ZP EI2: L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§11.4.9
Lodging Accommodations	Bed and Breakfast Lodging •Vehicle: 0.875/guest room or unit •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	EI: P-ZP EI2: NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Lodging Accommodations, All Others •Vehicle: 0.5/ guest room or unit •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZPIN	EI: P-ZPIN EI2: NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
Office	Dental / Medical Office or Clinic •Vehicle: 2.5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (60/40)	L-ZP	L-ZP/P-ZPIN	NP	L-ZP	P-ZP	P-ZP	P-ZP	NP	§11.4.10
	Office, All Others •Vehicle: 2.5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Animal Sales and Services, All Others* •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	L-ZP	P-ZP	P-ZP	P-ZP	NP	
	Food Sales or Market* •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Pawn Shop	NP	NP	NP	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Outdoor* •Vehicle: 1.25/1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	NP	§11.4.16
	Retail Sales, Service & Repair - Firearms Sales •Vehicle: 1.25/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: 1/ 7,500 s.f. GFA (20/80)	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Retail Sales, Service & Repair, All Others •Vehicle: 1.25/ 1,000 s.f. GFA •Bicycle: 1/7,500 s.f. GFA (20/80)	ZPIN	NP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)									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	
Vehicle / Equipment Sales, Rent- als, Service & Repair	Automobile Emissions Inspection Facility	NP	NP	NP	NP	NP	NP	NP	NP	
	Automobile Services, Light	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.4.18
	Automobile Services, Heavy	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.4.18
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*	NP	NP	NP	NP	NP	NP	NP	NP	
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	NP	NP	NP	NP	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION										
Communi- cations and Information	Antennas Not Attached to a Tower* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.2
	Communication Services •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	NP	\$11.5.1
	Telecommunications Towers* •No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	\$11.5.2
	Telecommunications Tower - Alternative Structure •No Parking Requirements	L-ZP/ ZPIN	L-ZP/ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.2
Industrial Services	Contractors, Special Trade - General	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.4
	Food Preparation and Sales, Commercial •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.5.5
	Laboratory, Research, Development and Technologi- cal Services •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	P-ZPIN	EI: P-ZPIN EI2: NP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.5.6
	Service/Repair, Commercial	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.7
	Manufacturing, Fabrication & Assembly -- Custom •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.5.8
Manufac- turing and Production	Manufacturing, Fabrication & Assembly -- General •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement	NP	NP	NP	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	NP	\$11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* •No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.5.13

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)									APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP- ENT	CMP- NWC	CMP- NWC-C	CMP- NWC-G	CMP- NWC-F	CMP- NWC-R	
Transporta- tion Facili- ties	Airport*	NP	NP	NP	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZP/ ZPSE	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.5.14
	Railroad Facilities* • Vehicle: .3/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.15
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System	NP	NP	NP	P-ZP	P-ZP	P-ZP	P-ZP	NP	
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	NP	NP	NP	NP	
Waste Related Services	Automobile Parts Recycling Business	NP	NP	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	NP	NP	
	Recycling Center • Vehicle: .3/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	L-ZP	NP	L-ZP	L-ZP	NP	\$11.5.20
	Recycling Collection Station • Vehicle: .3/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	P-ZP	NP	P-ZP	P-ZP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	
	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribu- tion	Mini-storage Facility	NP	NP	NP	NP	NP	NP	NP	NP	
	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light • Vehicle: .3/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP- NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	L-ZP	NP	NP	L-ZP	NP	\$11.5.26

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AGRICULTURE PRIMARY USE CLASSIFICATION										
Agriculture	Aquaculture* • Vehicle: .5/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5/ 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.6.3
	Husbandry, Plant* Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	NP	NP	NP	NP	NP	§11.6.5
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION										
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts								§11.7
	Accessory Dwelling Unit • Vehicle: 1 / Unit • CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	L	L	L	NP	§11.8.3
	Garden*	L	L	L	L	L	L	L	NP	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	NP	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	NP	NP	NP	NP	L	L	L	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	NP	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.7
	Outdoor Storage, Residential	L	L	L	L	L	L	L	NP	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.9
	Short-term Rental	L	L	L	L	L	L	L	NP	§11.7; §11.8.10
	Vehicle Storage, Repair and Maintenance Accessory to a Dwelling Use*	L	L	L	L	L	L	L	NP	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses								
	Yard or Garage Sales*	L	L	L	L	L	L	L	NP	§11.7; §11.8.11
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION										
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts								§11.9; §11.9.5



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ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION										
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts								\$11.7; §11.10.1
	Amusement Devices Accessory to Eating / Drinking Establishments, College / University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	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	L-ZPSE	NP	NP	NP	NP	NP	NP	NP	\$11.7; §11.10.9
	Garden*	L	L	L	L	L	L	L	L	\$11.7; §11.10.10
	Keeping of Animals	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L/L-ZP/ L-ZPIN	L	L	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 <u>Primary</u> Places of Religious Assembly <u>or Primary Uses Operated by Nonprofit Organizations*</u>	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
	<u>Retail Food Establishment, Mobile (Food Truck)*</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>\$11.7; §11.10.20</u>

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		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	
TEMPORARY USE CLASSIFICATION										
Temporary Uses	Unlisted Temporary Uses	L - Applicable in all Zone Districts								\$11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses								\$11.11.2
	Amusement / Entertainment - Temporary*	L-ZP	P-ZP	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or Yard for Construction Materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.10
	Outdoor Retail Sales*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.11
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.11.13
	Retail Food Establishment, Mobile (Food Truck)*	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.16
	Temporary Managed Community*	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.11.17
	Tent for Religious Services	P-ZP	P-ZP	P-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.18



## DIVISION 9.3 OPEN SPACE CONTEXT (OS-A, OS-B, OS-C)

### SECTION 9.3.1 OPEN SPACE CONTEXT DESCRIPTION



**General Character:** The Open Space Context consists of all forms of public and private parks and open spaces. The context accommodates sites ranging from very active to completely passive, and from those embedded in a neighborhood to sites that are large enough to stand alone. Active sites may include high use areas such as ball fields, while passive areas focus on resource protection, trails, walking and biking.

**Street, Block, and Access Patterns:** The Open Space Context can be widely varied, ranging from active parks with extensive access to environmentally sensitive areas where only limited access is appropriate.

**Building Placement and Location:** Buildings in the Open Space Context are typically placed where access is highest, and are often located away from view of the general public.

**Building Height:** Buildings are typically low in scale, although some open space areas with active recreational uses support large-scale facilities.

**Mobility:** Priority is given to pedestrians and bicyclists. The automobile is accommodated through fringe parking areas. The Open Space Context has varying levels of access to the multi-modal transit system.

## SECTION 9.3.2 DISTRICTS ESTABLISHED

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

### Open Space Context

OS-A	Open Space Public Parks District
OS-B	Open Space Recreation District
OS-C	Open Space Conservation District

#### 9.3.2.1 Purpose

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

##### A. Open Space Public Parks District (OS-A)

The OS-A district is intended to protect and preserve public parks owned, operated or leased by the City and managed by the City's Department of Parks and Recreation ("DPR") for park purposes.

##### B. Open Space Recreation District (OS-B)

The OS-B district is intended to protect and promote open space and parks not otherwise owned, operated or leased by the City, and generally intended for active or passive recreation use. The district allows more and a variety of active recreational facilities than in the OS-C district.

##### C. Open Space Conservation District (OS-C)

To allow for conservation of open space and natural areas, regardless of ownership, which are not intended for development. Limited passive recreation is allowed, and only limited structures incidental to and supportive of the conservation purpose of the zone district, such as visitor's/educational center, are allowed.

## SECTION 9.3.3 **PRIMARY** BUILDING FORM STANDARDS **FOR PRIMARY** STRUCTURES

#### 9.3.3.1 OS-A District

- A. In the OS-A zone district, the City Council shall have final approval authority over the form of certain building according to D.R.M.C., Chapter 39 (Parks). For all other buildings or structures, the Manager of Parks and Recreation shall determine all applicable building form standards.
- B. Design and development standards governing structures in the OS-A zone district, including but not limited to landscaping, parking, and signage, shall be determined by either the City Council according to their authority in D.R.M.C., Chapter 39 (Parks) or by the Manager of Parks and Recreation.

### 9.3.3.2 Primary Building Forms in OS-B and OS-C

The General building form, as stated below, is allowed in the OS-B and OS-C zone districts. See also Section 1.2.3.5 related to the maximum number of structures and uses allowed per Zone Lot.

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

## GENERAL

HEIGHT	OS-B, OS-C
Stories (max)	3
Feet, pitched or Low-Slope Roof (max)	40'
SITING	OS-B, OS-C
<b>SETBACKS</b>	
Primary Street (min)	20'
Side Street (min)	20'
Side, interior (min)	20'
Rear (min)	20'
<b>PARKING</b>	
Primary Street Setback (min)	30'
Side Street Setback (min)	10'
Setback Adjacent Protected District (min)	5'
DESIGN ELEMENTS	OS-B, OS-C
Required Entrance, Primary Street	No
USES	OS-B, OS-C
All permitted Uses shall be allowed within this building form. See Section 9.3.4 Uses and Required Minimum Parking	

### 9.3.3.3 Design Standard Exceptions

#### A. Height Exceptions

##### 1. 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.

##### 2. Standard

Except as specifically allowed below:

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

- b. No portion of a structure shall project beyond the bulk plane specified in the applicable Building Form table.
- c. No portion of a structure shall exceed the maximum height in stories specified in the applicable Building Form table.

### 3. Exceptions

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

- 4. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature ~~and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.~~
  - a. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
  - b. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
  - c. The Zoning Administrator shall determine the applicable feature type and associated height exception standards for a given building feature.
  - d. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY <del>ENCROACH INTO THE</del> EXCEED UPPER STORY SETBACK HEIGHT BY
Roof Overhangs, gutters, and downspouts, each extending no more than 3-feet measured perpendicular from the exterior face of the Exterior Wall to the furthest edge of the projection	OS-B, OS-C	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	OS-B, OS-C	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	OS-B, OS-C	No	Yes	28'	Not applicable	Any distance	Any distance
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	OS-B, OS-C	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District.  No, all others.	12'	1 story	Not allowed	Not allowed
Elevator lobbies	OS-B, OS-C	Yes	Yes	12'	1 story	Not allowed	Not allowed



BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCRoACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY
Open Structures	OS-B, OS-C	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	OS-B, OS-C	No	No	Any distance	Not applicable	Any distance	Not allowed 4'
Flush-mounted solar panels	OS-B, OS-C	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	OS-B, OS-C	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	OS-B, OS-C	No	Yes	28'	Not applicable	Any distance	Any distance

**B. Setback Exception – Parkway (Moved to 13.1.5.8)**

**1. Intent**

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

**2. Standard**

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

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

## SECTION 9.3.4 USES AND REQUIRED MINIMUM PARKING

### 9.3.4.1 Applicability

**A. OS-A Zone District**

Permitted uses, number of uses and applicable use limitations, in the OS-A zone district, shall be determined by the manager of Parks and Recreation.

**B. OS-B, OS-C Zone Districts**

- This Section 9.3.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for the OS-B, OS-C zone districts.
- Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Un-listed Uses.
- For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

### 9.3.4.2 Organization

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

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

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

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

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

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

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

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

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

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

## **9.3.4.3 Explanation of Table Abbreviations**

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

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

### **B. Permitted, Limited, Not Permitted**

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

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

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

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

#### **3. Uses Not Permitted (“NP”)**

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

### **C. Zoning Procedure**

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

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

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

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

plicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

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

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

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

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

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

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

**9.3.4.4 Enclosure of Uses**

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

### 9.3.4.5 District Specific Standards

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

USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	OS-A	OS-B	OS-C	APPLICABLE USE LIMITATIONS
RESIDENTIAL PRIMARY USE CLASSIFICATION					
Household Living	Dwelling, Single Unit	See Section 9.3.4.1	NP	NP	
	Dwelling, Two Unit		NP	NP	
	Dwelling, Multi-Unit		NP	NP	
	Dwelling, Live / Work		NP	NP	
Residential Care	All Types		NP	NP	
Congregate Living	All Types		NP	NP	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION					
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	See Section 9.3.4.1	L-ZPSE	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement		L-ZP	NP	§ 11.3.2
Community/ Public Services	Community Center* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)		L-ZP	NP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP	
	Postal Facility, Neighborhood		NP	NP	
	Postal Processing Center		NP	NP	
	Public Safety Facility •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)		P-ZP	NP	
	Hospital		NP	NP	
	Correctional Institution		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery* •No Parking Requirements	See Section 9.3.4.1	L-ZP	NP	\$11.3.6
	Library •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZP	NP	\$11.3.7
	Museum •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZP	NP	\$11.3.7
	City Park* •No Parking Requirements	L-ZP	NP	NP	\$9.3.3.1; \$9.3.4.1
	Open Space - Conservation* •No Parking Requirements	See Section 9.3.4.1	P-ZP	P-ZP	
Education	Elementary or Secondary School •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)		L-ZP	NP	\$11.3.8
	University or College		NP	NP	\$11.3.8
	Vocational or Professional School		NP	NP	\$11.3.8
Public and Religious Assembly	All Types •Vehicle: 0.5/ 1,000 s.f. GFA •Bicycle: No requirement		P-ZP	NP	

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USE CATEGORY	SPECIFIC USE TYPE <ul style="list-style-type: none"><li>•Vehicle Parking Requirement -# of spaces per unit of measurement</li><li>•Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)</li></ul>				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION					
Adult Business	All Types	See Section 9.3.4.1	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor <ul style="list-style-type: none"><li>•Vehicle - Artist Studio: 0.3/1000 sf GFA</li><li>•Vehicle - All Others: 2.5/ 1,000 s.f. GFA</li><li>•Bicycle: 1/ 10,000 s.f. GFA (60/40)</li></ul>		L-ZP	NP	\$11.4.1
	Arts, Recreation and Entertainment Services, Outdoor* <ul style="list-style-type: none"><li>•Vehicle: 2.5/ 1,000 s.f. GFA</li><li>•Bicycle: 1/ 10,000 s.f. GFA (60/40)</li></ul>		L-ZPSE	NP	\$11.4.1; \$11.4.3
	Event Space with Alternate Parking and Loading* <ul style="list-style-type: none"><li>•Vehicle: No requirement</li><li>•Bicycle: No requirement</li></ul>		NP	NP	
	Sports and/or Entertainment Arena or Stadium* <ul style="list-style-type: none"><li>•Vehicle: 1/ 1,000 s.f. GFA</li><li>•Bicycle: 1/ 10,000 s.f. GFA (0/100)</li></ul>		L-ZPSE	NP	\$11.4.5
	Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable		
Parking of Vehicles	Parking, Garage <ul style="list-style-type: none"><li>•No Parking Requirements</li></ul>		P-ZP	NP	
	Parking, Surface*		NP	NP	
Eating & Drinking Establishments	All Types		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Lodging Accommodations	Bed and Breakfast Lodging	See Section 9.3.4.1	NP	NP	
	Lodging Accommodations, All Others		NP	NP	
Office	Dental / Medical Office or Clinic		NP	NP	
	Office, All Others		NP	NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only		NP	NP	
	Animal Sales and Services, All Others		NP	NP	
	Food Sales or Market		NP	NP	
	Pawn Shop		NP	NP	
	Retail Sales, Service & Repair -- Outdoor*		NP	NP	
	Retail Sales, Service & Repair - Firearms Sales		NP	NP	
	Retail Sales, Service & Repair, All Others		NP	NP	
	Automobile Emissions Inspection Facility		NP	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Services, Light		NP	NP	
	Automobile Services, Heavy		NP	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*		NP	NP	
	Heavy Vehicle/ Equipment Sales, Rentals & Service*		NP	NP	



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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION					
Communications and Information	Antennas Not Attached to a Tower* •No Parking Requirements	See Section 9.3.4.1	L-ZP	NP	\$ 11.5.2
	Communication Services		NP	NP	
	Telecommunications Towers* •No Parking Requirements		L-ZP/ ZPIN/ ZPSE	NP	\$11.5.2
	Telecommunications Tower - Alternative Structure •No Parking Requirements		L-ZP/L- ZPIN	NP	\$11.5.2
	Telecommunication Facilities -- All Others* •No Parking Requirements		L-ZPIN	NP	\$11.5.2
Industrial Services	Contractors, Special Trade - General		NP	NP	
	Contractors, Special Trade - Heavy/Contractor Yard*		NP	NP	
	Food Preparation and Sales, Commercial		NP	NP	
	Laboratory, Research, Development and Technological Services		NP	NP	
	Service/Repair, Commercial		NP	NP	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom		NP	NP	
	Manufacturing, Fabrication & Assembly -- General		NP	NP	
	Manufacturing, Fabrication & Assembly -- Heavy		NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*		NP	NP	
	Sand or Gravel Quarry*		NP	NP	
	Wind Energy Conversion Systems* •No Parking Requirements		L-ZP	NP	\$11.5.13
Transportation Facilities	Airport*		NP	NP	
	Helipad, Helistop, Heliport*		NP	NP	
	Railroad Facilities*		NP	NP	
	Railway Right-of-Way* •No Parking Requirements		P-ZP	P-ZP	
	Terminal, Station or and Service Facility for Passenger Transit System		NP	NP	
	Terminal, Freight, Air Courier Services		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
Waste Related Services	Automobile Parts Recycling Business	See Section 9.3.4.1	NP	NP	
	Junkyard*		NP	NP	
	Recycling Center		NP	NP	
	Recycling Collection Station		NP	NP	
	Recycling Plant, Scrap Processor		NP	NP	
	Solid Waste Facility		NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*		NP	NP	
	Mini-storage Facility		NP	NP	
	Vehicle Storage, Commercial*		NP	NP	
	Wholesale Trade or Storage, General		NP	NP	
	Wholesale Trade or Storage, Light		NP	NP	
AGRICULTURE PRIMARY USE CLASSIFICATION					
Agriculture	Aquaculture* •Vehicle: 0.5 / 1,000 s.f. GFA •Bicycle: No requirement	See Section 9.3.4.1	L-ZP	NP	\$11.6.1
	Garden, Urban* •Vehicle: 0.5/ 1,000 s.f. GFA •Bicycle: No Requirement		L-ZP	NP	\$11.6.2
	Husbandry, Animal* •Vehicle: 0.5/ 1,000 s.f. GFA •Bicycle: No Requirement		L-ZP	NP	\$11.6.3
	Husbandry, Plant* •Vehicle: 0.5/ 1,000 s.f. GFA •Bicycle: No Requirement		L-ZP	NP	\$11.6.4
	Plant Nursery* •Vehicle: 0.5/ 1,000 s.f. GFA •Bicycle: No Requirement		L-ZP	NP	\$11.6.5

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		OS-A	OS-B	OS-C	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses		NP	NP	
	Accessory Dwelling Unit	See Section 9.3.4.1	NP	NP	
	Domestic Employee		NP	NP	
	Garden*		NP	NP	
	Keeping of Household Animals*		NP	NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	NP	
	Kennel or Exercise Run*		NP	NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	NP	
	Outdoor Storage, Residential*		NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	NP	
	Short-term Rental		NP	NP	
	Vehicle Storage, Repair and Maintenance*		NP	NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses		
	Yard or Garage Sales*		NP	NP	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION					
Home Occupations	Child Care Home, Large	See Section 9.3.4.1	NP	NP	
	All Other Types		NP	NP	
	Unlisted Home Occupations		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE				APPLICABLE USE LIMITATIONS
	•Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	OS-A	OS-B	OS-C	
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 <u>Primary</u> Places of Religious Assembly <u>or Primary Uses Operated by Nonprofit Organizations</u> *		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	
	<u>Retail Food Establishment, Mobile (Food Truck)*</u>	<u>L-ZP</u>	<u>NP</u>	<u>\$11.7; §11.10.20</u>	

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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
TEMPORARY USE CLASSIFICATION					
Temporary Uses	Unlisted Temporary Uses	See Section 9.3.4.1	L-ZP	L-ZP	\$11.11.1
	Ambulance Service - Temporary		NP Not Ap- plicable - See Per- mitted Primary Uses	NP	
	Amusement / Entertainment - Tempo- rary*		L-ZP	NP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*		L-ZP	NP	\$11.11.4
	Building or yard for construction materi- als*		L-ZP	NP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	NP	\$11.11.6
	Fence for Demolition or Construction Work		L-ZP	NP	\$11.11.7
	Health Care Center		NP	NP	
	Noncommercial Concrete Batching Plant*		L-ZP	NP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	NP	
	Outdoor Retail Sales*		NP	NP	
	Outdoor Sales, Seasonal*		L-ZP	NP	\$11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	NP	\$11.11.13
	Retail Food Establishment, Mobile ( <u>Food Truck</u> )*		<u>L</u> /L-ZP	NP	\$11.11.14
	Temporary Construction Office		L-ZP	NP	\$11.11.15
	Temporary Office - Real Estate Sales		NP	NP	
	Temporary Managed Community*		NP	NP	
	Tent for Religious Services		L-ZP	NP	\$11.11.18

## DIVISION 9.4 OVERLAY ZONE DISTRICTS

### SECTION 9.4.1 GENERAL INTENT

Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable zone district standards with additional use or design limits, allowances, and prohibitions.

### SECTION 9.4.2 OVERLAY ZONE DISTRICTS ESTABLISHED

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

OVERLAY ZONE DISTRICTS	
CO-	Conservation Overlay District
UO-	Use Overlay District
DO-	Design Overlay District

#### 9.4.2.1 Process to Establish Overlay Zone Districts - Text Amendment & Rezoning Required

Creation of an overlay zone district shall be by text amendment according to Section 12.4.11, Text Amendment, to codify the standards established within the overlay, and by an official map amendment (rezoning) according to Section 12.4.10. With the Manager's approval, the map amendment may be filed and reviewed concurrent with the text amendment according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

#### 9.4.2.2 Effect of Underlying Zone District Designation

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable overlay zone district; provided, however, except in an approved use overlay zone district (-UO), an overlay zone district shall not be used to add to the specific permitted uses in the underlying district, nor shall it be used to prohibit specific permitted uses in the underlying district.

#### 9.4.2.3 Effect of Overlay Zone District Designation

All zoning applications within a specific overlay zone district shall comply with the applicable provisions of that overlay zone district, and the underlying zone district, and shall be reviewed under this Code to assure such compliance. Where the provisions of the overlay zone district are different from (e.g., in the case of an overlay use district), or more restrictive than (e.g., in the case of a neighborhood conservation overlay zone district) the provisions of the underlying zoning designation, the provisions of the overlay zone district shall apply. A change in the underlying zone district does not change the content or applicability of the overlay zone provisions.

### SECTION 9.4.3 CONSERVATION OVERLAY DISTRICT (CO-)

#### 9.4.3.1 Purpose

The Conservation Overlay District is intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of specific areas within Denver possessing distinct-

tive features, identity, or character worthy of retention and enhancement. A Conservation Overlay District takes effect through adoption of area specific standards that will facilitate maintenance and protection of the area's existing character and the development of vacant or under used lots. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of this Code for use during review of development within the overlay zone district.

#### **9.4.3.2 Minimum Requirements for Establishment**

In addition to the minimum criteria for official map amendment applications specified in Article 12, Section 12.4.10, an application for a rezoning to apply a Conservation Overlay District shall comply with the following provisions:

##### **A. Multiple Conservation Overlays Prohibited**

A property may only be located within one Conservation Overlay District.

##### **B. Application Requirements**

An application to rezone to a Conservation Overlay District shall include, in addition to other rezoning submittal requirements, the following information:

1. A statement of purpose and an explanation of how the zone district criteria stated in this Section are met.
2. An ordinance and map indicating the boundaries of all lots in the proposed Conservation Overlay District and the underlying zone districts contained within the proposed overlay zone district.
3. A Conservation Overlay District map and such other textual and graphic material as may be necessary to indicate and govern building forms and features, site development requirements, circulation, off-street parking and modifications to underlying zone district development and design standards.

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

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

1. The district contains distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material; and/or
2. The district contains distinctive site planning and natural features, such as lot platting, building lot coverage, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens.

#### **9.4.3.3 Modification of Underlying Zone District Standards**

##### **A. Modification of Permitted Uses Not Allowed**

Uses permitted in the underlying zone district shall not be modified in any way.

##### **B. Modification of Standards Allowed**

A Conservation Overlay District may allow for the modification of any of the following standards within this Code to enhance the area's identity and character consistent with the plan criteria stated above in Sec. 9.4.3.2:

###### **1. Use Limitations**

Use limitations otherwise applicable to permitted uses in the underlying zone district may be modified.

###### **2. Building Form Standards**

- a. Building form standards otherwise applicable to new development in the underlying zone district may be modified.



- b. A Conservation Overlay District may add new restrictions on building form and building or site design, including but not limited to restrictions on building materials and architectural style.

### 3. All Other Design Standards

All other development and design standards applicable to new development in the underlying zone district may be modified.

#### 9.4.3.4 Conservation Overlay Districts Established

The following conservation overlay zone districts are established:

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2
Scottish Village Conservation Overlay District	CO-3
Potter Highlands Conservation Overlay District	CO-4
Krisana Park Conservation Overlay District	CO-5
Bungalow Conservation Overlay District	CO-6
Sunnyside Conservation Overlay District	CO-7
Sunnyside Conservation and Brick Overlay District	CO-8

#### 9.4.3.5 Effect of Approval

##### A. Zoning Map Designator

Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying zone district designation.

##### B. Limitation on Permit Issuance

No zoning permit for development or for a use within a Conservation Overlay District shall be issued by Community Planning and Development unless the development or use meets the standards set forth in the adopted Conservation Overlay District.

#### 9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)

##### A. Creation

There is hereby created a conservation overlay zone district designated as Hilltop Heritage Conservation Overlay District CO-1.

##### B. Limitation on the Establishment of Zone Lots in the Overlay District

Any zone lots in this overlay zone district that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at any street (Side Street or Primary Street) setback line for structures and are not less than 9,300 square feet in lot size.

##### C. Exceptions Inapplicable

The exceptions from zone lot width and area requirements for zone lots in Section 1.2.3.3, Flag Zone Lots, shall not apply in this overlay zone district, provided however, zone lots containing at least 27,900 square feet existing on March 7, 2000, may be amended into zone lots in compliance with the zone lot width reduction for flag lots contained in Section 1.2.3.3, Flag Zone Lots, if the resultant zone lots contain at least 9,300 square feet.

#### 9.4.3.7 Curtis Park Conservation Overlay District (CO-2)

##### A. Creation

There is hereby created a Conservation Overlay District designated as the Curtis Park Conservation Overlay District.

**B. Intent**

Accommodate detached accessory structures in a manner that respects the character of the Curtis Park neighborhood.

**C. Applicability**

This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH zone district.

**D. Building Form Standards for Zone Lots with a Historic Structure**

For any zone lot occupied by a Historic Structure, as defined in Article 13, Rule of Measurements and Definitions, development of a detached accessory structure is allowed subject to the following allowances and conditions:

1. The structure may comply with the U-RH-2.5 Detached Garage building form standards and exceed the maximum ; and
2. The structure may comply with the U-RH-2.5 Detached Accessory Dwelling Unit building form standards and:
  - a. May exceed the maximum ,
  - b. Shall be exempt from the bulk plane, and
  - c. May exceed the maximum height in stories not to exceed two stories.
3. The structure shall be located in the rear one-half of the zone lot; and
4. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

**E. Building Form Standards for Zone Lots without a Historic Structure**

For zone lots not occupied by a Historic Structure, development of a detached accessory structure is allowed using the U-RH-2.5 Detached Accessory Dwelling Unit building form, subject to the following allowances and conditions:

1. The structure shall be exempt from the bulk plane,
2. The structure may exceed the maximum height in stories not to exceed two stories,
3. The structure shall be located in the rear one-half of the zone lot, and
4. The design and location of the structure shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

**9.4.3.8 Scottish Village Conservation Overlay (CO-3)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Scottish Village Conservation Overlay (CO-3).

**B. Intent**

To allow setback, , and lot depth building form standards that are consistent with the character of the Scottish Village.

**C. Applicability**

This Scottish Village Conservation Overlay shall apply only to those areas designated as CO-3 on the Official Zone Map.

**D. Primary Building Form Standards Applicable to Urban House, Duplex and Tandem House Building Forms Only**

**1. Side Interior Setback**

The minimum side interior setback shall be 3 feet.

**2. Building Coverage**

- a. Building coverage maximum per zone lot shall be 60%.
- b. An exemption from the maximum shall not be given for a portion of the zone lot area occupied by a Detached Accessory Dwelling Unit or a Detached Garage form.

**3. Shallow Lot Standards**

**a. Applicability**

- i. Zone lots established prior to July 10, 2015 where at least one side interior or side street zone lot line is 90 feet or less deep, measured from the intersection of the primary street zone lot line and a side interior or side street zone lot line to the intersection of a zone lot line opposite the primary street.

**b. Standards**

- i. Rooftop ~~and/or~~ Second Story Decks are allowed in 100% of zone lot depth.
- ii. The following underlying zone district primary building form height standards applicable in the front 65% of zone lot depth shall apply to 100% of zone lot depth:
  - a) Height in stories;
  - b) Height in feet;
  - c) Allowable height increase; and
  - d) Bulk plane vertical height at side interior and side street zone lot line.

**E. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only**

**1. Side Interior Setback**

- a. The minimum side interior setback shall be 0 feet.
- b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

#### 9.4.3.9 Potter Highlands Conservation Overlay (CO-4)

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Potter Highlands Conservation Overlay District.

**B. Intent**

To apply additional building form standards that are consistent with the established character of the Potter Highlands Historic District.

**C. Applicability**

This Potter Highlands Conservation Overlay shall apply only to those areas designated as CO-4 on the Official Zone Map.

**D. Primary Building Form Standards Applicable to Urban House, Duplex, and Tandem House Building Forms**

**1. Side Interior Setbacks**

- a. For zone lots greater than 30 feet and up to 40 feet in width, the minimum side interior setback shall be 5 feet.

**2. Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines**

- a. For zone lots 30 feet or less in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 15 feet.
- b. For zone lots greater than 30 feet in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 13 feet.

**3. Rooftop ~~and/or~~ Second Story Decks**

Rooftop ~~and/or~~ Second Story Decks located on or above the roof of any story other than the Street Level Story are prohibited.

**4. Low-Slope Roof Height Limit and Bulk Plane Exception**

- a. In the front 65% of zone lot depth:
  - i. A portion of a building with a Low-Slope Roof shall have a maximum height of 25 feet.
  - ii. Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.
- b. In the rear 35% of zone lot depth:
  - i. A portion of a building with a Low-Slope Roof shall have a maximum height of 14 feet.
  - ii. Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.

**5. Bulk Plane Exception for Dormers in the Front 65% of Zone Lot Depth**

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of the Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

**E. Primary Building Form Standards Applicable to Structures Containing Two Unit Dwelling Uses**

**1. Applicability**

- a. Two Unit Dwelling uses legally established and Continuously Maintained prior to July 10, 2015 shall be considered conforming uses and shall not be subject to the zone lot standards in this subsection 9.4.3.9.E. A structure containing such a Two

Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards of the underlying zone district, provided:

- i. The zone lot shall not be reduced, expanded, or enlarged, and
  - ii. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- b. Two Unit Dwelling uses established after July 10, 2015 shall be subject to the standards in this subsection 9.4.3.9.E.

**2. Zone Lot Standards**

- a. **Zone Lot ~~Size~~Area**  
The minimum zone lot ~~size~~area shall be 5,500 square feet.
- b. **Zone Lot Width**  
The minimum zone lot width shall be 50 feet.

**F. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only**

**1. Applicability**

The following standards shall replace the side interior setback standards found in the accessory building form tables in the underlying Zone District.

**2. Side Interior Setbacks**

- a. The minimum side interior setback shall be 0 (zero) feet.
- b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

**9.4.3.10 Krisana Park Conservation Overlay (CO-5)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Krisana Park Conservation Overlay District.

**B. Intent**

The intent of the Krisana Park Conservation Overlay District is to apply additional building form standards that are consistent with the established character of the Krisana Park neighborhood, while allowing some flexibility consistent with the overall character. The established character of the neighborhood includes single-story or split-level single family houses with low-pitched roof-line profiles and a strong horizontal emphasis, without rooftop decks. Additions are intended to be compatible in scale and proportion with original buildings.



**C. Applicability**

This Krisana Park Conservation Overlay District shall apply only to those areas designated as CO-5 on the Official Zone Map.

**D. Rule of Measurement for Two Base Planes**

**1. Front Base Plane**

The Front Base Plane shall be the base for measuring height in the front 50% of the Zone Lot Depth.

**2. Rear Base Plane**

The Rear Base Plane shall be the base for measuring height in the rear 50% of the Zone Lot Depth.

**E. Primary Building Form Standards Applicable to Suburban House Building Form**

**1. Height in Stories**

The maximum height in stories shall be 1.5 stories.

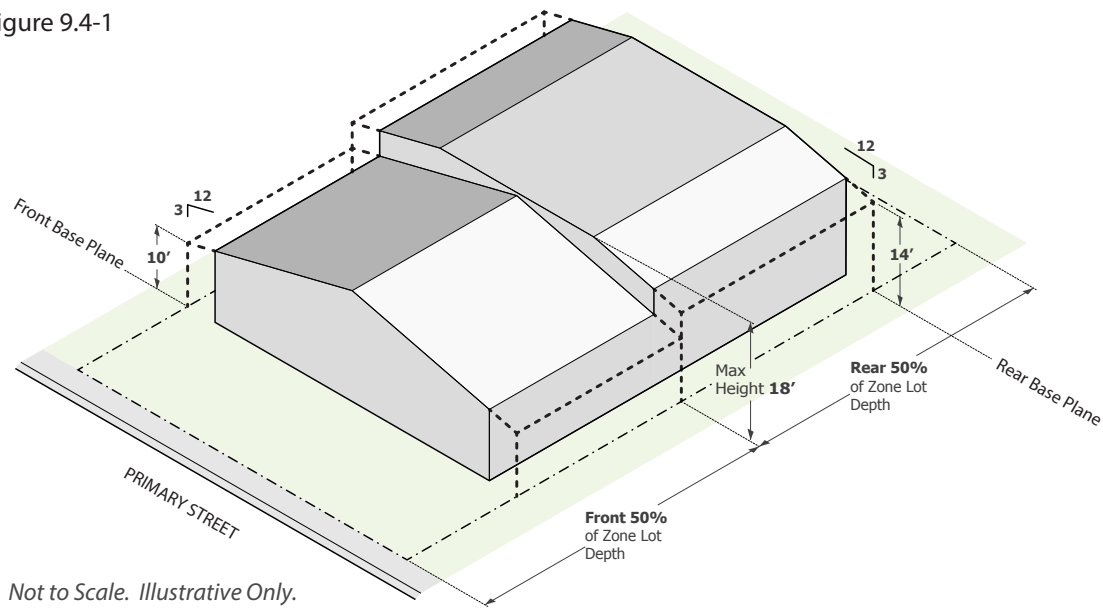
**2. Height in Feet**

- a. The maximum height in feet shall be 18 feet. (See Figure 9.4-1)
- b. There shall be no permitted height increase for lot width over 50'.

**3. Bulk Plane**

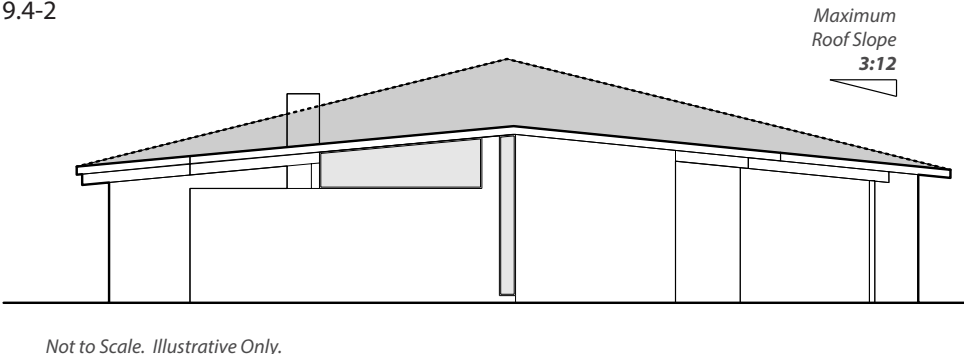
- a. In the front 50% of the zone lot depth:
  - i. The Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines shall be 10 feet.
  - ii. The Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines shall be 14 degrees 2 minutes 10 seconds (a pitch of 3:12, or three feet additional vertical rise for each twelve additional feet of horizontal run). (See Figure 9.4-1)
- b. In the rear 50% of the zone lot depth:
  - i. The Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines shall be 14 feet.
  - ii. The Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines shall be 14 degrees 2 minutes 10 seconds (a pitch of 3:12, or three feet additional vertical rise for each twelve additional feet of horizontal run). (See Figure 9.4-1)

Figure 9.4-1



- 4. Roof Pitch**  
No Roof shall have a sloping plane greater than 3:12. (See Figure 9.4-2)

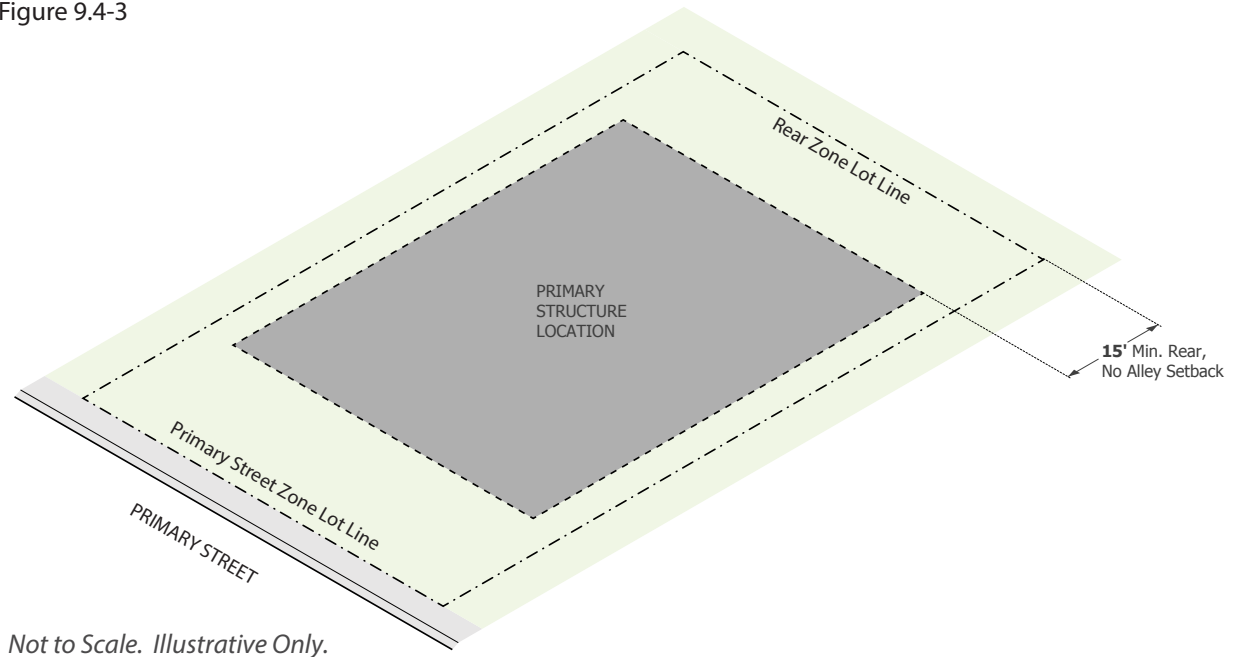
Figure 9.4-2



- 5. Setback, Rear, No Alley**  
The minimum Setback, Rear, no alley, shall be 15 feet. (See Figure 9.4-3)



Figure 9.4-3



#### 6. Rooftop **and/or** Second Story Decks

Rooftop **and/or** Second Story Decks are prohibited on the entirety of the zone lot.

#### 9.4.3.11 Bungalow Conservation Overlay (CO-6)

##### A. Creation

There is hereby created a Conservation Overlay District designated as the Bungalow Conservation Overlay District (CO-6).

##### B. Intent

To promote conservation of the mass, scale and other design characteristics of low-scale residential neighborhoods comprised primarily of one and two story 'bungalow' structures within single unit (SU) or two unit (TU) Underlying Zone Districts in the Urban Edge and Urban Neighborhood contexts, including:

- a. To encourage development that is compatible in scale and mass, has raised foundations and incorporates compatible roof forms through the application of Building Height Standards and other Supplemental Design Standards.
- b. To encourage spacing between buildings that reflect the existing pattern of generous and offset (larger to the south and more narrow to the north on east-west oriented Zone Lots) setbacks through the application of Siting Form Standards.
- c. To ensure Low-Slope Roof forms are compatible with existing context, the rhythm of Unenclosed Porches along the street is maintained, that a required Unenclosed Porch along the Primary Street provides a scale transition from the primary building mass to the street, and privacy issues related to upper story outdoor spaces are mitigated through application of Design Element Standards and Supplemental Design Standards.

##### C. Applicability

This Bungalow Conservation Overlay shall apply only to those areas designated as CO-6 on the Official Zone Map.

#### D. Primary Building Form Standards Applicable to All Allowed Building Forms

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the following table.

HEIGHT		CO-6 Overlay District			
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below					
Stories, front 65% / rear 35% of Zone Lot depth (max)		2/1			
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)		28'/17'			
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)		22'/17'			
Feet, front 65% of Zone Lot depth, permitted height increase		Not Permitted			
Feet, rear 35% of Zone Lot depth, permitted height increase		Not Permitted			
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth		14'/10'			
SITING		CO-6 Overlay District			
See Underlying Zone District for Additional Applicable Siting Standards Not Listed Below					
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH	30' or Less	Greater than 30' and up to 45'	Greater than 45' and up to 75'	75' or Greater	
Side Interior, south Side Zone Lot Line (min)	3'	7'	10'	10'	
Side Interior, north Side Zone Lot Line (min)	3'	3'	5'	10'	
Side Interior, where no south or north Side Zone Lot Line is present (min)	3'	5'	7.5'	10'	
DESIGN ELEMENTS		CO-6 Overlay District			
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below					
GROSS FLOOR AREA BY ZONE LOT SIZEAREA	Zone Lot Area 7,500 sf or Less		Zone Lot Area greater than 7,500 sf		
Gross Floor Area Located Above the Front Base Plane (max)	3,000 sf		3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf		
BUILDING CONFIGURATION					
Rooftop and/or Second Story Decks		See Section 9.4.3.11.E.1			
Upper Story Stepback, for any portion of building with Low-slope Roof above 15', Primary Street (min)		10'			
ELEVATION OF THE UPPER SURFACE OF THE FLOOR OF THE STREET LEVEL					
Elevation (min/max)		See Section 9.4.3.12.E.2			
STREET LEVEL ACTIVATION					
Pedestrian Access, Primary Street		See Section 9.4.3.11.E.3			
USES		CO-6 Overlay District			
See Underlying Zone District for All Applicable Uses Standards					

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See Underlying Zone District and Sections 9.4.3.11.E and 9.4.3.11.F for Supplemental Design Standards and Design Standard Exceptions.

#### **E. Supplemental Design Standards for the CO-6 Overlay District**

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

##### **1. Rooftop ~~and/or~~ Second Story Decks**

- a. Rooftop ~~and/or~~ Second Story Decks located on or above the roof of any story other than the Street Level story are prohibited.
- b. Rooftop ~~and/or~~ Second Story Decks projecting from the building above the Street Level are prohibited.

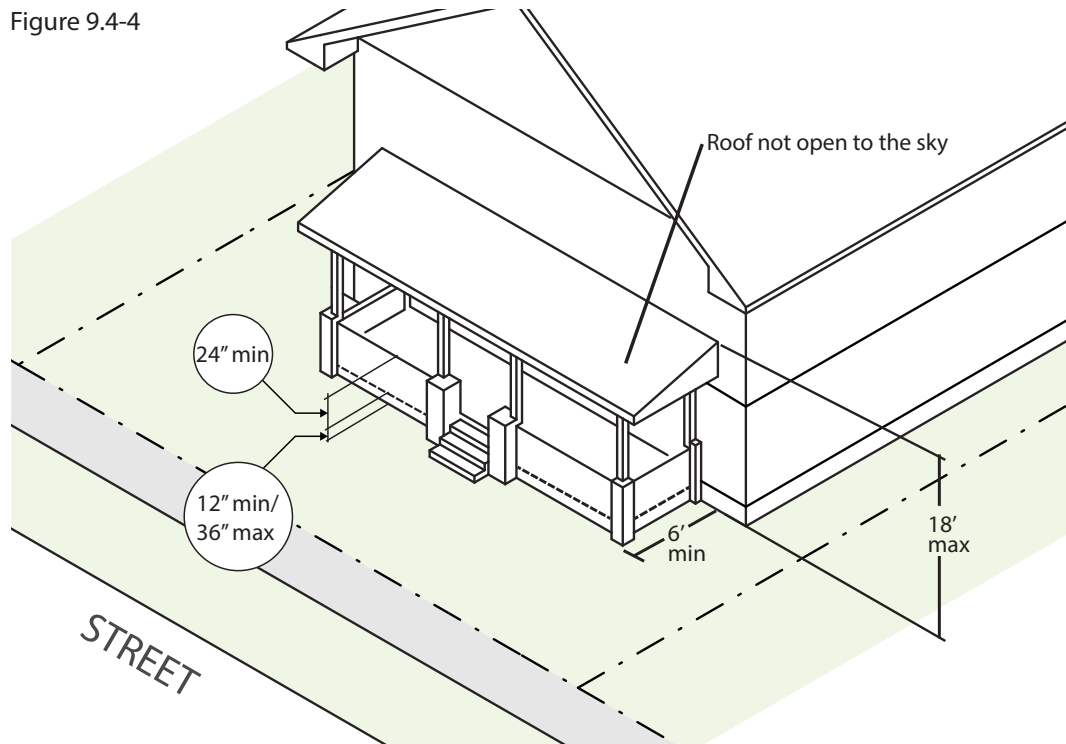
##### **2. Elevation of the Upper Surface of the Floor of the Street Level**

The elevation of the upper surface of the floor of the Street Level in the front 40% of the Zone Lot depth shall be no less than 12 inches and no more than 36 inches above the Front Base Plane elevation, except when a different elevation is required by the Department of Transportation and Infrastructure (DOTI). (See Figure 9.4-4)

##### **3. Pedestrian Access, Primary Street**

- a. An Unenclosed Porch is required.
- b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
  - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade(s) of the Primary Structure;
  - ii. Have an upper walking surface with a minimum area of 120 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to a Unenclosed Porch;
  - iii. Have an upper walking surface a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to a Unenclosed Porch (See Figure 9.4-4);
  - iv. Not be located below a Story;
  - v. Have partial height walls, railings or guards at its perimeter. Such walls, railings or guards shall extend vertically above the upper walking surface of the Unenclosed Porch a minimum of 24 inches except for a portion of the Unenclosed Porch where access is provided. The width of such access shall not exceed 50 percent of the total linear distance of all required partial height walls, railings or guards (See Figure 9.4-4);
  - vi. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-4);
  - vii. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-4); and
  - viii. Not abut more than one Exterior Wall.

Figure 9.4-4



**F. Design Standard Bulk Plane Exceptions for the CO-6 Overlay District for Dormers in the Front 65% of Zone Lot Depth**

**Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth**

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

**1. Setback Exceptions**

The following Setback Exceptions are in addition to exceptions allowed within the Underlying Zone District:

**a. Intent**

~~To provide flexibility in the location of barrier-free access structures providing access to any building.~~

**b. Standard**

~~Barrier-free access structures providing access to a building may encroach any distance into a required Primary Street Setback, Side Street Setback, Side Interior Setback or Rear Setback.~~

**9.4.3.12 Sunnyside Conservation Overlay District (CO-7)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Sunnyside Conservation Overlay District (CO-7).

**B. Intent**

To promote conservation of the mass, scale and other design characteristics of residential neighborhoods within single unit (SU) or two unit (TU) Underlying Zone Districts in the Sunnyside neighborhood, including:

1. To encourage development that is context-sensitive in scale and mass, and incorporates compatible roof forms through the application of Building Height Standards and Design Elements Standards.
2. To ensure a rhythm of Unenclosed Porches along the street is maintained and that a required Unenclosed Porch along the Primary Street provides a scale transition from the primary building mass to the street through the application of Supplemental Design Standards.

**C. Applicability**

This Sunnyside Conservation Overlay District shall apply only to those areas designated as CO-7 on the Official Zone Map.

#### D. Primary Building Form Standards Applicable to All Allowed Building Forms

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the following table.

HEIGHT	CO-7 Overlay District	
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below		
	Urban House and Duplex Building Forms	Tandem House Building Form
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	2.5/1	2.5/2.5
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	2/1	2/2
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	30'/17'	30'/24'
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	22'/17'	22'/22'
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted	
Feet, rear 35% of Zone Lot depth, permitted height increase	Not Permitted	
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth (does not apply to a portion of a building with a Low-Slope Roof)	14'/10'	

DESIGN ELEMENTS	CO-7 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below		
GROSS FLOOR AREA BY ZONE LOT SIZE	Zone Lot Area 7,500 sf or Less	Zone Lot Area greater than 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Urban House Building Form	3,000 sf	3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Duplex and Tandem House Building Forms	NA	NA
STREET LEVEL ACTIVATION		
Pedestrian Access, Primary Street	See Section 9.4.3.12.E.1	

USES	CO-7 Overlay District
See Underlying Zone District for All Applicable Uses Standards	
See Underlying Zone District and Sections 9.4.3.12.E and 9.4.3.12.F for Supplemental Design Standards and Design Standard Exceptions.	

#### E. Supplemental Design Standards for the CO-7 Overlay Zone District

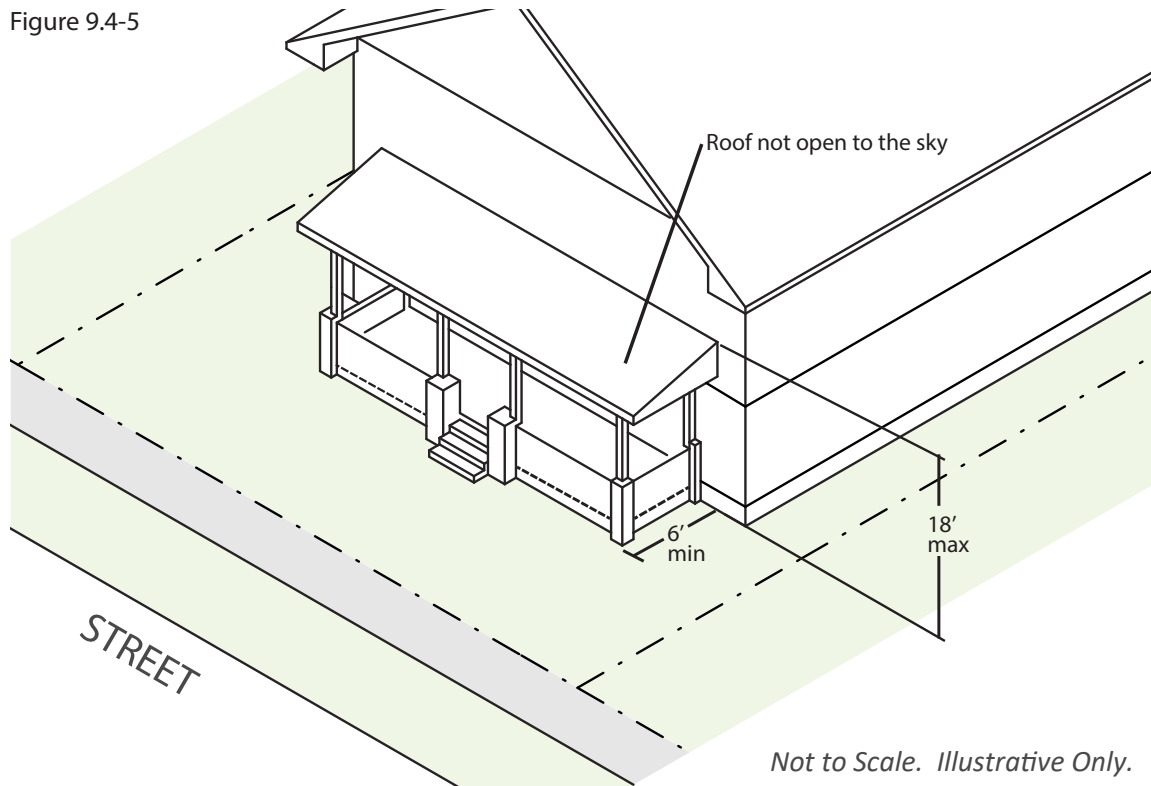
The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

**1. Pedestrian Access, Primary Street**

- a. One Unenclosed Porch is required.
- b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
  - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade of the Primary Structure;
  - ii. Have an upper walking surface with a minimum area of 48 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to an Unenclosed Porch;
  - iii. Have an upper walking surface with a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to an Unenclosed Porch (See Figure 9.4-5);
  - iv. Not be located below a Story;
  - v. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-5);
  - vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-5); and
  - vii. Not abut more than two Exterior Walls.



Figure 9.4-5



**F. Design Standard Exceptions for the CO-7 Overlay Zone District**

- 1. Bulk Plane Exception for Low-Slope Roof**  
Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.
- 2. Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth**  
A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

**9.4.3.13 Sunnyside Conservation and Brick Overlay District (CO-8)**

**A. Creation**

There is hereby created a Conservation Overlay District designated as the Sunnyside Conservation and Brick Overlay District (CO-8).

**B. Intent**

To promote conservation of the mass, scale, and other design characteristics of residential neighborhoods within single unit (SU) or two unit (TU) Underlying Zone Districts in the Sunnyside neighborhood, including:

- To encourage development that is context-sensitive in scale and mass, and incorporates compatible roof forms through the application of Building Height Standards and Design Elements Standards.
- To ensure a rhythm of Unenclosed Porches along the street is maintained and that a required Unenclosed Porch along the Primary Street provides a scale transition from

the primary building mass to the street through the application of Supplemental Design Standards..

3. To promote visual compatibility of new development with the strong pattern of existing residential structures with brick cladding while maintaining flexibility for use of additional materials.
4. To promote brick cladding on exterior walls of a residential structure that are most visible from the public street, while allowing additional flexibility on less publicly visible exterior walls.
5. To promote the use of durable materials that express a human scale.

**C. Applicability**

This Sunnyside Conservation and Brick Overlay District shall apply only to those areas designated as CO-8 on the Official Zone Map.

**D. Primary Building Form Standards Applicable to All Allowed Building Forms**

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the following table.

HEIGHT	CO-8 Overlay District	
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below		
	Urban House and Duplex Building Forms	Tandem House Building Form
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	2.5/1	2.5/2.5
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	2/1	2/2
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	30'/17'	30'/24'
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	22'/17'	22'/22'
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted	
Feet, rear 35% of Zone Lot depth, permitted height increase	Not Permitted	
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth (does not apply to a portion of a building with a Low-Slope Roof)	14'/10'	

DESIGN ELEMENTS	CO-8 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below		
GROSS FLOOR AREA BY ZONE LOT SIZE	Zone Lot Area 7,500 sf or Less	Zone Lot Area greater than 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Urban House Building Form	3,000 sf	3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Duplex and Tandem House Building Forms	NA	NA
STREET LEVEL ACTIVATION		
Pedestrian Access, Primary Street	See Section 9.4.3.13.E.1	

EXTERIOR WALL CLADDING	
Brick cladding for Exterior Walls (min)	See Section 9.4.3.13.E.2
USES	CO-8 Overlay District
See Underlying Zone District for All Applicable Uses Standards	
See Underlying Zone District and Sections 9.4.3.13.E and 9.4.3.13.F for Supplemental Design Standards and Design Standard Exceptions.	

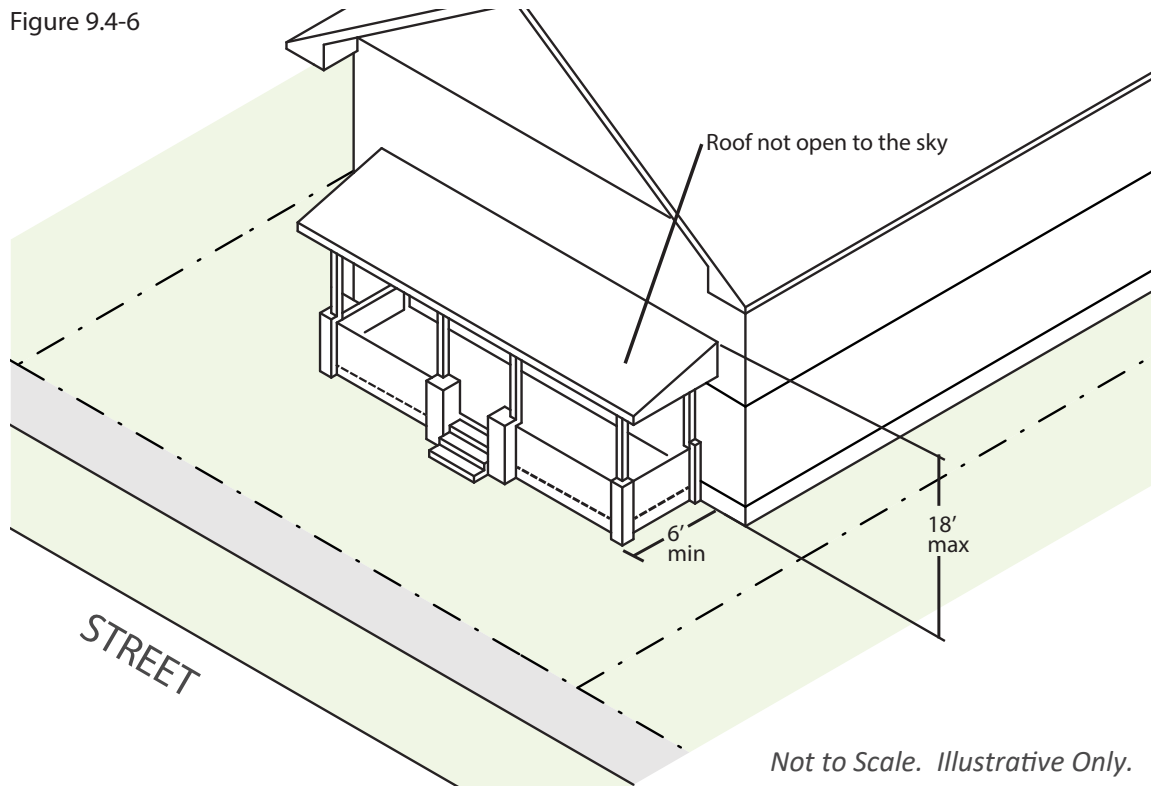
**E. Supplemental Design Standards for the CO-8 Overlay Zone District**

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

**1. Pedestrian Access, Primary Street**

- a. One Unenclosed Porch is required.
- b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
  - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade of the Primary Structure;
  - ii. Have an upper walking surface with a minimum area of 48 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to an Unenclosed Porch;
  - iii. Have an upper walking surface a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to an Unenclosed Porch (See Figure 9.4-6);
  - iv. Not be located below a Story;
  - v. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-6);
  - vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-6); and
  - vii. Not abut more than two Exterior Walls.

Figure 9.4-6



## 2. Exterior Wall Cladding

### a. Applicability

#### i. New Primary Structures

This Section 9.4.3.12.E.2 applies to Development of a new Primary Structure. This section does not apply to an Alteration, expansion, or repair of an existing Primary Structure.

#### ii. Exterior Walls in the Front of a Zone Lot

This Section 9.4.3.12.E.2 applies to Exterior Walls in the front 65% of Zone Lot Depth.

#### iii. Street Level and Above

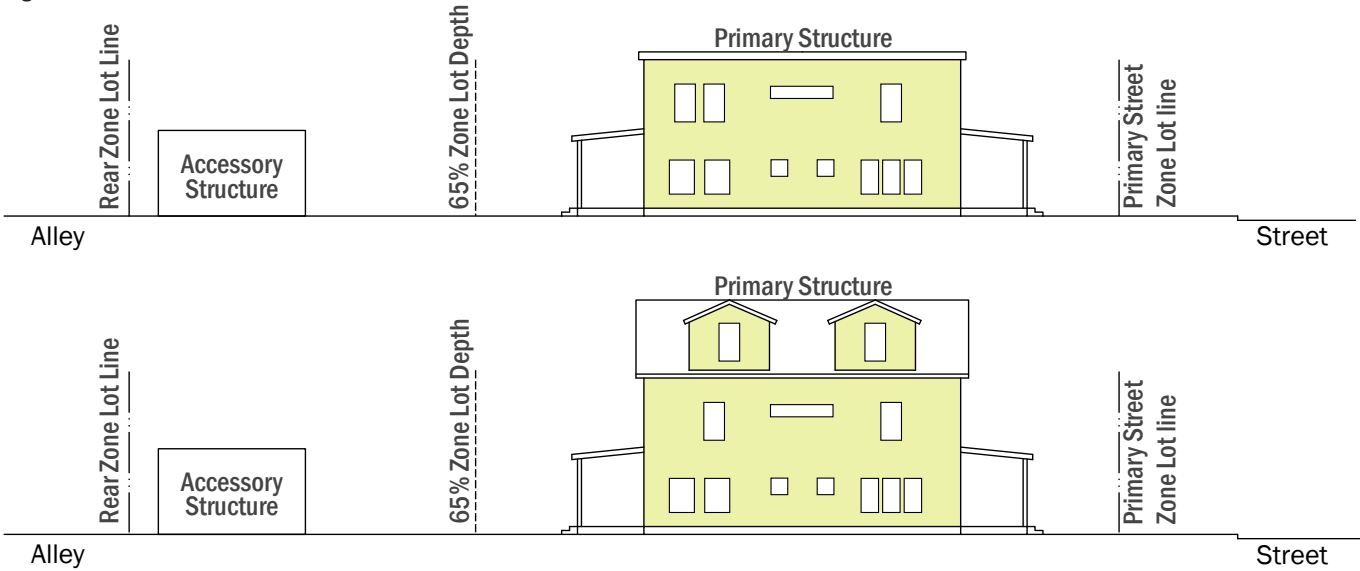
This Section 9.4.3.12.E.2 applies to Exterior Walls above the upper surface of the floor of the Street Level Story.


### b. Design Standard

A minimum percentage of the surface area of Exterior Wall(s), excluding fenestration (windows and doors), shall be clad with ~~with~~ a minimum amount of Brick as indicated below (see Figures 9.4-7 and 9.4-8):

- i. Primary Street Zone Lot Line Facing Exterior Walls: 60%
- ii. Side Street Zone Lot Line Facing Exterior Walls: 60%
- iii. Side Interior Zone Lot Line Facing Exterior Walls: 40%
- iv. Rear Zone Lot Line Facing Exterior Walls: No requirement

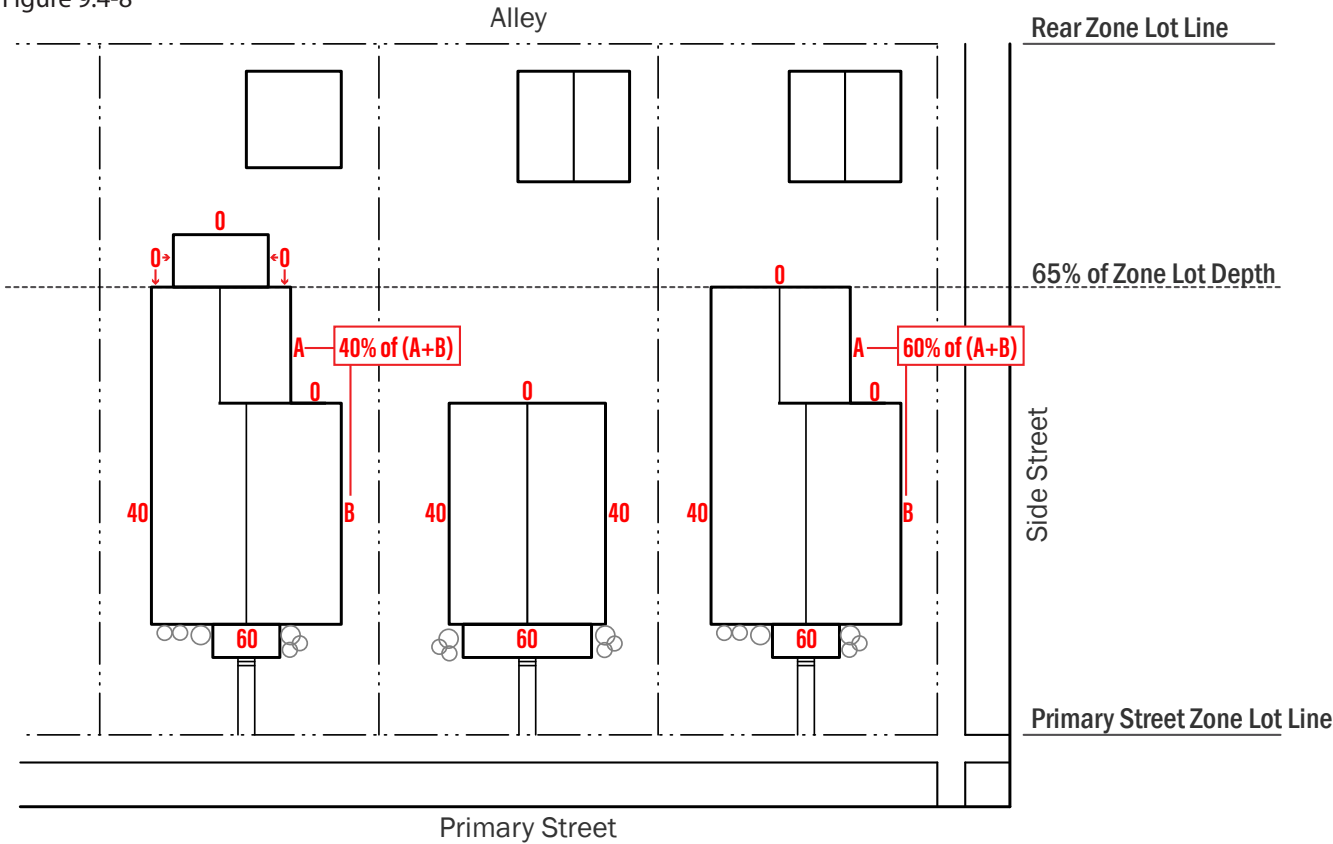
Figure 9.4-7



 Portion of Exterior Wall included in brick requirement calculation

Not to Scale. Illustrative Only.

Figure 9.4-8



## = Minimum Percentage Brick Cladding

Not to Scale. Illustrative Only.

**F. Design Standard Exceptions for the CO-8 Overlay Zone District**

**1. Bulk Plane Exception for Low-Slope Roof**

Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof

**2. Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth**

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

## SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)

### 9.4.4.1 Purpose

Use Overlay districts are a vehicle to permit or prohibit specific land uses in delineated parts of the city that otherwise are included in a variety of underlying zone districts and portions of zone districts. The purpose of the Adult Use and Billboard Use overlay zone districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses and billboard uses as those rights existed before June 25, 2010. Because variation of permitted uses in an underlying zone district is most appropriately the focus of a legislative rezoning or an amendment to the underlying zone district, future application of the use overlay zone districts created herein is strictly limited and the establishment of new use overlay zone districts is prohibited.

### 9.4.4.2 Modification of Underlying Zone District Standards

#### A. Modification of Permitted Uses and Use Limitations Allowed

1. A Use Overlay District may be used to add to the specific permitted uses in the underlying zone district, or prohibit specific permitted uses in the underlying district.
2. Use limitations otherwise applicable to permitted uses in the underlying zone district may be modified.

#### B. Applicable Standards -- Modification Not Allowed

All of the provisions of the underlying zone district shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay zone district.

### 9.4.4.3 Use Overlay Districts Established

The following Use Overlay Districts are established:

USE OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Adult Use Overlay District	UO-1
Billboard Use Overlay District	UO-2
Historic Structure Use Overlay District	UO-3

### 9.4.4.4 Limitation on Applicability of Use Overlay Zone Districts

- A. Except for the three use overlay zone districts expressly established in Section 9.4.4.6, 9.4.4.7, and 9.4.4.8 below, no new use overlay zone districts may be established after June 25, 2010.
- B. As applied on the Official Zoning Map to properties retaining underlying zone district designations pursuant to Former Chapter 59, a use overlay district's standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying zone district pursuant to this Code.
- C. No properties may be rezoned to either the Adult Use Overlay District or to the Billboard Use Overlay District after June 25, 2010.
- D. The Historic Structure Use Overlay District may be applied to properties through a rezoning application approved after June 25, 2010.

### 9.4.4.5 Effect of Approval

#### A. Official Map Designator

Each Use Overlay District shall be shown on the official map by an "UO-" designator and an appropriate number placed after the underlying zone district designation.



**B. Limitation on Permit Issuance**

No zoning permit for development or a use within a Use Overlay District shall be issued by the City unless the development or use meets the standards set forth in this Section, as applicable.

**9.4.4.6 Adult Use Overlay District (UO-1)**

**A. Creation**

There is hereby created a Use Overlay District designated as the Adult Use Overlay District.

**B. Allowance for Adult Business Uses**

Notwithstanding the limitations applicable in the underlying zone district, adult business uses shall be permitted in this overlay zone district. See Section 11.12.4.1.A for the definition of “adult business use.”

**C. Distance and Spacing Requirements**

All Adult Business uses shall comply with the following distance and spacing requirements, shown in the table below. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11.

ADULT BUSINESS OR OTHER RESTRICTED USE	DISTANCE OR SPACING REQUIREMENT
Adult Amusement or Entertainment Adult Bookstore Adult Photo Studio Adult Theater Eating place with adult amusement or entertainment Sexually Oriented Commercial Enterprise	No adult business use listed in this table row shall be established within 500 feet of one or more of the following zone districts or uses (see related definitions in subsection D below): <ul style="list-style-type: none"><li>• All Residential Zone Districts</li><li>• Dwelling Use, Single-Unit</li><li>• Dwelling Use, Multi-Unit</li><li>• Dwelling Use, Two-Unit</li><li>• Religious Assembly</li><li>• Elementary or Secondary School</li><li>• Arts Education Center</li><li>• Learning Center</li><li>• Day Care Center</li><li>• Amusement or Special Interest Park</li><li>• Children's Indoor Play Center</li></ul>
Adult Amusement or Entertainment Adult Bookstore Adult Photo Studio Adult Theater Amusement Center Eating place with adult amusement or entertainment Sexually Oriented Commercial Enterprise	Not more than 2 of the uses listed in this table row shall be established within 1,000 feet of each other

**D. Use Definitions for Purposes of Distance/Spacing Requirements**

For purposes of applying the distance and spacing requirements for adult business uses stated in this Section, the uses listed below shall be defined as follows:

1. “Arts education center” solely for purposes of adult use separation requirements, shall mean a place where instruction is regularly provided to persons less than 18 years of age in the fields of painting, drawing, sculpture, etching, craft work, fine arts, dance, drama, photography, music, martial arts, or other similar fields of art.
2. “Amusement center” shall mean a commercial establishment having four or more amusement devices.

3. “Amusement/special interest park” shall mean a complex with both indoor and outdoor entertainment, eating places/restaurants and/or limited retail uses, open to the public upon payment of a fee or admission charge.
4. “Children’s indoor play center” shall mean a commercial establishment providing active play facilities for children generally under the age of 12 years old. Such facilities shall consist generally of muscle-powered equipment. No pinball, foosball, video or electronic games or similar equipment shall be permitted.
5. “Learning center” shall mean a commercial business that regularly provides on site, specialized or intensive educational services or tutoring to persons less than 18 years of age.

#### E. Parking Requirement

NEIGHBORHOOD CONTEXT	VEHICLE PARKING  Vehicle Parking Requirement: # of spaces per unit of measurement	BICYCLE PARKING  Bicycle Parking Requirement: # of spaces per unit of measurement (% required spaces in indoor facility / % required spaces in fixed facility)
Suburban (S-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Urban Edge (E-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Urban (U-)	2.5 / 1,000 ft <sup>2</sup> GFA MS only: 2 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)
General Urban (G-)	1.875 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)
Urban Center (C-)	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Downtown (D-) D-GT & D-AS only	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Industrial (I-)	2.5 / 1,000 ft <sup>2</sup> GFA	1 / 20,000 ft <sup>2</sup> GFA (20/80)
Campus (CMP-)	1.25 / 1,000 ft <sup>2</sup> GFA	1 / 7,500 ft <sup>2</sup> GFA (20/80)
Master Planned (M-)	1.875 / 1,000 ft <sup>2</sup> GFA	1 / 10,000 ft <sup>2</sup> GFA (20/80)

#### 9.4.4.7 Billboard Use Overlay District (UO-2)

##### A. Creation

There is hereby created a use overlay district designated as the Billboard Use Overlay District.

##### B. Allowance for Billboards

Notwithstanding the limitations applicable in the underlying zone district, “outdoor general advertising device” signs, also known as “billboards”, shall be permitted in this overlay zone district. See Article 13 for the definition of “outdoor general advertising device.”

##### C. Applicable Use Limitations

All outdoor general advertising device uses in this Use Overlay District shall comply with the sign standards and limitations applicable to “outdoor general advertising devices” stated in Division 10, Signs, and Section 10.10.21, Outdoor General Advertising Devices in the Billboard Use Overlay District, including but not limited to minimum separation and distance requirements.

#### 9.4.4.8 Historic Structure Use Overlay District (UO-3)

##### A. Creation

There is hereby created a use overlay district designated as the Historic Structure Use Overlay District.

##### B. Intent

To encourage preservation, protection, adaptive use, and enhancement of Historic Structures, or otherwise to promote the Landmark Preservation purposes as stated in DRMC Sec. 30-1.

**C. Establishment**

The Historic Structure Use Overlay District may only be established in conjunction with an underlying Residential Zone District.

**D. Allowance for Certain Commercial Uses**

Notwithstanding the limitations applicable in the underlying zone district, the following commercial uses shall be permitted in this overlay zone district:

1. Office, not including dental/medical office or clinic
2. Art studio
3. Bed and breakfast lodging

**E. Applicable Use Limitations - Office and Art Studio Uses**

Office (not including dental/medical office or clinic) or art studio uses in this overlay zone district are permitted only in an Historic Structure and subject to compliance with the following conditions:

1. The applicant for establishment of the office or art studio use is the owner of record of the subject structure.
2. The subject structure was legally erected.
3. The subject structure contains a minimum of 5,000 square feet of gross floor area.
4. For any modifications to the structure that require landmark approval, the modification shall have been reviewed and approved by the Landmark Preservation Commission before submittal for zoning approval.
5. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the district in which the structure is located.
6. All uses operated in the structure involved shall comply with this Code's off-street parking and off-street loading requirements for each such use in the MS-2 zone district; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according to the Administrative Adjustment procedures in Section 12.4.5. The parking exemption for Historic Structures in Section 10.4.5.1.C of this Code shall not be applicable to office and art studio uses permitted in an UO-3 overlay zone district.
7. All uses permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x zone district.

**F. Applicable Use Limitations - Bed and Breakfast Lodging**

Bed and breakfast lodging uses in this overlay zone district are permitted only in a Historic Structure, as defined in Article 13, Rules of Measurement and Definitions, and subject to compliance with the following conditions:

1. The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.
2. The subject structure contains no more than 10 guest rooms or suites and that the use of the dining room shall be restricted to use by overnight guests, employees, the owner's family and/or nonpaying guests.
3. Off-street parking shall be provided at a ratio of 1 parking space for each of the following: Each guest room or suite, each nonresident employee and the owner. The Zoning Administrator may reduce this ratio by up to 20 percent of the requirement according to the Administrative Adjustment procedure in Section 12.4.5, Administrative Adjustment. The

parking exemption for Historic Structures in Section 10.4.5.1.C of this Code shall not be applicable to bed and breakfast lodging uses permitted in an UO-3 overlay zone district.

4. No other such lodging is located within 500 feet of the proposed use as measured along the same face block from zone lot line to zone lot line.
5. The structure contains a minimum of 1,000 square feet of gross floor area and no guest room or suite contains less than 100 square feet of floor area.
6. The lodging shall provide breakfast as part of the room price.
7. The interior and exterior of the structure shall be maintained in a manner that reflects the original architectural character of the building, and the property shall be landscaped in a manner that protects the appearance and value of surrounding properties and neighborhoods and improves environmental conditions, thereby promoting the general welfare. The landscaping shall be Continuously Maintained which includes necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material. Replacement shall occur in the next planting season; but, in any event, replacement time shall not exceed one year.
8. The sign regulations of Division 10.10, Signs, shall apply; provided, however, the maximum sign area permitted on any one street front shall not exceed 10 square feet. The maximum height of any ground sign shall be 4 feet.
9. Related retail sales may be conducted within the structure; however, the floor area allocated to this retail use shall not exceed 10 percent of the gross floor area of the structure. Access to this retail area shall be limited to use by overnight guests only.
10. No social activities, such as weddings, receptions, private parties or similar events, will be permitted unless at least 90 percent of the participants are overnight guests.

## **SECTION 9.4.5 DESIGN OVERLAY DISTRICTS (DO-)**

### **9.4.5.1 General Purpose**

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

- A. To implement land use and urban design recommendations and standards set forth in neighborhood or small area plans, which plans have been adopted as part of the Comprehensive Plan;
- B. To reinforce the desired character for newly developing or redeveloping areas.
- C. To provide uniformity in the design standards applicable to streets or to river corridors having varied underlying zoning;
- D. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses;
- E. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics; and
- F. To implement design standards in a geographically specific area or multiple areas or districts with similar conditions and objectives throughout the city.

### **9.4.5.2 Applicable Standards and Modifications Allowed**

#### **A. Applicable Standards - In General**

A design overlay zone district includes standards that modify otherwise applicable standards in the underlying zone district. Modifications include but are not limited to reducing or increasing a quantitative zoning standard, such as building height or setback standards, and may

include new zoning standards not otherwise applicable in the underlying zone district, but not including new limitations on a permitted use. Any changes or modifications to the standards in a design overlay zone district are considered zoning text amendments subject to the review procedures stated in Section 12.4.11, Text Amendments.

#### **B. Modification of Underlying Zone District Standards**

##### **1. Modification of Permitted Uses and Use Limitations Not Allowed**

A Design Overlay District shall not be used to add to the specific permitted uses in the underlying zone district, nor shall it be used to prohibit specific permitted uses in the underlying district, nor shall it be used to add, revise, or delete use limitations applicable to specific permitted uses in the underlying zone district.

##### **2. All Other Applicable Standards -- Modification Allowed**

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable design overlay zone district, in which case the standard in the design overlay zone district shall apply.

#### **9.4.5.3 Design Overlay Districts Established**

The following Design Overlay Districts are established:

DESIGN OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Uptown Design Overlay District	DO-1
Washington Street Design Overlay District	DO-2
Lafayette Street Design Overlay District	DO-3
Side Interior Setback Design Overlay District	DO-4
South Sloan's Lake Design Overlay District	DO-5
Peña Station Next Design Overlay District	DO-6
River North Design Overlay District	DO-7
Active Centers and Corridors Design Overlay District	DO-8
Cherry Creek East Mixed Use Design Overlay District	DO-9
Cherry Creek East Residential Design Overlay District	DO-10

#### **9.4.5.4 Effect of Approval**

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

Each Design Overlay District shall be shown on the official map by an "DO-" designator and an appropriate number placed after the underlying zone district designation.

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

No zoning permit for development or a use within an Design Overlay District shall be issued by the City unless the development or use meets the standards set forth in this Section, as applicable, and the applicable approved Rules and Regulations.

#### **9.4.5.5 Uptown Design Overlay District (DO-1)**

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

1. There is hereby created an design overlay district designated as the Uptown Design Overlay District.
2. As applied on the Official Zoning Map to properties retaining underlying zone district designations pursuant to Former Chapter 59, DO-1 Uptown Design Overlay District's standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying zone district pursuant to this Code.

## **B. Lower Floor Building Design**

All new structures and all structures renovated where (1) the renovation is valued at more than 50 percent of the replacement cost of the existing building excluding land costs, and (2) the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials, shall be subject to the design standards set forth below; provided, however, that if property is a designated Historic Structure, or is a contributing structure in a designated historic district, such property shall not be subject to the design standards and design review procedures set forth below.

### **1. Lower Floor Design Standards**

All new structures and all renovated structures, where the renovation meets the requirements set forth in this Section 9.4.5.5.B, shall be subject to rules and regulations establishing design standards applicable to the lower eighty (80) feet of the building, unless the applicant elects to participate in the design review process set forth in Section 9.4.5.5.B.2 below. Rules and regulations establishing design standards shall be prepared by Community Planning and Development and adopted by the Planning Board. The design standards are intended to promote consistent, continuous and active street frontages, to reflect Denver's history of primarily solid and masonry building material, and shall address the following:

- a. The percentage of the building that must be built within a short distance of property lines along public streets and sidewalks;
- b. Building and building entry orientation;
- c. Appearance of parking garages;
- d. The percentage of glass to solid materials;
- e. The required use of scaling elements, insets, and projections to break up flat or monotonous facades, to emphasize entries, and to respond to older buildings nearby;
- f. Building and glazing materials;
- g. Location and appearance of access ramps for 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
  - b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines
  - c. Flush mounted solar panels may encroach any distance into the upper story setback.
3. There shall be an upper story building setback that shall prevent any portion of a building on lots 2 and 3, 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 30 feet to the southern lot lines
  - b. Unwalled balconies in the upper story building setback may extend no closer than 40 feet to the southern lot lines.
  - c. Flush mounted solar panels may encroach any distance into the upper story setback.
4. There shall be an upper story building setback that shall prevent any portion of a building on the southern 25 feet of the eastern 55 feet of lot 37, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high.
  - a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines
  - b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines.
  - c. Flush mounted solar panels may encroach any distance into the upper story setback.

**9.4.5.8 Side Interior Setback Design Overlay (DO-4)**

**A. Creation**

There is hereby created a Design Overlay District designated as the Side Interior Setback Design Overlay (DO-4).



**B. Intent**

To require side interior setbacks that are consistent with the established character of neighborhoods containing structures with narrow side interior setbacks.

**C. Applicability**

This Overlay applies only to those areas designated as DO-4 on the Official Zone Map.

**D. Primary Building Form Standards Applicable to Urban House, Duplex and Tandem House Building Forms**

**1. Side Interior Setbacks**

- a. For zone lots greater than 30 feet and up to 40 feet in width, the minimum side interior setback shall be 3 feet.

**E. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only**

**1. Side Interior Setbacks**

- a. The minimum side interior setback shall be 0 feet.
- b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

**9.4.5.9 South Sloan's Lake Design Overlay (DO-5)**

**A. Creation**

There is hereby created a Design Overlay District designated as the South Sloan's Lake Design Overlay District (DO-5). This applies only to those areas that are mapped DO-5.

**B. Intent**

To apply additional building height limitations that create a transition down in height from new higher-intensity development to surrounding lower-intensity residential neighborhoods and uses, and Sloan's Lake Park.

**C. Primary Buildings - Maximum Height**

**1. Stuart Street - West 17th Avenue to West 16th Avenue**

**a. Applicability**

This Section 9.4.5.9.C.1's standards shall apply on the east side of Stuart Street, only for that portion of Stuart Street between West 17th Avenue and West 16th Avenue.

**b. Maximum Primary Building Height**

The maximum height of primary structures located within 80 feet of the Stuart Street zone lot line shall be 3 stories and 45 feet. (See Figure 9.4-9)

**c. Height Exceptions**

The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a "C-MX-3 zone district" and "All C-zone districts", shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:

- i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 3 stories and 45 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Stuart Street. Such projection shall be measured perpendicular to the zone lot line abutting Stuart Street. (See Figure 9.4-14)
- ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.

Figure 9.4-9

Not to Scale. Illustrative Only.



## 2. Stuart Street- West 16th Avenue to West Conejos Place

### a. Applicability

This Section 9.4.5.9.C.2's standards shall apply on the east side of Stuart Street, only for that portion of Stuart Street between West 16th Avenue and West Conejos Place.

### b. Maximum Primary Building Height

The maximum height of primary structures located within 80 feet of the Stuart Street zone lot line shall be 4 stories and 60 feet. (See Figure 9.4-10)

Figure 9.4-10

Not to Scale. Illustrative Only.



**c. Height Exceptions**

The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a “C-MX-3 zone district” and “All C-zone districts”, shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:

- i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 4 stories and 60 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Stuart Street. Such projection shall be measured perpendicular to the zone lot line abutting Stuart Street. (See Figure 9.4-14)
- ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.

**3. West 17th Avenue**

**a. Applicability**

This Section 9.4.5.9.C.3’s standards shall apply on the south side of West 17th Avenue between Stuart Street and Quitman Street, except that area subject to the standards in Section 9.4.5.9.C.1. above.

**b. Maximum Primary Building Height**

The maximum height of primary structures located within 43 feet of the West 17th Avenue zone lot line shall be 5 stories and 70 feet. (See Figure 9.4-11)

Figure 9.4-11



**c. Height Exceptions**

The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a “C-MX-5 zone district” and “All C-zone districts”, shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:

- i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 5 stories and 70 feet, they shall be located a minimum of 35 feet from the zone lot line abutting West 17th Avenue. Such projection shall be measured perpendicular to the zone lot line abutting 17th Avenue. (See Figure 9.4-14)

- ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.

#### 4. Quitman Street

a. **Applicability**

This Section 9.4.5.9.C.4's standards shall apply on the west side of Quitman Street between West 17th Avenue and West Conejos Place.

b. **Maximum Primary Building Height**

The maximum height of primary structures located within 60 feet of the Quitman Street zone lot line shall be 5 stories and 70 feet. (See Figure 9.4-12)

Figure 9.4-12



c. **Height Exceptions**

The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a “C-MX-5 zone district” and “All C-zone districts”, shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:

- i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 5 stories and 70 feet, they shall be located a minimum of 52 feet from the zone lot line abutting Quitman Street. Such projection shall be measured perpendicular to the zone lot line abutting Quitman Street. (See Figure 9.4-14)
- ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable base zone district.



## 5. Perry Street

### a. Applicability

This Section 9.4.5.9.C.5's standards shall apply on the west side of Perry Street between West 17th Avenue and West Conejos Place.

### b. Maximum Primary Building Height

The maximum height of primary structures located within 80 feet of the Perry Street zone lot line shall be 3 stories and 45 feet. (See Figure 9.4-13)

Figure 9.4-13

*Not to Scale. Illustrative Only.*

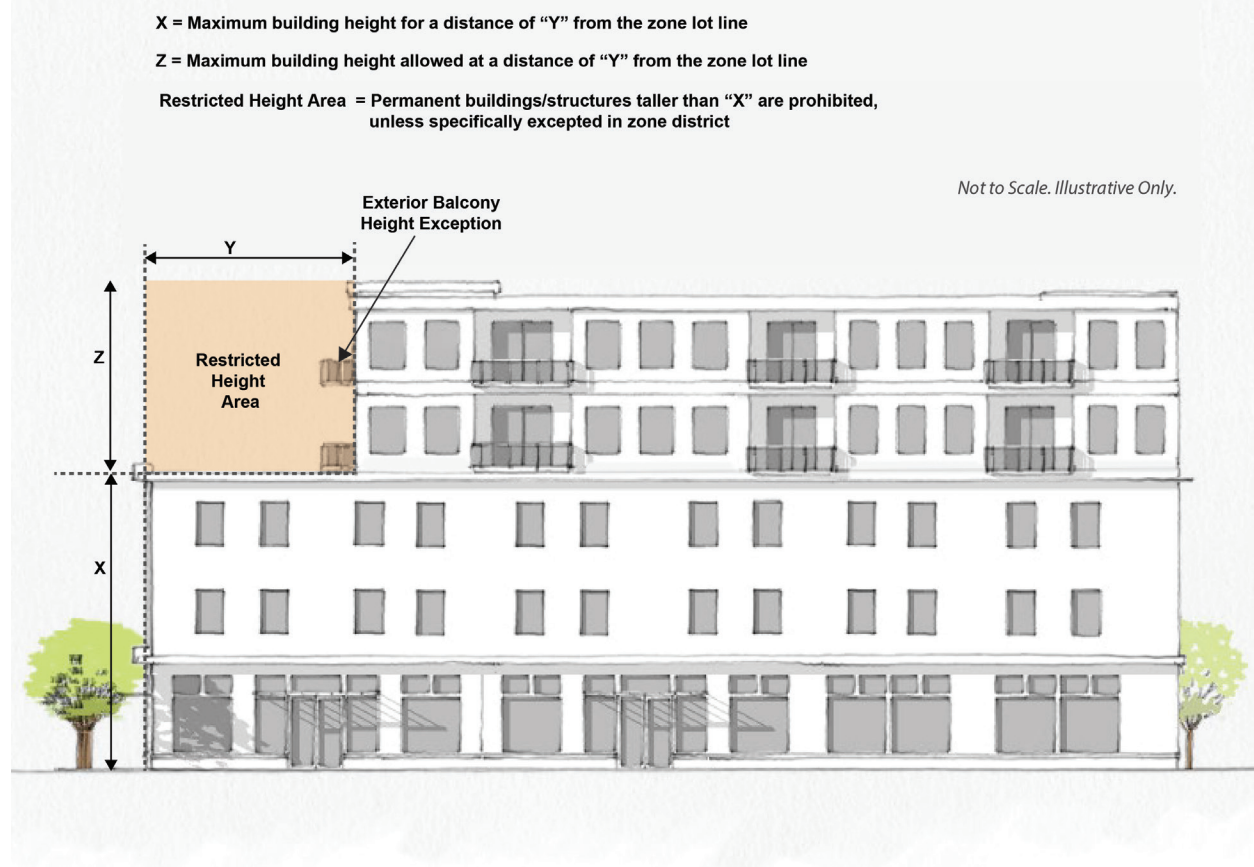


### c. Height Exceptions

The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a "C-MX-3 zone district" and "All C-zone districts", shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:

- i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 3 stories and 45 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Perry Street. Such projection shall be measured perpendicular to the zone lot line abutting Perry Street. (See Figure 9.4-14)
- ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.

Figure 9.4-14



#### 9.4.5.10 Peña Station Next Design Overlay District (DO-6)

##### A. Creation

There is hereby created a design overlay district designated as the Peña Station Next Design Overlay District (DO-6).

##### B. Intent

The intent of this Section 9.4.5.10 is to:

1. Allow flexibility in the size, type, location and attributes of signs and Special Lighting Elements in order to showcase ever-evolving, cutting-edge technology and sustainability in a model transit-oriented development located at the commuter rail station at 61st Avenue near Peña Boulevard. Such ever-evolving, cutting-edge technology and elements supporting sustainability within the District are intended to be incorporated and displayed in ways that will foster civic pride and economic vitality, which may include:
  - a. Creative and artistic signs,
  - b. Special Lighting Elements,
  - c. Signs fused with art,
  - d. Self-illuminated signs,
  - e. Signs integrated with one or more iconic or distinctive features, and
  - f. Non-standard or one-of-a-kind advertising opportunities.
2. The flexibility referenced in Section 9.4.5.10.B.1 is intended to facilitate development of a coordinated program of signage and illumination elements that enhances the aesthetic

values of the city and ensures quality design; enhances the city's attraction to and creates greater excitement and anticipation for residents, employees, and visitors; and promotes good urban design. Further, the processes to establish or amend a District Plan, and the review criteria in this Section 9.4.5.10, are intended to mitigate possible adverse impacts of signs and Special Lighting Elements, particularly on residential uses and on users of Peña Boulevard, thereby protecting property values.

3. Signs permitted under the District Plan established in this section are intended to be in addition to signage permitted according to Division 10.10 Signs.

#### **C. Applicability**

1. The provisions of this Section 9.4.5.10, shall apply only with respect to:
  - a. Signs that are located within the DO-6 zone district and permitted by the District Plan, and
  - b. Special Lighting Elements that are located within the DO-6 zone district and permitted by the District Plan.
2. Notwithstanding Section 9.4.5.10.C.1., except to the extent otherwise stated in the District Plan, the provisions of this Section 9.4.5.10 shall not apply to signs permitted in Division 10.10 Signs, except Section 9.4.5.10.F Minimum Pixel Pitch for Signs Using Digital Illumination shall apply to such signs, and
3. Notwithstanding Sections 9.4.5.10.C.1 and 9.4.5.10.C.2, the provisions of this Section 9.4.5.10 shall not apply to any signs or Special Lighting Elements located on land retaining an underlying zone district designation under Former Chapter 59 until such property is rezoned (through an Official Map Amendment) to an underlying zone district under this Code.
4. A sign or Special Lighting Element that does not require a zoning permit or a building permit under the provisions of either the D.R.M.C. or this Code (other than this Section 9.4.5.10) shall not be deemed to require a zoning permit or a building permit, as appropriate, due to the provisions of this Section 9.4.5.10.

#### **D. Conflicting Provisions**

In addition to the provisions of Sections 9.4.2.2 and 9.4.2.3, if any provision of this Code (other than this Section 9.4.5.10) that is applicable to the underlying zone district is varied by, or conflicts with, the provisions of the District Plan adopted in accordance with the requirements of this Section 9.4.5.10, then the provisions of the District Plan shall control.

#### **E. Glare**

Signs and Special Lighting Elements permitted under this Section 9.4.5.10 or under the terms of the District Plan shall be deemed to comply with all standards in this Code regarding Glare (as that term is defined in Division 13.3).

#### **F. Minimum Pixel Pitch for Signs Using Digital Illumination**

A sign using digital illumination shall have a minimum pixel pitch of 11 millimeters, unless otherwise specified in the District Plan.

#### **G. Maximum Height**

1. Except as provided by Section 9.4.5.10.G.2 and 9.4.5.10.G.3 below, the District Plan shall not allow the height of any sign or equipment constituting any Special Lighting Element to exceed the maximum height specified in the allowed building form with the highest maximum height in feet, not including height exceptions, in the applicable underlying zone district.



2. The District Plan may allow temporary portable signs of any maximum height, subject to any limitations on time, area, size, number, design, illumination, location or other standards specified in the District Plan. Such portable signs shall require a zoning permit.
3. Temporary portable signs and equipment for Special Lighting Elements may extend above the maximum allowable height for the zone district within which the sign or such equipment is located for limited timeframes for special events approved by the City for a period not to exceed the duration of the permitted special event.
4. Roof signs, and equipment for Special Lighting Elements, may extend above the Roof Line of the building to which the sign or Special Lighting Element is attached to the extent allowed by the District Plan; however, the District Plan shall not allow any sign or equipment for Special Lighting Elements to extend above the maximum allowable building form height for the zone district within which the sign is located.

**H. Signs and Special Lighting Elements Subject to the District Plan**

The DO-6 zone district may have signs and Special Lighting Elements in accordance with the approved District Plan. Proposals for individual signs and Special Lighting Elements for which the applicant therefor elects in the subject application to have the provisions of this Section 9.4.5.10 shall comply with the requirements stated in the District Plan.

**I. Sign Types and Special Lighting Elements**

1. All sign types allowed by or defined in this Code, including but not limited to off-premises signs and outdoor general advertising devices, are allowed in the DO-6 zone district. In addition, the District Plan may define and allow other sign types not otherwise allowed or defined in this code. All such signs shall be subject only to the limits, conditions, and procedures specified in the District Plan, except that Division 12.9, Nonconforming Signs, shall apply to all signs permitted in the DO-6 according to an approved District Plan.
2. Special Lighting Elements are allowed in the DO-6 zone district. For purposes of this Section 9.4.5.10, "Special Lighting Elements" means, where both the lighting source and the illuminated surface or medium are located within the DO-6 District, the illumination of:
  - a. The outside surface of any building, structure, part of any building or structure, or
  - b. Any water, mist, fog, smoke, or other surface, material, medium or substrate located outdoors.
3. In the DO-6 zone district, Outdoor General Advertising Device Ground Signs shall not be supported only by a pole or poles unless sufficient architectural enhancements are included as approved in the District Plan.

**J. Maximum Number**

There is no maximum on the number of signs or Special Lighting Elements that are allowed, unless otherwise stated in the District Plan.

**K. Maximum Area**

Unless otherwise stated in the District Plan, there is no maximum on: (1) the amount of area for any individual sign or Special Lighting Element, (2) the cumulative area of signage for any building or area, or (3) the cumulative area covered by Special Lighting Elements.

**L. Locations**

1. There is no requirement that signage or equipment for any Special Lighting Element be setback from the zone lot line or any built feature, however, signs and equipment for Special Lighting Elements shall not violate the Denver Building Code and Denver Fire Code. Signs and equipment for any Special Lighting Elements may project into public rights-of-way if such signs and equipment comply with applicable provisions of the D.R.M.C. pertaining to encroachments within public rights-of-way.
2. Signs allowed under this Section 9.4.5.10 may be sited on vacant zone lots.

#### **M. Illumination**

1. Illumination of signs and illumination integrated into Special Lighting Elements are allowed.
2. Flashing signs and flashing Special Lighting Elements are allowed.
3. Subject to the provision of this Section 9.4.5.10, illumination for or of signs and Special Lighting Elements may be from a concealed light source that may flash, blink or fluctuate by means of movement, changes in colors, changes in the intensity of light, changes in letters, numbers, symbols, designs or other images, ambient conditions such as fog, snow or wind, or otherwise. The frequency, cycle, or movement of any such flashing, blinking or fluctuation shall not be limited except as stated in the District Plan.
4. It is not a violation of this Section 9.4.5.10 if the illumination from or of any sign or Special Lighting Element is visible from beyond the boundaries of the zone lot or the separately-conveyable parcel of land upon which such sign or Special Lighting Element is located. However, the District Plan shall require louvers or other brightness reduction strategies to reduce the luminance of signs comprised of self-illuminated digital screens when viewed at Off-axis Angles.
  - a. For purposes of this Section 9.4.5.10, the term “Off-axis Angle”, with respect to any screen or portion of a screen, as applicable, means any angle other than the angle perpendicular to such screen or portion of such screen, as applicable.

#### **N. Animation, Dynamic Elements and Full-Motion Video**

Animated Signs and animation, dynamic elements, and full-motion video as part of a Special Lighting Element are allowed.

#### **O. Materials**

1. The District Plan shall require that signs and equipment for Special Lighting Elements be professionally designed and fabricated from quality, durable materials, including a requirement that only quality illumination equipment be used for illuminated signs and Special Lighting Elements.
2. The District Plan shall not permit internally illuminated, translucent face box signs.

#### **P. Projecting Signs**

Projecting signs must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building wall.

#### **Q. Accessory Uses**

Signs for accessory uses are allowed to the extent stated in the District Plan.

#### **R. Varying Regulations by Subareas within the District Plan**

1. The District Plan shall contain geographically defined areas within the plan that have different regulations from those applicable to other geographic areas within the District Plan.
2. The District Plan shall identify a methodology to identify and characterize subareas within the DO-6 zone district distinguished from one another based on factors including but not limited to:
  - a. The intensity and mix of land uses existing or planned to occur within such subareas,
  - b. The density of the built environment existing or planned within such subareas, and
  - c. The subarea’s location within, or in proximity to, (1) existing or planned major gateways or entrances to a rail station, or (2) other existing or planned publicly ac-

cessible spaces, major arterials, or major entrances to the DO-6 zone district, such that allowances for signage and Special Lighting Elements are greater and/or more flexible for subareas located closest to existing or planned gateways, major entrances, publicly-accessible spaces, or major arterials.

3. Based on the methodology described above, the District Plan shall assign differing standards to each such subarea, as appropriate, which will result in signage and Special Lighting Elements within each subarea consistent with the differences in character of each such subarea. Differing standards may include, but are not limited to, appropriate scale, permitted sign types, maximum sign areas, appropriate locations, and appropriate illumination levels or animation.

#### **S. Supplemental Plans**

The District Plan may establish a convention whereby certain signs or and/or Special Lighting Elements, as appropriate, may not be installed, operated, maintained, repaired, and replaced unless a Supplemental Plan is approved under Section 9.4.5.10.W with respect to such signs and/or Special Lighting Elements, as appropriate. The District Plan may establish a convention whereby certain signs and/or Special Lighting Elements may be installed, operated, maintained, repaired, and replaced without the need for approval of a Supplemental Plan.

#### **T. Process to Establish or Amend the District Plan**

##### **1. Definition**

For purposes of this Section 9.4.5.10, the term “District Plan” means the plan approved in accordance with this Section 9.4.5.10.U, as such plan may be amended from time to time in accordance with the provisions of this Section 9.4.5.10.

##### **2. Intent of District Plan Approach**

- a. The DO-6 zone district is envisioned to showcase ever-evolving, cutting-edge technologies and sustainability in a unified, cohesive and integrated program throughout the DO-6 zone district. The District Plan is the mechanism that efficiently reconciles the vision for the DO-6 zone district with the reality that the district will be built over a long period of time during which technology and best practices for sustainability will evolve.
- b. The DO-6 zone district will be developed and constructed in multiple phases over time. It is impractical to require detailed plans for signage and Special Lighting Elements to be provided for the entirety of the DO-6 zone district at the very outset of its development. Such a requirement would thwart the design intent for the DO-6 zone district.

##### **3. Regulatory Construct**

The District Plan shall establish standards applicable to a wide range of allowed signs and Special Lighting Elements within the DO-6 zone district. As a general matter, the District Plan will contain two levels of specificity with respect to signs and Special Lighting Elements.

##### **a. Detailed Level**

Once the District Plan is approved in accordance with this Section 9.4.5.10.U, applicants for signs and Special Lighting Elements that are included in the more detailed of such two levels, and that elect to have the provisions of this 9.4.5.10 apply to such signs and Special Lighting Elements, will be allowed to request zoning and building permits for such signs and Special Lighting Elements (if such permits are required) without the need for obtaining additional approval of a Supplemental Plan, consistent with the District Plan.

**b. General Level**

Once the District Plan is approved in accordance with this Section 9.4.5.10.U, applicants for signs or Special Lighting Elements that are included in the more general of such two levels, will not be permitted to apply for zoning or buildings permits (to the extent such permits are required) until a Supplemental Plan for such signs and Special Lighting Elements providing the higher level of specificity is approved in accordance with Section 9.4.5.10.W.

**4. One District Plan**

The City shall approve no more than one District Plan within the DO-6 zone district. The District Plan's boundaries shall include all land area within the DO-6 zone district.

**5. Initiation**

- a. Any of the following persons may initiate a request to establish a District Plan or amend the District Plan:
  - i. A member of the City Council;
  - ii. A member of the Planning Board;
  - iii. The City Attorney;
  - iv. The Manager;
  - v. The manager or director of any other city department or agency; or
  - vi. One or more owners of real property located within the DO-6 zone district or their authorized representative.

**6. Submittal**

- a. To establish the District Plan, or amend the District Plan (other than minor deviations through Section 9.4.5.10.V or through approval of Supplemental Plans under Section 9.4.5.10.W), the applicant shall submit to Community Planning and Development a District Plan and accompanying materials that incorporate:
  - i. The locations of residential uses, off-street parking areas, landscaped areas, streets, and alleys, to the extent known, within the boundaries and within 200' of the District Plan,
  - ii. Identifications and/or descriptions of all signs and Special Lighting Elements allowed,
  - iii. As part of the review procedure for Supplemental Plans, authority for the review body to require specific mitigation measures reasonably necessary to mitigate possible material adverse impacts, when it finds such possible impacts. For purposes of this provision, "material adverse impacts" include, but are not limited to, nuisance or distraction to near-by permitted land uses or to motor vehicles on Peña Boulevard and other major roadways, particularly from permitted flashing, illuminated, or animated signs and Special Lighting Elements.
  - iv. Provisions allowing technology and elements supporting sustainability and "smart-cities" components to be incorporated and displayed in many ways, which may include:
    - a) Creative and artistic signs,
    - b) Special Lighting Elements,
    - c) Signs fused with art,
    - d) Self-illuminated signs,
    - e) Signs integrated with one or more iconic or distinctive features,
    - f) Non-standard or one-of-a-kind advertising opportunities, and
    - g) Smart signs

- v. Provisions addressing design review for signs and Special Lighting Elements,
- vi. Design standards and guidelines that include:
  - a) The parameters for acceptable structures to which signs and/or equipment related to such Special Lighting Elements may be attached or included within;
  - b) The parameters for acceptable sign shape, size, typography, lighting, exposed structures, animation, luminance, colors and materials, and the frequency of changeable copy, graphics, or lighting;
  - c) Identification of areas from which signs and Special Lighting Elements are intended to be viewed;
  - d) General recommendations for measures and practices to mitigate possible material adverse impacts from allowed signs and Special Lighting Elements; and
  - e) Review criteria that ensure all features of signs, including the illumination, support structure, color, lettering, height, and location, shall be designed to be complementary to and/or integrated into the architecture and architectural features of the building on which it is located or to which it relates.
- vii. Design standards and guidelines for allowable Special Lighting Elements, including:
  - a) A general description of methods of and limits on illumination that may be implemented in Special Lighting Elements;
  - b) A general description of the surfaces of any existing or proposed buildings, structures, or other surfaces, materials, mediums or substrates that may be illuminated by Special Lighting Elements; and
  - c) General descriptions of allowed exposed structures, colors and materials for equipment used for Special Lighting Elements.
- viii. Information describing the general locations where signs and Special Lighting Elements are allowed,
- ix. The maximum heights for signs and equipment for, and surfaces illuminated by, Special Lighting Elements,
- x. Proposed maximums, if any, for the total sign area or number of signs per building face or per other medium or metric, and
- xi. Other items as may be identified by Community Planning and Development as reasonably necessary to review and approve the District Plan or amendment consistent with the criteria stated in Section 9.4.5.10.U.11.

## **7. Review**

Community Planning and Development will review information received in the applicant's submittal and forward a recommendation to the Planning Board within 45 days after the submittal of a complete application for the District Plan or amendment to the District Plan (other than amendments effected through Section 9.4.5.10.V or through approval of Supplemental Plans under Section 9.4.5.10.W) unless the applicant agrees in writing to an extension of time.

## **8. Notice of Complete Application**

- a. No later than 10 days after receipt of a complete application, Community Planning and Development shall send informational notice of the proposed District Plan or any proposed amendment to the District Plan (other than amendments effected through Section 9.4.5.10.V or Section 9.4.5.10.W) to:
  - i. Neighborhood organizations registered according to the provisions of D.R.M.C. Section 12-94 and whose boundaries include property within, or within 200 feet of the boundary of the district,

- ii. Each City Council member representing a district within the DO-6 zone district or within 200 feet of the DO-6 zone district, and
- iii. The at-large City Council members.
- b. No later than 10 days after receipt of a determination of a complete application from Community Planning and Development, the applicant shall send informational notice of the proposed District Plan or a proposed amendment to the District Plan (other than amendments effected through Sections 9.4.5.10.V or 9.4.5.10.W) to each property owner within the DO-6 zone district according to the address stated in records of the Denver Assessor's Office as of the date the applicant checked such records, which date shall not be earlier than the date the applicant submitted its application to Community Planning and Development, and not later than 10 days after the applicant's receipt of a determination that the application is complete from Community Planning and Development. However, for property included within any condominium or cooperative, as such terms are defined in C.R.S. Section 38-33.3-103, the applicant shall only be required to send notice to the owners association for such condominium or cooperative and not to each property owner.
- c. The informational notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- d. Notification shall include the location and general description of the proposed action; and the process to be followed, including the date, time and place of the Planning Board public meeting, if such has been scheduled; and information concerning when and where written comments may be submitted.
- e. Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a bona fide attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a meeting and the location of the subject property shall be strictly construed. If questions arise at the meeting regarding the adequacy of notice, the Planning Board shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before deciding whether to approve, approve with conditions, or deny the application.

#### **9. Notice of Planning Board Public Meeting**

- a. No later than 15 days before the required Planning Board public meeting, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization's boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.
- b. The notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- c. Notification shall include the location and general description of the proposed action and the process to be followed, including the date, time and place of the scheduled public meeting.
- d. Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a bona fide attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a meeting and the location of the subject property shall be strictly construed. If questions arise at the meeting regarding the adequacy of notice, the



Planning Board shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before deciding whether to approve, approve with conditions, or deny the application.

**10. Adoption of a Plan or Plan Amendment**

The Planning Board shall review Community Planning and Development's recommendation, public comment, the criteria for review, and make a final decision to approve, approve with conditions, or deny such District Plan or amendment.

**11. Appeals**

The Planning Board's decision on an application for a District Plan or an amendment thereto may be appealed to the District Court.

**12. Criteria for Review**

The Planning Board may approve an application for the District Plan or an amendment to the District Plan (other than minor deviations through Section 9.4.5.10.V or through approval of Supplemental Plans under Section 9.4.5.10.W) if the application complies with all of the following criteria:

- a. The District Plan complies with all applicable standards contained in this Code.
- b. The cumulative effect of the District Plan's allowances for signs and Special Lighting Elements:
  - i. Encourages exciting, iconographic, and inventive signage, attention-getting devices, and special elements that distinguish the DO-6 zone district from other places in Denver;
  - ii. Creates excitement and anticipation for residents, employees, and visitors of the DO-6 zone district;
  - iii. Exhibits design excellence, inventiveness, and sensitivity to the existing or planned character of a specific subarea;
  - iv. Ultimately assists in attracting employers and visitors to the DO-6 zone district; and
  - v. Establishes a coordinated program of signage for signage subject to the District Plan.
- c. Sign allowance and design reflects the existing or planned character of the District Plan subarea in which such signs are proposed.
- d. The District Plan contains specific mitigation measures reasonably necessary to mitigate possible material adverse impacts of signs and Special Lighting Elements, on existing nearby residential uses or structures or motor vehicles on major roadways located within the DO-6 zone district.
- e. The District Plan contains restrictions to prevent the cumulative effect of signs approved in reliance on the standards set forth in this Section 9.4.5.10 (as opposed to signs approved in reliance on Division 10.10 Signs or Former Chapter 59) from being visually overwhelming when viewed from various residential areas, major public use roadways and/or other significant public areas outside the DO-6 zone district when used in their ordinary course. Such restrictions may include limitations on signage area, spacing between signs, sign locations, and/or sign heights.

**U. Minor Deviations to the District Plan**

**1. Allowed**

Minor deviations from the District Plan for individual signs or individual Special Lighting Elements may be allowed by Community Planning and Development if:



- a. Such deviations appear necessary in light of technical or engineering considerations, or to accommodate the implementation of future technology that is generally consistent with the intent of the District Plan and Section 9.4.5.10.B, and
- b. The at-large city council members and the city council members and registered neighborhood organizations whose boundaries are within 200 feet of the subject sign(s) and/or Special Lighting Element(s) are first notified.
- c. Notwithstanding the foregoing, no minor deviation shall be allowed which violates the Denver Building Code, Denver Fire Code, or any applicable provision of the D.R.M.C.

**2. Not Allowed**

Minor deviations for individual signs and or individual Special Lighting Elements shall not be allowed under any of the following circumstances:

- a. The individual sign or Special Lighting Element is oriented or illuminated so that it adversely affects existing nearby residential uses or structures beyond what is allowed by the District Plan.
- b. For projecting signs, a projection greater than 6 inches above the maximum otherwise allowed.
- c. A change in signage type, illumination, or animation that is not allowed by the District Plan.

**3. Plan Amendment Required**

A deviation to any sign or Special Lighting Element that does not comply with the requirements of the District Plan and is not allowed under Section 9.4.5.10.V.1 shall require an amendment to the District Plan, approved under Section 9.4.5.10.U.

**V. Supplemental Plans**

**1. Definition**

For purposes of this Section 9.4.5.10, the term “Supplemental Plan” means a supplement to the District Plan that is approved in accordance with this Section 9.4.5.10.W.

**2. Intent**

The intent of Supplemental Plans is to allow for a coordinated program with respect to numerous buildings, signs and Special Lighting Elements that will be designed, developed, constructed and installed within the DO-6 zone district over time in phases.

**3. Requirement**

To the extent the District Plan provides that any sign and/or Special Lighting Element may not be installed within certain areas until a Supplemental Plan for such area is approved, then no sign and/or Special Lighting Element, as appropriate, may be installed in such area until a Supplemental Plan for such area is approved or such sign and/or Special Lighting Element is exempt from such requirement as stated in the District Plan.

**4. Submittal Requirements**

An applicant seeking approval of a Supplemental Plan shall submit the following items to Community Planning and Development:

- a. Information as required by the District Plan, and
- b. Other items as may be identified by the Zoning Administrator as reasonably necessary to approve such Supplemental Plan consistent with the criterion stated in Section 9.4.5.10.W.7.

**5. Review**

The Zoning Administrator will review information received in the applicant’s submittal and, within 45 days after the submittal of a complete application for a Supplemental Plan,

make a final decision to approve, approve with conditions or deny such plan unless the applicant agrees in writing to an extension of time.

**6. Notice to Others**

- a. The Zoning Administrator shall send notice of the Supplemental Plan to:
  - i. Neighborhood organizations which are registered according to the provisions of D.R.M.C. Section 12-94 and whose boundaries include property within, or within 200 feet of, the DO-6 zone district,
  - ii. Each City Council member representing a district within the DO-6 zone district or within 200 feet of the DO-6 zone district, and
  - iii. The at-large City Council members.
- b. Notices required by this Section 9.4.5.10.V.6. shall be sent at least 14 days prior to the Zoning Administrator's decision to approve, approve with conditions or deny such plan.

**7. Criterion for Review**

The Zoning Administrator may approve an application for a Supplemental Plan if the Supplemental Plan is consistent with the provisions of the District Plan.

**8. Appeals**

Any decision of the Zoning Administrator under this Section 9.4.5.10.W may be appealed to the Planning Board. Thereafter, the Planning Board's decision may be appealed to the District Court.

**9. Effect of Approval of a Supplemental Plan**

Upon the Zoning Administrator's approval of a Supplemental Plan, such Supplemental Plan shall be deemed an amendment to, and shall be deemed to have become part of, the District Plan. An approved Supplemental Plan shall be incorporated into the next Amended District Sign Plan, at which time the Supplemental Plan shall expire.

**10. Intent**

The intent of Supplemental Plans is to allow for a coordinated program with respect to numerous buildings, signs and Special Lighting Elements that will be designed, developed, constructed and installed within the DO-6 zone district over time in phases.

**11. Requirement**

To the extent the District Plan provides that any sign and/or Special Lighting Element may not be installed within certain areas until a Supplemental Plan for such area is approved, then no sign and/or Special Lighting Element, as appropriate, may be installed in such area until a Supplemental Plan for such area is approved or such sign and/or Special Lighting Element is exempt from such requirement as stated in the District Plan.

**12. Submittal Requirements**

An applicant seeking approval of a Supplemental Plan shall submit the following items to Community Planning and Development:

- a. Information as required by the District Plan, and
- b. Other items as may be identified by the Zoning Administrator as reasonably necessary to approve such Supplemental Plan consistent with the criterion stated in Section 9.4.5.10.W.7.

**13. Review**

The Zoning Administrator will review information received in the applicant's submittal and, within 45 days after the submittal of a complete application for a Supplemental Plan, make a final decision to approve, approve with conditions or deny such plan unless the applicant agrees in writing to an extension of time.

**14. Notice to Others**

- a. The Zoning Administrator shall send notice of the Supplemental Plan to:
  - i. Neighborhood organizations which are registered according to the provisions of D.R.M.C. Section 12-94 and whose boundaries include property within, or within 200 feet of, the DO-6 zone district,
  - ii. Each City Council member representing a district within the DO-6 zone district or within 200 feet of the DO-6 zone district, and
  - iii. The at-large City Council members.
- b. Notices required by this Section 9.4.5.10.V.6. shall be sent at least 14 days prior to the Zoning Administrator's decision to approve, approve with conditions or deny such plan.

**15. Criterion for Review**

The Zoning Administrator may approve an application for a Supplemental Plan if the Supplemental Plan is consistent with the provisions of the District Plan.

**16. Appeals**

Any decision of the Zoning Administrator under this Section 9.4.5.10.W may be appealed to the Planning Board. Thereafter, the Planning Board's decision may be appealed to the District Court.

**17. Effect of Approval of a Supplemental Plan**

Upon the Zoning Administrator's approval of a Supplemental Plan, such Supplemental Plan shall be deemed an amendment to, and shall be deemed to have become part of, the District Plan. An approved Supplemental Plan shall be incorporated into the next Amended District Sign Plan, at which time the Supplemental Plan shall expire.

**9.4.5.11 River North Design Overlay District (DO-7)**

**A. Creation**

There is hereby created a design overlay district designated as the River North (RiNo) Design Overlay District (DO-7).

**B. General Purpose of Overlay District**

1. Implement adopted plans; and
2. Promote creative, high-quality, design in the general area covered by the adopted 38th and Blake Station Area Height Amendments and the RiNo Business Improvement District;
3. Provide flexibility to support the diverse design traditions of RiNo;
4. Activate the South Platte River frontage to promote the river as a neighborhood asset;
5. Maintain human scale and access to daylight as heights and densities increase throughout the district;
6. Promote vibrant pedestrian street frontages with active uses and street-fronting building entries;
7. Provide transitions between residential frontages and mixed-use streets;
8. Ensure that buildings are designed to adapt to new uses as the district changes and evolves;
9. Promote active transportation options, such as walking and biking;
10. Minimize potential conflict points between pedestrians and motor vehicles;
11. Minimize the visibility of surface and structured parking areas for vehicles; and
12. Encourage small, privately-owned, open spaces to increase design diversity along the street frontage and support pedestrian activity.

**C. Applicability of Overlay District**

The provisions of this DO-7 district shall apply only to those areas within Denver Zoning Code Mixed Use Commercial, Industrial Mixed Use and Residential Mixed Use Underlying Zone Districts that are designated with the DO-7 Overlay Zone District on the Official Zone Map.

**D. Building Form Intent Within Overlay District**

**1. Siting**

**a. Required Build-To**

- i. Provide a consistent street edge.
- ii. Define streets to promote pedestrian activity and sense of place.
- iii. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

**b. Residential Setbacks**

- i. Promote a vibrant and safe pedestrian experience.
- ii. Provide transitional space between the edge of a public sidewalk and a Street Level building frontage containing residential dwellings.
- iii. Activate the street while providing privacy for residents.

**c. Parking Location and Access**

- i. Minimize the visual impact of parking areas on streets and adjoining properties where parking is needed.
- ii. Minimize conflict between pedestrians, cyclists and vehicles where parking is needed.
- iii. Ensure that surface parking is well integrated into to the streetscape.

**2. Design Elements**

**a. Street Level Height**

- i. Promote Street Level designs that can be adapted to a wide array of future uses.
- ii. Ensure that Street Level building spaces have an appropriate scale in relationship to the pedestrian realm.

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

- i. Promote structured parking designs that are compatible in character and quality with the overall building facade, adjoining buildings and streetscapes.
- ii. Promote visual interest on upper story building facades.

**c. Incremental Mass Reduction**

- i. Reduce the perceived mass and scale of buildings.
- ii. Preserve access to daylight.
- iii. Promote creative building designs.
- iv. Incentivize provision of Private Open Space.

**d. Transparency**

- i. Maximize transparent windows at the Street Level to activate the street.
- ii. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and connect to uses within the building.
- iii. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

**e. Dwelling Unit Entrance with Entry Feature**

- i. Ensure that individual residential units contribute to activation of the street.
- ii. Promote frontage designs with a traditional semi-public transition area between the public street frontage and private residential units.
- iii. Promote visually interesting and human-scaled facades.

**E. Primary Building Form Standards for Primary Structures Within Overlay District**

**1. Applicability**

All development, except detached accessory structures, in the DO-7 district.

**2. General Standards**

Except as modified in this Section 9.4.5.11.E, the primary building form standards set forth in the Underlying Zone District shall apply.

**3. District Specific Standards Summary**

The maximum number of structures per Zone Lot and building forms allowed in the Underlying Zone District are modified as summarized below:

	Building Forms												
	Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront	Industrial
Max Number of Primary Structures per Zone Lot	No Maximum												
Underlying Zone District							■				■	■	

■ = Allowed    □ = Allowed subject to geographic limitations

#### 4. District Specific Standards Within Overlay Zone District

The district-specific standards of the Underlying Zone District are modified as set forth in the following table.

HEIGHT		DO-7 Overlay District	
Height in feet and stories, height adjacent to a Protected District and height exceptions		See Underlying Zone District or Other Applicable Overlay	
SITING		DO-7 Overlay District	
REQUIRED BUILD-TO			
Primary Street (min build-to %)		70%	
Primary Street (min/max build-to range)		0'/15'	
Build-to Exceptions and Alternatives		Frontage Subject to a Residential Setback: 7'/20'	
SETBACKS		See Section 9.4.5.11.G.1	
Primary Street, Side Street, Side Interior, Rear, Setback adjacent to Protected District and Setback exceptions/encroachments		See Underlying Zone District	
RESIDENTIAL SETBACKS			
Primary and Side Street (min)		7'	
PARKING			
Surface Parking between building and Primary Street		Not Allowed	
Surface Parking Screening Required		See Section 7.3.5.1.C	
Vehicle Access		See Section 9.4.5.11.F.1	
DESIGN ELEMENTS		DO-7 Overlay District	
BUILDING CONFIGURATION			
Street Level Height (min)		16'	
Limitation on Visible Parking Above Street Level for Structures Over 5 stories or 70' feet in height (min % of Primary and Side Street-facing Zone Lot Width)		70%	
<del>Alternative to Limitation on Visible Parking Above Street Level</del>		See Section 9.4.5.11.F.2	
Upper Story Setback adjacent to Primary Street and Protected District		See Section 9.4.5.11.G.2	
INCREMENTAL MASS REDUCTION BY ZONE LOT SIZE/WIDTH		≤18,750 Sq. Ft/ ≤150'	>18,750 Sq. Ft/ >150'
Incremental Mass Reduction for Stories 3-5		na	10%
Incremental Mass Reduction for Stories 6-8		na	15%
Incremental Mass Reduction for Stories 9-12		na	20%
Incremental Mass Reduction for Stories 13- <del>16</del> <sub>±</sub>		na	30%
Alternative to Incremental Mass Reduction		na	See Section 9.4.5.11.G.3
STREET LEVEL ACTIVATION			
Transparency, Primary Street (min for all uses)		50%	
Transparency, Side Street (min for all uses)		40%	
Transparency Alternatives		See Section 9.4.5.11.G.4	
Pedestrian Access, Primary Street		See Underlying Zone District	
Additional Pedestrian Access, Primary and Side Street		Each Street Level Dwelling Unit shall have a Dwelling Unit Entrance with Entry Feature	
USES		DO-7 Overlay District	

(1) On all Zone Lot Sizes and Widths, 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 7.3.5.8.C; (2) Where Zone Lot Size is greater than 18,750 square feet, or Zone Lot Width is greater than 150 feet, 70% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied only by Street Level non-residential active uses as described in Section 9.4.5.11.F.3 (note that the remaining 30% shall be occupied by Street Level active uses as described in Section 7.3.5.8.C); and (3) The exterior of the Structure shall not have individual entrances to storage units within a Mini-Storage Facility use.

F. Supplemental Design Standards for the DO-7 Overlay District

1. Perimeter Surface Parking Lot Landscaping Standards

a. Applicability

- i. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 9.4.5.11.F.1 rather than Section 10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards.
- ii. Section 10.5.4.1, B Exceptions, shall apply to the standards in this Section 9.4.5.11.F.1.

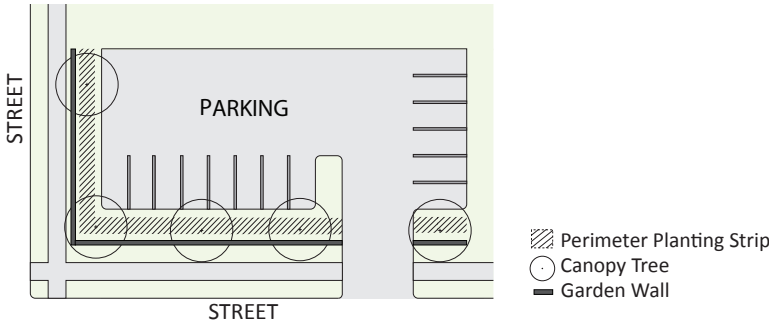
b. Allowance for Perimeter Surface Parking Lots Abutting Street Right-of-Way

Perimeter Surface Parking Lots Abutting Street the Right-of-Way shall be landscaped to the following standards:

- a) To the maximum extent feasible, on-site drainage required for a Zone Lot shall be integrated into the perimeter planting strip.
- b) Alternatives to required landscape and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5 Administrative Adjustment.
- c) The following shall be provided within Zone Lot boundaries between the boundary of any surface parking lot and street rights-of-way. (See Figure 9.4-15)

PERIMETER PLANTING STRIP REQUIRED	PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN ACCESS REQUIRED
Yes, minimum width of 8'	1 deciduous canopy tree for every 25' of linear frontage. Spacing of trees may vary; the maximum spacing is 40'	Yes	Min. 30 inches; Max. 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25'	Yes; Min. 3' wide access at max. of 80' intervals along all public street and alley frontages of the parking lot

Figure 9.4-15





**c. Allowance for Perimeter Surface Parking Lot Landscaping Standards Adjacent to a Residential Use or Zone**

The fence requirements set forth in Section 10.5.4.4.C shall apply to off-street parking areas adjacent to a residential use or zone district in addition to the standards set forth in this Section 9.4.5.11.F.1.

**2. Limitation on Visible Parking Above Street Level in the DO-7 District**

**a. Intent**

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

**b. Applicability**

This Section 9.4.5.11.F.2 applies to all Structures in the DO-7 district that are greater than 5 stories or 70 feet in height (excluding permitted height exceptions) and include structured parking above Street Level, except where an alternative has been used as set forth in Section 9.4.5.11.G.2.

**c. Allowance**

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

**3. Street Level Active Non-Residential Use in the DO-7 District**

**a. Intent**

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

**b. Applicability**

This Section 9.4.5.11.F.3 applies to all Structures in the DO-7 district that are greater than 3 stories or 45 feet in height (excluding permitted height exceptions) and are located on Zone Lots that are:

- i. Greater than 18,750 square feet in Zone Lot Size; or
- ii. Greater than 150 feet in Zone Lot Width.

**c. Allowance**

- i. Street Level active non-residential uses include all permitted primary uses except the following:
  - a) Dwelling, Single Unit;
  - b) Dwelling, Two Unit
  - c) Dwelling, Multi-Unit;
  - d) Dwelling, Live / Work;
  - e) Automobile Services, Light;
  - f) Mini-storage Facility; or
  - g) Wholesale Trade or Storage, Light.
- ii. Street Level active non-residential uses include all permitted accessory uses except the following:

- a) Accessory uses associated with primary uses prohibited by Section 9.4.5.11.F.3.c.i;
  - b) Outdoor Storage, General;
  - c) Outdoor Storage, Limited;
  - d) Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
  - e) Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
- iii. Street Level active non-residential uses shall not include Parking Spaces or Parking Aisles.
  - iv. Street Level active nonresidential uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
  - v. The length of any build-to alternatives permitted by Section 9.4.5.11.G.1, except the Private Open Space alternative, shall not apply toward the required percentage of Street Level building frontage that must be occupied by Street Level active nonresidential uses.

## G. Design Standard Alternatives and Exceptions for the DO-7 District

### 1. Required Build-to Alternatives in the DO-7 District

#### a. Intent

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

#### b. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required build-to standard in the DO-7 district 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 13.1.5.7.E:

BUILDING FORM	REQUIRED BUILD-TO ALTERNATIVES							VEHICLE ACCESS (MAX FEET OF BUILD-TO)
	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)	COURT-YARD (MAX % OF BUILD-TO)	
Town House	na	na	na	na	na	na	na	12 feet
All Others	na	25%	25%*	30%*	30%*	100%	na	na

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

## 2. **Limitation on Visible Parking Above Street Level Alternative for Integrated Facade Design**

### a. **Intent**

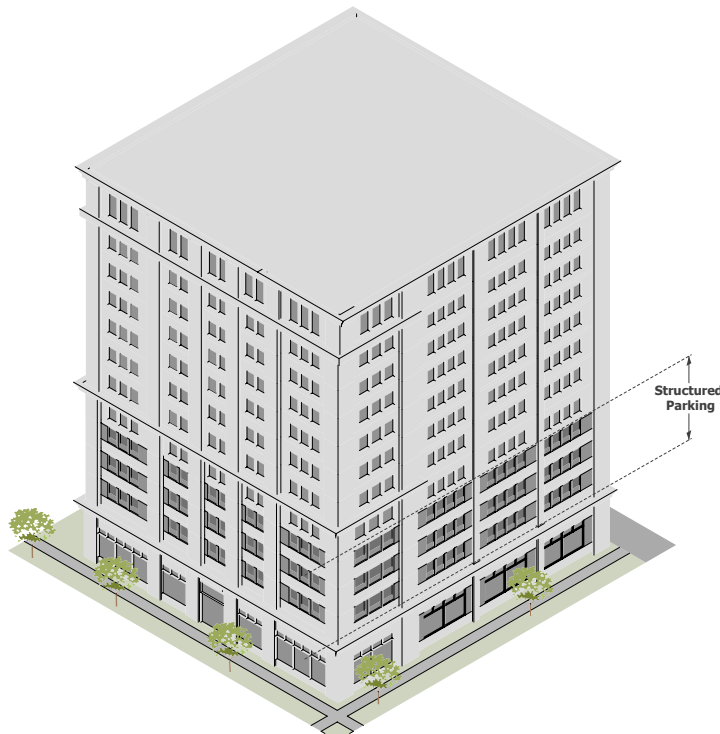
To ensure structured parking designs that are compatible with the character and quality of the overall building facade where it is not possible to wrap or screen structured parking with other uses.

### b. **Allowance**

Where 100% of a street-facing building facade containing structured parking meets the standards set forth in i-iii below, the resulting integrated facade design may be used as an alternative to the Limitation on Visible Parking Above Street Level in the DO-7 district. (See Figure 9.4-16)

- i. Where the alternative is used, Street-facing facades containing structured parking shall be integrated into the overall facade design through use of:
  - a) Similar building materials to those used on adjacent facade areas that do not contain structured parking
  - b) Facade articulation and fenestration patterns that integrate with portions of the building facade that do not contain structured parking
- ii. Where the alternative is used, Street-facing facades containing structured parking shall minimize the visibility of parking areas through use of:
  - a) Non-transparent facade materials for a minimum height of 4 feet from the finished floor of each story
  - b) Fully-shielded LED or other lighting not exceeding 6,500 lumens in any parking aisle behind a street-facing facade
- iii. Where the alternative is used, Section 10.4.6.5 Parking Structure Design Standards shall apply in addition to the Standards set forth in this Section 9.4.5.11.G.2. delete Figure 9.4-16 and renumber subsequent figures

Figure 9.4-16



### 3. Incremental Mass Reduction Alternative for Provision of Private Open Space in the DO-7 District

#### a. Intent

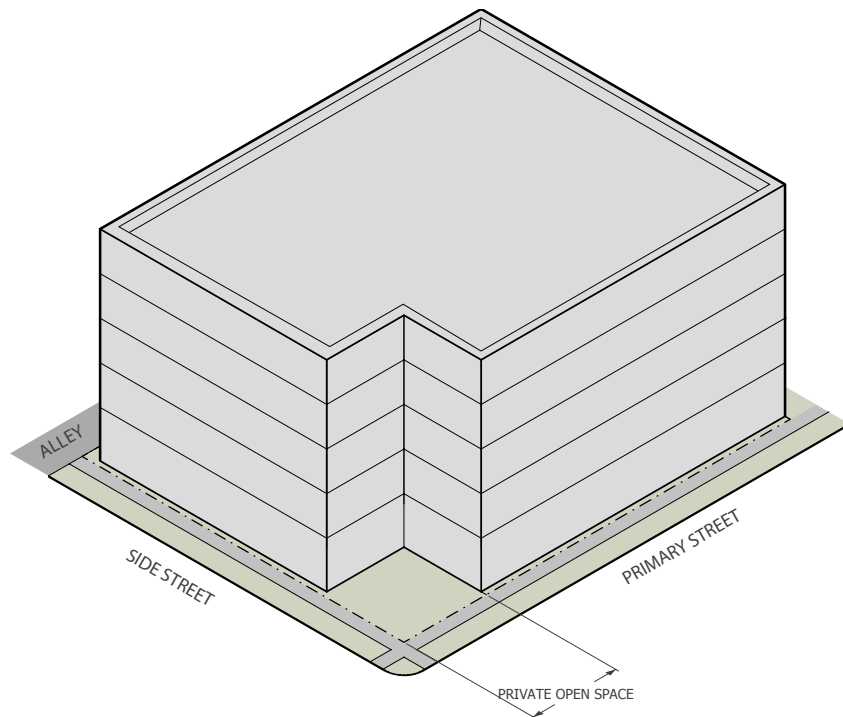
To encourage provision of active, pedestrian-oriented courtyards and plazas while allowing maximum flexibility for creative building massing.

#### b. Allowance

Where the minimum percentage of the gross area of a Zone Lot set forth in i-ii below is provided as Private Open Space meeting the rules of measurement set forth in Section 13.1.6.1.B, all Structures on the Zone Lot are not required to meet Incremental Mass Reduction standards. (See Figure 9.4-17)

- i. Structures that are up to 150 feet or 12 stories in height (excluding permitted height exceptions): 10% Private Open Space
- ii. Structures that are greater than 150 feet or 12 stories in height (excluding permitted height exceptions): 15% Private Open Space

Figure 9.4-17



### 4. Street Level Transparency Alternatives in the DO-7 District

#### 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 in the DO-7 district 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 LOT LINE DESIGNATION	<del>DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)</del>	<del>WALL DESIGN ELEMENTS (MAX)</del>	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

- 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.
- 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

- 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.
- 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 for Primary Structures 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.

		DO-8 Overlay District	
HEIGHT		Shopfront Building Form	Town House Building Form
See Underlying Zone District for All Applicable Height Standards			
		DO-8 Overlay District	
SITING		Shopfront Building Form	Town House Building Form
See Underlying Zone District for Additional Applicable Siting Standards Not Listed Below			
ZONE LOT			
Zone Lot Width (min)	na	38'	
REQUIRED BUILD-TO			
Primary Street (min/max build-to range)	2'/10' Portion of Structure Subject to a Residential Setback: 7'/15'	See Underlying Zone District	
SETBACKS			
Primary Street (min)	2'	See Underlying Zone District	
RESIDENTIAL SETBACKS			
Primary and Side Street (min)	7'	na	
PARKING			
Surface Parking between Building and Primary Street/Side Street	Not Allowed / Not Allowed	Not Allowed / Not Allowed	
		DO-8 Overlay District	
DESIGN ELEMENTS		Shopfront Building Form	Town House Building Form
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below			
BUILDING CONFIGURATION			
Street Level Height (min)	14'	na	
STREET LEVEL ACTIVATION			
Transparency Alternatives	See Section 9.4.5.12.F	See Section 9.4.5.12.F	
Pedestrian Access	See Underlying Zone District	See Underlying Zone District	
Additional Pedestrian Access, Primary and Side Street	Each Street Level Dwelling Unit shall have a Dwelling Unit Entrance with Entry Feature	na	
		DO-8 Overlay District	
USES		Shopfront and Town House Building Forms	
See Underlying Zone District for Additional Applicable Uses Standards Not Listed Below			
ACTIVE USES BY ZONE LOT WIDTH		37.5' or less	Greater than 37.5' and up to 50'
Street Level Nonresidential Active Uses (min Primary Street % within Build-To min/max range and with Street Level Nonresidential Active Uses)		0% - See Section 9.4.5.12.E	75% - See Section 9.4.5.12.E

#### E. Supplemental Street Level Nonresidential Active Use Standards

The following supplemental design standards for Street Level nonresidential active uses in the DO-8 Overlay District shall apply:

##### 1. Intent

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



**2. Applicability**

This Section 9.4.5.12.E applies to all Primary Structures in zone districts that allow a maximum Building Height of 3 stories or more that are located on a Zone Lot with a Zone Lot Width greater than 37.5 feet.

**3. Allowance**

- a. Street Level nonresidential active uses shall occupy Street Level floor area for a minimum depth of 15 feet except for the depth of recessed Pedestrian Access features required by the applicable building form table.
- b. Street Level nonresidential active uses include all permitted Primary Uses except the following:
  - i. Dwelling, Single Unit;
  - ii. Dwelling, Two Unit
  - iii. Dwelling, Multi-Unit;
  - iv. Dwelling, Live / Work;
  - v. Automobile Services, Light;
  - vi. Mini-storage Facility; or
  - vii. Wholesale Trade or Storage, Light.
- c. Street Level nonresidential active uses include all permitted Accessory Uses except the following:
  - i. Accessory Uses associated with Primary Uses prohibited by Section 9.4.5.12.E.3.b;
  - ii. Outdoor Storage, General;
  - iii. Outdoor Storage, Limited;
  - iv. Car Wash Bay Accessory to Automobile Services or Hotel Uses;
  - v. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses; or
  - vi. Off-Street Parking Areas.
- d. The length of any Build-To alternatives shall not apply toward the required percentage of Street Level building frontage that must be occupied by Street Level nonresidential active uses.

**F. Street Level Transparency Alternatives and Exceptions for the DO-8 District**

The following design standard alternatives and exceptions for Street Level transparency in the DO-8 Overlay District shall apply:

**1. Intent**

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

**2. Allowance**

Permanent art shall be the only transparency alternative allowed in the DO-8 Overlay Zone District and may count toward no more than 30% of the required transparency on Primary Streets or Side Streets, provided the permanent art meets the requirements stated in Section 13.1.6.3.A.5, Transparency Alternative Requirements.

**G. Determination of Primary Street and Side Street Lot Lines for Corner Zone Lots in the DO-8 District**

The following rule of measurement for determination of Zone Lot Lines for Corner Zone Lots in the DO-8 Overlay District shall apply:

**1. Intent**

To authorize the Zoning Administrator to designate Zone Lot Lines in accordance with plan guidance and existing conditions, if applicable, consistent with the overall intent of the DO-8 Overlay Zone District to promote active pedestrian-oriented building frontages.

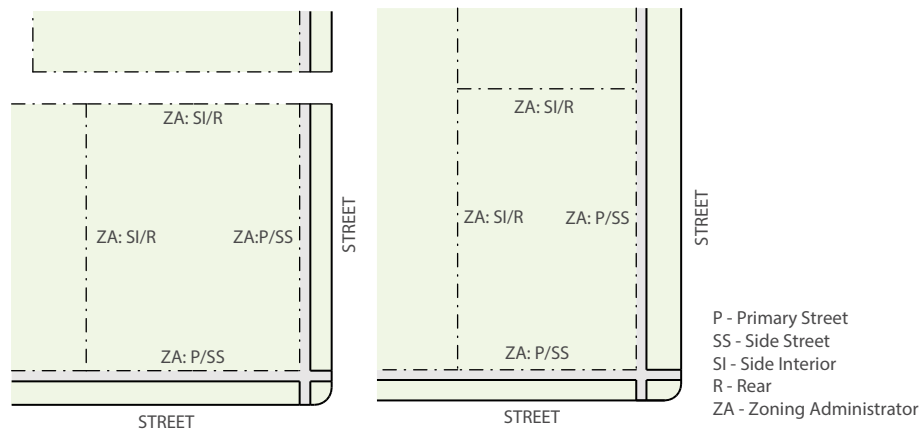
**2. Applicability**

This Section 9.4.5.12.G applies to all Zone Lots with the DO-8 designation.

**3. Rule of Measurement**

For Corner Zone Lots located in all underlying Zone Districts that are designated with the DO-8 Overlay Zone District, the Zoning Administrator shall use the criteria in Section 13.1.5.3.C to designate one or more Primary Street Zone Lot Lines, and shall designate remaining Zone Lot Lines as either Side Street, Side Interior; or Rear Zone Lot Line(s). See Figure 9.4-18.

Figure 9. 4-18



#### 9.4.5.13 Cherry Creek East Mixed Use Design Overlay District (DO-9)

**A. Creation**

There is hereby created a design overlay district designated as the Cherry Creek East Mixed Use Design Overlay District (DO-9).

**B. Intent**

The intent of the DO-9 Overlay Zone District is to enhance and promote a quality urban environment with a vibrant sense of place, including access to generous pedestrian zones and public space with streets that prioritize the pedestrian realm as a defining element of neighborhood character with buildings that relate to pedestrians in scale and activity.

**C. Applicability**

The provisions of this DO-9 Overlay Zone District shall apply only to those areas within Residential Mixed Use (RX) and Mixed Use (MX) zone districts that are designated with the DO-9 Overlay Zone District on the Official Zone Map.

**D. Primary Building Form Standards for Primary Structures Within Overlay Zone District**

**1. Intent for Overlay Building Form Standards**

- a. To promote Street Level setbacks and open space areas that extend the public purpose and accessibility of the sidewalk.
- b. To reduce the perceived mass and scale of buildings to preserve access to daylight and promote creative building designs.
- c. To promote structured parking designs above the Street Level that are compatible with the character and quality of the overall building facade and also allow future uses other than parking, such as conversion of structured parking to residential or commercial uses.

**2. Applicability**

All Primary Structures using the General and Shopfront Building Forms in the DO-9 Overlay Zone District shall comply with the Building Form Standards stated in this Section 9.4.5.13.D.

**3. General Standards**

Except as modified in this Section 9.4.5.13.D, the district-specific Building Form Standards for Primary Structures set forth in the Underlying Zone District shall apply.

**4. Building Forms Allowed**

All building forms allowed in the Underlying Zone District shall be allowed in the DO-9 Overlay Zone District.

HEIGHT		DO-9 Overlay District	
See Underlying Zone District for All Applicable Height Standards			
SITING		DO-9 Overlay District	
See Underlying Zone District for Additional Applicable Siting Standards Not Listed Below			
REQUIRED BUILD-TO			
Primary Street (min/max Build-To range)	5'/15'	Structures using the Open Space Alternative set forth in Section 9.4.5.13.F.3: 0'/10'	
Build-to Alternatives	See Section 9.4.5.13.F.2		
SETBACKS			
Primary and Side Street (min)	5'		
Primary and Side Street Setback Alternative	See Section 9.4.5.13.F.3		
DESIGN ELEMENTS		DO-9 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below			
BUILDING CONFIGURATION			
Limitation on Visible Parking Above Street Level on Zone Lots greater than 13,000 square feet (min % of Primary and Side Street-facing Zone Lot Width)	70%	See Section 9.4.5.13.E.1	
Alternative to Limitation on Visible Parking Above Street Level for Integrated Facade Design and Adaptable Parking Floors	See Section 9.4.5.13.F.4		
UPPER STORY SETBACKS BY BUILDING HEIGHT		Building is 6 Stories or Less	Any Portion of a Building is Greater than 6 Stories
Primary and Side Street Upper Story Setback above 3 stories or 45' (min % of zone lot width/min setback)	na	70% / 10'	
Primary and Side Street Upper Story Setback above 9 stories or 125' (min % of zone lot width/min setback)	na	70% / 15'	
Alternative to Primary and Side Street Upper Story Setback above 9 stories or 125'	na	See Section 9.4.5.13.F.5	
USES		DO-9 Overlay District	
See Underlying Zone District for All Applicable Uses			

## E. Supplemental Design Standards for the DO-9 Overlay Zone District

### 1. Limitation on Visible Parking Above Street Level in the DO-9 Overlay Zone District

#### a. Intent

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

#### b. Applicability

This Section 9.4.5.13.E.1 applies to all Primary Structures using the General and Shopfront Building Forms in the DO-9 Overlay Zone District that are on Zone Lots greater than 13,000 square feet and include structured parking above the Street Level, except where an alternative has been used as set forth in Section 9.4.5.13.F.4.

#### c. Allowance

- Uses that meet the Limitation on Visible Parking Above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary or Side Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth) to wrap structured parking.

- ii. Uses that meet the Limitation on Visible Parking Above Street Level shall include all permitted Primary Uses, but shall not include Parking Spaces or Parking Aisles for the minimum specified percentage of the Primary or Side Street-facing Zone Lot Width.

#### F. Design Standard Alternatives in the DO-9 Overlay Zone District

##### 1. Applicability

All Primary Structures using the General and Shopfront Building Forms in the DO-9 Overlay Zone District shall comply with the Building Form Standards stated in this Section 9.4.5.13.F.

##### 2. Required Build-to Alternatives in the DO-9 Overlay Zone District

###### a. Intent

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

###### b. Allowance

The following alternatives may be used singularly or in combination as alternatives to a required Build-To standard in the DO-9 Overlay Zone District 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 13.1.5.7.E:

REQUIRED BUILD-TO ALTERNATIVES								
BUILDING FORM	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)	COURT-YARD (MAX % OF BUILD-TO)	VEHICLE ACCESS (MAX FEET OF BUILD-TO)
General and Shopfront Building Forms	na	25%	25%*	30%*	30%*	100%	na	na

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

##### 3. Primary and Side Street Setback Alternative for Provision of Private Open Space in the DO-9 Overlay Zone District

###### a. Intent

To help extend the public realm, encourage pedestrian activity and allow for a more visually interesting streetscape.

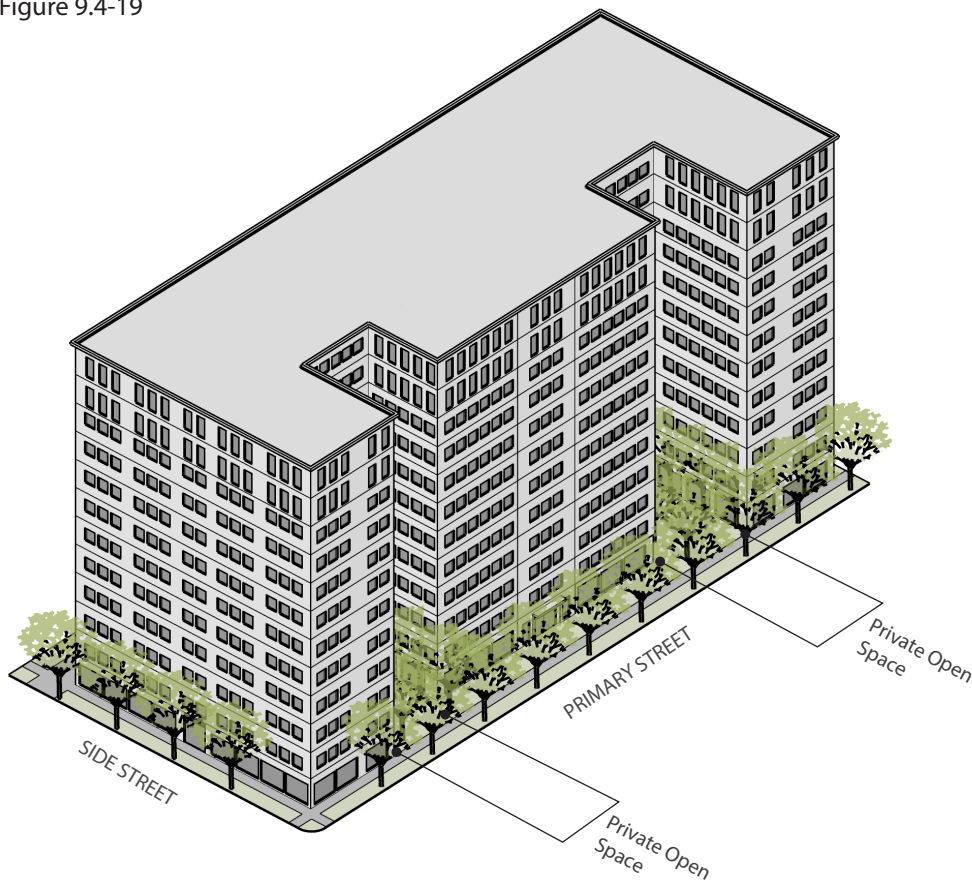
###### b. Allowance

- i. Where a minimum 7 percent of the gross area of a Zone Lot is provided as Private Open Space meeting the rules of measurement set forth in Section 13.1.6.1.B, all Primary Structures on the Zone Lot shall not be required to meet the minimum Street Level Primary and Side Street Setbacks. See Figure 9.4-19.

- ii. The minimum percentage of Private Open Space provided to meet this Required Street Level Setback Alternative shall not count toward the minimum percentage of Private Open Space required to meet the Primary and Side Street Upper Story Setback Above 9 Stories Alternative described in Section 9.4.5.13.F.5.

**For example:** A Zone Lot would need to contain the minimum percentage of Private Open Space set forth in this Section 9.4.5.13.F.3 (7%) plus the minimum percentage of Private Open Space set forth in Section 9.4.5.13.F.5 (3%) to obtain both the Primary and Side Street Setback Alternative and the Primary and Side Street Upper Story Setback Above 9 Stories Alternative (7%+3%=10% required Private Open Space to obtain both alternatives).

Figure 9.4-19



#### 4. Limitation on Visible Parking Above Street Level Alternative for Integrated Facade Design and Adaptable Parking Floors

a. **Intent**

To ensure structured parking designs that are compatible with the character and quality of the overall building facade and contain floors that are adaptable to non-parking Primary Uses where it is not possible to wrap or screen structured parking with other Uses.

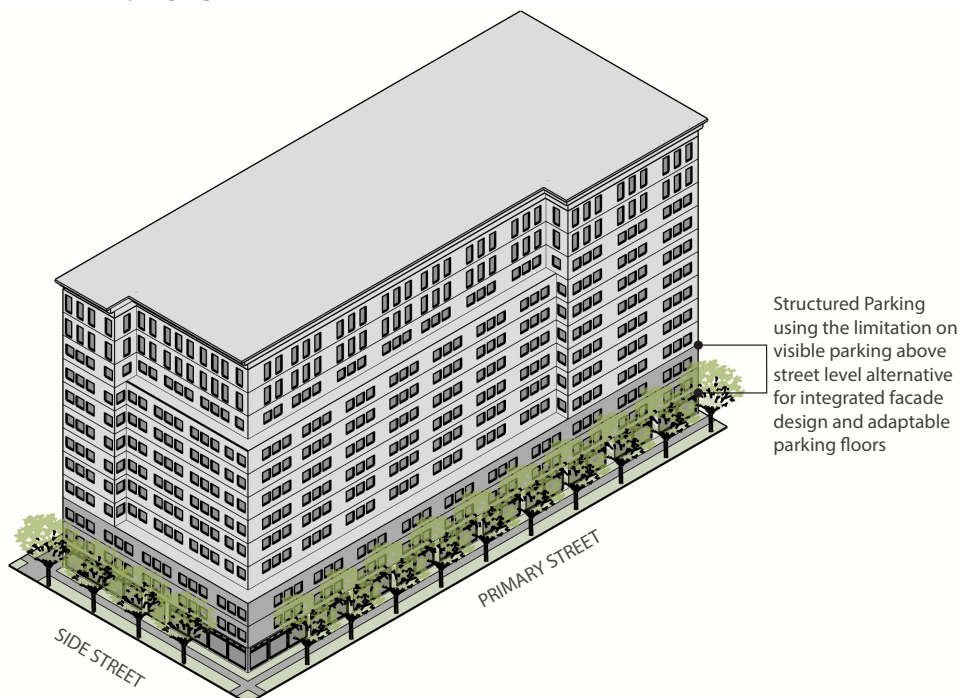
b. **Allowance**

Where 100% of a street-facing building facade containing structured parking meets all the standards set forth in paragraphs i-iv below, the resulting integrated facade

design and adaptable parking floors may be used as an alternative to the Limitation on Visible Parking Above Street Level in the DO-9 Overlay Zone District. See Figure 9.4-20.

- i. Where the alternative is used, street-facing facades containing structured parking shall be integrated into the overall facade design through use of:
  - a) Similar building materials to those used on adjacent facade areas that do not contain structured parking; and
  - b) Facade articulation and fenestration patterns that integrate with portions of the building facade that do not contain structured parking.
- ii. Where the alternative is used, street-facing facades containing structured parking shall minimize the visibility of parking areas through use of:
  - a) Non-transparent facade materials for a minimum height of 4 feet from the finished floor of each story; and
  - b) Fully-shielded LED or other lighting not exceeding 6,500 lumens behind a street-facing facade.
- iii. Where the alternative is used, street-facing facades containing structured parking shall be designed with parking floors that are adaptable to other uses for a minimum depth of 30 feet from the Primary or Side Street-facing building facade through use of:
  - a) A minimum 12-foot floor-to-floor height, measured from the upper surface of the floor to the upper surface of the floor or roof next above; and
  - b) Floor plates that are level except to the minimum extent required for proper drainage; and
  - c) Structures that are constructed to accommodate loads associated with office buildings per the International Building Code.
- iv. Where the alternative is used, Section 10.4.6.5 Parking Structure Design Standards shall apply in addition to the Standards set forth in this Section 9.4.5.13.F.4.

Figure 9.4-20





**5. Primary and Side Street Upper Story Setback Above 9 Stories Alternative for Provision of Private Open Space in the DO-9 Overlay Zone District**

**a. Intent**

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

**b. Allowance**

Where a minimum 3 percent of the gross area of a Zone Lot is provided as Private Open Space meeting the rules of measurement set forth in Section 13.1.6.1.B, all Structures on the Zone Lot are not required to meet the Primary and Side Street Upper Story Setback Above 9 Stories.

**9.4.5.14 Cherry Creek East Residential Design Overlay District (DO-10)**

**A. Creation**

There is hereby created a Design Overlay District designated as the Cherry Creek East Residential Design Overlay District.

**B. Intent**

To promote pedestrian-friendly Street frontages and enhance neighborhood safety in portions of residential neighborhoods that are comprised primarily of Single Unit, Two Unit, or Row House development.

**C. Applicability of Overlay Zone District**

The provisions of this DO-10 Overlay Zone District shall apply only to those areas within Single Unit (SU), Two Unit (TU), and Row House (RH) zone districts that are designated with the DO-10 Overlay Zone District on the Official Zone Map.

**D. Primary Building Form Standards for Primary Structures Within Overlay Zone District**

**1. Applicability of Primary Building Form Standards**

All Primary Structures using the Urban House, Duplex and Row House Building Forms in the DO-10 Overlay Zone District shall comply with the Building Form Standards stated in this Section 9.4.5.14.D.

**2. General Standards**

Except as modified in this Section 9.4.5.14.D, the district-specific Building Form Standards for Primary Structures set forth in the Underlying Zone District shall apply.

**3. Building Forms Allowed**

All building forms allowed in the Underlying Zone District shall be allowed in the DO-10 Overlay Zone District.

**4. Pedestrian Access, Primary or Side Street Standards**

- a. A minimum of one ground level Unenclosed Porch shall be required for each Dwelling Unit.
- b. Each Unenclosed Porch shall:
  - i. Be a minimum depth of 6 feet between the street-facing building facade and Primary or Side Street Zone Lot Line, as measured perpendicular to the Zone Lot Line; and
  - ii. Have an upper walking surface with a minimum area of 48 square feet, inclusive of posts, railings, walls or other structural features, but excluding the depth of any above grade stairways at the Street Level connected to the Unenclosed Porch.
- c. Required Unenclosed Porches for each Dwelling Unit may be combined if the resulting Unenclosed Porch meets the combined minimum area requirement set forth in 9.4.5.14.D.4.b.ii for all Dwelling Units served. For example, a single Unenclosed

Porch with a minimum area of 144 square feet (48 square feet x 3) could serve three Dwelling Units in a Row House Building Form.

## **E. Supplemental Design Standards for the DO-10 Overlay Zone District**

### **1. Site Landscaping**

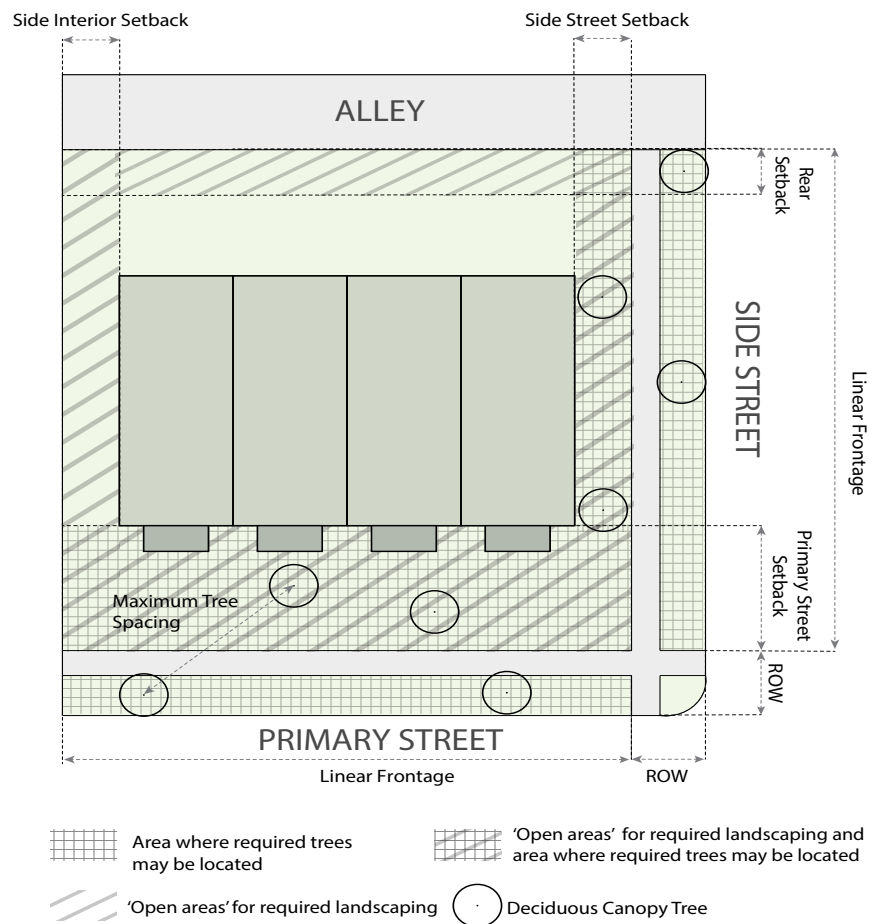
#### **a. Applicability**

- i. Development in the DO-10 Overlay Zone District shall be landscaped according to Section 9.4.5.14.E.1.b Minimum Landscaping Standards in the DO-10 Overlay Zone District in lieu of Section 10.5.4.2.B Minimum Landscaping Standards.
- ii. "Open areas" are defined in Section 10.5.4.2.A.4 Open Areas Defined and are located within a required minimum setback.

#### **b. Minimum Landscaping Standards in the DO-10 Overlay Zone District**

- i. A minimum of 60% of the applicable "open areas" shall be landscaped with live planting material and the remaining 40% shall be landscaped with either live or non-live landscaping material, according to Section 10.5.4.6 Landscaping Material Standards. See Figure 9.4-21.
- ii. 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.
- iii. On each Zone Lot, one deciduous canopy tree shall be planted for every 25 feet of linear frontage. Spacing of trees may vary, but the maximum spacing is 40 feet. See Figure 9.4-21.
  - a) Required trees shall meet the tree requirements set forth in Section 10.5.4.6 Landscaping Material Standards, and shall be located in a required minimum Primary or Side Street Setback or in the abutting street right-of-way (ROW).
  - b) Existing trees located in the required minimum Primary or Side Street Setback or in the abutting street right-of-way (ROW) shall be credited towards this requirement, provided they meet the tree requirements set forth in Section 10.5.4.6 Landscaping Material Standards.

Figure 9.4-21



## 2. Outdoor Lighting

### a. Applicability

Development in the DO-10 Overlay Zone District shall provide outdoor lighting according to Section 9.4.5.14.E.2.b Design Standards for Outdoor Lighting in the DO-10 Overlay Zone District in addition to Division 10.7 Outdoor Lighting.

### b. Design Standards for Outdoor Lighting in the DO-10 Overlay Zone District

- i. A minimum of two outdoor light fixtures shall be provided for each Dwelling Unit.
- ii. One of the required light fixtures shall be located in the front 50% of the Zone Lot depth.
- iii. One of the required light fixtures shall be located in the rear 50% of the Zone Lot depth.

## DIVISION 9.5 DENVER INTERNATIONAL AIRPORT ZONE DISTRICTS AND O-1 ZONE DISTRICT

### SECTION 9.5.1 DISTRICTS ESTABLISHED

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

DIA	Denver International Airport Zone
AIO	DIA Influence Area Overlay Zone
O-1	O-1 Zone District

#### 9.5.1.1 Purpose

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

##### A. Denver International Airport Zone (DIA)

The Denver International Airport (DIA) encompasses 53 square miles of land. This large land area is designed to limit the impacts of airport activity on the airport's neighbors and provides room for the airport to expand and grow. The enormous potential of DIA to serve a prominent role in the global aviation system is due primarily to the airport's room to grow. With this ability to grow in a city that is otherwise landlocked, development within the DIA zone district provides a path to markets around the world and providing a stimulus for economic growth in the region. Accordingly, the intent of the DIA zone district is to:

1. Ensure public safety and security.
2. Reduce exposure of residential and other sensitive land uses to airport operations.
3. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area
4. Maintain consistency with DIA's vision, mission and goals
5. Maintain consistent and coordinated development patterns that match City and regional development plans
6. Minimize impacts to airport operations
7. Optimize airport operational efficiency and flexibility
8. Allow the airport to respond to the changing needs of a dynamic aviation industry
9. Continue to support DIA's role as the key economic engine for the region and the state
10. Reserve and maintain land uses on and near the airport to permit logical, phased development that is both flexible and responsive to airport and public needs

##### B. DIA Influence Area Overlay Zone (-AIO)

The Denver International Airport is the largest airport in North America. This large land area is designed to limit the impacts of airport activity on the airport's neighbors and provides room for the airport to expand and grow. However, even at its extensive size, the influence of the airport extends beyond the property owned as part of the airport itself (see the Denver International Airport zone district). Accordingly, the intent of the DIA Influence Area Overlay Zone is to:

1. Reduce exposure of residential and other sensitive land uses to airport operations.
2. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area.

## SECTION 9.5.2 DENVER INTERNATIONAL AIRPORT ZONE DISTRICT (DIA)

### 9.5.2.1 Building Forms

The Denver Manager of Aviation shall determine all applicable building form standards in the DIA zone district.

### 9.5.2.2 Design Standards

#### A. Signage

Design and development standards governing signage in the DIA zone district shall be determined by the Denver Manager of Aviation, except that in the Peña Station Next Design Overlay District (DO-6), Section 9.4.5.10 and Division 10.10 Signs shall apply.

#### B. All Other Design Standards

All other design and development standards governing uses and structures in the DIA zone district, including but not limited to landscaping and parking, shall be determined by the Denver Manager of Aviation.

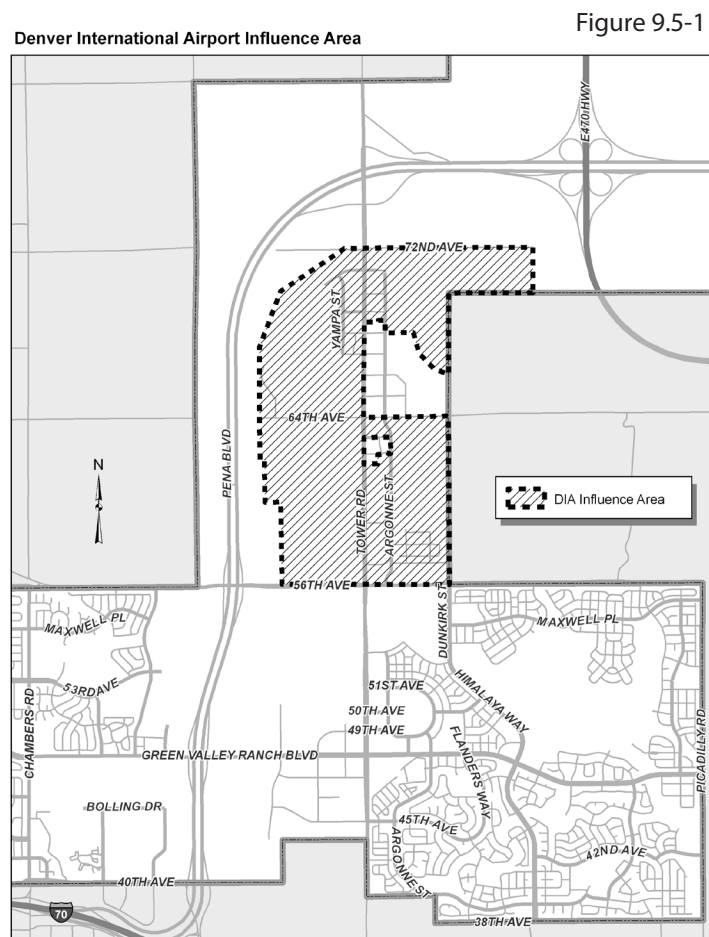
### 9.5.2.3 Permitted Uses in the DIA Zone District

See Section 9.5.5, Uses and Required Minimum Parking.

## SECTION 9.5.3 DIA INFLUENCE AREA OVERLAY ZONE (AIO-)

### 9.5.3.1 DIA Influence Area

The DIA Influence Area is defined as the land area located north of 56<sup>th</sup> Avenue in the City and County of Denver's DIA statistical neighborhood, as shown in Figure 9.5-1, and on the Official Map.



#### **9.5.3.2 Effective Date of Overlay District Standards**

The standards and limitations applicable in the DIA Influence Area Overlay Zone District shall apply only to properties rezoned according to this Code after June 25, 2010.

#### **9.5.3.3 Land Use Restrictions**

- A. Single unit and two unit dwellings are not permitted in the DIA Influence Area Overlay Zone District.
- B. Multi-unit dwellings, live/work dwellings, all uses categorized as congregate living and residential care uses in this Code, hospitals, bed and breakfasts, and all educational uses that include residential accommodations are not permitted in the DIA Influence Area Overlay Zone District north of 64th Avenue.
- C. Surface parking of vehicles is not permitted as a primary use of land in the DIA Influence Area Overlay Zone District. Garage parking is permitted.

#### **9.5.3.4 Easement and Right-of-Way Required**

On or before the date of approval of an official map amendment or approval of a site development plan for development in the DIA Influence Area Overlay Zone District, the property owner shall be required to grant an avigation easement and right-of-way to DIA for passage of aircraft in a form established by DIA and recorded in the Office of the Denver Clerk and Recorder.

#### **9.5.3.5 Airport Disclosure Notice**

See D.R.M.C. Chapter 5, Article IV, for disclosure notice requirements for residential dwelling units.

#### **9.5.3.6 Noise Level Reduction Measures**

See the Building Code of the City and County of Denver for noise mitigation construction requirements for multi-unit dwellings and schools.

## SECTION 9.5.4 O-1 ZONE DISTRICT

### 9.5.4.1 Permitted Structures

#### A. Setbacks

All structures shall be set in a distance of not less than 20 feet from each front, rear and side line of the zone lot; provided, however, that no setback shall be required for electric substations, gas regulator stations and utility pumping stations except from such lines of the zone lot as abut public right-of-way. The space resulting from the foregoing setbacks shall be open and unobstructed; provided, however:

1. Fences or walls not exceeding 6 feet in height may be erected on any part of the zone lot. The height of such walls or fences shall be determined as stated in Section 13.1.7, Fence and Wall Height Measurement.
2. Any structure or part thereof which is below the grade of any setback may project any distance into such setback.
3. Canopies may project any distance into the front setback.

#### B. ~~Setback Exceptions~~ (Moved to 13.1.5.8)

##### 1. ~~Intent~~

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

##### 2. ~~Standard~~

~~In the O-1 zone district, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:~~

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

#### C. Residential Protection Standards

1. Maximum Height Within 175 feet of Protected District: 75 feet
2. When Adjacent to Protected District:
  - a. Upper Story Setback Above 27 ft (at rear alley, rear no alley or side interior): 20ft/25ft
  - b. Upper Story Setback Above 51 feet (at rear alley, no alley or side interior): 35'/40'

### 9.5.4.2 Other Applicable Regulations

- A. Signs: Refer to Division 10.10 Signs for regulations pertaining to permitted signs.
- B. Loading: Refer to Division 10.4 for regulations pertaining to loading.

## SECTION 9.5.5 USES AND REQUIRED MINIMUM PARKING

### 9.5.5.1 Applicability

#### A. DIA Zone District

Permitted uses, required minimum parking, number of uses, and any applicable use limitations in the DIA zone district, shall be determined by the Denver Manager of Aviation.



**B. O-1 Zone District**

1. This Section 9.5.5 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for the O-1 zone district.
2. Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
3. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

**9.5.5.2 Organization**

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

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

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

**1. Primary Use Classifications**

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

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

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

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

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

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

**9.5.5.3 Explanation of Table Abbreviations**

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

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

## **B. Permitted, Limited, Not Permitted**

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

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

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

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

### **3. Uses Not Permitted (“NP”)**

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

## **C. Zoning Procedure**

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

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

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

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

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

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

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

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

### **5. Uses Where More Than One Zoning Procedure Is Indicated**

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

#### 9.5.5.4 Enclosure of Uses

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

#### 9.5.5.5 District Specific Standards

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
ZP = Zoning Permit Review 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
RESIDENTIAL PRIMARY USE CLASSIFICATION				
Household Living	Dwelling, Single Unit	See Section 9.5.5.1 for permitted uses and required parking	NP	
	Dwelling, Two Unit		NP	
	Dwelling, Multi-Unit		NP	
	Dwelling, Live / Work		NP	
Residential Care	Residential Care, Type 1 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement		L/L-ZP	§11.2.7; §11.2.8
	Residential Care, Type 2 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement		L-ZP	§11.2.7; §11.2.9
	Residential Care, Type 3 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement		L-ZPCIM	§11.2.7; §11.2.10
	Residential Care, Type 4 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement		L-ZPCIM	§11.2.7; §11.2.11
Congregate Living	All Types • Vehicle: .5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA		NP	

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>				
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement	See Section 9.5.5.1 for permitted uses and required parking	L-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 sf GFA •Bicycle: No requirement		L-ZP	§ 11.3.2
Community/ Public Services	Community Center* •Vehicle: .5 / 1,000 sf GFA •Bicycle: 1/10,000 s.f. GFA (0/100)		L-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)		P-ZPIN	
	Postal Facility, Neighborhood		NP	
	Postal Processing Center		NP	
	Public Safety Facility •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)		P-ZP	
	Hospital		NP	
	Correctional Institution •Vehicle: .25/unit •Bicycle: No requirement		P-ZP	
Cultural/Special Purpose/ Public Parks & Open Space	Cemetery* •No Parking Requirements		P-ZP	
	Library •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)		P-ZP	
	Museum •Vehicle: 1/ 1,000 sf GFA •Bicycle: 1/ 10,000 sf GFA (0/100)		P-ZP	
	City Park*		NP	
	Open Space - Conservation* •No Parking Requirements		P-ZP	
Education	Elementary or Secondary School •Vehicle-High School: 2/1,000 sf GFA •Bicycle-High School: 1/ 20,000 sf GFA (0/100) •Vehicle-All Others: 1/1,000 sf GFA •Bicycle-All Others: 1/ 10,000 sf GFA (0/100)		P-ZP	
	University or College		NP	
	Vocational or Professional School		NP	
Public and Religious Assembly	All Types		NP	

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION				
Adult Business	All Types	See Section 9.5.5.1 for permitted uses and required parking	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor		NP	
	Arts, Recreation and Entertainment Services, Outdoor* •Vehicle: 2.5/ 1,000 sf GFA •Bicycle: 1/20,000 sf GFA (20/80)		L-ZP	§ 11.4.3
	Event Space with Alternate Parking and Loading* •Vehicle: No requirement •Bicycle: No requirement		NP	
	Sports and/or Entertainment Arena or Stadium*		NP	
Nonresidential Uses in Existing Business Structures In Residential Zones			Not Applicable	
Parking of Vehicles	Parking, Garage •No Parking Requirements		P-ZP	
	Parking, Surface* •No Parking Requirements		P-ZP	
Eating & Drinking Establishments	All Types		NP	
Lodging Accommodations	Bed and Breakfast Lodging		NP	
	Lodging Accommodations, All Others		NP	
Office	Dental / Medical Office or Clinic		NP	
	Office, All Others		NP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only	NP		
	Animal Sales and Services, All Others	NP		
	Food Sales or Market	NP		
	Pawn Shop	NP		
	Retail Sales, Service & Repair -- Outdoor*	NP		
	Retail Sales, Service & Repair - Firearms Sales	NP		
	Retail Sales, Service & Repair, All Others	NP		
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility	NP		
	Automobile Services, Light	NP		
	Automobile Services, Heavy	NP		
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*	NP		
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP		

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>				
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	See Section 9.5.5.1 for permitted uses and required parking	L-ZP	§ 11.5.2
	Communication Services		NP	
	Telecommunications Towers* • No Parking Requirements		L-ZP/ZPIN/ ZPSE	§ 11.5.2
	Telecommunications Tower - Alternative Structure • No Parking Requirements		L-ZP/ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements		L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General		NP	
	Contractors, Special Trade - Heavy/Contractor Yard*		NP	
	Food Preparation and Sales, Commercial		NP	
	Laboratory, Research, Development and Technological Services		NP	
	Service/Repair, Commercial		NP	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom		NP	
	Manufacturing, Fabrication & Assembly -- General		NP	
	Manufacturing, Fabrication & Assembly -- Heavy		NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling* • Vehicle: .3/ 1,000 s.f. GFA • Bicycle: No requirement		L-ZP	§ 11.5.11
	Sand or Gravel Quarry*		NP	
	Wind Energy Conversion Systems*		NP	

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
Transportation Facilities	Airport*	P-ZP	NP	
	Helipad, Helistop, Heliport*	See Section 9.5.5.1 for permitted uses and required parking	NP	
	Railroad Facilities*		NP	
	Railway Right-of-Way* •No Parking Requirements		P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System		NP	
	Terminal, Freight, Air Courier Services		NP	
Waste Related Services	Automobile Parts Recycling Business		NP	
	Junkyard*		NP	
	Recycling Center		NP	
	Recycling Collection Station		NP	
	Recycling Plant, Scrap Processor		NP	
	Solid Waste Facility		NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*		NP	
	Mini-storage Facility		NP	
	Vehicle Storage, Commercial*		NP	
	Wholesale Trade or Storage, General		NP	
	Wholesale Trade or Storage, Light •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement		P-ZP	
AGRICULTURE PRIMARY USE CLASSIFICATION				
Agriculture	Aquaculture*	See Section 9.5.5.1 for permitted uses and required parking	NP	
	Garden, Urban* •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement		L-ZP	§11.6.2
	Husbandry, Animal*		NP	
	Husbandry, Plant*		NP	
	Plant Nursery* •Vehicle: .5 / 1,000 sf GFA •Bicycle: No requirement		L-ZP	§11.6.5



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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION				
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	§11.7
	Accessory Dwelling Unit		NP	
	Domestic Employee		L	§11.7; §11.8.3
	Garden*		L	§11.7; §11.8.4
	Keeping of Household Pets*		NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	
	Kennel or Exercise Run*		NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	
	Outdoor Storage, Residential*		L	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	
	Short-term Rental		NP	
	Vehicle Storage, Repair and Maintenance*		NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses	
	Yard or Garage Sales*		NP	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION				
Home Occupations	Child Care Home, Large (7-12)	See Section 9.5.5.1 for permitted uses and required parking	NP	
	All Other Types		NP	
	Unlisted Home Occupations		NP	

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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 Non-residential Uses Accessory to Primary Non-residential 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 <u>Primary</u> Places of Religious Assembly <u>or Primary Uses Operated by Nonprofit Organizations</u> *		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	
	<u>Retail Food Establishment, Mobile (Food Truck)*</u>		NP	

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USE CATEGORY	SPECIFIC USE TYPE	DIA	O-1	APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
TEMPORARY USE CLASSIFICATION				
Temporary Uses	Unlisted Temporary Uses	See Section 9.5.5.1 for permitted uses and required parking	L	§11.11.1
	Ambulance Service - Temporary		L-ZP Not Applicable - See Permitted Primary Uses	§11.11.2
	Amusement / Entertainment - Temporary*		NP	
	Bazaar, Carnival, Circus or Special Event*		L-ZP	§11.11.4
	Building or yard for construction materials*		L-ZP	§11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*		L-ZP	§11.11.6
	Fence for Demolition or Construction Work		L-ZP	§11.11.7
	Health Care Center		NP	
	Noncommercial Concrete Batching Plant*		L-ZP	§11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*		NP	
	Outdoor Retail Sales*		NP	
	Outdoor Sales, Seasonal*		L-ZP	§11.11.12
	Parking Lot Designated for a Special Event*		L-ZP	§11.11.13
	Retail Food Establishment, Mobile ( <a href="#">Food Truck</a> )*		NP	
	Temporary Construction Office		L-ZP	§11.11.15
	Temporary Office - Real Estate Sales		L-ZP	§11.11.16
	Temporary Managed Community*		L-ZPCIM	§11.11.17
	Tent for Religious Services		NP	

## **DIVISION 9.6 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)**

### **SECTION 9.6.1 PLANNED UNIT DEVELOPMENT DISTRICT (PUD)**

#### **9.6.1.1 General Purpose and Intent**

- A. The general purpose of a Planned Unit Development zone district (“PUD District”) District is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and substituting procedural protections for the more prescriptive requirements in this Code. The PUD District is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.
- B. “Unique and extraordinary circumstances” that justify use of a PUD District include, but are not limited to, the following:
  - 1. Where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practices;
  - 2. Where a customized zoning approach is necessary to protect and preserve the character of a Historic Structure or historic district;
  - 3. Where a development site is subject to an existing PUD and rezoning to a new PUD District will bring the site closer to conformance with current zoning regulations and adopted plans; or
  - 4. Where the proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful, phased development.
- C. A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.
- D. In return for the flexibility in site design with respect to the arrangement, heights, and setbacks of buildings, densities, open space and circulation elements, development under a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.

#### **9.6.1.2 Application Process**

##### **A. Rezoning Required**

Creation of a PUD District shall be by an official map amendment (rezoning) according to the process and review criteria stated in Section 12.4.10, Official Map Amendment.

##### **B. Concurrent Processing**

At the applicant’s option, and with the Manager’s approval, a site development plan for one or more stages of a General PUD District Plan (see Section 9.6.1.3 below) may be submitted with the filing of a PUD District rezoning application, according to Section 12.3.3.9, Concurrent Applications.

##### **C. Vested Rights**

City Council approval of a PUD District confers vested property rights, as stated in Section 9.6.1.5, Vested Property Rights, below.

### **9.6.1.3 Requirement for PUD District Plan**

All applications for rezoning to a PUD District shall contain the information and representations required by this Division 9.6 and by Section 12.4.10 (Official Map Amendment), and a PUD District Plan that complies with the following:

#### **A. Choice of PUD District Plan Type**

##### **1. General PUD District Plan**

If development is to proceed in phases or over an extended period of time, or if more general zoning is desired prior to preparation of more detailed site development and pre-construction plans, the applicant may submit a “General PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a General PUD District Plan is approved, one or more site development plans shall be submitted for each phase of development and shall follow the general development concept established in the General PUD District Plan. See Section 12.4.3, Site Development Plan, for the procedure and review criteria applicable to site development plans.

##### **2. Detailed PUD District Plan**

If development is not to be completed in phases or over an extended period of time, or if an applicant is prepared to submit more detailed site development plan or pre-construction plans, the applicant may submit a “Detailed PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a Detailed PUD District plan is approved, the Detailed PUD District Plan shall constitute a site development plan, enabling the applicant to proceed directly to final zoning / building permit approval (no intervening site development plan review step under Section 12.4.3).

#### **B. PUD District Plan Contents -- Permitted Uses and Procedures**

All PUD District Plans shall specify permitted primary, accessory and temporary uses, and may specify applicable use and development review procedures, in compliance with the following standards.

1. A PUD District Plan shall permit any use which is a permitted use in any zone district when such use is provided for, enumerated, and approved in the PUD District Plan.
2. All use limitations in this Code shall apply to the uses in the PUD District unless expressly waived or modified in the PUD District Plan.
3. A PUD District Plan may subject the establishment of a permitted use or the development of an allowed building form to any procedure established in Article 12, Zoning Procedures and Enforcement, including Zoning Permit Review with Information Notice, Special Exception review, Site Development Plan review, or Administrative Adjustment. However, a PUD District Plan shall not establish or include any use or development review procedure different from a procedure established in Article 12, Zoning Procedures and Enforcement.
4. A PUD District Plan may provide for future amendment by subarea, platted lots, or metes and bounds parcels, as allowed in Section 9.6.1.4, Amendments to Approved PUD District Plans.

#### **C. PUD District Plan Contents -- Applicable Design Standards**

##### **1. Required PUD District Plan Elements**

While the level of detail will vary between a General PUD District Plan and a Detailed PUD District Plan, all PUD District Plans shall include or address the following elements, through specific standards wherever possible. All design standards stated in Article 10, General Design Standards, shall apply in the PUD District Plan unless expressly waived or modified in the PUD District Plan.

- a. A written statement of development and design intent for the proposed PUD District Plan, consistent with the purpose and intent of the PUD District stated in Section 9.6.1.1. above.
- b. Relationship of the PUD District Plan to existing Neighborhood Context of surrounding properties
- c. Building form standards, including building height, siting, and design element standards formatted similarly to the Primary Building Form Standards found in Articles 3 through 7.
- d. Appropriate building, use, or other transitions to adjacent properties, development, and uses.
- e. Parking for vehicles and bicycles.
- f. Vehicle, bicycle, and pedestrian access and circulation, including connections to adjacent properties and public amenities or facilities (e.g., public parks, transit, open space, schools).
- g. Off-street loading.
- h. Landscaping, screening, fence and wall standards.
- i. Grading, including tree preservation and removal.
- j. Outdoor lighting.
- k. Outdoor storage, sales and display.
- l. Signs.
- m. Limitations on external effects.
- n. Mitigation of potential adverse impacts on surrounding properties.

## **2. Optional PUD District Plan Elements**

In addition to the required elements stated in this subsection, a PUD District Plan may include design standards different than the type and subject matter of standards included in this Code, including without limitation, enhanced streetscape standards, minimum open space configuration or design standards, and minimum architectural design standards for buildings in the PUD District.

## **D. Effect of Approval of PUD District Plan**

### **1. Conformance with PUD District Plan Required**

All development in a PUD District shall conform to the approved PUD District Plan. Minor deviations may be permitted only according to this subsection.

### **2. Minor Deviations from Approved PUD District Plans**

The Zoning Administrator, Manager, and Manager of the Department of Transportation and Infrastructure ("DOTI") jointly may authorize minor deviations from previously approved PUD District Plans during the site development plan review (see Section 12.4.3) only when such deviations are necessary in light of technical or engineering considerations. Such deviations from an approved PUD District Plan shall not include any changes that constitute "amendments" under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits. Minor deviations approved according to this subsection shall not affect the vested rights status of the PUD District under Section 9.6.1.5 below.

## **9.6.1.4 Amendments to Approved PUD District Plans**

Where by its terms, a registered and recorded PUD District Plan states that it may be amended by subarea, platted lots, or metes and bounds parcels, any application to amend such PUD District Plan by subarea, platted lots, or metes and bounds parcels, including an amendment to rezone any such subarea, platted lots or metes and bounds parcels to any other classification:

- A. Shall include only that portion of the land area of the PUD District Plan to which the proposed amendment applies;

- B. Shall contain only the names and addresses of the owners and holders of deeds of trust of the property within the subarea, platted lots, or metes and bounds parcels to which the proposed amendment applies; and
- C. Shall be filed and signed only by all the owners or agents of the owners of the property within the subarea, platted lots, or metes and bounds parcels to which the proposed amendment applies.
- D. All required notices relating to an application to amend any such PUD District Plan shall state that the PUD District Plan being amended allows for amendment by subarea, platted lots, or metes and bounds parcels.
- E. The process for approving an amendment to a PUD District Plan is the same as for approving an application for rezoning to a PUD District. (See Section 12.4.10, Official Map Amendment)

#### **9.6.1.5 Vested Rights**

##### **A. Approval of a PUD District**

- 1. Approval of a PUD District by City Council, whether approved with a General PUD District Plan or a Detailed PUD District Plan, following notice and a public hearing shall constitute a site specific development plan under this Code.
- 2. Such property right shall not vest until 90 days after the effective date of the ordinance approving the PUD District. The City Clerk shall publish notice advising the general public of the PUD District approval and the creation of a vested property right no later than 14 days after the effective date of the ordinance approving the PUD District. At a minimum, final publication of the ordinance approving the PUD District shall constitute this required publication.
- 3. Every PUD District shall contain a statement that a vested property right shall be created 90 days after the effective date of the ordinance approving the PUD District.

##### **B. Vesting Period**

A property right that has been vested through approval of a PUD District shall remain vested for a period of 3 years. A property right may be vested, or an extension of a vested property right may be granted, for a period greater than 3 years only if approved by City Council through an approved PUD District Plan or PUD District Plan amendment or through a development agreement after a public hearing.



## DIVISION 9.7 MASTER PLANNED CONTEXT (M-RH, M-RX, M-CC, M-MX, M-IMX, M-GMX)

### SECTION 9.7.1 MASTER PLANNED CONTEXT DESCRIPTION



**General Character:** The Master Planned Context is intended for developing areas that will develop or redevelop in phases over an extended period of time into entirely new residential and mixed use neighborhoods covering multiple blocks. Examples of areas in Denver that may be appropriately zoned within the Master Planned Context are the Central Park and Gateway neighborhoods. Development may consist of single-unit, two-unit and multi-unit residential uses, mixed use centers embedded in residential areas, larger town centers, high density transit oriented developments, as well as commercial office and mixed-use industrial employment centers. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial streets but may be located at or between intersections of local streets. Office, research and industrial parks are primarily located near arterials and major highways.

**Street, Block, and Access Patterns:** The Master Planned Context consists of a variety of block shapes and patterns, often depending on the intended land use. In all cases, there is a high degree of vehicle and pedestrian connection through this context. In residential neighborhoods and town centers, blocks are sized to promote circulation and include detached sidewalks, tree lawns and/or streetscape elements, street and surface parking. Block sizes may be very large in industrial areas.

Single- and two-unit residential access is from a primary or side street, or an alley when present. Multi-unit residential access is typically from an alley, primary, side street or shared rear access lane to a surface parking lot, carport parking lot or parking structure. Commercial and industrial access is typically from a primary or side street via a shared or private drive to a surface or structured parking lot.

**Building Placement and Location:** Single- and two-unit buildings typically have consistent landscaped front setbacks along primary streets and consistent shallow setbacks along side streets. Multi-unit buildings typically have consistent landscaped front setbacks along primary streets and consistent shallow setbacks along side streets. Commercial development in town centers and transit oriented developments is typically built up to the street on at least one side of the block with buildings on other sides of the block sometimes having parking located between the building and the street. Commercial development in office, research or industrial parks may be set back from the street with parking or landscape areas between the building and the street.

**Building Height:** Single- and two-unit residential structures are 1 to 2.5 stories. Row house and town house structures are 2 to 5 stories. Multi-unit residential structures and mixed-use buildings are 1 to 8 stories. In the most intensive transit oriented development or commercial business/office centers, building heights may reach 12.

**Mobility:** Equal priority is given to pedestrians, automobile and transit activity. This context will often have access to the multi-modal transit system in at least a portion of the context.

## SECTION 9.7.2 DISTRICTS ESTABLISHED

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

### Master Planned Context

M-RH-3	Row House 3
M-RX-3	Residential Mixed Use 3
M-RX-5	Residential Mixed Use 5
M-RX-5A	Residential Mixed Use 5A
M-CC-5	Commercial Corridor 5
M-MX-5	Commercial Mixed Use 5
M-IMX-5	Industrial Mixed Use 5
M-IMX-8	Industrial Mixed Use 8
M-IMX-12	Industrial Mixed Use 12
M-GMX	General Mixed Use

### 9.7.2.1 General Purpose

- A. The intent of zone districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The zone district regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the permitted uses and building forms are further defined to provide clarity and predictable development outcomes.
- B. The building form standards and use standards support medium to high density development and are organized into nine distinct zone districts. Multiple building forms are allowed on a single zone lot.

### 9.7.2.2 Specific Intent

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

M-RH-3 is a residential district intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high . There is a consistent front yard setback with buildings oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

#### B. Residential Mixed Use 3 (M-RX-3)

M-RX-3 is a Residential Mixed-Use District intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high . Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance.

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

M-RX-5 is a Residential Mixed-Use District intended to promote development of new neighborhoods up to 5 stories in height. Single and two unit building forms are often located on small

lots and all building forms usually have relatively shallow setbacks and high . Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance.

**D. Residential Mixed Use 5A (M-RX-5A)**

M-RX-5A is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Distinguished from the M-RX-5 zone district, the M-RX-5A zone district allows the suburban house and town house building forms to allow development in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high . Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance.

**E. Commercial Corridor (M-CC-5)**

M-CC-5 is a mixed use district where a building scale of 1 to 5 stories is desired, and which is intended to allow predominantly commercial development along arterial or collector street corridors, or at major intersections with such streets, in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. The M-CC-5 district is intended to balance the need for safe, active, and pedestrian-scaled mixed use areas with the need for convenient automobile access. The M-CC-5 District standards have minimum setbacks to allow maximum flexibility in building placement, vehicle circulation and parking lot layout, while ensuring new development contributes positively to adjacent residential neighborhoods and ensures appropriate transitions between commercial development and such adjacent residential neighborhoods.

**F. Commercial Mixed Use 5 (M-MX-5)**

M-MX-5 is a mixed-use district intended to promote development of new town centers and mixed-use neighborhoods up to 5 stories in height. The district is intended to be primarily commercial. Complementary uses may be embedded within the district and primarily residential uses may be located near district boundaries. Buildings are often built to the sidewalk edge, but some commercial buildings may be set back with parking located between the building and the street.

**G. Industrial Mixed Use 5 (M-IMX-5)**

M-IMX-5 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 5 stories.

**H. Industrial Mixed Use 8 (M-IMX-8)**

M-IMX-8 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 8 stories.

**I. Industrial Mixed Use 12 (M-IMX-12)**

M-IMX-12 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 12 stories.

**J. General Mixed Use (M-GMX)**

M-GMX is a mixed use district that provides, in comparison to the other Master Planned zone districts, the widest range of allowed building forms and land uses. The M-GMX District is intended to allow maximum flexibility in certain master planned communities with an extended build-out period, in order to respond to changes and innovations in market demand over time. The M-GMX District may be applied to properties only when a more detailed Regulating Plan is approved prior to site development, or when a General Development Plan for the subject property contains the same level of detail as a Regulating Plan. A Regulating Plan assigns specific building forms, permitted building heights, and a more limited range of land uses to specific blocks and zone lots within the M-GMX District.

**9.7.2.3 Minimum Requirements for Establishment**

The following requirements shall apply in addition to the requirements set forth in Section 12.4.10, Official Map Amendment (Rezoning). Where a conflict exists, the requirements of this Section shall supersede those in Section 12.4.10.

**A. General Development Plan Required**

A General Development Plan that meets the minimum standards stated Section 12.4.12, General Development Plan, shall be completed and approved prior to the City Council's approval of a rezoning to a Master Planned (M-) zone district.

**B. Regulating Plan Required for Development in the M-GMX District**

An official map amendment to a M-GMX District is contingent upon completion of one or more Regulating Plans that meet the minimum standards stated Section 12.4.13 prior to or concurrent with development of all or a portion of the approved M-GMX District. Alternately, if an approved General Development Plan for the subject property contains the same level of detail and information as required in a Regulating Plan, a rezoning to a M-GMX District may be approved without completion of a Regulating Plan.

**SECTION 9.7.3 DESIGN STANDARDS**

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

**9.7.3.1 General Intent**

**A. Urban Design and Building Form Standards**

The Intent of Urban Design and Building Form Standards in all Districts are to:

1. Implement the Denver Comprehensive Plan.
2. To continue Denver's physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
3. Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.
4. Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
5. Give equal prominence to pedestrian realm as a defining element of neighborhood character.
6. Spatially define public streets and their associated open space as positive, usable features around which to organize land use and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.

7. Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.

### **9.7.3.2 Building Form Intent**

#### **A. Height**

1. Encourage buildings whose forms are responsive to opportunities to reinforce evolving nodes of mixed-use, pedestrian and transit activity as well as the existing surrounding context.
2. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

#### **B. Siting**

##### **1. Required Build-To**

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

##### **2. Setbacks**

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

##### **3. Parking Location**

- a. Minimize the visual impacts of parking areas on streets and adjoining property.
- b. Minimize conflicts between pedestrian and vehicles.

#### **C. Design Elements**

##### **1. Configuration**

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

##### **2. Transparency**

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

##### **3. Entrances**

- a. Give prominence to pedestrian realm as a defining element of district and neighborhood character.

- b. Provide convenient access to buildings and active uses from the street.
- c. Create a clearly articulated and varied visual hierarchy of building entrances as an aid in way-finding.
- d. Provide a positive relationship to the street through access, orientation and placement consistent with the context.

### 9.7.3.3 Primary Building Form Standards for Primary Structures

#### A. Applicability

All development, except detached accessory structures, in all the Master Planned Context zone districts

#### B. District Specific Standards Summary

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

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

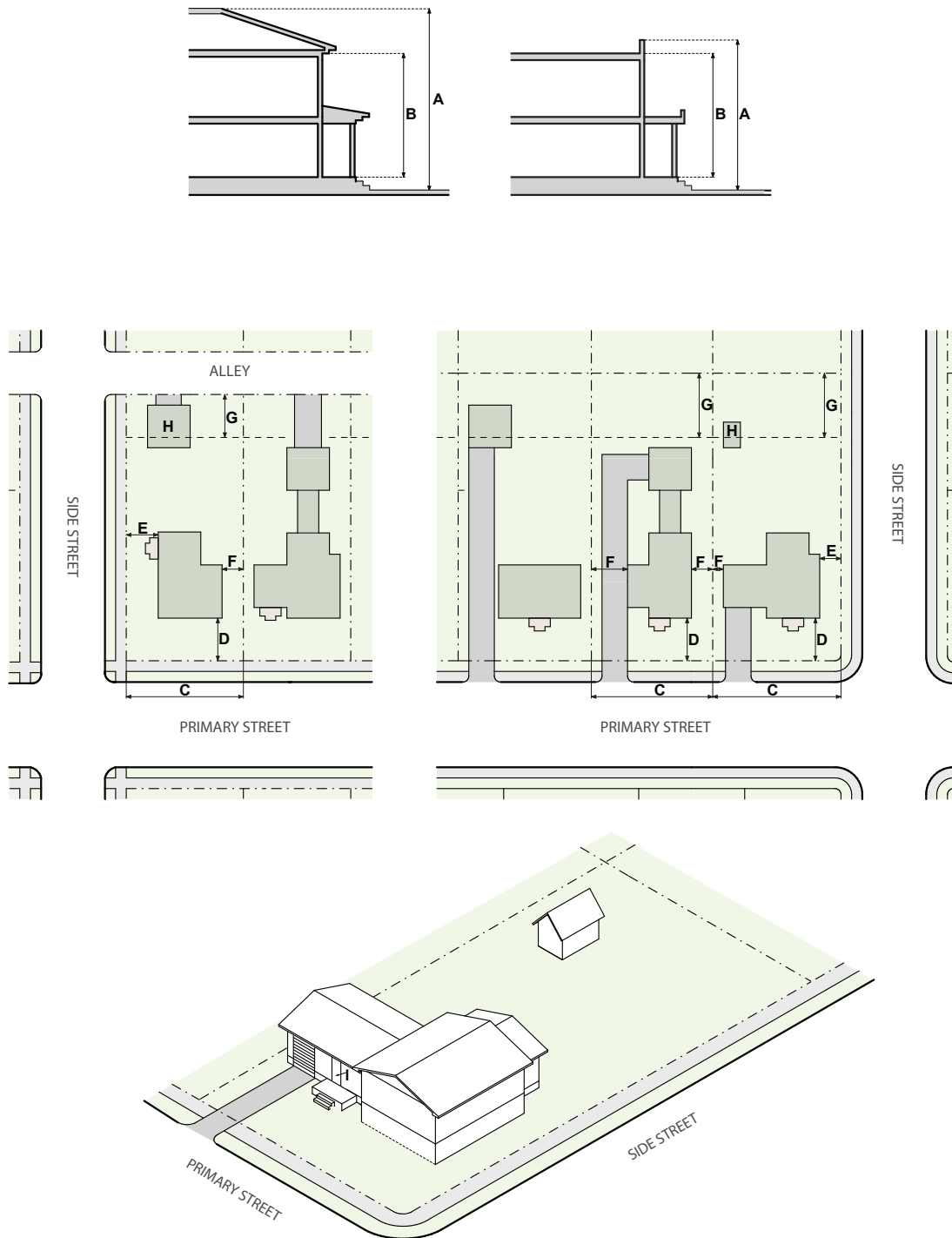
Master Planned (M-) Neighborhood Context Zone Districts		Max Number of Primary Structures per Zone Lot	Building Forms								
			Suburban House	Urban House	Duplex	Town House	Garden Court	Row House	Apartment	General	Industrial
Row House (RH)	M-RH-3	no max		■	■		■	■			
Residential Mixed Use (RX)	M-RX-3, -5	no max		■	■					■	
	M-RX-5A	no max	■	■	■	■	■	■	■	□	
Commercial Corridor (CC)	M-CC-5	no max	■		■				■	■	
Commercial Mixed Use (MX)	M-MX-5	no max		■	■					■	
Industrial Mixed Use (IMX)	M-IMX-5, -8, -12	no max						■	■	■	■
General Mixed Use (GMX)	M-GMX	no max	■	■	■	■	■	■	■	■	■

■ = Allowed □ = Allowed subject to limitations.



### 9.7.3.4 District Specific Standards

#### A. Suburban House

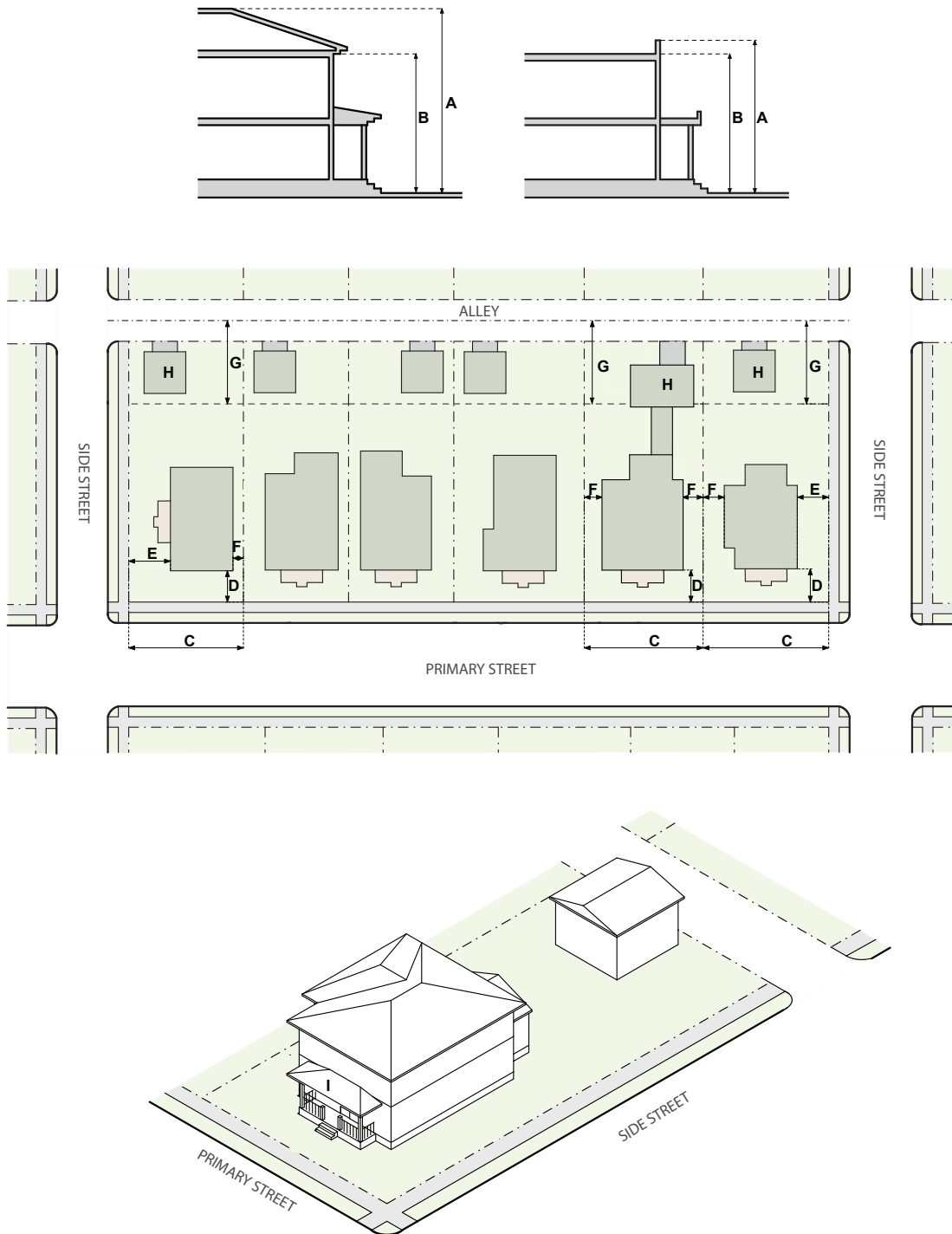


## SUBURBAN HOUSE

<b>HEIGHT</b>		M-RX-5A M-GMX, M-CC-5
<b>A</b>	Stories (max)	2.5
<b>A</b>	Feet (max)	40'
<b>SITING</b>		M-RX-5A M-GMX, M-CC-5
<b>ZONE LOT</b>		
	Zone Lot Size (min)	2,800 sf
<b>C</b>	Zone Lot Width (min)	25'
<b>SETBACKS</b>		
<b>D</b>	Primary Street (min)	10'
<b>E</b>	Side Street (min)	10'
<b>F</b>	Side, interior (min)	3'
<b>G</b>	Rear (min)	10'
	Building Coverage per Zone Lot, including all accessory structures (max)	65%
<b>PARKING</b>		
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6)
<b>H</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 9.7.4
<b>DESIGN ELEMENTS</b>		M-RX-5A M-GMX, M-CC-5
<b>BUILDING CONFIGURATION</b>		
	Attached Garage Allowed	Shall not project forward of any part of a Primary Street-facing façade of a primary structure. Where an Unenclosed Porch is located forward of the Primary Street-facing facade of the primary structure, the attached garage shall not project forward of that Unenclosed Porch.
<b>STREET LEVEL ACTIVATION</b>		
<b>I</b>	Pedestrian Access, Primary Street	Entry Feature
	Design Criteria	See Section 9.7.5.1
<b>USES</b>		M-RX-5A M-GMX, M-CC-5
		Primary Uses shall be limited to Single Unit Dwelling. See Section 9.7.9 Uses and Parking
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

## B. Urban House

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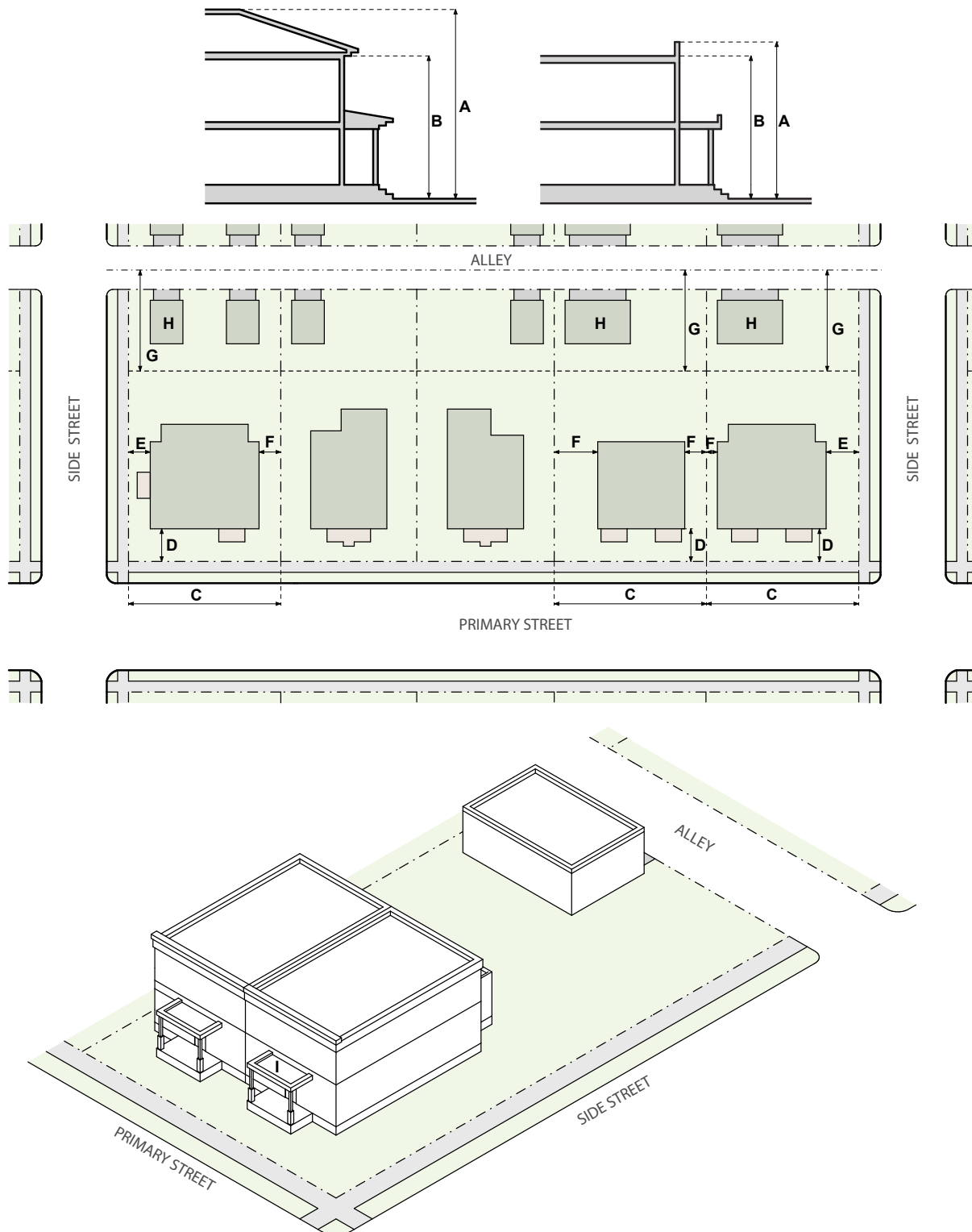


## URBAN HOUSE

HEIGHT		M-RH-3 M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5
A	Stories (max)	2.5
A	Feet (max)	42'
SITING		M-RH-3 M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5
ZONE LOT		
	Zone Lot Size (min)	3,000 sf
C	Zone Lot Width (min)	25'
SETBACKS		
D	Primary Street (min)	10'
E	Side Street (min)	10'
F	Side, interior (min)	3'
G	Rear (min)	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%
PARKING		
	Parking and Drive Lot Coverage in Primary Street Setback (max)	Maximum 16-feet wide measured parallel to the Primary Street zone lot line for any length, or 33% of the zone lot area within the Primary Street setback, whichever is greater
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)
H	DETACHED ACCESSORY STRUCTURES	(See Section 9.7.4)
DESIGN ELEMENTS		M-RH-3 M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5
BUILDING CONFIGURATION		
	Primary Street Facing Attached Garage Door Width in front 50% of zone lot depth(max)	35% of the entire width of the Primary Street-facing façade of the primary structure or 16', whichever is greater
	Attached Garage Allowed	Shall not be located closer to the <b>minimum</b> Primary Street <b>Zone Lot Line setback line</b> than the Primary Street-facing façade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) Shall be setback 20' from back of sidewalk for building walls with garage doors that are facing a street
STREET LEVEL ACTIVATION		
	Design Criteria	(See Section 9.7.5.1)
I	Pedestrian Access, Primary Street	Entry Feature
USES		M-RH-3, M-RX-3, M-RX-5, M-RX-5A, M-GMX, M-MX-5
		Primary Uses shall be limited to Single Unit Dwelling and permitted Residential Care, Congregate Living and Nonresidential uses. (See Section 9.7.9 Uses and Parking)
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions		

### C. Duplex

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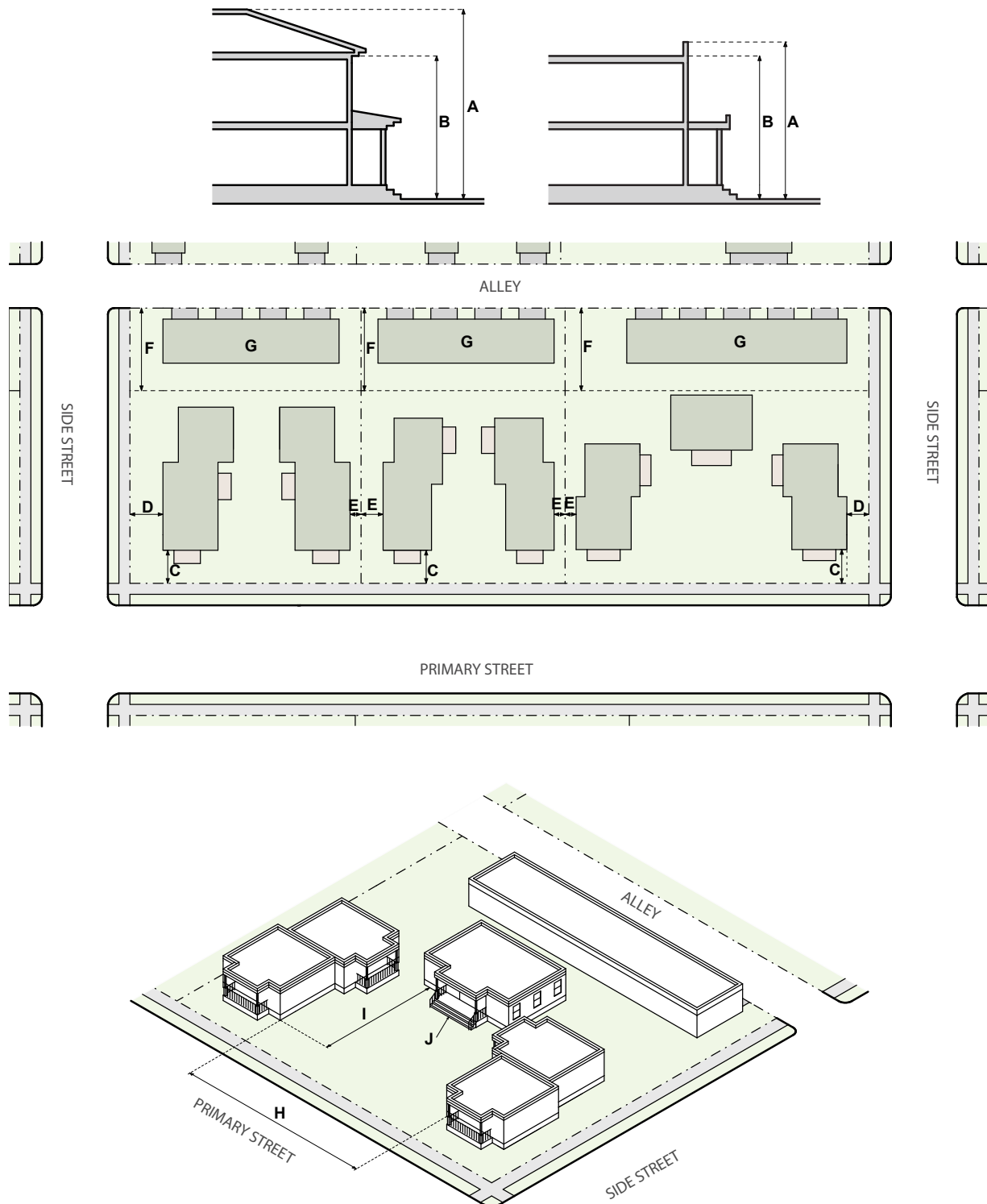
## DUPLEX

		M-RH-3 M-RX-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
<b>HEIGHT</b>			
<b>A</b>	Stories (max)	2.5	2.5
<b>A</b>	Feet (max)	42'	42'
		M-RH-3 M-RX-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
<b>SITING</b>			
<b>ZONE LOT</b>			
	Zone Lot Size (min)	4,000 sf	4,000 sf
<b>C</b>	Zone Lot Width (min)	45'	45'
<b>SETBACKS</b>			
<b>D</b>	Primary Street (min)	10'	10'
<b>E</b>	Side Street (min)	10'	10'
<b>F</b>	Side, interior (min)	5'	3'
<b>G</b>	Rear (min)	0'	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%	na
<b>PARKING</b>			
	Parking and Drive Lot Coverage in Primary Street Setback (max)		50%
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)	
<b>H</b>	<b>DETACHED ACCESSORY STRUCTURES</b>	(See Section 9.7.4)	
		M-RH-3 M-RX-3	M-RX-5 M-MX-5 M-RX-5A, M-GMX, M-CC-5
<b>DESIGN ELEMENTS</b>			
<b>BUILDING CONFIGURATION</b>			
	Primary Street Facing Attached Garage Door Width in front 50% of zone lot depth(max)	35% of the entire width of the Primary Street-facing façade of the primary structure or 16'; whichever is greater	
	Attached Garage Allowed	Shall not be located closer to the <del>minimum</del> Primary Street <u>Zone Lot Line setback line</u> than the Primary Street-facing façade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.	
<b>STREET LEVEL ACTIVATION</b>			
	Design Criteria	(See Section 9.7.5.1)	
<b>I</b>	Pedestrian Access, Primary Street	Entry Feature	
		M-RH-3, M-RX-3, M-RX-5, M-RX-5A, M-MX-5, M-CC-5, M-GMX	
<b>USES</b>		Primary Uses shall be limited to Two Unit Dwelling and permitted Residential Care, Congregate Living, and Nonresidential uses. (See Section 9.7.9 Uses and Parking)	

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## D. Garden Court

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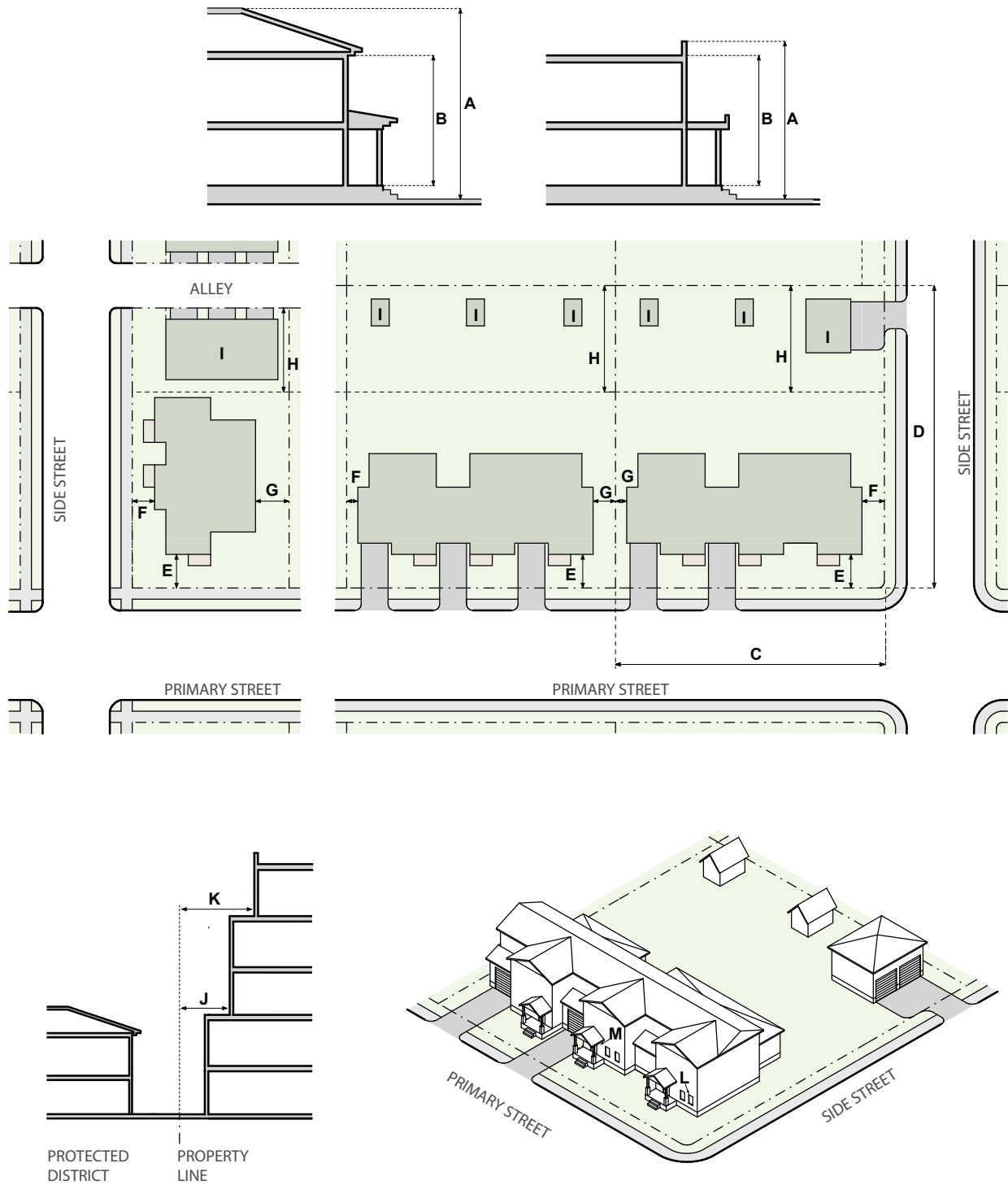




## GARDEN COURT

HEIGHT		M-RH-3	M-RX-5A, M-GMX
A	Stories (max)	2.5	2.5
A	Feet (max)	42'	42'
B	Side Wall Height (Max)	34'	34'
SITING		M-RH-3	M-RX-5A, M-GMX
ZONE LOT			
	Zone Lot Size (min)	6,000 sf	na
SETBACKS			
C	Primary Street (min)	10'	10'
D	Side Street (min)	10'	10'
E	Side, interior (min)	5'	5'
F	Rear, where Alley (public or private) abuts a rear zone lot line (min)	5'15'	0'0'
E	Rear, where no Alley (public or private)/no alley abuts a rear zone lot line (min)	15'	0'
	Building Coverage per Zone Lot, including all accessory structures (max)	75%	na
PARKING			
	Surface Parking Location	No surface parking between building and Primary Street	
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6)	
ACCESSORY STRUCTURES			
G	Detached Accessory Structures Allowed	See Sec. 9.7.4	
DESIGN ELEMENTS		M-RH-3	M-RX-5A, M-GMX
H	Street-Facing Courtyard Width (min)	15'	15'
I	Street-Facing Courtyard Depth (min)	30'	30'
	Garden Court Design Standards	See Sec. 9.7.5.2	
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks	
STREET LEVEL ACTIVATION			
J	Pedestrian Access, Primary Street	Each dwelling unit shall have a Street Level Entrance. A minimum two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.	
USES		M-RH-3, M-RX-5A, M-GMX	
		Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Residential Care, Congregate Living, and Nonresidential uses. See Section 9.7.9 Uses and Parking	
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions			

## E. Town House

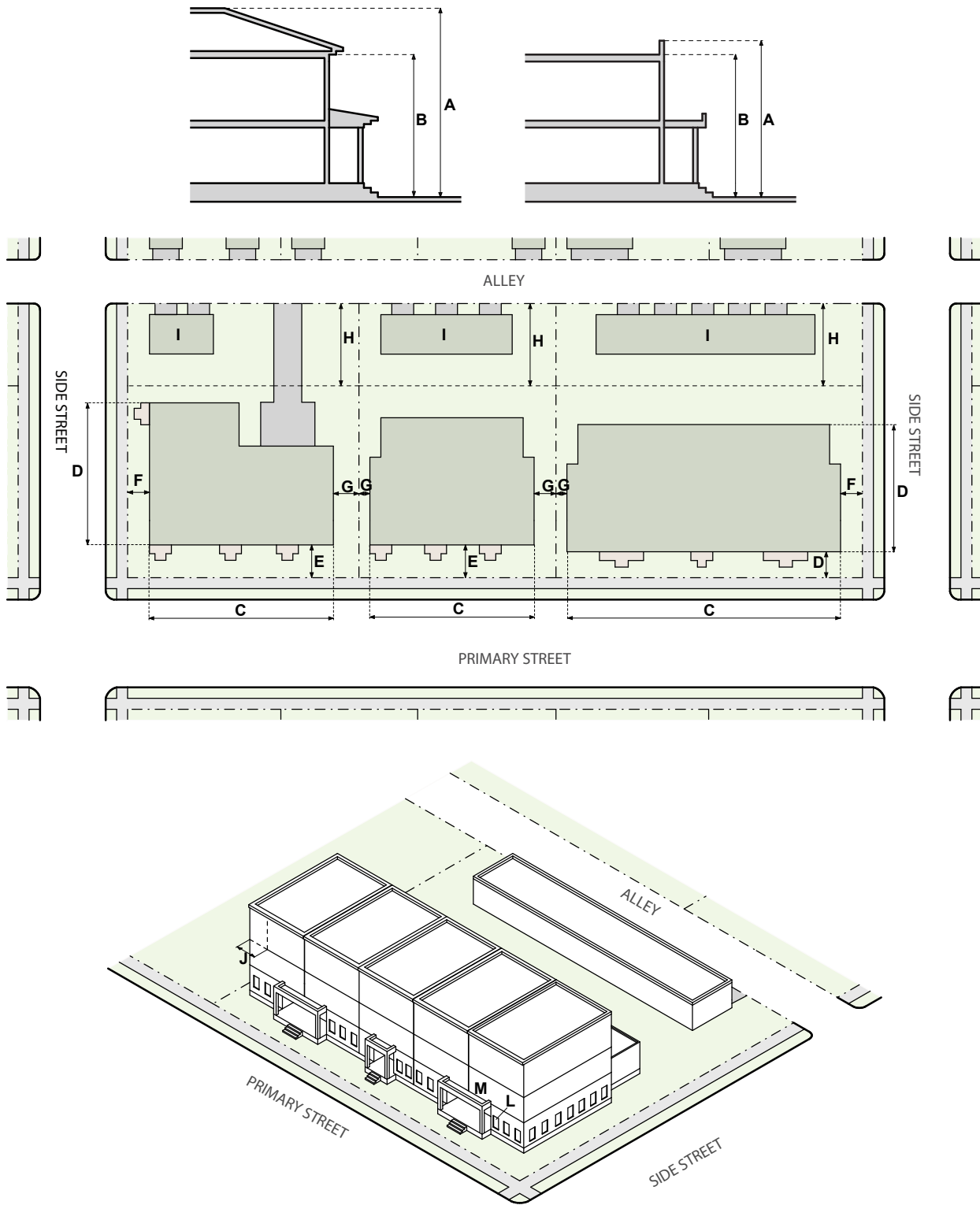


## TOWN HOUSE

HEIGHT		M-RX-5A M-GMX
A	Stories (max)	5
A	Feet (max)	65'
SITING		M-RX-5A M-GMX
ZONE LOT		
	Zone Lot Size (min)	na
	Dwelling Units per Primary Residential Structure (min/max)	3/na
REQUIRED BUILD-TO		
C	Primary Street (min % within min/max)	50% 0'/80'
SETBACKS		
E	Primary Street (min)	10'
F	Side Street (min)	10'
G	Side, interior (min)	5'
	Side, interior, adjacent to Protected District (min)	10'
H	Rear, where Alley (public or private) abuts a rear zone lot line (min)	10'/20'
H	Rear, where no alley (public or private)/no alley abuts a rear zone lot line (min)	20'
PARKING		
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6 )
ACCESSORY STRUCTURES		
I	Detached Accessory Structures Allowed	See Sec. 9.7.4
DESIGN ELEMENTS		M-RX-5A M-GMX
BUILDING CONFIGURATION		
	Primary Street-Facing Attached Garage Door Width (max per unit)	16'
STREET LEVEL ACTIVATION		
L	Transparency, Primary Street (min)*	20%
M	Pedestrian Access	Entrance or Pedestrian Connection
USES		M-RX-5A M-GMX
		Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Residential Care, Congregate Living, and Nonresidential uses. See Section 9.7.9 Uses and Parking
		See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
		* Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street

## F. Row House

*Not to Scale. Illustrative Only.*



## ROW HOUSE

				M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
HEIGHT		M-RH-3	M-RX-5A	
A	Stories (max)	3	5	5
A	Feet (max)	55'	70'	70'
B	Side Wall Height (max)	49'	na	na
SITING		M-RH-3	M-RX-5A	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
ZONE LOT				
	Zone Lot Size (min)	6,000 sf	na	na
	Dwelling Units per Primary Residential Structure (min/max)	3/10	3/na	3/na
REQUIRED BUILD-TO				
C	Primary Street (min % within min/max)	na	60% 0'/15'	60% 0'/15'
D	Side Street (min % within min/max)	na	na	na
SETBACKS				
E	Primary Street (min)	10'	0'	0'
F	Side Street (min)	10'	0'	0'
G	Side, interior (min)	5'	0'	0'
	Side, interior, adjacent to Protected District (min)	na	5'	5'
H	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, <u>where A alley (public or private) abuts a Rear Zone Lot Line/no alley</u> (min)	na	5'/10'	5'/10'
	<u>Rear, adjacent to Protected District, where no A alley (public or private) abuts a Rear Zone Lot Line</u>	na	10'	10'
PARKING				
	Surface Parking Location	Not allowed between the building and the Primary Street		
	Vehicle Access, 3 or more side-by-side dwelling units in one structure, and/or M-RH-3	From Alley; or Street access allowed when no Alley present. (See Sec. 9.7.7.6)		
	Vehicle Access, all other uses	Shall be determined as part of Site Development Plan Review		
ACCESSORY STRUCTURES				
I	Detached Accessory Structures Allowed	See Sec. 9.7.4		
DESIGN ELEMENTS		M-RH-3	M-RX-5A	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
BUILDING CONFIGURATION				
J	Upper Story Setback Above 27' adjacent to Protected District, Rear, alley/Rear, no alley /Side, interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
K	Upper Story Setback Above 51' adjacent to Protected District, Rear, alley/Rear, no alley /Side Interior (min)	na	na	30'/35'/40'
	Street facing garage door width per Primary Structure (max)	20'	20'	20'
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks		na
STREET LEVEL ACTIVATION				
L	Transparency, Primary Street (min)	20%	20%	20%
M	Pedestrian Access, Primary Street	Entrance or Pedestrian Connection		
USES		M-RH-3; M-RX-5A; M-GMX and all M-IMX		

Permitted Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Residential Care, Congregate Living, and Nonresidential Uses. See Section 9.7.9 Uses and Parking

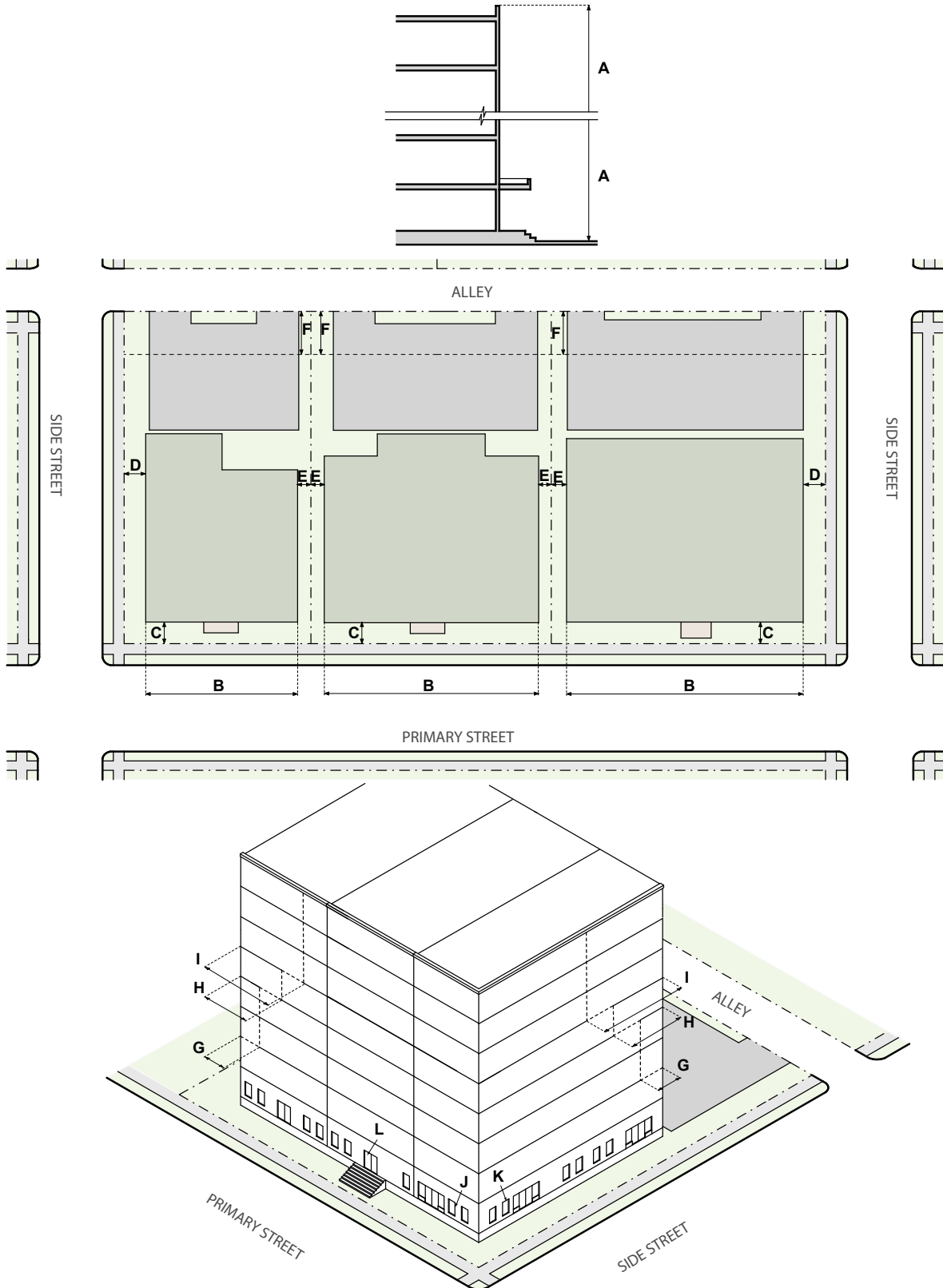
DENVER ZONING CODE

9.7-31

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

## G. Apartment

*Not to Scale. Illustrative Only.*



## APARTMENT

HEIGHT		M-RX-5A	M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
A	Stories (max)	5	5	8	12
A	Feet (max)	70'	70'	100'	140'

SITING		M-RX-5A	M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
REQUIRED BUILD-TO					
B	Primary Street (% within min/max)	50% 0'/20'	50% 0'/15'	60% 0'/15'	50% 0'/15'
SETBACKS					
C	Primary Street (min)	0'	0'	0'	0'
D	Side Street (min)	0'	0'	0'	0'
E	Side, interior (min)	0'	0'	0'	0'
	Side, interior, adjacent to Protected District (min)	10'	10'	10'	10'
F	Rear (min)	0'	0'	0'	0'
	Rear, adjacent to Protected District, <u>where an alley (public or private) abuts a rear zone lot line/no alley</u> (min)	5'/10'	5'/10'	5'/10'	5'/10'
	Rear, adjacent to Protected District, <u>where no alley (public or private) abuts a rear zone lot line</u>	10'	10'	10'	10'
PARKING					
	Surface Parking Location	Not allowed between the building and the Primary Street			
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)			
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review			

DESIGN ELEMENTS		M-RX-5A	M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
CONFIGURATION					
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	30'/35'/40'	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na	90'/90'/90'	90'/90'/90'
STREET LEVEL ACTIVATION					
J	Transparency, Primary Street (min)	30%	30%	30%	30%
K	Transparency, Side Street (min)	25%	25%	25%	25%
L	Pedestrian Access, Primary Street	Pedestrian Connection			

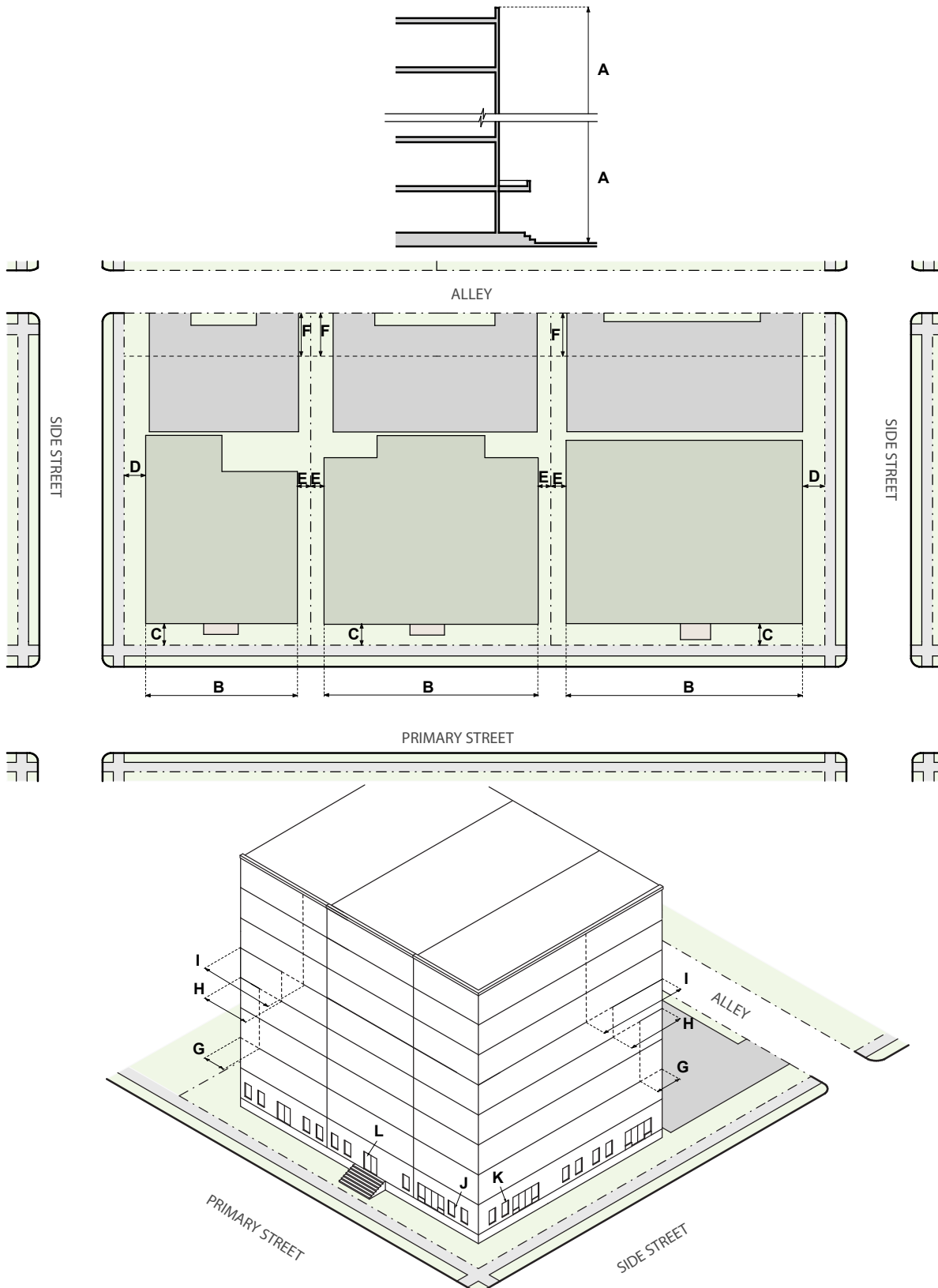
## USES

**M-RX-5A; M-GMX and all M-IMX**  
Permitted Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Residential Care, Congregate Living, and Lodging Accommodations Uses.  
See Section 9.7.9 Uses and Parking



## H. General (1 of 3)

*Not to Scale. Illustrative Only.*



## GENERAL (1 OF 3)

HEIGHT		M-RX-3	M-RX-5	M-RX-5A*
A	Stories (max)	3	5	5
A	Feet (max)	45'	70'	70'

SITING		M-RX-3	M-RX-5	M-RX-5A*
<b>SETBACKS</b>				
C	Primary Street (min)	0'	0'	0'
D	Side Street (min)	0'	0'	0'
E	Side, interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	0'	10'	10'
F	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, <u>where an alley (public or private) abuts a rear zone lot line/no alley</u> (min)	5'/10'	5'/10'	5'/10'
	<u>Rear, adjacent to Protected District, where no alley (public or private) abuts a rear zone lot line</u>	10'	10'	10'
<b>PARKING</b>				
	Surface Parking between building and Primary Street / Side Street	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed		
	Surface Parking Screening Required	See Article 10, Section 10.5.4.4		
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6)		
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review		

DESIGN ELEMENTS		M-RX-3	M-RX-5	M-RX-5A*
<b>CONFIGURATION</b>				
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na	na
<b>STREET LEVEL ACTIVATION</b>				
	Design Criteria	See Section 9.7.5.1		
J	Transparency, Primary Street (min)	40%** Residential Only buildings: 30%**		
K	Transparency, Side Street (min)	25%**		
L	Pedestrian Access, Primary Street	Pedestrian Connection		

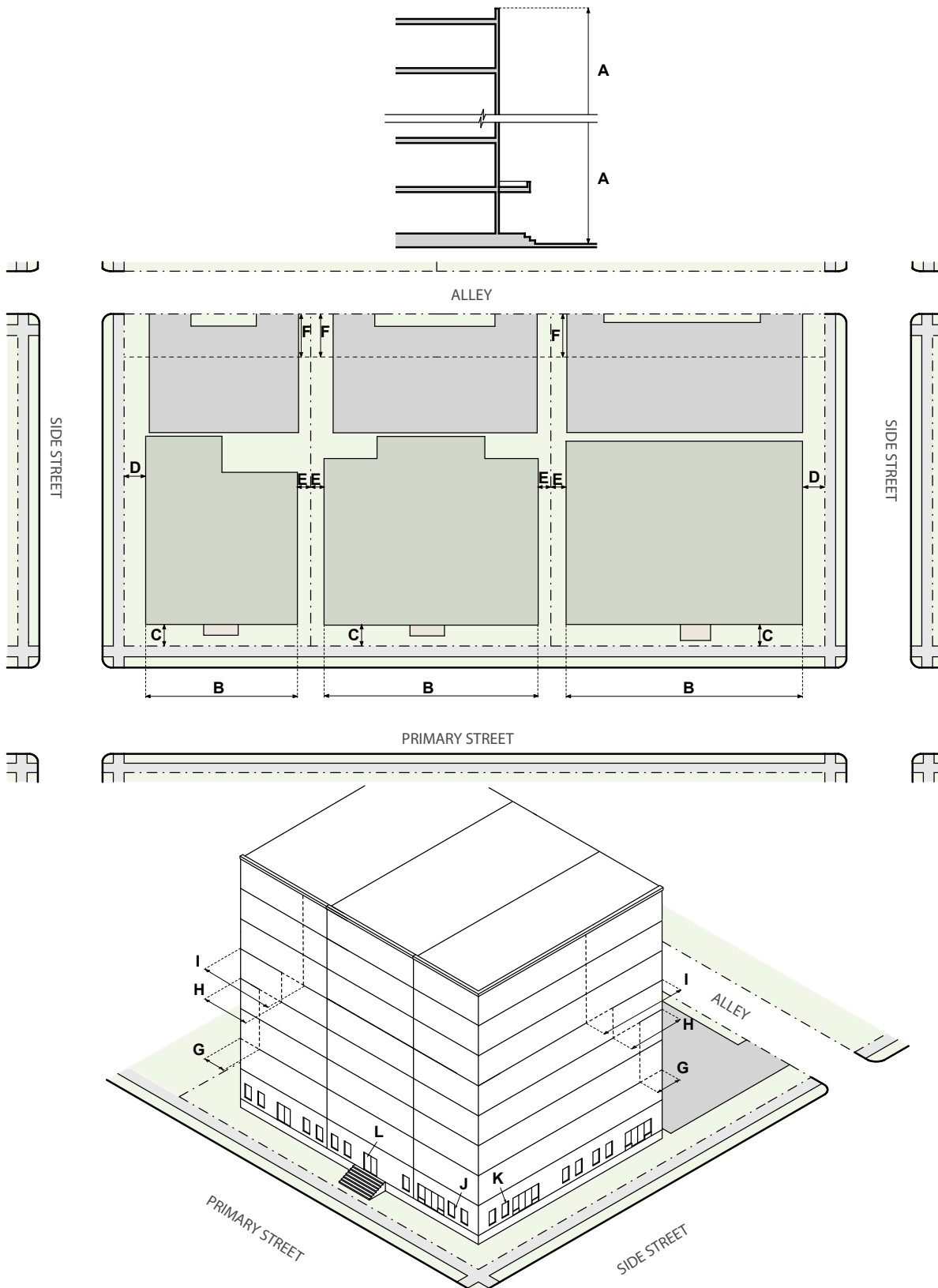
USES		M-RX-3, M-RX-5, M-RX-5A
		All permitted Primary Uses shall be allowed within this building form, except Single Unit and Two Unit Dwelling uses ; however: (1) Second Story and Above: Residential or Lodging Accommodations uses only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max. (See Section 9.7.9 Uses and Parking)

\* Form is permitted only on corner zone lots where at least one of the intersecting streets is an arterial or collector street, according to the functional street classifications adopted by the Department of Transportation and Infrastructure ("DOTI").

\*\*Applies only to buildings located within 80' of a Primary and/or Side Street.

## I. General (2 of 3)

*Not to Scale. Illustrative Only.*

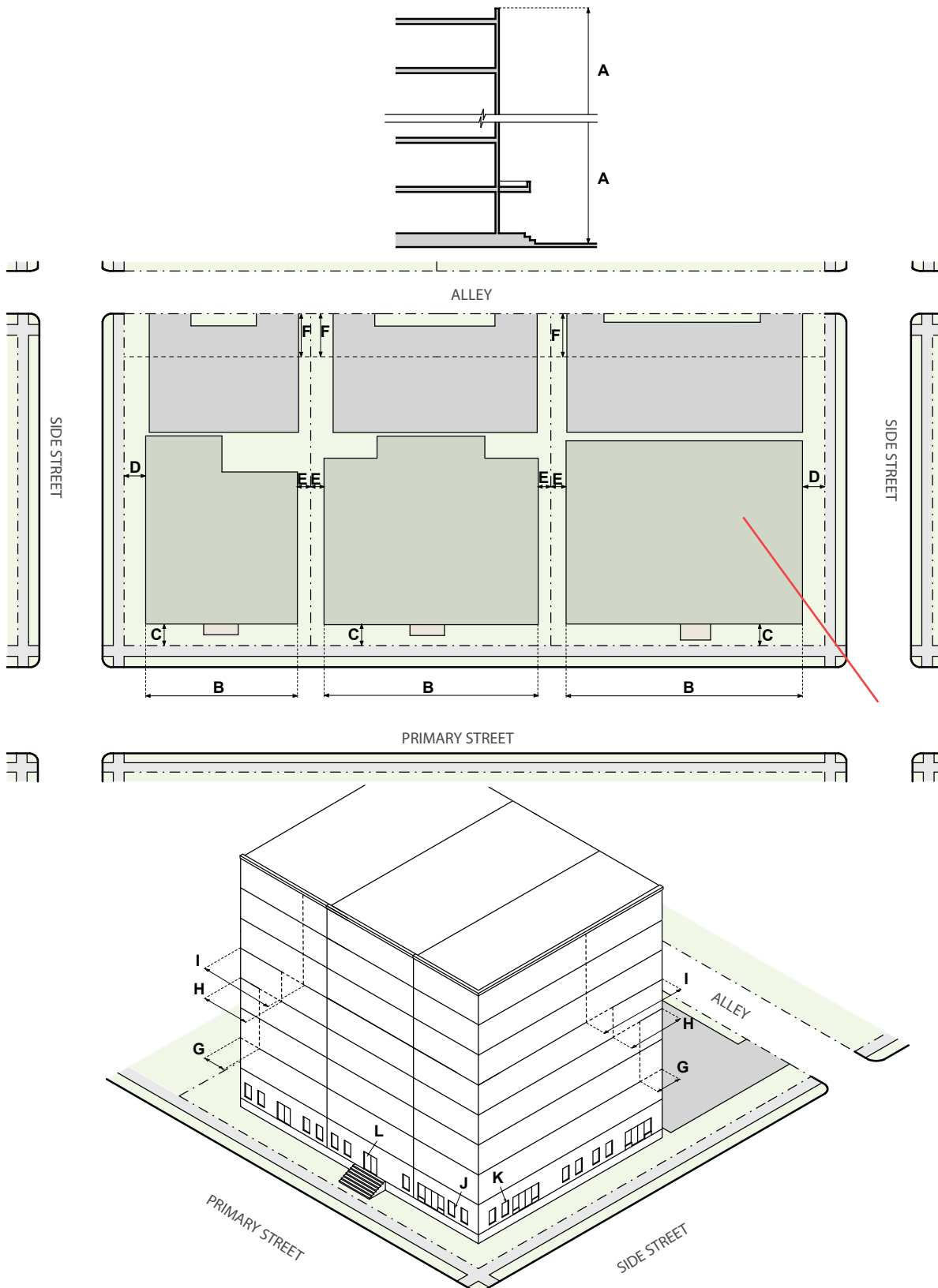


## GENERAL (2 OF 3)

HEIGHT		M-CC-5	M-MX-5
A	Stories (max)	5	5
A	Feet (max)	70'	70'
SITING		M-CC-5	M-MX-5
SETBACKS			
C	Primary Street (min)	0'	0'
D	Side Street (min)	0'	0'
E	Side, interior (min)	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'
F	Rear (min)	0'	0'
	Rear, adjacent to Protected District, <u>where A alley (public or private) abuts a rear zone lot line/no alley</u> (min)	5'/10'	5'/10'
	<u>Rear, adjacent to Protected District, where no A alley (public or private) abuts a rear zone lot line</u>	10'	10'
PARKING			
	Surface Parking between building and Primary Street / Side Street	Allowed/Allowed	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed
	Screening Required	See Article 10, Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)	
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review	
DESIGN ELEMENTS		M-CC-5	M-MX-5
CONFIGURATION			
G	Upper Story Setback Above 27'; adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51'; adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70'; adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	na
STREET LEVEL ACTIVATION			
	Design Criteria	See Section 9.7.5.1	See Section 9.7.5.1
		40%**	40%**
J	Transparency , Primary Street (min)	Residential Only buildings: 30%**	Residential Only buildings: 30%**
K	Transparency, Side Street (min)	25%**	25%**
	Transparency Alternatives	See Section 9.7.6.2	
L	Pedestrian Access, Primary Street	Pedestrian Connection	
USES		M-CC-5, M-MX-5	
All permitted Primary Uses allowed within the applicable Zone District, except Single Unit and Two Unit Dwelling uses.			
See Section 9.7.9 Uses and Parking			
**Applies only to buildings located within 80' of a Primary and/or Side Street.			

**J. General (3 of 3)**

*Not to Scale. Illustrative Only.*



## GENERAL (3 OF 3)

HEIGHT		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
A	Stories (max)	5	8	12
A	Feet (max)	70'	100'	140'
	Feet, within 175' of a Protected District (max)	na	75'	75'

SITING		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
SETBACKS				
C	Primary Street (min)	0'	0'	0'
D	Side Street (min)	0'	0'	0'
E	Side, interior (min)	0'	0'	0'
	Side Interior, adjacent to Protected District (min)	10'	10'	10'
F	Rear (min)	0'	0'	0'
	Rear, adjacent to Protected District, <u>where an alley (public or private) abuts a rear zone lot line</u> (min)	5'/10'	5'/10'	05'/10'
	<u>Rear, adjacent to Protected District, where no alley (public or private) abuts a rear zone lot line</u>	10'	10'	10'
PARKING				
	Surface Parking between building and Primary Street / Side Street	Residential Only Buildings: Not Allowed/Allowed All Other: Allowed/Allowed		
	Screening Required	See Article 10, Section 10.5.4.4		
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 9.7.7.6)		
	Vehicle Access, all other permitted uses	Access determined as part of Site Development Plan Review		

DESIGN ELEMENTS		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
CONFIGURATION				
G	Upper Story Setback Above 27', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	15'/20'/25'	15'/20'/25'	15'/20'/25'
H	Upper Story Setback Above 51', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	30'/35'/40'	30'/35'/40'	30'/35'/40'
I	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	90'/90'/90'	90'/90'/90'
STREET LEVEL ACTIVATION				
	Design Criteria	See Section 9.7.5.1		
		40%**	40%**	40%**
J	Transparency, Primary Street (min)	Residential Only buildings: 30%**	Residential Only buildings: 30%**	Residential Only buildings: 30%**
K	Transparency, Side Street (min)	25%**	25%**	25%**
L	Pedestrian Access, Primary Street	Pedestrian Connection		

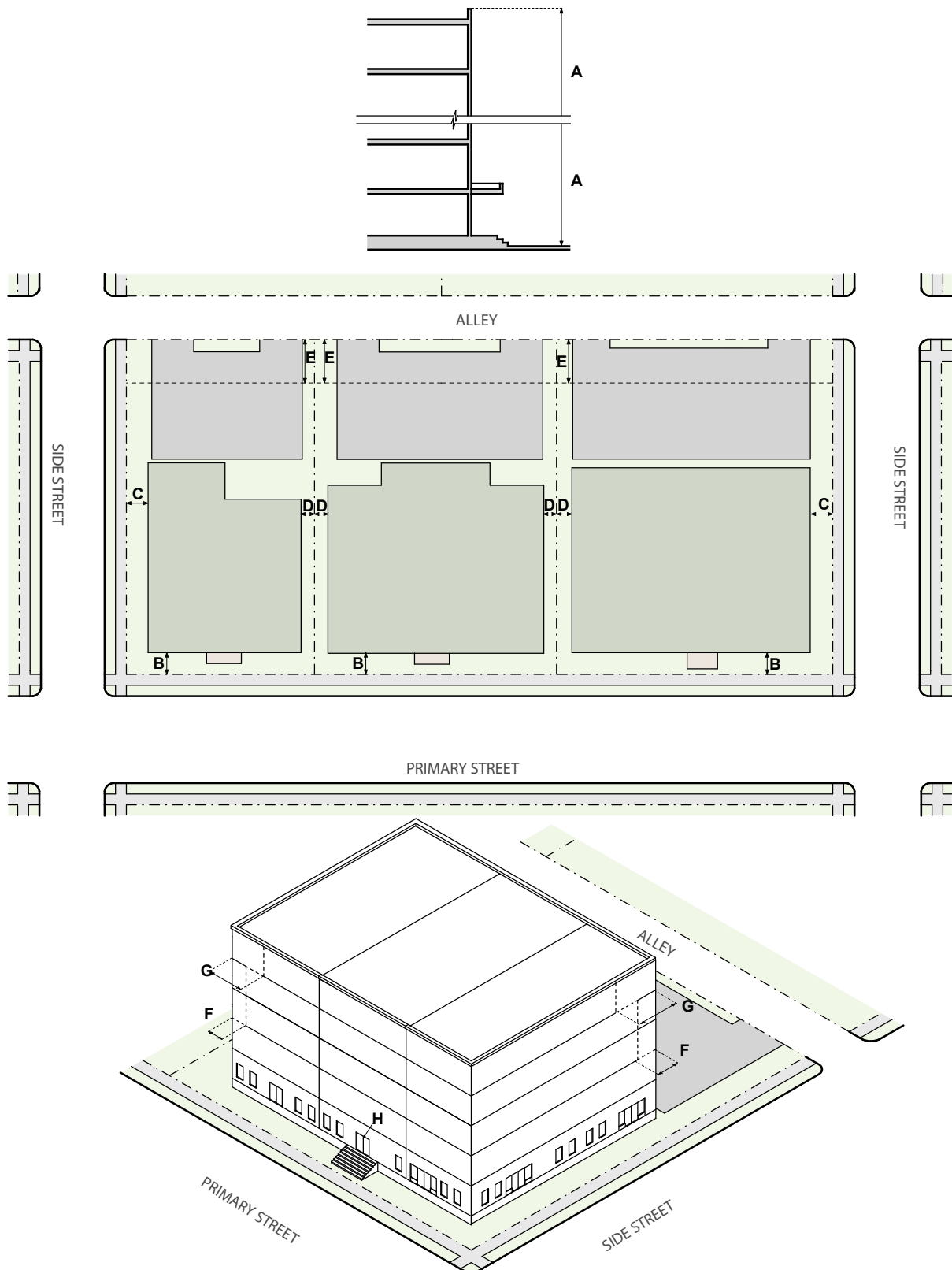
  

USES		M-GMX, All M-IMX		
		All permitted Primary Uses allowed within the applicable Zone District, except Single Unit and Two Unit Dwelling uses. See Section 9.7.9 Uses and Parking		

\*\*Applies only to buildings located within 80' of a Primary and/or Side Street.

## K. Industrial

*Not to Scale. Illustrative Only.*





## INDUSTRIAL

HEIGHT		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
A	Stories (max)	5	8	8
A	Feet (max)	70'	110'	110'
	Feet, within 175' of a Protected District (max)	na	75'	75'
SITING		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
SETBACKS				
B	Primary Street (min)	20'	20'	20'
C	Side Street (min)	10'	10'	10'
		Can reduce to 5' on lot less than 100ft in width on the long side of the block		
D	Side Interior (min)	0'	0'	0'
	Side Interior adjacent to Protected District (min)	10'	10'	10'
E	Rear (min)	0'	0'	0'
	Rear, <del>Setback</del> adjacent to Protected District (min)	10'	10'	10'
PARKING				
	Primary Street Setback (min)	10'	10'	10'
	Side Street Setback (min)	5'	5'	10'
	Setback adjacent to Protected District (min)	10'	10'	20'
DESIGN ELEMENTS		M-IMX-5	M-IMX-8	M-IMX-12 M-GMX
F	Upper Story Setback Above 27', adjacent to Protected District, alley/no alley and side, interior (min)	20'/25	20'/25	20'/25
G	Upper Story Setback Above 51', adjacent to Protected District, alley/no alley and side, interior (min)	35'/40'	35'/40'	35'/40'
	Upper Story Setback Above 70', adjacent to Protected District, Rear, alley/Rear, no alley and Side Interior (min)	na	90'/90'/90'	90'/90'/90'
USES		M-GMX All M-IMX		
		Industrial, Manufacturing & Wholesale Primary Uses Only. See Section 9.7.9 Uses and Parking		

## SECTION 9.7.4 ~~DETACHED ACCESSORY~~ BUILDING FORM STANDARDS FOR DETACHED ACCESSORY STRUCTURES

### 9.7.4.1 Applicability

All detached accessory structures in all the Master Planned Context zone districts

### 9.7.4.2 General Standards

#### A. Detached Accessory Structures Allowed

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

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

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

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

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

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

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

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

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

- a. Radio and Television Receiving Antennas and Support Structures  
Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
- b. Solar thermal and photo-voltaic energy systems
- c. ~~Air conditioning units~~Ground-mounted mechanical equipment such as air conditioning units and heat pumps
- d. Pool pumps, heating and water filtration systems
- e. ~~Mailboxes including individual mailbox structures and cluster box units (CBUs)~~
- f. Other similar Detached Accessory Structures, Utilities, and Equipment common and customary to the Primary Structure and/or Use

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

All accessory ~~f~~Fences, ~~w~~Walls, and ~~r~~Retaining ~~w~~Walls, including ~~f~~Fences and ~~w~~Walls used for required screening, shall comply with the ~~f~~Fence, ~~w~~Wall, and screening standards in Division 10.5 instead of this Section 9.7.4, Detached Accessory Building Form Standards.

**6. Accessory Structures Not Listed**

- a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in Article 11 or this Section.
- b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and custom-

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

- c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
- d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.7.4.

### 9.7.4.3 Supplemental Standards

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

##### 1. Building Coverage

All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

##### 2. Public Art

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

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

##### 1. ~~Required Building Materials~~

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

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

##### 1. ~~Applicability~~

~~This section applies to the Detached Accessory Structure accessory building forms only. This information is provided in the building form table for the General Detached Structure.~~

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

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

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#### 9.7.4.4 District Specific Standards Summary

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

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

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

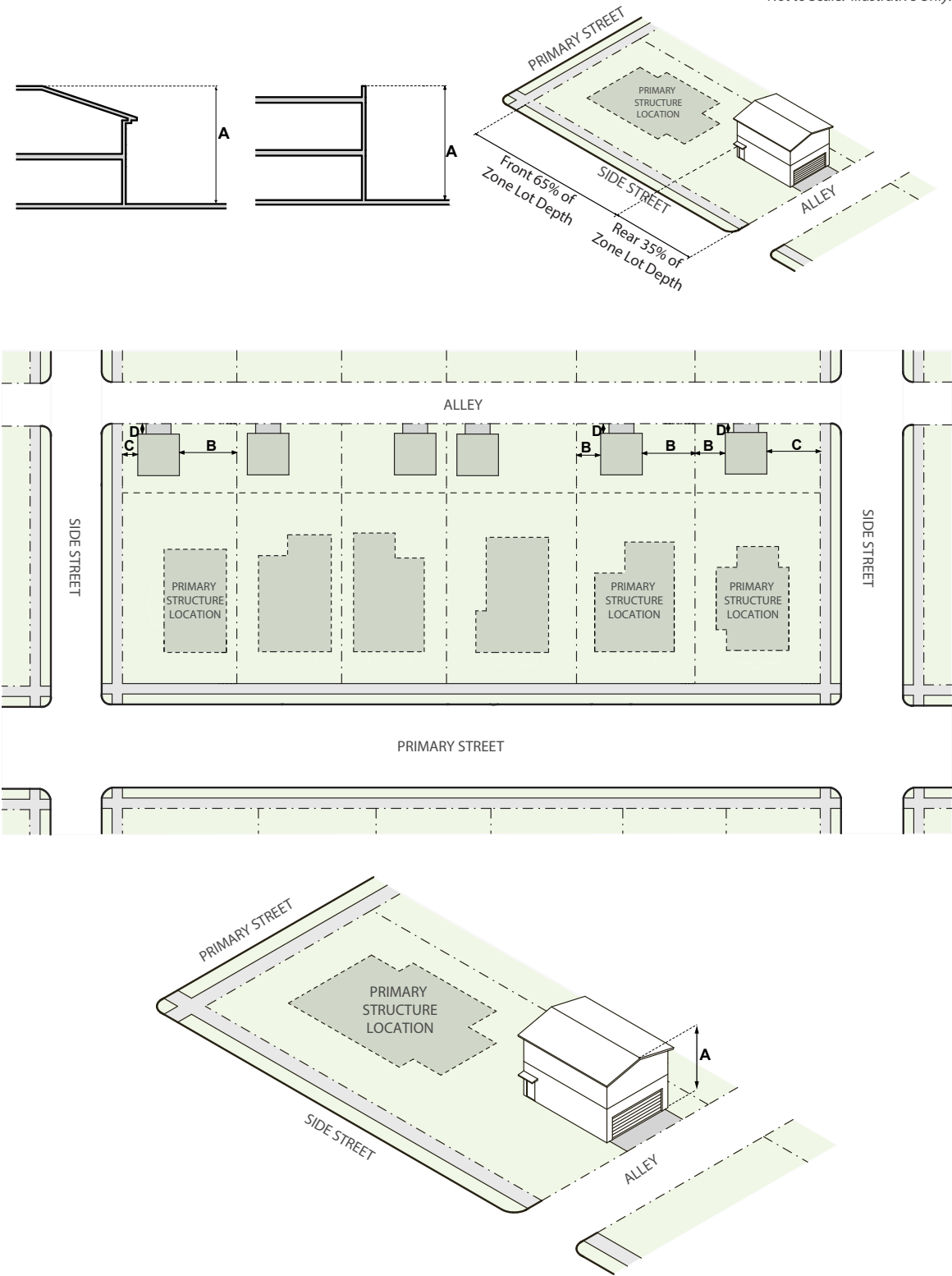
Master Planned (M-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms		
			Detached Accessory Dwelling Unit	General Detached Structure Garage	Detached Accessory Structures
<u>Max Number of Detached Accessory Structures per Zone Lot</u>			no max*	no max*	
Row House (RH)	M-RH-3	no max*	■	■	■
Residential Mixed Use (RX)	M-RX-3, -5, -5a	no max*	■	■	■
Commercial Corridor (CC)	M-CC-5	no max	■	■	■
Mixed Use (MX)	M-MX-5	no max	■	■	■
Industrial Mixed Use (IMX)	M-IMX-5, -8, -12	no max	■	■	■
General Mixed Use (GMX)	M-GMX	no max	■	■	■

■ = Allowed \*One per dwelling unit for structures with vehicle access doors. See Section 1.2.3.5

9.7.4.5 District Specific Standards

A. Detached Accessory Dwelling Unit

Not to Scale. Illustrative Only.

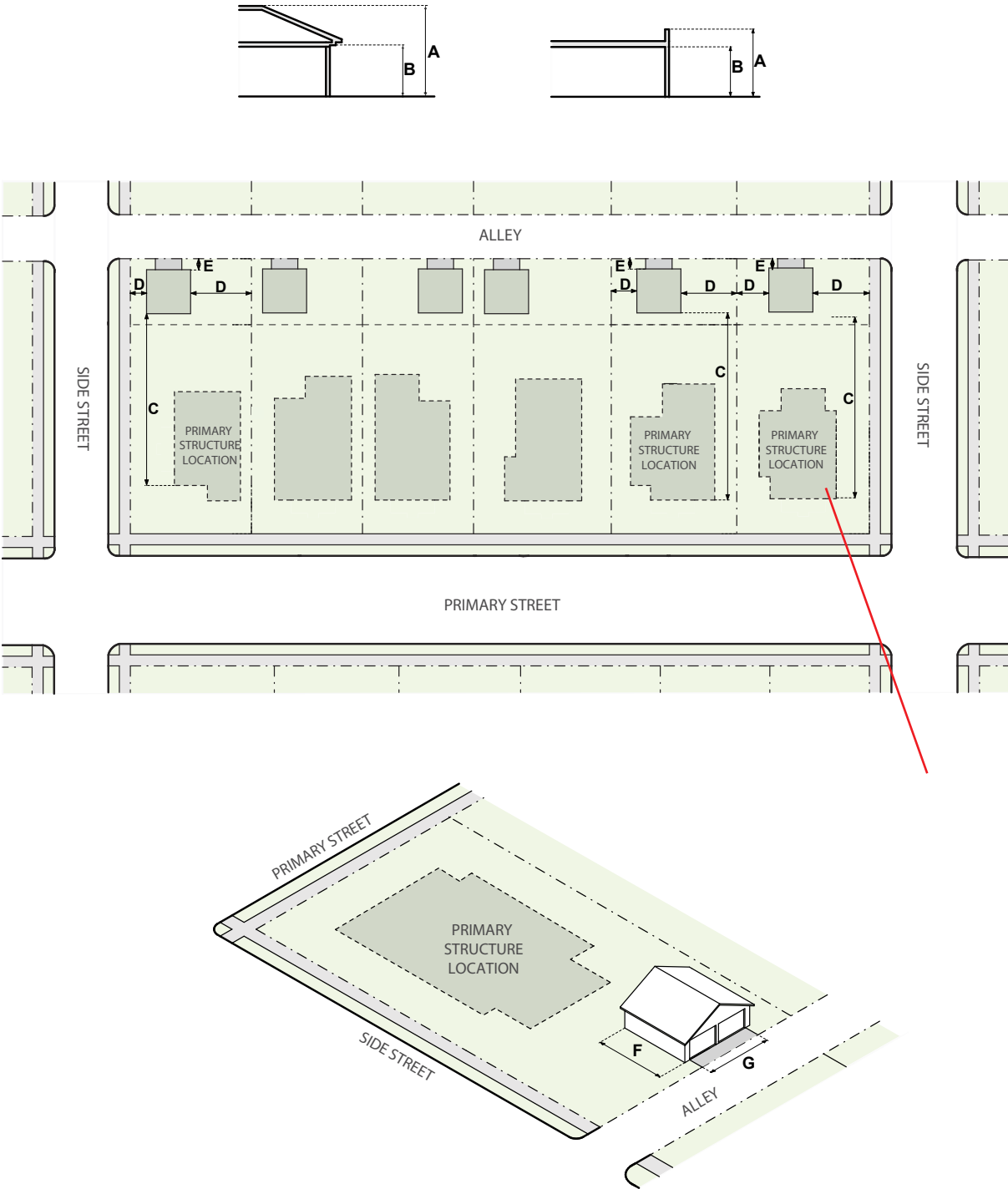


## DETACHED ACCESSORY DWELLING UNIT

		M-RH-3 M-RX-3, -5, -5A M-CC-5 M-MX-5 M-IMX-5, -8, -12 M-GMX
<b>HEIGHT</b>		
A Stories (max)		2
A Feet (max)		42'
		M-RH-3 M-RX-3, -5, -5A M-CC-5 M-MX-5 M-IMX-5, -8, -12 M-GMX
<b>SITING</b>		
<b>ZONE LOT</b>		
Exception from Included in Maximum Building Coverage <a href="#">per Zone Lot</a>	Yes - amount of coverage based on Primary Structure building form See <a href="#">Section 9.7.7.5</a>	
Additional Standards	See Section 9.7.4.3	
<b>SETBACKS</b>		
Location of Structure	Located a minimum of 10' behind 75% of the total width of the Primary Street-facing facade(s) of one Primary Structure; see Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.	
B Side Interior (min)		3'
C Side Street (min)		5'
D Rear (min)		0'
<b>PARKING</b>		
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 9.7.7.6 for exceptions)	
		M-RH-3 M-RX-3, -5, -5A M-CC-5 M-MX-5 M-IMX-5, -8, -12 M-GMX
<b>DESIGN ELEMENTS</b>		
<b>CONFIGURATION</b>		
Building Footprint (max)		1,000 sf per unit
Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)		3
Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)		28'
<b>USES</b>	M-RH-3; M-RX-3, -5, -5A; M-CC-5; M-MX-5; M-IMX-5, -8, -12; M-GMX An Accessory Dwelling Unit use must be concurrently permitted and approved for occupancy in this building form. The Accessory Dwelling Unit use may be combined with other uses Accessory to Primary Residential Uses. See Section 9.7.9 for permitted Accessory Uses Accessory to Primary Residential Uses	

B. General Detached Structure Garage

Not to Scale. Illustrative Only.



## GENERAL DETACHED STRUCTURE GARAGE

Note: We propose to combine the Detached Garage, and the Detached Accessory Structure building forms in this single table.

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

HEIGHT		M-RH-3 M-RX-3, -5 M-RX-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	M-RH-3 M-RX-3, -5, -5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12 M-GMX
A	Stories (max)	2	4
A	Feet (max)	42'	47'
SITING		M-RH-3 M-RX-3, -5 M-RX-5A M-GMX	
ZONE LOT			
Exception from Maximum Building Coverage Credit (lesser of)		See Section 9.7.7.5	
Allowed Number of Dwelling Units (min/max)		0/0	
Additional Standards		See Section 9.7.4.3	
SETBACKS			
C	Location of Structure	Located a minimum of 10' behind 75% of the total width of the Primary Street-facing facade(s) of one Primary Structure; see Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.	
	Side Street (min)	5'	5'
D	Side Interior (min), for structure entirely in rear 35% of zone lot depth*	0'	0'
D	Side Interior (min), for structure not entirely in rear 35% of zone lot depth*	0 5'	0'
E	Rear (min)	0'	5'
PARKING			
Vehicle Access*		From Alley; or Street access allowed when no Alley present See 9.7.7.6 for exceptions	
DESIGN ELEMENTS		M-RH-3 M-RX-3, -5 M-RX-5A M-GMX	M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12
BUILDING CONFIGURATION			
Building Footprint (max)		1,000 864 sf per unit**	na
Gross Floor Area (max)		na	Shall not Exceed 10% of the Zone Lot Area
F	Overall Structure Length	no max	na



Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3
G Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'

USES	M-RH-3; M-RX-3, -5, -5A; M-GMX
	Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 9.7.9 for permitted Accessory Uses
	<del>Accessory Uses Only, excluding accessory dwelling unit accessory to single and two unit primary uses and parking of vehicles accessory to single unit and two unit primary uses. See Division 9.7.9 for permitted Accessory Uses</del>

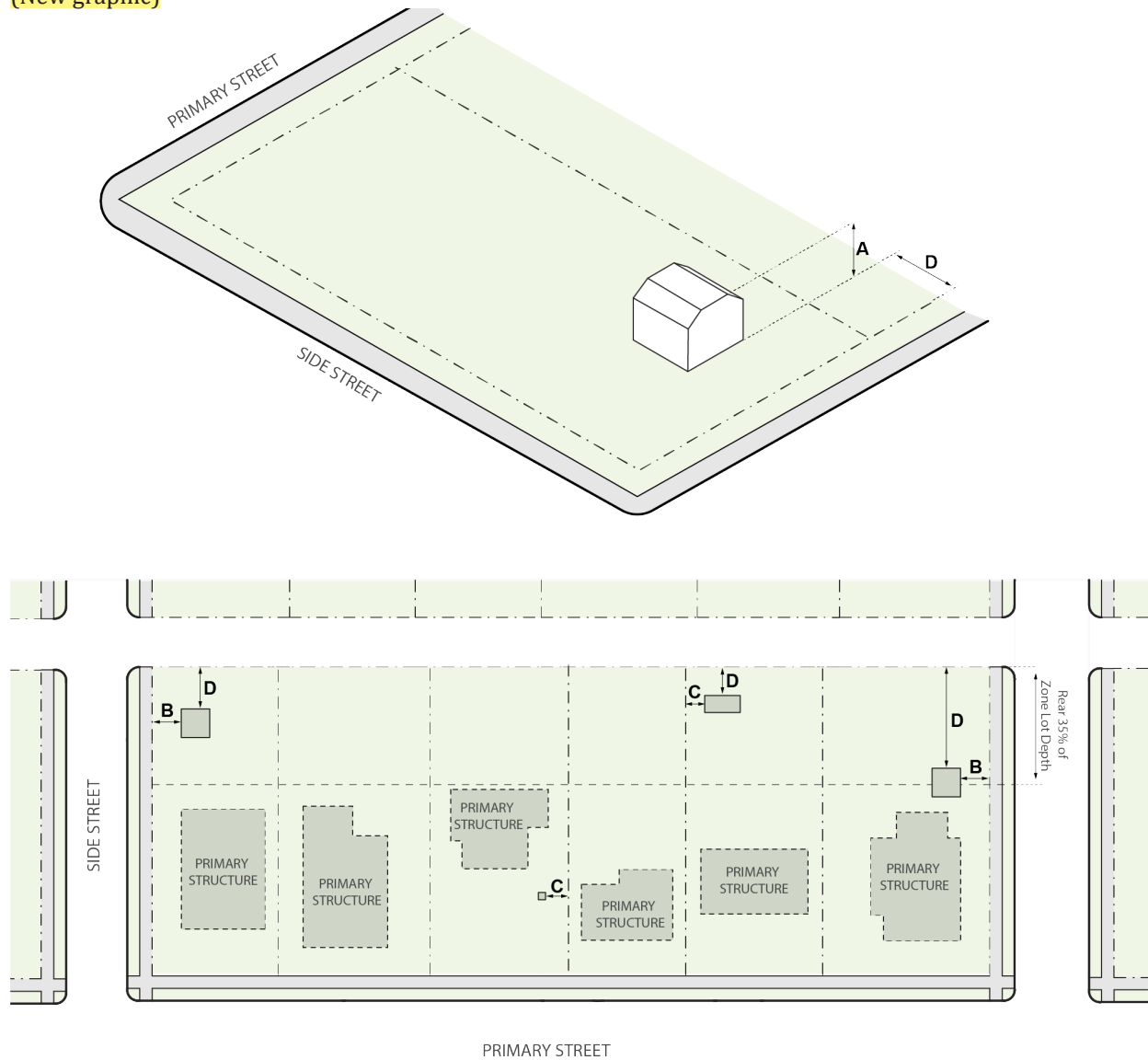
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

~~\*See Section 10.4.6 Vehicle Parking Design for standards that may be more restrictive.~~

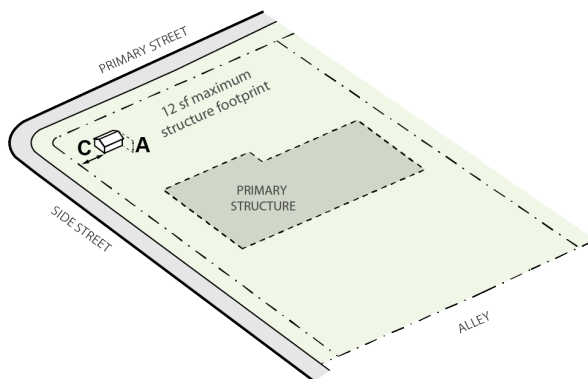
~~\*Setbacks less than 5' may be subject to more restrictive building and fire code review. Side facing gable roof ends are not permitted where setbacks are less than 5'.~~

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

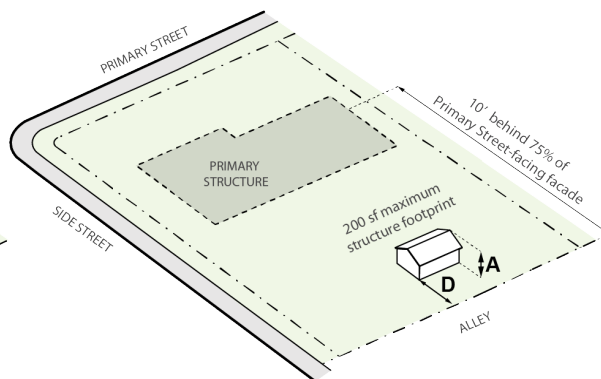
**C. Minor Detached Structures**  
(New graphic)



**Option A: Located Anywhere on Lot**



**Option B: Located Behind Primary Street-Facing Facade**



## MINOR DETACHED STRUCTURES

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

<b>HEIGHT</b>		<b>All M-RH, RX, CC, MX, GMX, IMX Zone Districts</b>	
		<b>Option A*</b>	<b>Option B*</b>
<b>A</b>	<u>Stories (max)</u>	<u>1</u>	<u>1</u>
<b>A</b>	<u>Feet (max)</u>	<u>4'</u>	<u>14'</u>
<b>SITING</b>		<b>All M-RH, RX, CC, MX, GMX, IMX Zone Districts</b>	
		<b>Option A</b>	<b>Option B</b>
	<u>Total number of each structure (max)</u>	<u>na</u>	<u>na</u>
<b>LOCATION OF STRUCTURE</b>			
	<u>Ground-Mounted Mechanical Equipment</u>	<u>Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**</u>	<u>Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade**</u>
	<u>Public Utility Equipment</u>	<u>Allowed anywhere on the Zone Lot</u>	<u>Allowed anywhere on the Zone Lot</u>
	<u>All Others</u>	<u>Allowed anywhere on the Zone Lot</u>	<u>Allowed anywhere on the Zone Lot</u>
<b>SETBACKS</b>			
<b>B</b>	<u>Side Street (min)</u>	<u>5'</u>	<u>5'</u>
<b>C</b>	<u>Side Interior, for structure entirely in rear 35% of zone lot (min)</u>	<u>0'</u>	<u>0'</u>
	<u>Side Interior, for structure not entirely in rear 35% of zone lot (min)</u>	<u>5'</u>	<u>5'</u>
	<u>Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)</u>	<u>5'</u>	<u>5'</u>
<b>D</b>	<u>Rear, where Alley (public or private) abuts Rear Zone Lot Line (min)</u>	<u>0'</u>	<u>0'</u>
	<u>Building Coverage per Zone Lot (max)</u>	<u>See maximum Building Coverage per Zone Lot in the Primary Structure building form table.</u>	
<b>DESIGN ELEMENTS</b>		<b>All M-RH, RX, CC, MX, GMX, IMX Zone Districts</b>	
		<b>Option A</b>	<b>Option B</b>
<b>BUILDING CONFIGURATION</b>			
	<u>Structure footprint (max)</u>	<u>12 sf</u>	<u>200 sf</u>
<b>USES</b>		<b>All M-RH, RX, CC, MX, GMX, IMX Zone Districts</b>	
		<u>Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Section 9.7.9 for permitted Accessory Uses.</u>	

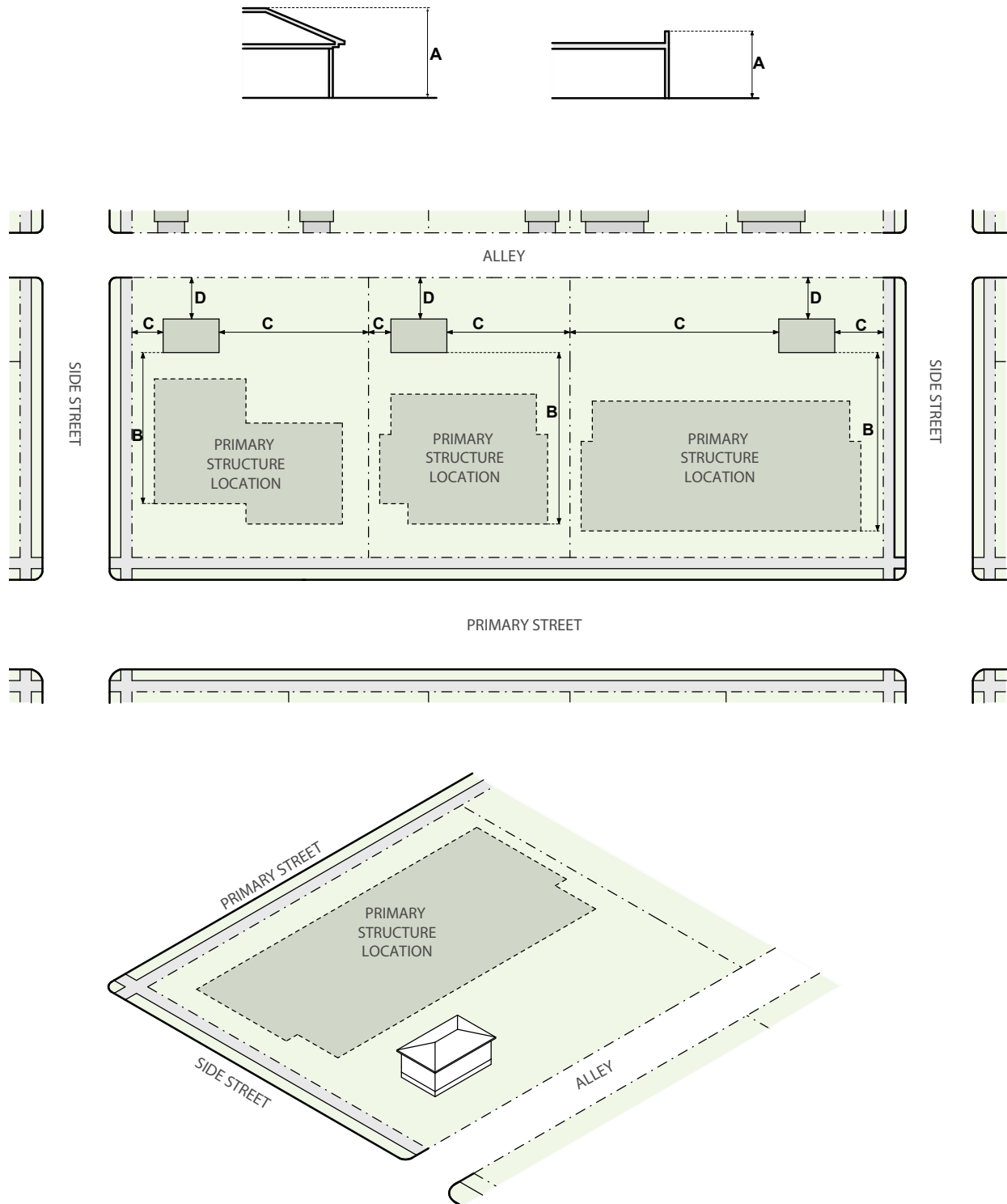
See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

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

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

#### D. Detached Accessory Structures

Not to Scale. Illustrative Only.



## DETACHED ACCESSORY STRUCTURES

<b>HEIGHT</b>	M-RH-3- M-RX-3,-5,-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12- M-GMX
A Stories (max)	1
A Feet (max)	17'
<b>SITING</b>	M-RH-3- M-RX-3,-5,-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12- M-GMX
<b>SETBACKS</b>	
B Location of Structure	Located a minimum of 10' behind 75% of the total width of the Primary Street-facing facade(s) of one Primary Structure; see Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot.
C Side Street (min)	5'
Side Interior (min)	0'
D Rear (min)	5'
<b>DESIGN ELEMENTS</b>	M-RH-3- M-RX-3,-5,-5A M-CC-5 M-MX-5 M-IMX-5 M-IMX-8 M-IMX-12- M-GMX
<b>BUILDING CONFIGURATION</b>	
Gross Floor Area (max)	Shall not Exceed 10% of the Zone Lot Area
<b>USES</b>	ALL M- Zone Districts
	Accessory Uses Only, excluding accessory dwelling unit accessory to single and two-unit primary uses and parking of vehicles accessory to single-unit and two-unit primary uses. See Division 9.7.9 for permitted Accessory Uses
See Sections 9.7.5–9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions	

## SECTION 9.7.5 SUPPLEMENTAL DESIGN STANDARDS

### 9.7.5.1 Site Development Plan Review Standards and Criteria

Site development plan review shall be based on the following standards and criteria:

#### A. General Design Criteria

1. Continue Denver's physical character, including mixed use development, access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
2. Provide an adaptable and interconnected transportation system that encourages multiple modes of transportation, disperses traffic, and provides streets that accommodate multiple transportation modes including motor vehicles, transit, bicycles and pedestrians.
3. Use man-made and natural features, such as open spaces, drainage corridors, parkways, streets and alleys, as development edges, transitions and interconnections.
4. Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
5. Create spatial definition of the streets with buildings and landscaping to promote pedestrian activity.
6. Design early phases of development so as to promote long-term quality and character.
7. Encourage housing in a range of densities, sizes, and types.
8. Be consistent with an approved GDP, if applicable.

#### B. Site Design Criteria

1. Locate, screen, and buffer service, storage, delivery and refuse areas to minimize the view from streets, adjacent zone lots, and open spaces.
2. Minimize the visual impacts of parking areas, parking structures, and residential garages on streets, open spaces, and adjoining development.
3. Improve the efficiency of parking areas by allowing multiple uses to share parking spaces, curb cuts, and circulation drives.
4. Provide safe and attractive pedestrian and bicycle connections to building entries and public sidewalks within parking lots and transit facilities.
5. Site and design the use or utilize other technology to reduce potential adverse impacts between otherwise potentially incompatible uses.
6. Incorporate required water quality and stormwater management features into the overall site design.

#### C. Building Design Criteria

1. Create buildings that provide human scale and interest through use of varied forms, materials, details, and colors.
2. Provide architecturally finished and detailed elevations for all exposures of the building with the primary facade, typically the street-facing elevation, having appropriate architectural expression.
3. Provide a primary building entrance facing or clearly visible from the public sidewalk.
4. Use durable materials that complement Denver's tradition as a city of brick and masonry.

#### **9.7.5.2 Garden Court**

- A. The courtyard portion of the Garden Court building form shall include all of the following characteristics:
  - 1. Located at natural grade;
  - 2. Visually and physically accessible from the primary street; may be secured for private use;
  - 3. Open to the sky; and
  - 4. Bounded on not less than 3 sides with related building facades on the same Zone Lot.
- B. The courtyard portion of the Garden Court building form area may be used for any of the following:
  - 1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
  - 2. Public or private landscaped area; may also include entries.
- C. Vehicular access is not permitted through the Garden Court area.

#### **9.7.5.3 Attached Garages**

- A. Intent**  
To provide adequate space for parking of vehicles on driveways without blocking sidewalks.
- B. Applicability**  
This section shall apply to an attached garage accessory to a Dwelling, Single Unit, or Dwelling, Two Unit, primary use.
- C. Standard**  
The minimum primary street setback for an attached garage with a door facing the primary street shall be 20 feet.

## 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 13.1.5.7.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	<del>DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)</del>	<del>WALL DESIGN ELEMENTS (MAX)</del>	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%



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

## SECTION 9.7.7 DESIGN STANDARD EXCEPTIONS

### 9.7.7.1 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.

#### C. Exceptions

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

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

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENEROACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY:
Roof Overhangs, gutters, and downspouts, each extending no more than 3-feet measured perpendicular from the exterior face of the Exterior Wall to the furthest edge of the projection	All M- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All M- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All 5-Story or greater M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	M-RH-3, M-RX-3	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the Side Interior where adjacent to a Protected District.  No, all others.	12'	1 story	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All 5-Story or greater M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street.  Yes, from the perimeter of the portion of the building facing the Side Interior where adjacent to a Protected District.  No, all others.	28'	1 story	Not allowed	Not allowed
Elevator lobbies	M-RH-3, M-RX-3	Yes	Yes	12'	1 story	Not allowed	Not allowed
Elevator lobbies	All 5-Story or greater M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENEROACH INTO THE EXCEED UPPER STORY SETBACK HEIGHT BY:
Open Structures	M-RH-3, M-RX-3	Yes	Yes	12'	Not applicable	Not allowed	Not allowed
Open Structures	All 5-Story or greater M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
<u>Parapet Wall or Safety Railing</u>	<u>M-RH-3, M-RX-3</u>	<u>No</u>	<u>No</u>	<u>Not allowed</u>	<u>Not applicable</u>	<u>Not allowed</u>	<u>4'</u>
Parapet Wall <del>and/or</del> Safety Railing	All 5-Story or greater M-RX, M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	No	Any distance	Not applicable	Not allowed	<del>Not allowed</del> <u>4'</u>
<del>Flush-mounted</del> <u>s</u> Solar panels	All M- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All M- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	Any distance
Accessory water tanks	All M-CC, M-MX, M-IMX, M-GMX Zone Districts	No	Yes	28'	Not applicable	Any distance	Any distance
Pedestrian bridge	All M- Zone Districts	Not applicable	Not applicable	28'	Any number	Any distance	Any distance

#### 9.7.7.2 Required Build-To Exceptions (Moved to 13.1.5.7)

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

###### 1. Intent

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

###### 2. Standard

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

##### B. Parkways

###### 1. Intent

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

###### 2. Standard

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

### 9.7.7.3 **Setback Exception – Parkway (Moved to 13.1.5.8)**

**A. Intent**

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

**B. Standard**

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

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

### 9.7.7.4 **Setback Exceptions - Architectural, Site, Service & Utility Elements**

**A. Intent**

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

**B. Standard**

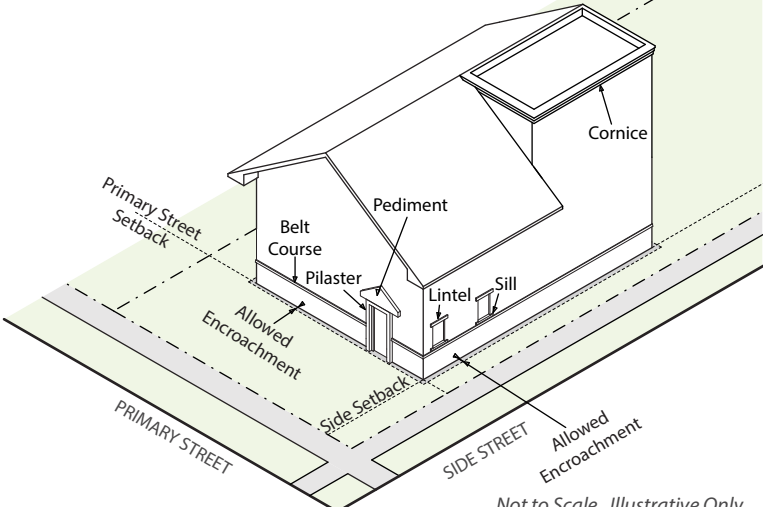

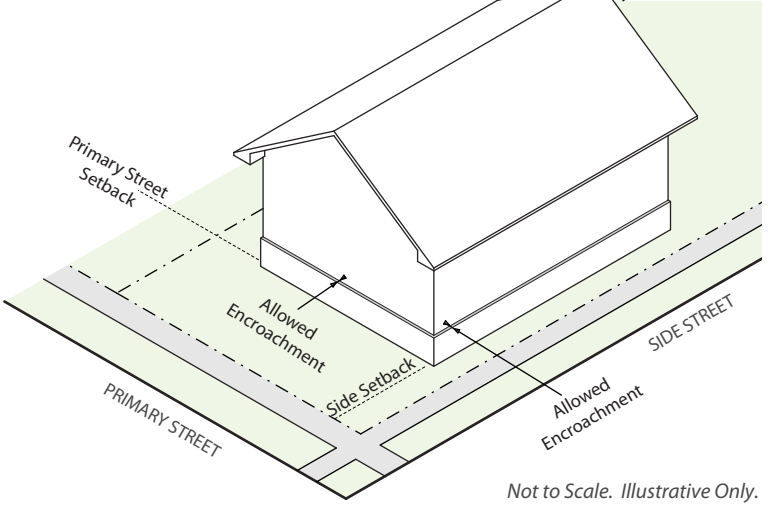
Except as specifically allowed below, Setbacks specified in the applicable Building Form tables shall be open and unobstructed.

**C. Exceptions**

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

**1. Architectural Elements**

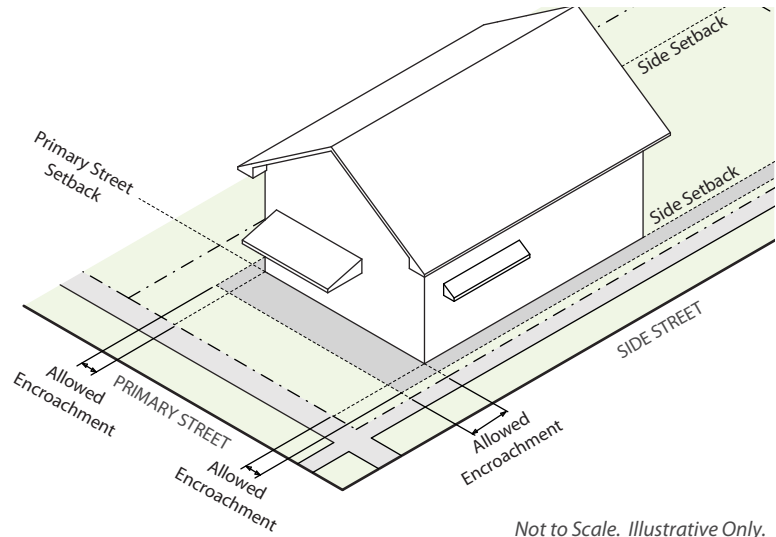
To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Belt Courses, sills, lintels, pilasters, pediments, cornices	All M- Zone Districts	All Building Forms	1.5' Cornices only: 3'	1.5' Cornices only: 3'	1.5' Cornices only: 3'; if setback is less than 5': 2'	1.5' Cornices only: 5'
Intent: To allow common, minor decorative elements which are integral to a building.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
 <p><i>Illustrative only</i></p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Brick and stone veneers above Finished Grade for re-siding an existing structure only	All M- Zone Districts	All Building Forms	6"	6"	6"	6"
Intent: To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: Shall be no more than 8' maximum in horizontal width; • Shall be open on three sides; • May include an at-grade landing.	All M-RH districts	All Building Forms	3'	3'	3'; if setback is less than 5': 2' and at no point closer than 2' to a property line.	Not allowed

Intent: To provide for covering over an entrance to protect from weather. Unlike the Unenclosed Porch encroachment, canopy is allowed in Side Interior Setback.


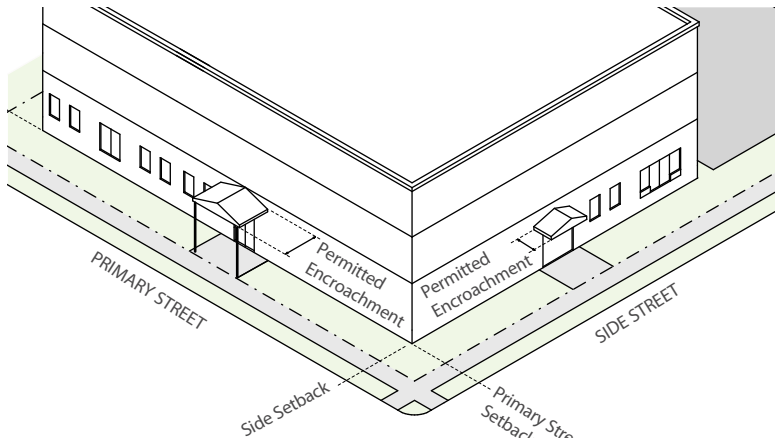

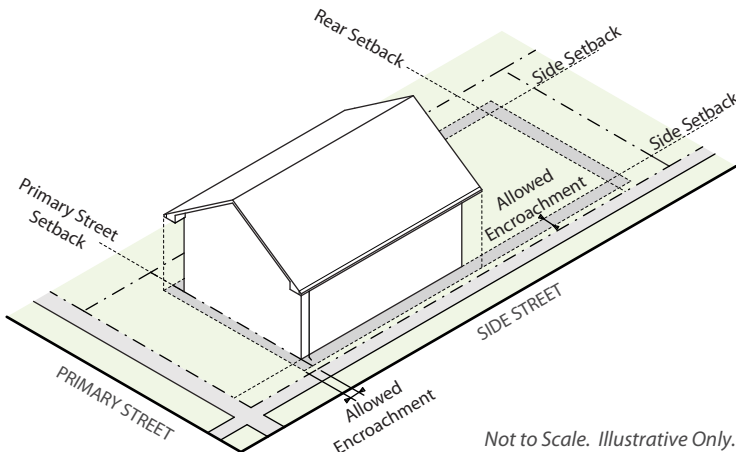


*Illustrative only*


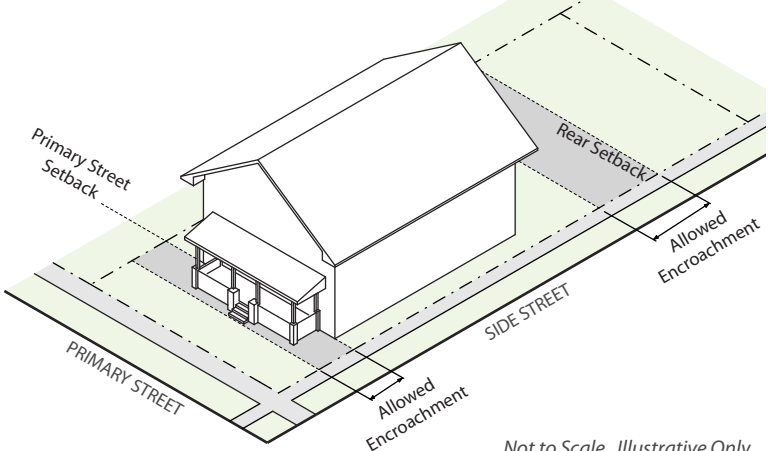

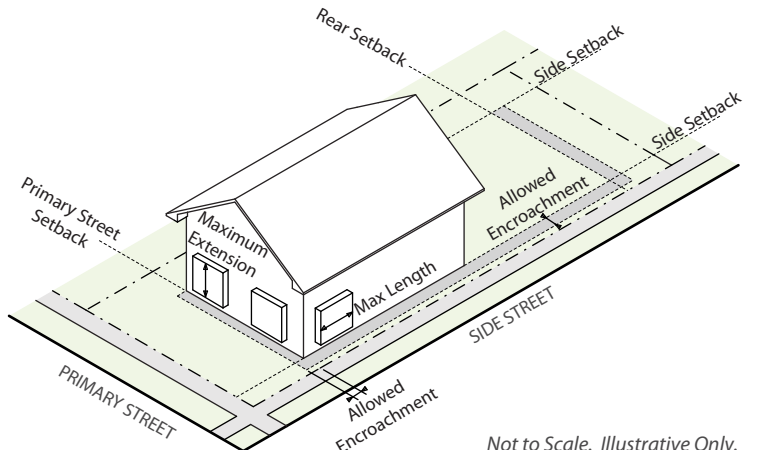


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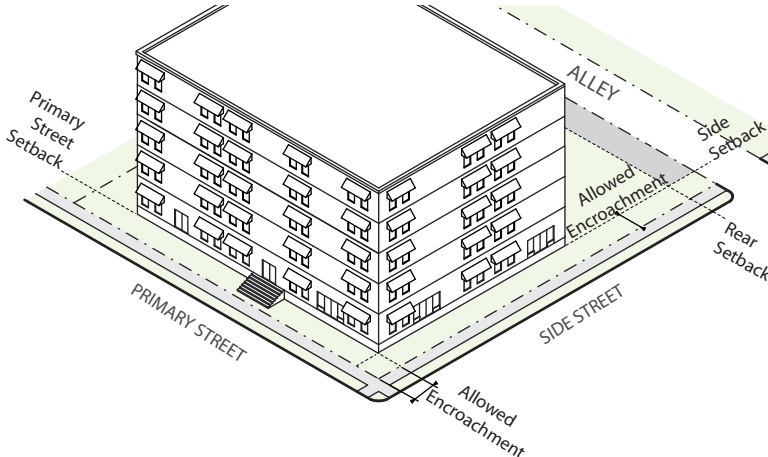
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: •The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and •Shall be open on three sides.	All M- districts, except M-RH	All Building Forms	Any distance	Any distance	Not allowed	Not allowed

<div></div> <p><i>Illustrative only</i></p>	<div></div> <p><i>Not to Scale. Illustrative Only.</i></p>												
	<table><tr><th>ZONE DISTRICTS</th><th>BUILDING FORMS</th><th>PRIMARY STREET</th><th>SIDE STREET</th><th>SIDE INTERIOR</th><th>REAR</th></tr><tr><td>All M- Zone Districts</td><td>All Building Forms</td><td>3'</td><td>3'</td><td>3'; if set-back is less than 5': 2'</td><td>5'</td></tr></table>	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR	All M- Zone Districts	All Building Forms	3'	3'	3'; if set-back is less than 5': 2'	5'
ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR								
All M- Zone Districts	All Building Forms	3'	3'	3'; if set-back is less than 5': 2'	5'								
<p>Intent: To allow features of structures intended to repel weather</p> <div></div> <p><i>Illustrative only</i></p>	<div></div> <p><i>Not to Scale. Illustrative Only.</i></p>												



	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><b>Unenclosed Porches, Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level:</b></p> <ul style="list-style-type: none"> <li>• May be covered;</li> <li>• All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li> </ul>	All M- Zone Districts	All Building Forms	Any distance provided a minimum of 1' between right-of-way and first riser of above- grade stairway	Any distance provided a minimum of 1' between right-of-way and first riser of above-grade stairway	<p><u>Patios:</u> <u>Maximum of 5' wide, any distance</u></p> <p><u>All others:</u> Not allowed</p>	<p><u>Patios:</u> <u>Any distance</u></p> <p><u>All others:</u> 5'</p>
<p>Intent: To promote elements which provide for street activation and human scale.</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p><b>Projecting Windows:</b></p> <ul style="list-style-type: none"> <li>• Shall be a minimum of 1.5' above finished floor;</li> <li>• Shall not extend floor-to-ceiling; and</li> <li>• No individual projection shall be more than 10' in horizontal length at the opening along the face of the building;</li> </ul>	All M- Zone Districts	All Building Forms	1.5'	1.5'	Not allowed	1.5'
<p>Intent: To allow for improved interior daylighting:</p>  <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					

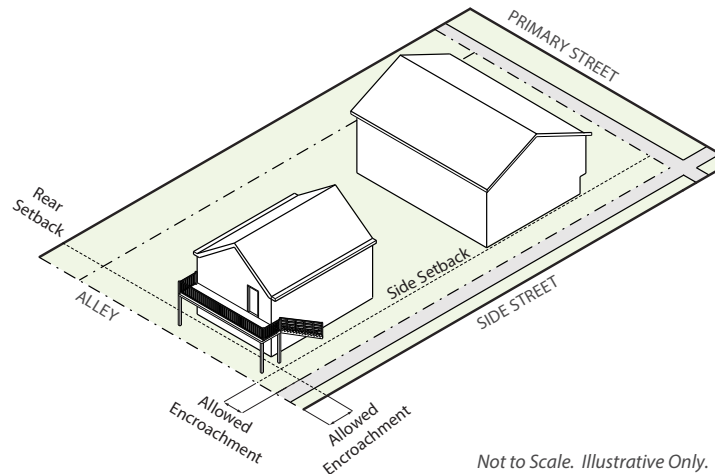


	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Shading devices: Projections from Exterior Walls intended to control light entering through windows or doors.</p> <ul style="list-style-type: none"><li>Horizontal shading devices shall include awnings, horizontal sunshades, and other shading devices projecting in a horizontal plane</li><li>All other shading devices shall include vertical sunshades, vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades)</li><li>Vertical screens and combination horizontal/vertical sunshades ("eggcrate" sunshades) shall be at least 50% open</li></ul>	All M- Zone Districts	All Building Forms	Horizontal shading devices: 5'	Horizontal shading devices: 3'	Horizontal shading devices: 3'	Horizontal shading devices: 10'
			All other shading devices: 1.5'	All other shading devices: 1.5	All other shading devices: 1.5	All other shading devices: 1.5
<p>Intent: To allow for elements either integral or attached to a building which control entering light</p> <div><div><p>Horizontal Sunshade</p></div><div><p>Awnings</p></div><div><p>Vertical Sunshades</p></div><div><p>Vertical Screen</p></div></div> <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Rooftop <del>and</del>/or Second Story Decks, <u>above grade stairways equal to or less than 4 feet in width, and landings equal to or less than 16 square feet in area.</u></p> <ul style="list-style-type: none"><li>All sides shall be at least 50% open except for any side abutting a building facade or fire wall.</li></ul> <p>*Exception applies <u>when only to a the</u> Rear Zone Lot Line abut<del>ting</del> an Alley <u>or Street</u>. Note: Added this language to match changes to setbacks noted in the building form table for DADU, referencing a street at the rear. If that's not the right thing to do, please comment here.</p>	All M- Zone Districts	Detached Accessory Dwelling Unit	Not allowed	5'	Not allowed	5'*

Intent: To allow for second story exterior building entrances and an outdoor space allowance for detached ADU uses.

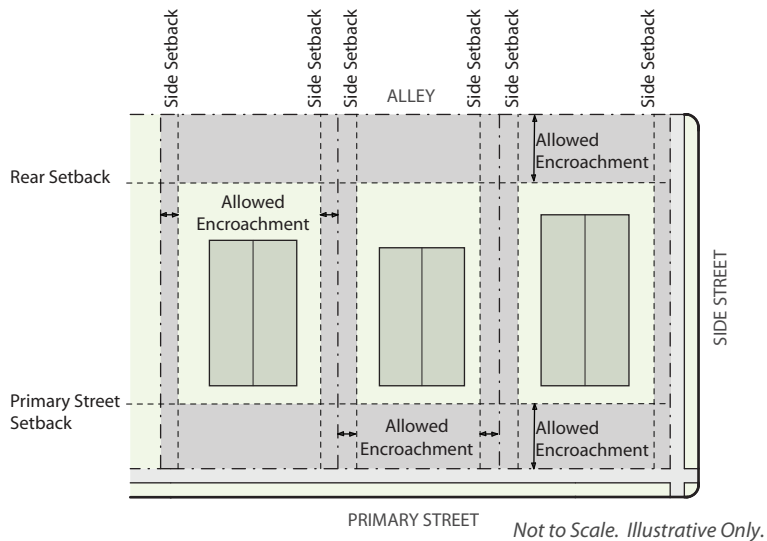


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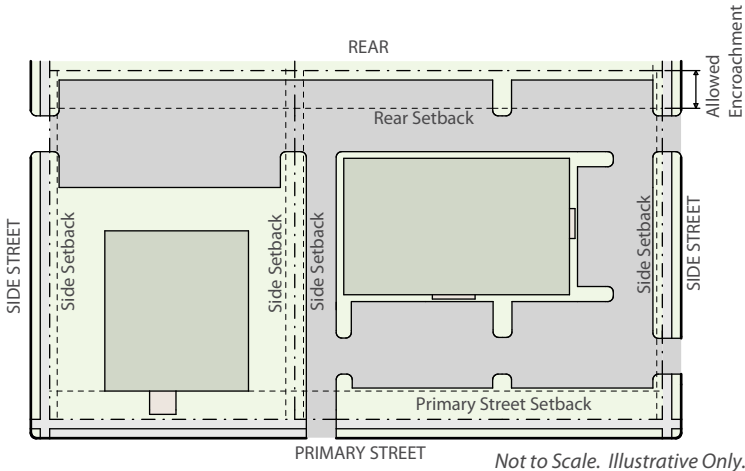



## 2. Site Elements

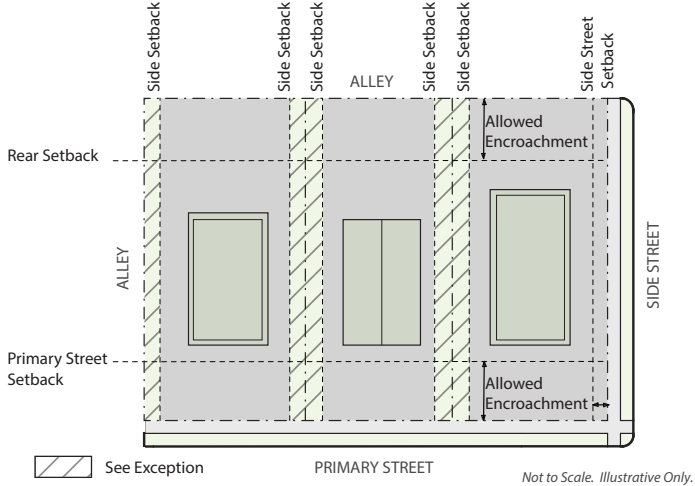

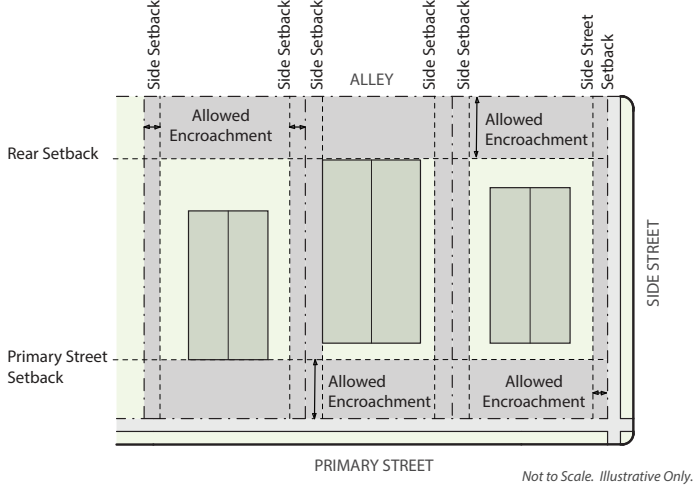




To allow for minor screening and parking elements while maintaining an open and unobstructed setback.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Fences and Walls	See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area	All M-RH, M-RX, M-GMX	Suburban House, Urban House, Duplex, and Tandem House	Any distance	Any distance	Any distance	Any distance
Intent: To allow surface parking where it is not impactful due to the number of required parking spaces.						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Off-Street Parking Area	All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts	Garden Court, Town House, Row House, and Apartment	Not allowed	Not allowed	Not allowed	Any distance

Intent: To restrict surface parking where it is impactful due to the number of required parking spaces.

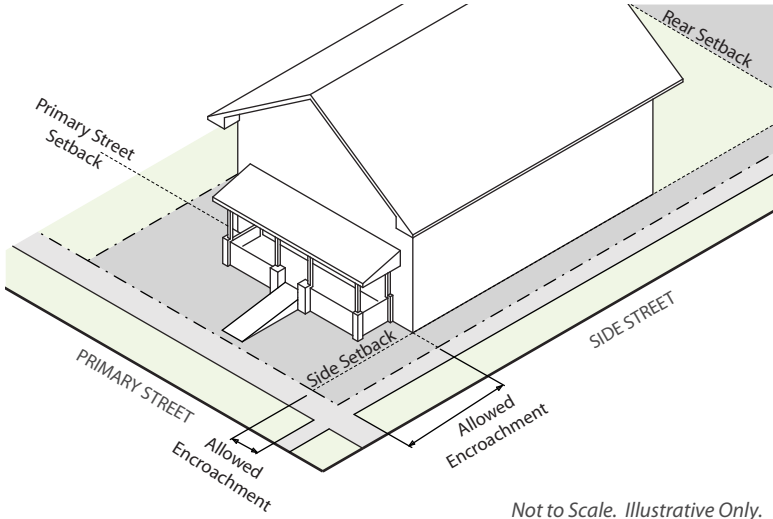

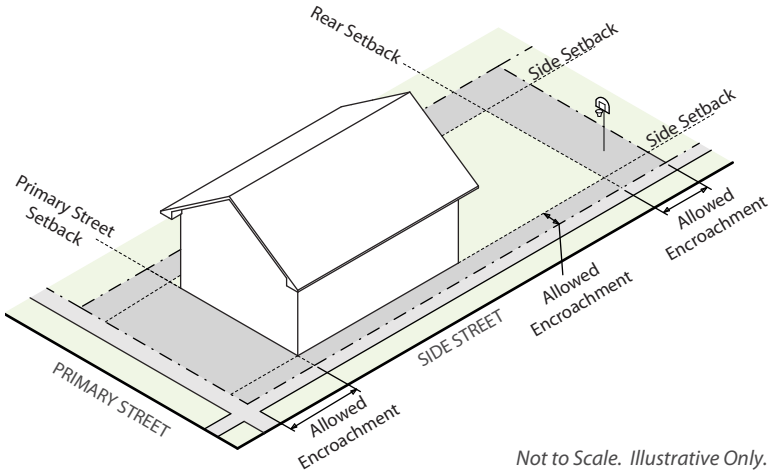


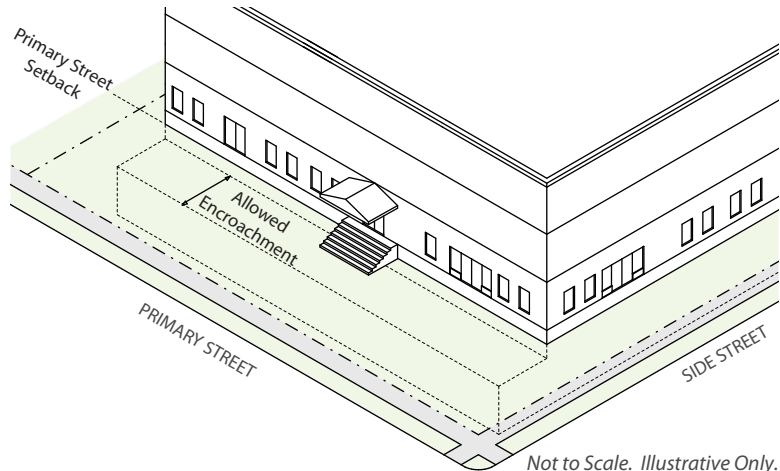
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Drive or Driveway	All M-RH, M-RX, M-GMX Zone Districts	Suburban House, Urban House, Du-plex, and Tan-dem House	Any distance	Any distance	Any distance	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area.	 <p><i>Illustrative only</i></p>					

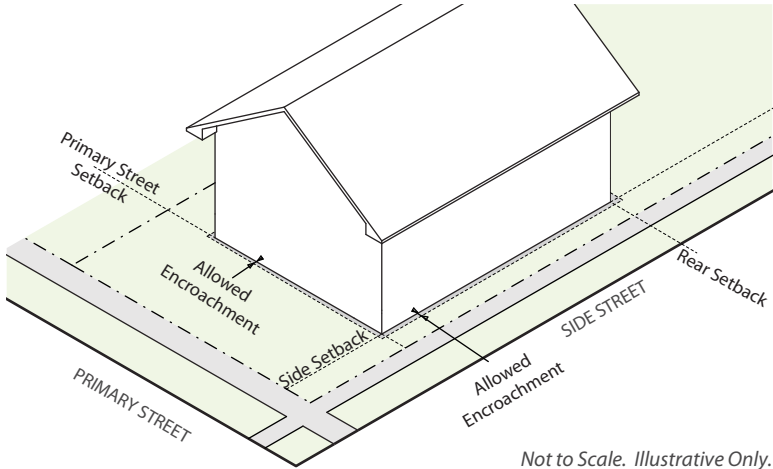
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Drive or Driveway	All M-RH, M-RX, M-MX, M-IMX, M-GMX Zone Districts	Garden Court, Town House, Row House, and Apartment	Any distance	Any distance	Not allowed (*see exception below)	Any distance
Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.	<div></div> <p>Side Setback Side Setback Side Setback ALLEY Side Setback Side Setback Side Setback</p> <p>Rear Setback</p> <p>Primary Street Setback</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>ALLEY</p> <p>SIDE STREET</p> <p>PRIMARY STREET</p> <p>See Exception</p> <p>Not to Scale. Illustrative Only.</p>					
 <p>Illustrative only</p>						
<p>*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:</p> <ul style="list-style-type: none"><li>• The Side Interior setback Abuts a public Alley;</li><li>• Other public right-of-way, or an easement for public access Abutting a public Alley; or</li><li>• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.</li></ul>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Flatwork <del>providing pedestrian access to entrances and buildings:</del>	All M- Zone Districts	All Building Forms	Any distance, but may not exceed 50% of the area within the setback	Any distance, but may not exceed 50% of the area within the setback	Maximum of 5' wide. Any distance	Maximum of 5' wide. Any distance
Intent: To provide pedestrian <del>access routes</del> to entrances and buildings, but restrict coverage and width to ensure adequate openness	<div></div> <p>Side Setback Side Setback Side Setback ALLEY Side Setback Side Setback Side Setback</p> <p>Rear Setback</p> <p>Primary Street Setback</p> <p>Allowed Encroachment</p> <p>Allowed Encroachment</p> <p>ALLEY</p> <p>SIDE STREET</p> <p>PRIMARY STREET</p> <p>Not to Scale. Illustrative Only.</p>					
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3. Service & Utility Elements

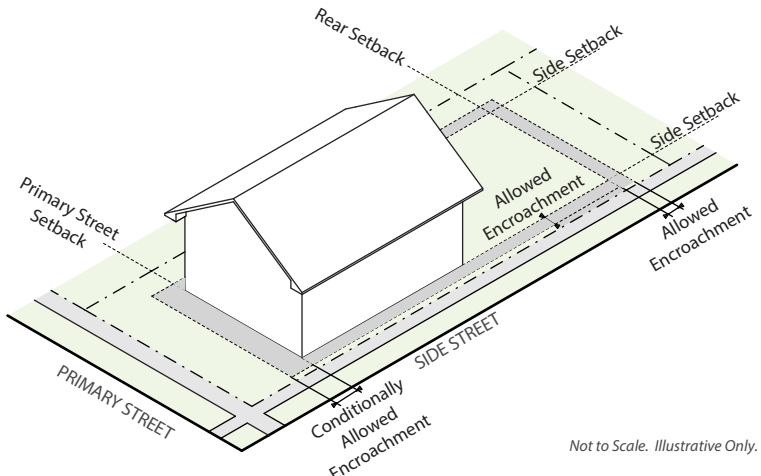
To allow for minor service and utility elements while maintaining an open and unobstructed setback.

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Barrier-free access structures <del>providing access to existing buildings, when no alternative location is available.</del> <ul style="list-style-type: none"><li><del>Setback encroachments for barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.</del></li></ul>	All M- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
Intent: To provide flexibility in the location of barrier-free access <del>structures to existing buildings:</del>	 <p>Not to Scale. Illustrative Only.</p>					
 <p>Illustrative only</p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Basketball goals on a fixed post	All M- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
	 <p>Not to Scale. Illustrative Only.</p>					

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

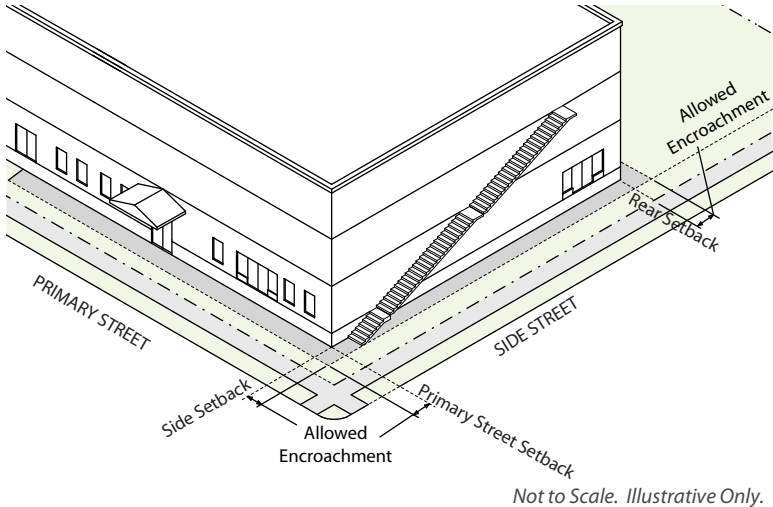

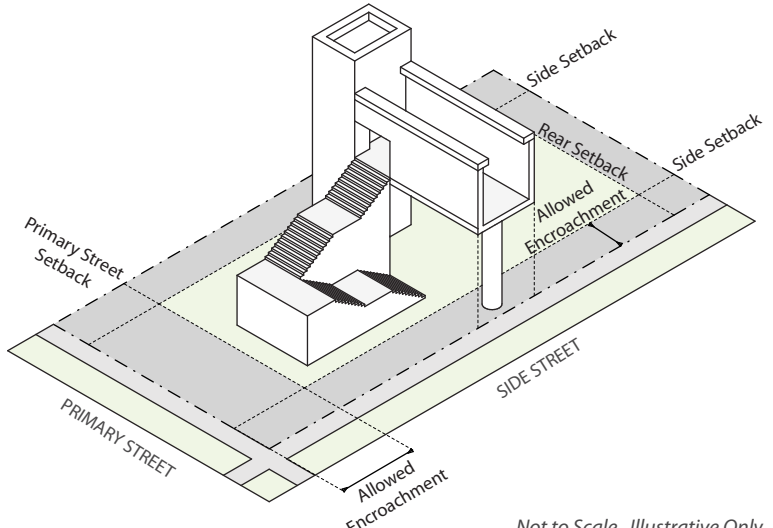

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Gas and electric meters	All M- Zone Districts	All Building Forms	1.5'	1.5'	1.5'	1.5'
Intent: To allow for functional siting.	 <p>Not to Scale. Illustrative Only.</p>					


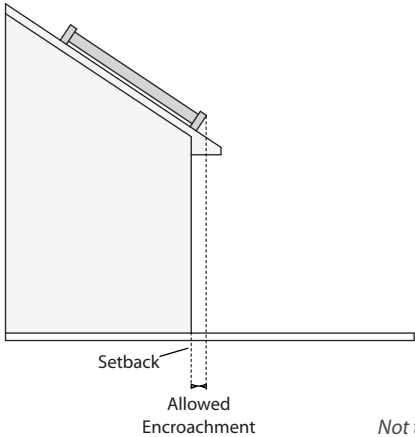


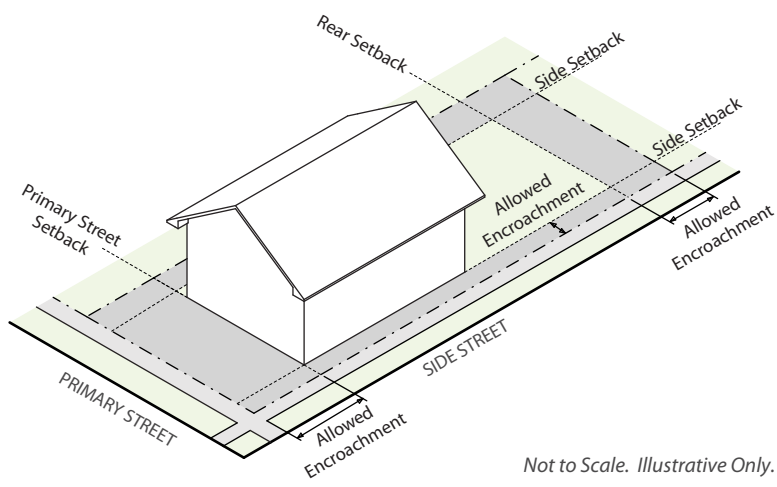
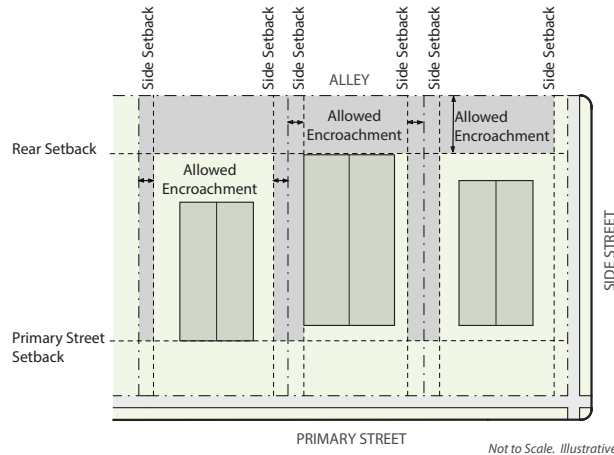

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
<p>Ground-mounted air-conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:</p> <ul style="list-style-type: none"> <li>Removed this exception because these can be allowed with the Minor Detached Structure</li> </ul>	All M-Zone Districts	All building forms	<p>For Primary Structure "facing" the street: Not allowed</p> <p>For Primary Structure not "facing" the street: 5' and shall be screened from public right-of-way by a solid fence at least 3' in height</p>	<p>5' and shall be screened from public right-of-way by a solid fence at least 3' in height</p>	- 3'	5'
<ul style="list-style-type: none"> <li>Does not generate more than 75 decibels of ambient sound according to the manufacturer's specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;</li> <li>Does not exceed 4' in height or 10 square feet in area per unit;</li> <li>Does not exceed 2 units per zone lot;</li> <li>Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and</li> <li>The location of the unit(s) minimizes the impacts on adjoining properties.</li> </ul>						
<p>Intent: To allow for functional siting:</p>	 <p>Not to Scale. Illustrative Only.</p>					


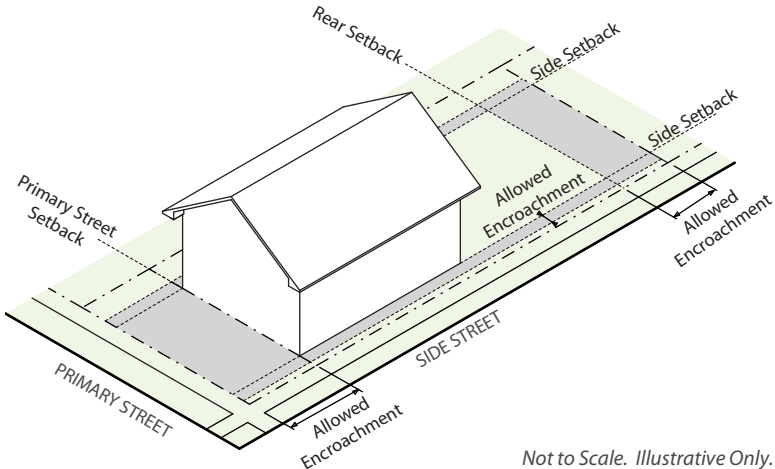

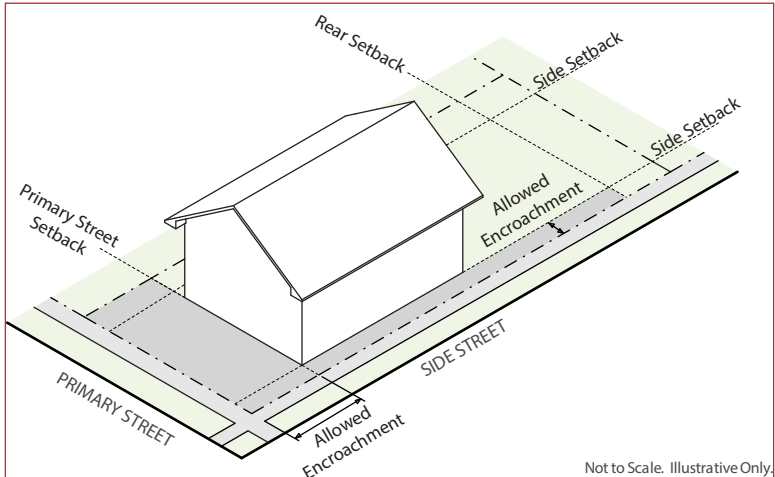


	ZONE DISTRICTS	BUILDING FORMS	PRIMARY- STREET	SIDE- STREET	SIDE- INTERIOR	REAR
<p>Ground-mounted evaporative coolers</p> <ul style="list-style-type: none"><li>located behind the front of the primary structure and</li><li>screened from adjacent properties and public rights-of-way; and</li><li>not to exceed the noise standards of D.R.M.C. Section 36-6</li><li>Removed this exception because these can be allowed with the Minor Detached Structure</li></ul>	All M-Zone Districts	All Building Forms	For Primary Structure "facing" the street: Not allowed For Primary Structure not "facing" the street: 5' and shall be screened from public right-of-way by a solid fence at least 3' in height	3'	3'	5'
<p>Intent: To allow for functional siting.</p>	<p>Not to Scale. Illustrative Only.</p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, <del>but including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and</del> excluding above-grade walkways.	All M- Zone Districts	All building forms	5'	3'	3'	10'
Intent: To provide for egress from a building only for emergency purposes	 <p>Not to Scale. Illustrative Only.</p>					
 <p><i>Illustrative only</i></p>						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Pedestrian Bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided the Department of Transportation and Infrastructure ("DOTI") has approved a right-of-way encumbrance.	All M- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.	 <p>Not to Scale. Illustrative Only.</p>					
 <p><i>Illustrative only</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas, (1) shall not extend more than 6-inches above grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served	All M- Zone Districts	All building forms	4'	4'	4'	4'
Intent: To allow for openings to below-grade spaces						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Retaining structures for window wells and below grade areas for exits, exit discharges, and emergency escape and rescue openings required by the Denver Building and Fire Code, (1) shall not extend more than 6-inches above <u>finished</u> grade; and (2) shall not exceed 6-feet in width as measured parallel to the exterior walls of the structure served; and (3) shall not <u>extend more than-exceed</u> 4.-feet <u>into the setback in width</u> as measured perpendicular to the exterior walls of the structure served; and (4) shall not exceed the minimum number of exits or emergency escape and rescue openings required by the Denver Building and Fire Code	All M- Zone Districts	All building forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for minimum means of egress components and minimum emergency escape and rescue openings required for life-safety						
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Solar Panel, <u>Flush Mounted building-mounted</u>	All M- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow <u>flush mounted</u> solar panels on <u>the roof of existing</u> structures <u>that which</u> may not meet a required minimum setback.						
 <p><i>Illustrative only</i></p>	 <p><i>Not to Scale. Illustrative Only.</i></p>					

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Shall not exceed 43' in height.	All M- Zone Districts	All Building Forms	Any distance	Any distance	Any distance	Any distance
Intent: To allow for functional siting.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Utility pedestals, transformers or other similar equipment, excluding mechanical equipment: • Greater than 3' in height but not exceeding 8' in height above Finished Grade.	All M- Zone Districts	All building forms	Not allowed	Not allowed	Any distance	Any distance
Intent: To allow for functional siting.	 <p><i>Not to Scale. Illustrative Only.</i></p>					
 <p><i>Illustrative only</i></p>						

	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
	 <p>Not to Scale. Illustrative Only.</p>					
Mailboxes and other <u>similar accessory</u> structures <u>serving a similar utilitarian function</u> , including <u>individual mailbox structures and</u> cluster box units (CBUs) <u>and free-standing bike racks</u>	All M-Zone Districts	All Building Forms	Any distance	Any distance	Not allowed, <u>unless also within the Primary Street Setback</u>	Not allowed
Intent: To allow for functional siting						
 <p>Illustrative only</p>	 <p>Not to Scale. Illustrative Only.</p>					
	ZONE DISTRICTS	BUILDING FORMS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR

<p>Wall-mounted fixtures, wiring, conduit, piping, and vents integral to conventional mechanical, electrical, plumbing, and fire protection systems</p> <p>(1) not otherwise identified as an allowed setback encroachment; and</p> <p>(2) serving permitted uses on the zone lot; and</p> <p>(3) projecting no more than 18-inches from the exterior face of the exterior wall</p> <p>Including but not limited to electrical panelboards, controllers, sensors, meters, drains, hosebibs, hydrants, fire department connections, sprinklers, alarms, dryer vents, bathroom vents, furnace vents, radon exhaust fans, lighting fixtures, and similar minor utility features approved by the Zoning Administrator</p>	All U- Zone Districts	All building forms	<p>Wall-mounted lighting fixtures and elements of fire protection systems: Any Distance</p> <p>All Others: Not Allowed</p>	Any distance	Any distance	Any distance
Intent: To allow for functional siting.						

### 9.7.7.5 Exception

#### A. Applicability

All M- zone districts where a standard applies.

#### B. Unenclosed Porch Exception

##### 1. Intent

To promote street activation.

##### 2. Standard

The Building Footprint of a Primary Structure occupied only by portions of an Unenclosed Porch may be excluded from the calculation of up to a maximum of 400 square feet for each dwelling unit if (1) the portions of the Unenclosed Porch are located between the Primary Street zone lot line and the Primary Street-facing façade(s) of the Primary Structure; and (2) the portions of the Unenclosed Porch provide access to a primary use within the structure. A Facade is "Street-facing" when it meets the criteria in Section 13.1.6.5 Determination of "Street-Facing" Building Elements.

#### C. ~~Detached Accessory Dwelling Unit Building Form Exception~~

##### 1. ~~Intent~~

~~To provide an incentive for accessory dwelling units and promote openness between buildings on a Zone Lot.~~

##### 2. ~~Standard~~

~~Half of the Building Footprint of the Detached Accessory Dwelling Unit building form may be excluded from the calculation of up to a maximum of 500 square feet, including any exception for a Detached Garage using Section 9.7.7.5.D, if there is a minimum distance of 15 feet between the closest portions of the Detached Accessory Dwelling Unit building form that are more than 30 inches above grade and the closest portions of the Primary Structure(s) on the zone lot that are more than 30 inches above grade.~~

#### D. ~~Detached Garage Building Form Exception~~

##### 1. ~~Intent~~

~~To promote openness between buildings on a Zone Lot.~~



**2. Standard**

~~Half of the Building Footprint of the Detached Garage building form may be excluded from the calculation of up to a maximum of 500 square feet, including any exception for a Detached Accessory Dwelling Unit using Section 9.7.7.5.C, if:~~

- ~~a. A minimum of 80% of the street level Gross Floor Area of the Detached Garage building form is used for vehicle storage and parking; and~~
- ~~b. There is a minimum distance of 15 feet between the closest portions of the Detached Garage building form that are more than 30 inches above grade and the closest portions of the Primary Structure(s) on the zone lot that are more than 30 inches above grade.~~

**9.7.7.6 Vehicle Access From Alley Required - Exceptions**

**A. No Alley**

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

**B. Alley Access Required**

Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless the applicant can demonstrate at the time of zoning permit application that an exception stated in this Section 9.7.7.6 applies.

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

The Department of Transportation and Infrastructure ("DOTI") shall approve all requests for an exception to required Alley access under this Section 9.7.7.6.

**D. General Exceptions**

When one or more of the conditions listed in this Section 9.7.7.6.D apply, street access may be used instead of alley access. However, if improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which improvements resolve one or more conditions for an exception specified in this Section 9.7.7.6.D, then vehicular Alley access shall be required.

1. The Alley is not provided with an all-weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
2. The Alley is less than 12 feet in width;
3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street.
4. The Department of Transportation and Infrastructure ("DOTI") prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic; or
5. The Primary Use is within the Civic, Public, and Institutional Use Category and the DRC determines during Site Development Plan review that street access is more consistent with the Comprehensive Plan, or is necessary to ensure safety or vehicle operational needs.

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

When the conditions listed in this Section 9.7.7.6.E apply, street access may be used instead of alley access.

1. Vehicular access from the street to an accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010, and has been Continuously Maintained; and
2. The Primary Structure containing either a Single-Unit or Two-Unit Dwelling use on the same Zone Lot is not Voluntarily Demolished. In the case of Voluntary Demolition of the Primary Structure, vehicle access must be taken from the Alley unless otherwise allowed by this Section 9.7.7.6.E.

## **SECTION 9.7.8 REFERENCE TO OTHER DESIGN STANDARDS**

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

Refer to the following Divisions for other applicable design standards

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



## SECTION 9.7.9 USES AND REQUIRED MINIMUM PARKING

### 9.7.9.1 Applicability

- A. This Section 9.7.9 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Master Planned Context zone district.
- B. Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.
- C. For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Structures and Uses Allowed per Zone Lot.

### 9.7.9.2 Organization

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

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

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

##### 1. Primary Use Classifications

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

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

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

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

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

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

### 9.7.9.3 Explanation of Table Abbreviations

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

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

## **B. Permitted, Limited, Not Permitted**

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

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

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

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

### **3. Uses Not Permitted (“NP”)**

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

## **C. Zoning Procedure**

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

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

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

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

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

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

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

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

### **5. Uses Where More Than One Zoning Procedure Is Indicated**

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

#### 9.7.9.4 Enclosure of Uses

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

#### 9.7.9.5 District Specific Standards

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
ZP = Zoning Permit Review 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)	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	APPLICABLE USE LIMITATIONS
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>							
Household Living	Dwelling, Single Unit • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.2.6
	Dwelling, Two Unit • Vehicle: 1/unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.2.6
	Dwelling, Multi-Unit • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.2.6
	Dwelling, Live / Work • Vehicle: 1/unit • Bicycle: 1/ 4 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.2.4, \$11.2.6
Residential Care	Residential Care, Type 1 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	L/L-ZP	\$11.2.7; \$11.2.8
	Residential Care, Type 2 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.2.7; \$11.2.9
	Residential Care, Type 3 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement	NP	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.2.7; \$11.2.10
	Residential Care, Type 4 • Vehicle: .25/1,000 sf GFA • Bicycle: No requirement	NP	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.2.7; \$11.2.11
Congregate Living	All Types • Vehicle: .5/1,000 sf GFA • Bicycle: 1/20,000 sf GFA	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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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	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION							
Basic Utilities	Utility, Major Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZPSE	L-ZPSE	L-ZPSE	L-ZPSE	P-ZPSE	§ 11.3.1
	Utility, Minor Impact* •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.2
Community/ Public Services	Community Center* •Vehicle: .5 / 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	P-ZP	§ 11.3.3
	Day Care Center •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Facility, Neighborhood •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Postal Processing Center •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Public Safety Facility •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.5
	Hospital	NP	NP	NP	NP	NP	
	Correctional Institution	NP	NP	NP	NP	NP	
	Cemetery*	NP	NP	NP	NP	NP	
Cultural/Special Purpose/Public Parks & Open Space	Library •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	
	Open Space - Conservation* •No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School •Vehicle: 1/1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	Vocational or Professional School •Vehicle: 1/ 1,000 s.f. GFA •Bicycle: 1/ 10,000 s.f. GFA (0/100)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types •Vehicle: .5/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (0/100)	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.3.10

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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)	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	APPLICABLE USE LIMITATIONS
<b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>							
Adult Business	All Types	NP	NP	NP	NP	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Enter- tainment	Arts, Recreation and Entertainment Services, Indoor • Vehicle - Artist Studio: 0.3/1000 sf GFA • Vehicle - All Others: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZPIN	L-ZP	§ 11.4.3
	Event Space with Alternate Parking and Loading* • Vehicle: No requirement • Bicycle: No requirement	NP	NP	NP	NP	NP	
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	L-ZP	§11.4.5.1
Nonresidential Uses in Existing Business Structures In Residential Zones)		NP	NP	not applicable			
Parking of Vehicles	Parking, Garage • No Parking Requirements	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Parking, Surface* • No Parking Requirements	L-ZP	P-ZP	P-ZP	NP	P-ZP	§ 11.4.8
Eating & Drinking Estab- lishments	All Types • Vehicle: 3.75/ 1,000 s.f. GFA • Bicycle: 1/3,000 s.f. GFA (0/100)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Lodging Accommoda- tions	Bed and Breakfast Lodging • Vehicle: 1/guest room or unit • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
	Lodging Accommodations, All Others • Vehicle: 1/ guest room or unit • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	
Office	Dental / Medical Office or Clinic • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.10
	Office, All Others • Vehicle: 1.875/ 1,000 s.f. GFA • Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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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)	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	APPLICABLE USE LIMITATIONS
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.12
	Animal Sales and Services, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/20,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 11.4.13.1
	Food Sales or Market •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	L-ZP	P-ZP	P-ZP	P-ZP	§ 11.4.14
	Pawn Shop	NP	NP	NP	NP	NP	
	Retail Sales, Service & Repair -- Out- door* •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	NP	NP	L-ZP	§ 11.4.16
	Retail Sales, Service & Repair - Firearms Sales •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	NP	P-ZP	NP	P-ZP	
	Retail Sales, Service & Repair, All Others •Vehicle: 1.875/ 1,000 s.f. GFA •Bicycle: 1/10,000 s.f. GFA (60/40)	NP	P-ZP	P-ZP	P-ZP	P-ZP	

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		M-RH-3	M-RX-3 M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	NP	P-ZP	
	Automobile Services, Light • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.18; § 11.4.19
	Automobile Services, Heavy Vehicle: .5/ 1,000 s.f. GFA Bicycle: No requirement	NP	NP	L-ZP/ZPSE	NP	L-ZP/ZPSE	§ 11.4.18; § 11.4.20
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.4.21
	Heavy Vehicle/ Equipment Sales, Rent- als & Service* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZPSE	NP	L-ZP	§ 11.4.22
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.2
	Communication Services • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPSE P-ZP	L-ZPSE P-ZP	L-ZPSE P-ZP	P-ZP	§ 11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	§ 11.5.2
	Telecommunications Tower - Alterna- tive Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	L-ZP/ZPIN	§ 11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.5.2
Industrial Services	Contractors, Special Trade - General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.3.
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	L-ZP	§ 11.5.4.1
	Food Preparation and Sales, Commer- cial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.5.5
	Laboratory, Research, Development and Technological Services • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.6
	Service/Repair, Commercial • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	L-ZP	§ 11.5.7

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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
		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	
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.8
	Manufacturing, Fabrication & Assembly -- General • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	§ 11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	NP	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	L-ZP	§ 11.5.10.1
	Sand or Gravel Quarry*	NP	NP	NP	NP	L-ZP	§ 11.5.11.1
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ZPSE	§ 11.5.13
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZPIN	L-ZPIN	L-ZP	L-ZP	L-ZP	§ 11.5.14
	Railroad Facilities*	NP	NP	NP	NP	P-ZP	
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	§ 11.5.15
	Terminal, Freight, Air Courier Services	NP	NP	NP	NP	L-ZP	§ 11.5.16.1
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	L-ZPIN	§ 11.5.19.1
	Recycling Collection Station	NP	NP	NP	NP	P-ZP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribu- tion	Solid Waste Facility	NP	NP	NP	NP	NP	
	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	
	Mini-storage Facility • Vehicle: 0.1 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZP	L-ZP	P-ZP	§ 11.5.23
Wholesale, Storage, Warehouse & Distribu- tion	Vehicle Storage, Commercial*	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	P-ZPIN	NP	P-ZP	
Wholesale, Storage, Warehouse & Distribu- tion	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ZPIN/ ZPSE	P-ZP/ZPIN/ZPSE	§ 11.5.26



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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)	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	APPLICABLE USE LIMITATIONS
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>							
Agriculture	Aquaculture*	NP	NP	NP	NP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	L-ZP	L-ZP*	§11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Accessory to Primary Residential 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
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.8.2
	Domestic Employee	L	L	L	L	L	§ 11.7; § 11.8.3
	Garden*	L	L	L	L	L	§ 11.7; § 11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§ 11.7; § 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recre- ational Vehicles*	L	L	L	L	L	§ 11.7; § 10.9
	Kenel or Exercise Run*	L	L	L	L	L	§ 11.7; § 11.8.6
	Limited Commercial Sales, Services Ac- cessory to Multi-Unit Dwelling Use	NP	L-ZP	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.8.7
	Outdoor Storage, Residential*	L	L	L	L	L	§11.7; §11.8.8
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	§ 11.7; § 11.8.9
	Short-term Rental	L	L	L	L	L	§ 11.7; § 11.8.10
	Vehicle Storage, Repair and Mainte- nance*	L	L	L	L	L	§ 11.7; § 10.9
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses			§ 11.7; § 11.5.13
	Yard or Garage Sales*	L	L	L	L	L	§ 11.7; § 11.8.11
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.9; § 11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.5

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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)	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					APPLICABLE USE LIMITATIONS
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 <u>Primary</u> Places of Religious Assembly <u>or Primary Uses Operated by Nonprofit Organizations</u> *	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
	<u>Retail Food Establishment, Mobile (Food Truck)*</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>L-ZP</u>	<u>\$11.7; \$11.10.20</u>

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TEMPORARY USE CLASSIFICATION							
Temporary Uses  (Parking is Not Required for Temporary Uses Un- less Specifically Stated in this Table or in an Ap- plicable Use Limitations)	Unlisted Temporary Uses	L - Applicable in all Zone Districts					\$11.11.1
	Ambulance Service - Temporary	NP	L-ZP	Not Applicable - See Permitted Primary Uses			\$11.11.2
	Amusement / Entertainment - Tempo- rary*	NP	NP	NP	NP	L-ZP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.7
	Health Care Center	L-ZP	L-ZP	P-ZP	P-ZP	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	NP	NP	NP	NP	L-ZP	\$11.11.10
	Outdoor Retail Sales*	NP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.11
	Outdoor Sales, Seasonal*	NP	L-ZPIN	L-ZP	L-ZP	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile (Food Truck)*	NP	<u>L</u> /L-ZP	<u>L</u> /L-ZP	<u>L</u> /L-ZP	<u>L</u> /L-ZP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.11.16
	Temporary Managed Community*	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	L-ZPCIM	\$11.11.17
	Tent for Religious Services	NP	NP	NP	NP	L-ZP	\$11.11.18

















