# Page Replacement Packet for DZC Text Amendment 3: CPV-Auraria Zone Districts and Related Revisions

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DENVER ZONING CODE

Effective Date
June 25, 2010

Restated in its Entirety on May 24, 2018

As Amended Through December 20, 2018
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<td>D-AS-20+ Downtown Arapahoe Square 20+</td>
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DENVER ZONING CODE

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DIVISION 8.1 NEIGHBORHOOD CONTEXT DESCRIPTION

SECTION 8.1.1 GENERAL CHARACTER
The Downtown context consists of a mix of multi-unit residential, commercial, office, civic, institutional, and entertainment uses in large buildings containing one or more uses. The Downtown Context is comprised of eleven distinct areas: Downtown Core District, Downtown Theater District, Lower Downtown District, Downtown Civic District, Downtown Golden Triangle, Downtown Arapahoe Square District, Downtown Arapahoe Square District 12+, Downtown Arapahoe Square District 20+, Downtown Central Platte Valley – Auraria Transition District, Downtown Central Platte Valley – Auraria River District, and Downtown Central Platte Valley – Auraria Center District. Throughout the context, residential and nonresidential buildings tend to have similar forms, most often that of the Apartment or General Commercial Building Forms. Historic Structures and landmark districts (Lower Downtown, Downtown, Larimer Square, Civic Center, and Speer Boulevard) are important character defining features of the Downtown Context.

SECTION 8.1.2 STREET, BLOCK, AND ACCESS PATTERNS
The Downtown context consists of a regular pattern of block shapes. Orthogonal and diagonal streets provide connection through this context. Block sizes and shapes are consistent and include detached sidewalks, amenity zones or treelawns, and street, surface, and structured parking. Blocks where the two grids—downtown and directional—meet create a varied pattern of triangular lots. While historically most blocks contained alleys, some have been vacated to accommodate full-block developments.

SECTION 8.1.3 BUILDING ENTRANCES
Entrances to office and residential buildings tend to be directly from the public sidewalk into a lobby. Retail stores and restaurants are typically accessed from the public sidewalk. Parking garage and lot access varies. Larger garages are typically accessed from the street, while smaller facilities may be accessed from the alley.

SECTION 8.1.4 BUILDING PLACEMENT AND LOCATION:
Multi-unit buildings typically have consistent shallow front setbacks or build-to lines. Commercial buildings typically have build-to requirements forming a continuous building wall along the sidewalk.
SECTION 8.1.5 BUILDING HEIGHT
The Downtown Context contains the tallest buildings in the City with maximum heights ranging from unlimited in the core of Downtown and portions of Central Platte Valley – Auraria to 55-85 feet in Lower Downtown and Larimer Square. Allowed heights transition from the core and Central Platte Valley – Auraria to lower intensity contexts.

SECTION 8.1.6 MOBILITY
The highest priority is given to the pedestrian, transit, and alternative modes of transportation. The Downtown context is the center of the Denver region multi-modal transit transportation system. Key elements of this system are: Denver Union Station as the hub of the regional transit system; 16th Street Mall Shuttle, light rail on downtown streets; local, regional and express bus service; bike lanes and access to the Platte River and Cherry Creek Greenway trails; and detached sidewalks on every street.
DIVISION 8.2  DISTRICTS (D-C, D-TD, D-LD, D-CV, D-GT, D-AS-, D-CPV-)

SECTION 8.2.1  DISTRICTS ESTABLISHED

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

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

SECTION 8.2.2  DOWNTOWN DISTRICTS

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

8.2.2.2  Specific Intent
A.  Downtown Core District (D-C)
The Downtown Core District is and must remain Denver’s most prominent public environment; an urban center that is at once comfortable, exciting, and without question the business, entertainment and urban lifestyle center of the region.

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

C.  Lower Downtown (LoDo) District (D-LD)
The Lower Downtown District is specific to the Lower Downtown Historic District.

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

E.  Downtown Golden Triangle District (D-GT)
The Golden Triangle (D-GT) is a neighborhood with a mixture of housing, office, commercial, and retail. It is a neighborhood of active pedestrian-oriented streets and mixed-use development. Historic buildings as well as contemporary structures designed with human scale and detail are a part of the district’s unique character.
F. Downtown Arapahoe Square District (D-AS)
The D-AS zone district is specific to a small area of the Curtis Park neighborhood that is adjacent to the Arapahoe Square neighborhood and was previously zoned B-8-A under Former Chapter 59. D-AS is intended to support a mix of uses that provide a pedestrian friendly transition from the surrounding lower scale neighborhoods to the high-rise scale of downtown.

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

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

I. Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)
The Transition district is located within approximately 1 block of established neighborhoods and buildings adjacent to and within Central Platte Valley – Auraria and supports a wide range of downtown neighborhood uses. This district applies to areas near Water Street and Interstate 25; along Auraria Parkway between Speer Boulevard and approximately 9th Street; and along Speer Boulevard between Auraria Parkway and approximately Chopper Circle/Wewatta Street. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to surrounding neighborhoods, buildings, and campus environments. A diversity of building scales and intensities will define the area with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses.

J. Downtown Central Platte Valley – Auraria River District (D-CPV-R)
The River district is located within approximately 1 to 1.5 blocks along both sides of the South Platte River. This district encourages a wide range of uses, particularly ground-floor active uses that engage the river edge, such as retail, eating and drinking establishments, and residential units. There is an emphasis on visual and physical permeability between taller, more slender buildings along the river. The overall intensity of this district is lower than the D-CPV-C district to create an appropriate relationship to the South Platte River. The Point Tower form is prioritized as the primary building form, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form is limited in height and is intended to provide architectural variety and flexibility for smaller uses and constrained sites. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.
K. **Downtown Central Platte Valley – Auraria Center District (D-CPV-C)**

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

A diversity of building scales and intensities will define the area, with an emphasis on human-scaled massing at the street level and preserving access to sun, sky, and views as buildings increase in height. The General building form will provide flexibility for multiple building types and uses. The Standard Tower building form will allow taller buildings with more flexible massing standards to encourage a wide variety of tenants and uses. The Point Tower building form provides an opportunity for buildings to be created without height restriction in a slender format.
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DIVISION 8.3  DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)

SECTION 8.3.1  DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS

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

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

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

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

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

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

a. “Zone of influence” shall mean that portion of the public right-of-way of the 16th Street pedestrian and transit mall lying between 2 lines extended due north from the easternmost and western most points of a zone lot located between 15th and 16th Streets, regardless of whether or not such zone lot extends across a public alley. If a zone lot extends across a public street right-of-way, then a separate zone of influence shall be established for each part of the property separated by a public street right-of-way. The 16th Street pedestrian and transit mall is 80 feet wide.

b. “Project zone of influence” shall mean the zone of influence for the proposed structure or project.

c. “Overlapping zone of influence” shall mean any zone of influence that overlaps all or a portion of the project zone of influence, regardless of whether or not such zone of influence is related to a zone lot that is (i) adjacent to the project zone lot or (ii) located within this Sunlight Preservation Area 1.
4. Final maximum gross floor area.
   a. Limits for designated areas.
      Notwithstanding Sections 8.3.1.4.D.1-3 above, the final maximum gross floor areas
      that may be constructed on zone lots shall be limited as described below and shown
      on Exhibit 8.2:
      i. For structures located within the area bounded by 14th Street, Colfax Avenue,
         Broadway Street, 18th Street, and the Market Street-Larimer Street alley: (i)
         A floor area ratio of 17:1; or (ii) If structures contain over 50 percent of their
         gross floor area in housing uses, then a floor area ratio of 20:1.
      ii. For structures located in all other areas zoned D-C and D-TD:
          a) A floor area ratio of 12:1; or
          b) If structures contain over 50 percent of their gross floor area in housing
             uses, then a floor area ratio of 17:1.

Exhibit 8.2 Maximum Gross Floor Area
b. **Floor area excluded from calculations.**
Gross floor area occupied by Downtown Ground Floor Active Uses (i) which would qualify for a floor area premium pursuant to Section 8.3.1.4.D.2.c, but (ii) for which a floor area premium is not granted because of the restrictions in Section 8.3.1.4.D.2 above limiting the total amount of floor area premiums that may be granted, shall be excluded from the calculation of the gross floor area of a structure or project. Any floor area so excluded from the calculation of gross floor area shall continue to be occupied by Downtown Ground Floor Active Uses.

### 8.3.1.5 Off-Street Parking Requirements

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

**B. Amount of Parking Spaces Required**
1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.
2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a “parking, garage” use stated in Section 11.4.6.1.

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

**D. Bicycle Parking**
The following standard shall apply instead of the general bicycle parking standards in Article 10, Division 10.4, Parking and Loading.
1. All new parking structures shall contain at least 1 designated bicycle parking space for each 20 automobile parking spaces, provided, however, that in no event shall any new parking structure be required to contain more than 50 bicycle parking spaces.

### 8.3.1.6 Design Requirements

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

**B. Minimum Build-to Requirements**
1. **Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley:** Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot
DIVISION 8.4 LOWER DOWNTOWN DISTRICT (D-LD)

SECTION 8.4.1 LOWER DOWNTOWN DISTRICT

8.4.1.1 General
The provisions of this Division apply to all lands, uses and structures in the D-LD District.

8.4.1.2 Description of District
The district is intended to provide for and encourage the preservation and vitality of older areas that are significant because of their architectural, historical and economic value. A variety of land uses will be permitted in order to facilitate the reuse of existing structures without jeopardizing or reducing zoning standards promoting the public safety, convenience, health, general welfare and the preservation of the comprehensive plan. New residential development is encouraged. The design of new structures should recognize the style and character of adjoining building exteriors, i.e., cornice lines and building materials and colors should be similar wherever possible.

8.4.1.3 Uses Permitted
See Division 8.11 for uses permitted in the D-LD District.

8.4.1.4 Off-Street Parking Requirements

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

B. Amount of Parking Spaces Required
1. There shall be no minimum off-street parking requirement for contributing buildings or residential additions to contributing buildings, as such buildings are designated in D.R.M.C., Article III, (Lower Downtown Historic District), of Chapter 30, (Landmark Preservation);
2. One off-street parking space shall be provided for each residential unit of a new residential building or a residential addition to a noncontributing building; provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted;
3. One off-street parking space shall be provided for each 750 square feet of gross floor area for any nonresidential addition to a contributing or noncontributing building, or a new nonresidential building;
4. For zone lots with a mix of residential and any other primary use, off-street parking spaces shall be provided based on the requirements in Subsections B.1 through B.3 above in proportion to the uses in the building provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted if submitted for approval prior to January 1, 2017. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (0.8) and rounding up to the nearest whole number;
5. “Additional parking” is parking above the required minimums as set forth in Sections 8.4.1.4.B.1 through 8.4.1.4.B.4 above. All structures may provide up to an additional one-half parking space per residential unit and one space per 1,500 square feet of gross floor area of nonresidential uses;
6. “Excess parking” is any parking in excess of the required minimums and allowed additional parking. Excess parking may be granted only upon application to the Lower Downtown Design Review Board in accordance with the provisions of D.R.M.C., Article III (Lower Downtown Historic District) of Chapter 30 (Landmark Preservation);

7. Off-street parking requirements may be met off the zone lot according to Section 10.4.4.5, Location of Required Vehicle Parking, of this Code after consultation with the Lower Downtown Design Review Board, and provided said parking is provided within the D-LD zone district or within 1,000 feet of the subject zone lot; and

8. All required off-street parking spaces shall be designed in accordance with Division 10.4, Parking and Loading, of this Code.

C. Accessible Parking
Whenever off-street parking spaces are provided, a minimum number of accessible parking spaces shall be provided according to the requirements of the Denver Building Code and the federal Americans with Disabilities Act.
DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT

SECTION 8.6.1 GOLDEN TRIANGLE DISTRICT

8.6.1.1 Generally
The provisions of this Division apply to all lands, uses and structures in the Golden Triangle district.

8.6.1.2 Uses Permitted
See Division 8.11 for uses permitted in the Golden Triangle District.

8.6.1.3 Permitted Structures.

A. Open Space Required
For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-GT district a minimum of 25 square feet of unobstructed open space, for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

B. Setbacks from Abutting Street Frontages

1. Maximum Setback
Buildings shall be built at or within 5 feet of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.6 or in Design Standards and Guidelines adopted for the Golden Triangle neighborhood.

2. Setbacks from Speer Boulevard
All structures on zone lots abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

C. Maximum Height
The maximum height of structures shall not exceed 175 feet above the elevation of Broadway Street as measured at the highest point on Broadway directly east or west of the subject property, as the case may be, as determined by the City Engineer. Upon request by the applicant, the Zoning Administrator, after consulting with the Manager and the chairperson of the Planning Board or their designated representatives, may increase the maximum heights by up to 25 feet according to the Administrative Adjustment procedures in Section 12.4.5, in order to compensate for design constraints imposed by unusually high water tables, irregularly shaped Zone Lots not caused by the property owner, and other unusual site conditions not caused by the property owner.

D. Maximum Gross Floor Area in Structures

1. Basic Maximum Gross Floor Area
The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.
2. **Floor Area Premiums**

In addition to the basic maximum gross floor area permitted under Section 8.6.1.3.D.1 above, a premium of additional floor area may be constructed according to the following formulas:

a. **Premium for Housing**

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

b. **Premium for Residential Support Uses**

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

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

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

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

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

e. **Premium for Public Art**

A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

i. The public art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or $500,000.00, whichever is less; and

ii. The public art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

f. **Premium for Affordable Housing**

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

g. **Continuation of Uses**

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

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

Notwithstanding the provisions of Section 8.6.1.3.D.2, Floor Area Premiums, the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.6.1.4, as appropriate, the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated Historic Structures with-
DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICT

SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT (D-AS)

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

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

8.7.1.3 Permitted Structures

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

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

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

D. Floor Area in Structures

1. Basic Maximum Gross Floor Area
The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

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

a. Premium for Housing
One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

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

c. Premium for Arts, Entertainment, or Cultural Facility
One (1) square foot of floor area premium shall be awarded for each square foot of “arts, entertainment, or cultural facility”, defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.
Article 8. Downtown Neighborhood Context
Division 8.7 Downtown Arapahoe Square (D-AS) District

8.7-2

DENVER ZONING CODE
June 25, 2010 | Republished May 24, 2018


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

e. **Premium for Public Art**
A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

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

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

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

3. **Maximum Gross Floor Area in Structures**
   Notwithstanding the provisions of Section 8.7.1.3.D.2 (Floor Area Premiums), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.7.1.4 (Design Review), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated Historic Structures within the D-AS zone district may be transferred to other properties within the D-AS district pursuant to the procedures for transfer of undeveloped floor area from Historic Structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

**8.7.1.4 Design Review**

A. **Applicability**
   Design review criteria and procedures shall apply to the following:

   1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

8.8.3.2 General Standards
A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.
B. At an applicant’s request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:
   1. The structure fully conforms with all applicable standards of the new building form; or,
   2. The existing assigned building form is no longer a permitted form in the applicable zone district.

8.8.3.3 District Specific Standards Summary
The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

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

■ = Allowed  □ = Allowed subject to geographic limitations
8.8.3.4 **District Specific Standards**

**A. General**

---

**20th Street or Broadway**

- (C) 20th/Broadway No Upper Story Setback
- (G) Street Level Transparency
- (H) Pedestrian Access

**21st Street or Park Avenue**

- (D) 21st/Park Upper Story Setback
- (A) Max Height in Stories/Feet

**All Other Streets**

- (E) All Other Streets Upper Story Setback
- (F) Wall Length within Upper Story Setback
- (I) No Parking Limitation Above the Street Level
- (H) Pedestrian Access
- (G) Street Level Transparency

---

Not to Scale. Illustrative Only.
### GENERAL

<table>
<thead>
<tr>
<th></th>
<th>D-AS-12+</th>
<th>D-AS-20+</th>
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</thead>
<tbody>
<tr>
<td><strong>HEIGHT</strong></td>
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</tr>
<tr>
<td>Stories (max)</td>
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<td>12</td>
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<tr>
<td>Feet (max)</td>
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<td>150’</td>
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<tr>
<td>Height Exceptions</td>
<td>See Section 8.10.1.1</td>
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</tbody>
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<thead>
<tr>
<th></th>
<th>D-AS-12+ and D-AS-20+ Districts</th>
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<tbody>
<tr>
<td><strong>SITING</strong></td>
<td></td>
</tr>
<tr>
<td>REQUIRED BUILD-TO BY STREET</td>
<td></td>
</tr>
<tr>
<td>All Primary Streets (min build-to %)</td>
<td>70%</td>
</tr>
<tr>
<td>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</td>
<td>0’/15’; Residential Only Buildings: 0’/20’</td>
</tr>
<tr>
<td>Southeast (light rail) Side of Welton Street (min/max build-to range)</td>
<td>0’/20’; Residential Only Buildings: 0’/25’</td>
</tr>
<tr>
<td>All Other Streets (min/max build-to range)</td>
<td>0’/10’; Residential Only Buildings: 0’/15’</td>
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<tr>
<td>Build-to Exceptions and Alternatives</td>
<td>See Sections 8.8.6.1 and 8.8.7.1</td>
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<tbody>
<tr>
<td><strong>SETBACKS</strong></td>
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<tr>
<td>Primary Street (min)</td>
<td>0’</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>0’</td>
</tr>
<tr>
<td>Rear, alley and no alley (min)</td>
<td>0’</td>
</tr>
</tbody>
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<tbody>
<tr>
<td><strong>PARKING</strong></td>
<td></td>
</tr>
<tr>
<td>Surface Parking between building and Primary Street</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Surface Parking Screening Required</td>
<td>See Section 10.5.4.4</td>
</tr>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure</td>
<td>From Alley; or Street access allowed when no Alley present</td>
</tr>
<tr>
<td>Vehicle Access, all other permitted uses</td>
<td>Shall be determined as part of Site Development Plan Review</td>
</tr>
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<th>D-AS-12+ and D-AS-20+ Districts</th>
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<tbody>
<tr>
<td><strong>DESIGN ELEMENTS</strong></td>
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</tr>
<tr>
<td>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</td>
<td></td>
</tr>
<tr>
<td>20th Street, Broadway - Upper Story Setback above 5 stories and 70’</td>
<td>No Upper Story Setback required</td>
</tr>
<tr>
<td>21st Street, Park Avenue - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback)</td>
<td>100%/10’*</td>
</tr>
<tr>
<td>All Other Streets - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback)</td>
<td>65%/10’</td>
</tr>
<tr>
<td>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</td>
<td>na</td>
</tr>
<tr>
<td>All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</td>
<td>80’</td>
</tr>
<tr>
<td>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</td>
<td>See Section 8.8.6.2</td>
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</thead>
<tbody>
<tr>
<td><strong>STREET LEVEL ACTIVATION</strong></td>
<td></td>
</tr>
<tr>
<td>Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)</td>
<td>60%/40%</td>
</tr>
<tr>
<td>Street Level Transparency Alternatives</td>
<td>See Section 8.8.6.3</td>
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<tr>
<td><strong>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</strong></td>
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</tr>
<tr>
<td>Limitation on Visible Parking above Street Level</td>
<td>No Limitation on Visible Parking Above Street Level</td>
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<tr>
<th></th>
<th>D-AS-12+ and D-AS-20+ Districts</th>
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</thead>
<tbody>
<tr>
<td><strong>USES</strong></td>
<td></td>
</tr>
<tr>
<td>(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.11 Uses and Minimum/Maximum Parking Requirements; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.</td>
<td></td>
</tr>
</tbody>
</table>

*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for “All Other Streets” apply)
B. General with Height Incentive

Not to Scale. Illustrative Only.
**GENERAL WITH HEIGHT INCENTIVE**

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>D-AS-12+</th>
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<tr>
<td>Stories (max)</td>
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<tr>
<td>Feet (max)</td>
<td>150’</td>
<td>250’</td>
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<tr>
<td>Height Exceptions</td>
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<td>See Section 8.10.1.1</td>
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<td>All Primary Streets (min build-to %)</td>
<td>70%</td>
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<td>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</td>
<td>0’/15’; Residential Only Buildings: 0’/20’</td>
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<tr>
<td>Southeast (light rail) Side of Welton Street (min/max build-to range)</td>
<td>0’/20’; Residential Only Buildings: 0’/25’</td>
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<td>All Other Streets (min/max build-to range)</td>
<td>0’/10’; Residential Only Buildings: 0’/15’</td>
</tr>
<tr>
<td>Build-to Exceptions and Alternatives</td>
<td>See Sections 8.8.6.1 and 8.8.7.1</td>
</tr>
</tbody>
</table>

| **SETBACKS** | |
| Primary Street (min) | 0’ |
| Side Interior (min) | 0’ |
| Rear, alley and no alley (min) | 0’ |

| **PARKING** | |
| Surface Parking between building and Primary Street | Not Allowed |
| Surface parking screening required | See Section 10.5.4.4 |
| Vehicle Access, 3 or more side-by-side dwelling units in one structure | From Alley; or Street access allowed when no Alley present |
| Vehicle Access, all other permitted uses | Shall be determined as part of Site Development Plan Review |

| **DESIGN ELEMENTS** | D-AS-12+ and D-AS-20+ Districts |
| REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET | |
| 20th Street, Broadway - Upper Story Setback above 5 stories and 70’ | No Upper Story Setback required |
| 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback) | 100%/10’* |
| All Other Streets - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback) | 65%/10’ |
| 20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max) | na |
| All Other Streets - Primary Street Wall Length within the Upper Story Setback (max) | 80’ |
| 21st Street, Park Avenue - Primary Street Upper Story Setback Alternative | See Section 8.8.6.2 |

| **STREET LEVEL ACTIVATION** | |
| Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings) | 60%/40% |
| Street Level Transparency Alternatives | See Section 8.8.6.3 |

| **LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL** | |
| Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing Zone Lot Width) | 70% |
| See Section 8.8.5.2 |

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

Not to Scale. Illustrative Only.
### POINT TOWER

<table>
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<tr>
<th><strong>HEIGHT</strong></th>
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<th>D-AS-20+</th>
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<td>Stories (max)</td>
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<tr>
<td>Feet (max)</td>
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<td>0'/15'; Residential Only Buildings: 0'/20’</td>
</tr>
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<td>0'/20'; Residential Only Buildings: 0'/25’</td>
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<tr>
<td>All Other Streets (min/max build-to range)</td>
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<tr>
<td>Build-to Exceptions and Alternatives</td>
<td>See Sections 8.8.6.1 and 8.8.7.1</td>
</tr>
</tbody>
</table>

| **SETBACKS** | |
| Primary Street (min) | 0’ |
| Side Interior (min) | 0’ |
| Rear, alley and no alley (min) | 0’ |

| **PARKING** | |
| Surface Parking between building and Primary Street | Not Allowed |
| Surface Parking Screening Required | See Section10.5.4.4 |
| Vehicle Access, 3 or more side-by-side dwelling units in one structure | From Alley; or Street access allowed when no Alley present |
| Vehicle Access, all other permitted uses | Shall be determined as part of Site Development Plan Review |

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<tr>
<td>21st Street, Park Avenue - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback)</td>
<td>100%/10”**</td>
</tr>
<tr>
<td>All Other Streets - Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback)</td>
<td>65%/10’</td>
</tr>
<tr>
<td>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</td>
<td>na</td>
</tr>
<tr>
<td>All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</td>
<td>80’</td>
</tr>
<tr>
<td>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</td>
<td>See Section 8.8.6.2</td>
</tr>
</tbody>
</table>

| **BUILDING CONFIGURATION** | |
| Tower Floor Plate above 5 stories and 70’ (max area / max linear dimension) | 11,000 square feet / 165’ |
| Tower Floor Plate Linear Dimension Alternative (max) | 180’ - See Section 8.8.6.4 |

| **STREET LEVEL ACTIVATION** | |
| Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings) | 60%/ 40% |
| Street Level Transparency Alternatives | See Section 8.8.6.3 |
| Pedestrian Access, Primary Street | Entrance |

| **LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL** | |
| Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing Zone Lot Width) | 70% |

<table>
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*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for “All Other Streets” apply)
SECTION 8.8.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

8.8.4.2 General Standards
A. Combining standards from different building forms for the same structure is prohibited.

B. Detached Accessory Structures Allowed
Allowed detached accessory structures include, but are not limited to the following:

1. Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, guard houses, and other similar Completely Enclosed Structures.

2. Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures.

3. Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.

4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use
   Examples include, but are not limited to the following:
   a. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   b. Solar thermal and photo-voltaic energy systems
   c. Air conditioning units
   d. Pool pumps, heating and water filtration systems
   e. Mailboxes including individual mailbox structures and cluster box units (CBUs)
   f. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

5. Fences, Walls and Retaining Walls
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 3.3.4, Detached Accessory Building Form Standards.

6. Detached Accessory Structures Not Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.8.4.
## DETACHED ACCESSORY STRUCTURES

### HEIGHT

<table>
<thead>
<tr>
<th>A</th>
<th>D-AS-12+ and D-AS-20+ Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>1</td>
</tr>
<tr>
<td>Feet (max)</td>
<td>17’</td>
</tr>
</tbody>
</table>

### SITING

<table>
<thead>
<tr>
<th>Additional Standards</th>
<th>D-AS-12+ and D-AS-20+ Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>SETBACKS</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Primary Street</td>
</tr>
<tr>
<td>C</td>
<td>Side Interior (min)</td>
</tr>
<tr>
<td>D</td>
<td>Rear (min)</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th>D-AS-12+ and D-AS-20+ Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Floor Area (max) 10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.8.4.3</td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th>D-AS-12+ and D-AS-20+ Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only</td>
</tr>
</tbody>
</table>

See Section 8.10.1 for Design Standard Exceptions
SECTION 8.8.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

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

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

C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:
   a. Automobile Services, Light;
   b. Mini-storage Facility; or
   c. Wholesale Trade or Storage, Light.

2. Street Level active uses include all permitted accessory uses except the following:
   a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
   b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.

3. Street Level active uses shall not include Parking Spaces or Parking Aisles.

4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards and insets for building articulation up to 10 feet in depth).

5. The portion of the building facade that meets the Street Level active use requirement shall contain at least one window or door that meets the transparency requirement standards in Section 13.1.6.3.A.4.

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

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

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

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

B. Applicability
This Section 8.8.5.2 applies to the General with Height Incentive and Point Tower building forms in the D-AS-12+ and D-AS-20+ zone districts.
C. **Allowance**

1. Uses that meet the Limitation on Visible Parking above Street Level shall include all primary uses, but shall not include Parking Spaces or Parking Aisles for the minimum percentage of the Primary Street-facing zone lot width specified in the building form table.

2. Uses that meet the Limitation on Visible Parking above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth).

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

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

A. **Intent**

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

B. **Allowance**

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

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVE</th>
<th>ZONE DISTRICT</th>
<th>PRIVATE OPEN SPACE (MAX % OF BUILD-TO)</th>
</tr>
</thead>
<tbody>
<tr>
<td>D-AS-12+</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>D-AS-20+</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

A. **Intent**

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

B. **Applicability**

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

C. **Allowance**

The Zoning Administrator may approve an alternative Primary Street Upper Story setback design that does not meet the specific Upper Story setback requirements set forth in the building form standards tables where the alternative is found to meet the design standards and guidelines for the Upper Story setback alternative on 21st Street and Park Avenue in the Design Standards and Guidelines for Arapahoe Square.
8.8.6.3 Street Level Transparency Alternatives in D-AS-12+ and D-AS-20+ Districts

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

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

<table>
<thead>
<tr>
<th>TRANSPARENCY ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>D-AS-12+ D-AS-20+</td>
</tr>
</tbody>
</table>

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

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

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

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

SECTION 8.8.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.7.1 Required Build-To Exceptions in D-AS-12+ and D-AS-20+ Districts

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

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

SECTION 8.9.1 GENERAL INTENT
The Intent of this Division 8.9 Design Standards for Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts is to:

8.9.1.1 Implement the recommendations of applicable adopted plans such as the Denver Comprehensive Plan, Blueprint Denver, and Denver Downtown Area Plan Amendment.

8.9.1.2 Implement the General Purpose and Specific Intent for the Downtown Central Platte Valley – Auraria Transition, River, and Center zone districts provided in Section 8.2.2.2.

8.9.1.3 Enhance and promote Denver’s physical character, including access to parks and open space, tree lined streets, generous sidewalks and public space, interconnected street networks, and convenient access to transit and alternative modes of transportation.

8.9.1.4 Prioritize the pedestrian realm as a defining element of neighborhood character.

8.9.1.5 Promote walking, biking, transit, and alternative modes of transportation that decrease reliance on vehicle access and parking.

8.9.1.6 Promote development of a vibrant sense of place in Downtown Central Platte Valley – Auraria.

8.9.1.7 Further establish a sense of human scale design in Downtown Central Platte Valley – Auraria.

8.9.1.8 Encourage innovative and unique design solutions that help define a special character for Downtown Central Platte Valley – Auraria.

8.9.1.9 Support context-sensitive relationships within Downtown Central Platte Valley – Auraria and to adjacent buildings and neighborhoods through appropriately scaled building design.

8.9.1.10 Promote long-term environmental, social, and economic responsibility.

8.9.1.11 Support an integrated arrangement of residential, employment, retail, service, and open space uses that are conveniently located to and compatible with each other.

8.9.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

8.9.1.13 Engage the South Platte River as a natural, recreational, and active use amenity that contributes to the character, environmental quality, mobility connections, and vibrancy of the neighborhood.

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

8.9.2.1 Height

A. Encourage building forms that fully realize the urban character and intensity envisioned for the Downtown context.

B. Allow a variety of building heights appropriate for a downtown urban location.

C. Establish a minimum height that is appropriate for a downtown urban location.
D. Ensure building heights and scaling elements provide appropriate transitions to surrounding areas.

E. Allow additional development intensity in exchange for equivalent community benefits.

**8.9.2.2 Floor Area Ratio**

A. Encourage design creativity and a variety of building configurations.

B. Include all contributors to building massing, including parking, in the determination of overall building intensity and scale.

**8.9.2.3 Siting**

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

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

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

**8.9.2.4 Design Elements**

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

B. **Incremental Mass Reduction**
   1. Provide appropriate pedestrian scale, height, variety, and massing along the street.
   2. Maintain the general appearance of a predominantly 2- to 8-story height near the public sidewalk edge.
3. Proportionally shape and taper building massing as height increases.
4. Support access to sun, sky, and views.

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

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

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

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

8.9.2.5 Specific Building Form Intent

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

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

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

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

B. Standard Tower
To allow tall buildings that accommodate a variety of building uses by meeting flexible upper story size limitations, applying enhanced design quality standards, and establishing a human
scale relationship with the street. The building form allows for a variety of site configurations and all uses are allowed. Residential uses shall not make up a majority of the gross floor area located within the upper stories.

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

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

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

**8.9.3.2 General Standards**

A. Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

B. At an applicant’s request, a primary structure with an existing assigned building form may be assigned a different permitted building form if:

1. The structure fully conforms with all applicable standards of the new building form; or,

2. The existing assigned building form is no longer a permitted form in the applicable zone district.
### District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district are summarized below:

<table>
<thead>
<tr>
<th>Building Forms</th>
<th>Max Number of Primary Structures Per Zone Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts</td>
</tr>
<tr>
<td></td>
<td>General</td>
</tr>
<tr>
<td></td>
<td>General with Height Incentive</td>
</tr>
<tr>
<td></td>
<td>Standard Tower</td>
</tr>
<tr>
<td></td>
<td>Point Tower</td>
</tr>
<tr>
<td>No Maximum</td>
<td>Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)</td>
</tr>
<tr>
<td>No Maximum</td>
<td>Downtown Central Platte Valley – Auraria River District (D-CPV-R)</td>
</tr>
<tr>
<td>Allowed subject to geographic limitations</td>
<td>Downtown Central Platte Valley – Auraria Center District (D-CPV-C)</td>
</tr>
</tbody>
</table>

■ = Allowed  ■ = Allowed subject to geographic limitations
8.9.3.4 District Specific Standards

A. General
## GENERAL

### HEIGHT

**BASE HEIGHT**

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Base Stories (max)</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>A Base Feet (min/max)</td>
<td>25' / 70'</td>
<td>25' / 70'</td>
</tr>
</tbody>
</table>

**INCENTIVE HEIGHT**

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>B Incentive Stories / Feet (max)</td>
<td>na</td>
<td>12 / 150' - See Section 8.9.5.5</td>
</tr>
</tbody>
</table>

### SITING

**REQUIRED BUILD-TO BY STREET**

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Primary Street (min build-to %)</td>
<td>70%</td>
<td></td>
</tr>
<tr>
<td>South Platte River Primary Street (min/max build-to range)</td>
<td>2' / 25'</td>
<td></td>
</tr>
<tr>
<td>Frontage Subject to a Residential Setback: 15' / 25'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D All Other Primary Streets (min/max build-to range)</td>
<td>2' / 15'</td>
<td></td>
</tr>
<tr>
<td>Frontage Subject to a Residential Setback: 7' / 20'</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SETBACKS

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>E All Primary Streets (min % of Zone Lot width/min Setback)</td>
<td>100%/2' and 50%/5'</td>
<td></td>
</tr>
<tr>
<td>Side Interior and Rear (min)</td>
<td>0'</td>
<td></td>
</tr>
<tr>
<td>South Platte River Primary Street (min)</td>
<td>15'</td>
<td></td>
</tr>
<tr>
<td>na</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>E All Other Primary Streets (min)</td>
<td>7'</td>
<td></td>
</tr>
<tr>
<td>7'</td>
<td>7'</td>
<td>7'</td>
</tr>
</tbody>
</table>

### OPEN SPACE BY ZONE LOT SIZE OR WIDTH

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Open Space on Lots &gt;50,000 sf or &gt;250' Wide (min)</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>5%</td>
<td>5%</td>
<td>5%</td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between Building and Primary Street/South Platte River Frontage</td>
<td>Not Allowed</td>
<td></td>
</tr>
<tr>
<td>Surface Parking Screening Required</td>
<td>See Section 10.5.4.4</td>
<td></td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>Shall be determined as part of Site Development Plan Review</td>
<td></td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

**BUILDING CONFIGURATION**

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>F Upper Story Setback above 5 stories and 70’ (min % of zone lot width/min setback)</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>65% / 15’</td>
<td>65% / 15’</td>
<td></td>
</tr>
</tbody>
</table>

**INCREMENTAL MASS REDUCTION FOR LOTS > 25,000 SF**

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>G Incremental Mass Reduction for Stories 1-5</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>15%</td>
<td>15%</td>
<td></td>
</tr>
<tr>
<td>G Incremental Mass Reduction for Stories 6-8</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>25%</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td>G Incremental Mass Reduction for Stories 9-12</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>35%</td>
<td>35%</td>
<td></td>
</tr>
</tbody>
</table>

### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th>D-CPV-R</th>
<th>D-CPV-T</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)</td>
<td>60% / 40%</td>
<td></td>
</tr>
<tr>
<td>Pedestrian Access, Primary Street</td>
<td>Entrance</td>
<td></td>
</tr>
<tr>
<td>Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)</td>
<td>Dwelling Unit Entrance with Entry Feature</td>
<td></td>
</tr>
</tbody>
</table>

### USES

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

See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions
B. Standard Tower
# STANDARD TOWER

## HEIGHT & FLOOR AREA RATIO

<table>
<thead>
<tr>
<th>Base Height</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Stories (max)</td>
<td>5</td>
</tr>
<tr>
<td>Base Feet (min/max)</td>
<td>25' / 70'</td>
</tr>
</tbody>
</table>

### INCENTIVE HEIGHT

| Incentive Stories / Feet (max) | No Maximum - See Section 8.9.5.5 |

### FLOOR AREA RATIO

| Floor Area Ratio (max) | 20.0 |

## SITING

### REQUIRED BUILD-TO

| Primary Street (min build-to %) | 70% |

### SETBACKS

| Primary Street (min % of Zone Lot width/min Setback) | 100%/2' and 50%/5' |
| Side Interior and Rear (min) | 0' |

### RESIDENTIAL SETBACKS

| Primary Street (min) | 7' |

## OPEN SPACE BY ZONE LOT SIZE OR WIDTH

| Private Open Space on Lots >50,000 sf or >250' Wide (min) | 5% |

## PARKING

| Surface Parking between Building and Primary Street/South Platte River Frontage | Not Allowed |
| Surface Parking Screening Required | See Section 10.5.4.4 |
| Vehicle Access | Shall be determined as part of Site Development Plan Review |

## DESIGN ELEMENTS

### BUILDING CONFIGURATION

| Tower Floor Plate above 8 stories and 110' (max area / max linear dimension) | 25,000 square feet / 250' |
| Tower Floor Plate Linear Dimension Alternative (max) | 265' - See Section 8.9.6.3 |
| Tower Floor Plate Separation (min) | 80' (Floor Plate Area ≤ 22,000 square feet) |
| Tower Floor Plate Separation Alternative (min) | 100' (Floor Plate Area > 22,000 square feet) |
| Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback) | 65% / 15' |
| Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width) | 70% - See Section 8.9.5.4 |

### INCREMENTAL MASS REDUCTION FOR LOTS > 25,000 SF

| Incremental Mass Reduction for Stories 1-5 | 15% |
| Incremental Mass Reduction for Stories 6-8 | 25% |

### STREET LEVEL ACTIVATION

| Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings) | 60% / 40% |
| Pedestrian Access, Primary Street | Entrance |
| Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit) | Dwelling Unit Entrance with Entry Feature |

### USES

| Permitted Primary Uses | All permitted Primary Uses shall be allowed within this building form; |
| Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement) | 100% - See Section 8.9.5.1 |
| Street Level Active Non-Residential Uses (min % of Primary Street frontage meeting Build-To requirement) | 70% - See Section 8.9.5.2 |
| Limitation on Primary Residential Uses (max % of Gross Floor Area above 8 stories and 110') | 50% - See Section 8.9.5.3 |

---

See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions
C. Point Tower

Not to Scale. Illustrative Only.
## POINT TOWER

### HEIGHT

**BASE HEIGHT**

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Base Stories (max)</td>
<td>5</td>
</tr>
<tr>
<td>A</td>
<td>Base Feet (min/max)</td>
<td>25' / 70'</td>
</tr>
</tbody>
</table>

### INCENTIVE HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Incentive Stories / Feet (max)</td>
<td>No Maximum - See Section 8.9.5.5</td>
</tr>
</tbody>
</table>

### SITING

**REQUIRED BUILD-TO BY STREET**

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Primary Street (min build-to %)</td>
<td>70%</td>
</tr>
<tr>
<td></td>
<td>South Platte River Primary Street (min/max build-to range)</td>
<td>2' / 25'</td>
</tr>
<tr>
<td></td>
<td>Frontage Subject to a Residential Setback: 15' / 25'</td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>All Other Primary Streets (min/max build-to range)</td>
<td>2' / 15'</td>
</tr>
<tr>
<td></td>
<td>Frontage Subject to a Residential Setback: 7' / 20'</td>
<td></td>
</tr>
</tbody>
</table>

### SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>E</td>
<td>Primary Street (min % of Zone Lot width/min Setback)</td>
<td>100%/2' and 50%/5'</td>
</tr>
<tr>
<td></td>
<td>Side Interior and Rear (min)</td>
<td>0'</td>
</tr>
<tr>
<td></td>
<td>South Platte River Primary Street (min)</td>
<td>15'</td>
</tr>
<tr>
<td></td>
<td>All Other Primary Streets (min)</td>
<td>7'</td>
</tr>
</tbody>
</table>

### OPEN SPACE BY ZONE LOT SIZE OR WIDTH

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Private Open Space on Lots &gt;50,000 sf or &gt;250' Wide (min)</td>
<td>5%</td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Surface Parking between Building and Primary Street/South Platte River Frontage</td>
<td>Not Allowed</td>
</tr>
<tr>
<td></td>
<td>Surface Parking Screening Required</td>
<td>See Section 10.5.4.4</td>
</tr>
<tr>
<td></td>
<td>Vehicle Access</td>
<td>Shall be determined as part of Site Development Plan Review</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

**BUILDING CONFIGURATION**

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>F/G</td>
<td>Tower Floor Plate above 5 stories and 70' (max area / max linear dimension)</td>
<td>11,000 square feet / 165'</td>
</tr>
<tr>
<td>F/G</td>
<td>Tower Floor Plate above 8 stories and 110' (max area / max linear dimension)</td>
<td>na</td>
</tr>
<tr>
<td></td>
<td>Tower Floor Plate Linear Dimension Alternative (max)</td>
<td>180' - See Section 8.9.6.3</td>
</tr>
<tr>
<td>H</td>
<td>Tower Floor Plate Separation (min)</td>
<td>120'</td>
</tr>
<tr>
<td></td>
<td>Tower Floor Plate Separation Alternative (min)</td>
<td>80' - See Section 8.9.6.4</td>
</tr>
<tr>
<td>I</td>
<td>Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</td>
<td>65% / 15'</td>
</tr>
<tr>
<td>I</td>
<td>Upper Story Setback above 8 stories and 110' (min % of zone lot width/min setback)</td>
<td>na</td>
</tr>
<tr>
<td></td>
<td>Limitation on Visible Parking Above Street Level (min % of Primary Street-facing Zone Lot Width)</td>
<td>70% - See Section 8.9.5.4</td>
</tr>
</tbody>
</table>

### INCREMENTAL MASS REDUCTION FOR LOTS > 25,000 SF

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>J</td>
<td>Incremental Mass Reduction for Stories 1-5</td>
<td>15%</td>
</tr>
<tr>
<td>J</td>
<td>Incremental Mass Reduction for Stories 6-8</td>
<td>15%</td>
</tr>
</tbody>
</table>

### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-R</th>
<th>D-CPV-C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Street Level Transparency, Primary Street (min for non-residential/min for residential-only buildings)</td>
<td>60% / 40%</td>
</tr>
<tr>
<td></td>
<td>Pedestrian Access, Primary Street</td>
<td>Entrance</td>
</tr>
<tr>
<td></td>
<td>Additional Pedestrian Access, Primary Street (min required for each Street Level Dwelling Unit)</td>
<td>Dwelling Unit Entrance with Entry Feature</td>
</tr>
</tbody>
</table>

### USES

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

See Sections 8.9.5-8.9.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions
SECTION 8.9.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS

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

8.9.4.2 General Standards
A. Combining standards from different building forms for the same structure is prohibited.

B. Detached Accessory Structures Allowed
Allowed detached accessory structures include, but are not limited to the following:

1. Structures, Completely Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, sheds, utility buildings, playhouses, cabanas, pool houses, garages, guard houses, and other similar Completely Enclosed Structures.

2. Structures, Partially Enclosed: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, carports, gazebos, porches, trellises, chicken coops, and other similar Partially Enclosed Structures.

3. Structures, Open: (See Division 13.3, Definitions of Words, Terms and Phrases.)
   Examples include, but are not limited to, pools and associated surrounds, hot tubs and associated surrounds, decks, balconies, recreational and play facilities, non-commercial barbecues, outside fireplaces, outdoor eating areas, and other similar Open Structures.

4. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use
   Examples include, but are not limited to the following:
   a. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   b. Solar thermal and photo-voltaic energy systems
   c. Air conditioning units
   d. Pool pumps, heating and water filtration systems
   e. Mailboxes including individual mailbox structures and cluster box units (CBUs)
   f. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use

5. Fences, Walls and Retaining Walls
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 8.9.4, Detached Accessory Building Form Standards.

6. Detached Accessory Structures Not Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.9.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted
Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.

d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.9.4.

C. At an applicant’s request, a detached accessory structure with an existing assigned building form may be assigned a different permitted detached accessory building form if:

1. The structure fully conforms with all applicable standards of the new detached accessory building form; or,

2. The existing assigned detached accessory building form is no longer a permitted building form in the applicable zone district.

8.9.4.3 Supplemental Standards

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

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

B. Additional Standards for Structures Accessory to Single Unit Dwellings

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

C. Additional Standards for Detached Accessory Structure Building Forms

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

2. Limit on Gross Floor Area
   If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot, provided that this limitation shall not apply to detached accessory structures with vehicle access doors.
### District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

<table>
<thead>
<tr>
<th>Downtown Central Platte Valley – Auraria Transition, River, and Center (D-CPV-T, D-CPV-R, and D-CPV-C) Zone Districts</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Detached Accessory Dwelling Unit</td>
</tr>
<tr>
<td>Max Number of Detached Accessory Structures Per Zone Lot</td>
<td>No Maximum</td>
</tr>
<tr>
<td>Downtown Central Platte Valley – Auraria Transition District (D-CPV-T)</td>
<td></td>
</tr>
<tr>
<td>Downtown Central Platte Valley – Auraria River District (D-CPV-R)</td>
<td></td>
</tr>
<tr>
<td>Downtown Central Platte Valley – Auraria Center District (D-CPV-C)</td>
<td></td>
</tr>
</tbody>
</table>

[] = Allowed  ■ = Allowed subject to limitations
8.9.4.5 District Specific Standards

A. Detached Accessory Structures

Not to Scale. Illustrative Only.
# DETACHED ACCESSORY STRUCTURES

## Heights

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-T, D-CPV-R, and D-CPV-C Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max)</td>
</tr>
</tbody>
</table>

## Siting

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-T, D-CPV-R, and D-CPV-C Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Standards</td>
<td>See Section 8.9.4.3</td>
</tr>
</tbody>
</table>

### Setbacks

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-T, D-CPV-R, and D-CPV-C Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Primary Street</td>
</tr>
<tr>
<td>C</td>
<td>Side Interior (min)</td>
</tr>
<tr>
<td>D</td>
<td>Rear (min)</td>
</tr>
</tbody>
</table>

## Design Elements

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-T, D-CPV-R, and D-CPV-C Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Floor Area (max)</td>
<td>10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.9.4.3</td>
</tr>
</tbody>
</table>

## Uses

<table>
<thead>
<tr>
<th></th>
<th>D-CPV-T, D-CPV-R, and D-CPV-C Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only</td>
<td></td>
</tr>
</tbody>
</table>

See Section 8.10.1 for Design Standard Exceptions
SECTION 8.9.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS

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

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

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

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

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

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

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

C. Allowance
   1. Street Level active non-residential uses include all permitted primary uses except the following:
      a. Dwelling, Single Unit;
      b. Dwelling, Two Unit
      c. Dwelling, Multi-Unit;
      d. Dwelling, Live / Work;
Article 8. Downtown Neighborhood Context
Division 8.9 Downtown Central Platte Valley – Auraria Districts

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

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

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

C. Limitation on Primary Residential Uses

1. For purposes of this standard, Primary Residential Uses include all permitted uses listed under the Residential Primary Use Classification in Section 8.11.4, including but not limited to:
   a. Dwelling, Multi-Unit;
   b. Dwelling, Live / Work; or
   c. Student Housing.

2. The total Gross Floor Area of all Primary Residential Uses located above 8 Stories and 110’ shall not exceed the maximum percentage, specified in the building form table, of the total Gross Floor Area of the Structure located above 8 Stories and 110’. Note that the percentage of Gross Floor Area of Primary Residential Uses on any individual Story above 8 Stories and 110’ may exceed the percentage specified in the building form table.
Article 8. Downtown Neighborhood Context
Division 8.9 Downtown Central Platte Valley – Auraria Districts

8.9.20 | DENVER ZONING CODE
June 25, 2010 | Republished May 24, 2018

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

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

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

A. Intent
Implement specific adopted plan policies for the Central Platte Valley - Auraria area to provide affordable housing and other community benefits in excess of standard requirements.

B. Applicability
This Section 8.9.5.5 applies to all primary building forms in the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in conjunction with applicable requirements in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.

C. Maximum Base Height
1. Maximum Base Height shall be the maximum height in stories and feet set forth in the building form tables.
2. Structures that do not exceed the maximum Base Height shall not be subject to the requirements set forth in Section 8.9.5.5.E Requirements for Structures Using Incentive Height.

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

E. Requirements for Structures Using Incentive Height
1. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.
2. No building permit for development of a Structure exceeding Base Height within the D-CPV-T, D-CPV-R, or D-CPV-C districts shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height, with the exception of a Structure exceeding Base Height that is on a zone lot covered by an affordable housing plan as described in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing.
SECTION 8.9.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS

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

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

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

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>D-CPV-T</td>
</tr>
<tr>
<td>D-CPV-R</td>
</tr>
<tr>
<td>D-CPV-C</td>
</tr>
</tbody>
</table>

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

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

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

<table>
<thead>
<tr>
<th>TRANSPARENCY ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>D-CPV-T</td>
</tr>
<tr>
<td>D-CPV-R</td>
</tr>
<tr>
<td>D-CPV-C</td>
</tr>
</tbody>
</table>

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

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

B. Applicability
This Section 8.9.6.3 applies to the Tower Floor Plate Linear Dimension maximum above 5 stories/70 feet in the Point Tower building form in the D-CPV-R zone district and Tower Floor Plate Linear Dimension maximum above 8 stories/110 feet in the Standard Tower and Point Tower building forms in the D-CPV-C zone district.
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C. Allowance
The Zoning Administrator may approve an alternative Tower Floor Plate Linear Dimension that does not meet the specific requirements set forth in the building form tables, up to the maximum dimension listed in the Tower Floor Plate Linear Dimension Alternative, where the alternative is found to meet the design standards and guidelines for Tower Floor Plate Linear Dimension in the Design Standards and Guidelines for Downtown Central Platte Valley – Auraria.

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

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

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

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

SECTION 8.9.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER, AND CENTER DISTRICTS

8.9.7.1 Required Build-To Exceptions in D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

A. Civic, Public & Institutional Uses

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

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

8.9.7.2 Setback Encroachments

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

B. Standard
   Required minimum setbacks shall be open and unobstructed. The following setback encroachments, including residential setbacks but excluding required upper story setbacks, are allowed:
1. **Architectural Elements**

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
</table>
| Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6' in width | All D-CPV-T/R/C Zone Districts | 1.5'  
Cornices only: 3' |

Intent: To allow common, minor decorative elements which are integral to a building.

![Illustrative only](image1)

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
</table>
| 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 D-CPV-T/R/C Zone Districts | Any distance |

Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.

![Illustrative only](image2)
### Article 8. Downtown Neighborhood Context

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<table>
<thead>
<tr>
<th>Gutter and Roof Overhang</th>
<th>Building Forms</th>
<th>Primary Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>3'</td>
</tr>
</tbody>
</table>

**Intent:** To allow features of structures intended to repel weather

![Illustrative only](image)

**Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:**

- May be covered;
- All sides shall be at least 50% open except for any side abutting a building facade or fire wall.

<table>
<thead>
<tr>
<th>Building Forms</th>
<th>Primary Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>6' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
</tr>
</tbody>
</table>

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

![Illustrative only](image)
### Projecting Windows:
- Shall be a minimum of 1.5’ above finished floor;
- Shall not extend floor to ceiling; and
- No individual projection shall be more than 10’ in horizontal length at the opening along the face of the building.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>1.5’</td>
</tr>
</tbody>
</table>

**Intent:** To allow for improved interior daylighting.

### Shading devices:
Building elements, such as awnings, designed and intended to control light entering a building.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>5’</td>
</tr>
</tbody>
</table>

**Intent:** To allow for elements either integral or attached to a building which control light entering through windows.

![Illustrative only](image-url)
2. Site Elements

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

### Table: Site Elements

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fences and Walls</td>
<td>See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening</td>
<td></td>
</tr>
<tr>
<td>Surface Parking</td>
<td>Not Allowed</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flatwork providing pedestrian access to entrances and buildings:</td>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To provide pedestrian access 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 space.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
</table>
| Barier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.  
- Setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.  
- Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator. |
| All D-CPV-T/R/C Zone Districts | All building forms | Any distance |

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

---

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

---

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<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas and electric meters</td>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
</tr>
</tbody>
</table>

**Intent:** To allow for functional siting.

### Illustrative Only

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways</td>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
</tr>
</tbody>
</table>

**Intent:** To provide for egress from a building only for emergency purposes.
### Pedestrian Bridge

A pedestrian bridge where the encroachment is necessary to complete a connection for a continuous, publicly accessible pedestrian/bicycle route provided Public Works has approved a right-of-way encumbrance.

### Intent
To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.

### Utility Pedestals

Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:
- Shall not exceed 3’ in height.

### Intent
To allow for functional siting.

---

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Illustrative only**

Not to Scale. Illustrative Only.
### Zone Districts

<table>
<thead>
<tr>
<th>Window well and/or emergency basement egress areas:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Shall be below grade.</td>
</tr>
</tbody>
</table>

**Intent:** To allow for emergency egress

### Building Forms

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>All D-CPV-T/R/C Zone Districts</td>
<td>All building forms</td>
<td>Any distance for any width</td>
</tr>
</tbody>
</table>

---

**Illustrative only**

**Not to Scale. Illustrative Only.**
DIVISION 8.10 DESIGN STANDARDS

SECTION 8.10.1 DESIGN STANDARD EXCEPTIONS

8.10.1.1 Height Exceptions

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

B. Applicability and Standards:

1. The following building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 8.10.1.1.B.

2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.

3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.

4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

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.

<table>
<thead>
<tr>
<th>BUILDING FEATURES</th>
<th>ZONE DISTRICTS</th>
<th>THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF</th>
<th>SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN FEET BY:</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</th>
<th>MAY PROJECT THROUGH THE BULK PLANE</th>
<th>MAY ENCROACH INTO THE UPPER STORY SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eaves</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>No</td>
<td>Any distance when attached to a feature that meets the definition of a Story</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>No</td>
<td>28’</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied cooling towers and enclosures for tanks</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>Yes</td>
<td>28’</td>
<td>Not applicable</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>
### BUILDING FEATURES

<table>
<thead>
<tr>
<th>BUILDING FEATURES</th>
<th>ZONE DISTRICTS</th>
<th>THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF</th>
<th>SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN FEET BY:</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</th>
<th>MAY PROJECT THROUGH THE BULK PLANE</th>
<th>MAY ENCROACH INTO THE UPPER STORY SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment</td>
<td>All D- Zone Districts</td>
<td>Yes</td>
<td>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.</td>
<td>28'</td>
<td>1 story</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Elevator lobbies</td>
<td>All D- Zone Districts</td>
<td>Yes</td>
<td>Yes; must comply with applicable building form standards.</td>
<td>28'</td>
<td>1 story</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Open Structures</td>
<td>All D- Zone Districts</td>
<td>Yes</td>
<td>Yes; must comply with applicable building form standards.</td>
<td>28'</td>
<td>Not applicable</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Parapet Wall and/or Safety Railing</td>
<td>All D- Zone Districts</td>
<td>No</td>
<td>No; must comply with applicable building form standards.</td>
<td>Any distance</td>
<td>Not applicable</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Flush-mounted solar panels</td>
<td>All D- Zone Districts</td>
<td>No</td>
<td>No; must comply with applicable building form standards.</td>
<td>Any distance</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Evaporative coolers</td>
<td>All D- Zone Districts</td>
<td>No</td>
<td>Yes; must comply with applicable building form standards.</td>
<td>Any distance</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Accessory water tanks</td>
<td>All D- Zone Districts</td>
<td>No</td>
<td>Yes; must comply with applicable building form standards.</td>
<td>28’</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Pedestrian bridge</td>
<td>All D- Zone Districts</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>28’</td>
<td>Any number</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

### 8.10.1.2 Setback Exceptions

**A. Intent**
To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

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

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

### SECTION 8.10.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS
See Article 10, General Design Standards.

### SECTION 8.10.3 SURFACE PARKING LOT LANDSCAPING

**A. Applicability**

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

1. Street trees shall be required on all street frontages for all proposed new parking areas.

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

C. **Screening Device Required**

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2 feet and 4 feet. Such screening device shall be located on private property.

2. Except for required street tree planting and additional standards in Section 8.10.3.D, no tree lawn, landscaping or interior landscaping is required; however, owners may submit for Zoning Administrator review proposals for alternative designs that incorporate landscaping (sod and/or shrubs) with the screening device.

*Illustration 1: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts*
D. Additional D-GT and D-AS Zone District Parking Lot Landscaping Requirements

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

2. Additional Parking Lot Landscaping Requirement
   An area of landscaping equal to 5% of the parking area shall be provided in addition to street tree and tree lawn landscaping areas. This additional landscaped area may be located:
   a. In the interior of the parking area according to the standards in Section 10.5.4.5, Interior Surface Parking Lot Landscaping Standards; or
   b. Along the street front as an addition to the tree lawn in the case of attached sidewalks; or
   c. With detached sidewalks, this area may be in the form of a landscaped planting strip with a minimum width of 5 feet located between the sidewalk and the parking area.

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

4. Variations Allowed
   Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.10.3.D.1 above.
Illustration 3: D-C, D-TD, D-LD, D-CV, D-AS and D-GT Zone Districts

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

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

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

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

Applicable where right-of-way (flow line to property line) is at least 12.5’ or more and sidewalk is attached.
DIVISION 8.11 USES AND MINIMUM/MAXIMUM PARKING REQUIREMENTS

SECTION 8.11.1 APPLICABILITY

8.11.1.1 This Division 8.11 sets forth the land uses permitted, the required zoning procedure, and the minimum/maximum parking requirements in all the Downtown Neighborhood Context zone districts with the exception of the D-LD zone district (see Section 8.4.1.4).

8.11.1.2 See Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV zone districts.

8.11.1.3 Maximum parking requirements apply only in the D-CPV-T, D-CPV-R and D-CPV-C zone districts as set forth in Section 8.11.5.

8.11.1.4 Note that the D-C, D-TD, D-CV, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R and D-CPV-C zone districts have no minimum off-street vehicle parking requirement.

8.11.1.5 Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

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

SECTION 8.11.2 ORGANIZATION OF USE & MINIMUM PARKING TABLE

8.11.2.1 Organized by Primary, Accessory and Temporary Uses

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

8.11.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

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

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

B. Primary Use Categories & Specific Use Types

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

C. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Use and Minimum Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as “lodging accommodations,” cannot be classified in a different use category, such as “group living,” unless otherwise expressly allowed by this Code.
SECTION 8.11.3  EXPLANATION OF USE & MINIMUM PARKING TABLE ABBREVIATIONS

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

8.11.3.2 Permitted, Limited, Not Permitted
A. Permitted Use - No Use Limitations Apply (“P”)
A “P” in a table cell indicates that the use is permitted in the respective zone district, and is not subject to use limitations.

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

C. Uses Not Permitted (“NP”)
“NP” in a table cell indicates that the use is not permitted in the specific zone district.

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

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

C. Use Subject to Zoning Permit 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.

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

8.11.3.4 Enclosure of Uses
All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk “*” next to the specific use type. For example, the asterisk following the “Telecommunication Tower*” use type in the tables indicates that a telecommunication tower land use need not be enclosed.
SECTION 8.11.4  DISTRICT SPECIFIC STANDARDS (USE & MINIMUM PARKING TABLE)

KEY:  * = Need Not be Enclosed  P = Permitted Use without Limitations  L = Permitted Use with Limitations  NP = Not Permitted Use  ZP = Zoning Permit Review  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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| Household Living | Dwelling, Single Unit  
• No Parking Requirements | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.2.6 |
| | Dwelling, Two Unit  
• D-GT & D-AS Districts - Vehicle: 0.75/unit  
• Bicycle: No requirement | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.2.6 |
| | Dwelling, Multi-Unit  
• D-GT & D-AS Districts - Vehicle: 0.75/unit  
• D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20)  
• D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20) | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.2.6 |
| | Dwelling, Live / Work  
• D-GT & D-AS Districts - Vehicle: 0.75/unit  
• D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20)  
• D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20) | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.2.4; §11.2.6 |
| Group Living | Assisted Living Facility  
• D-GT & D-AS Districts - Vehicle: .75/unit  
• D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Community Corrections Facility  
• D-GT & D-AS Districts - Vehicle: No requirement  
• D-GT, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50) | L-ZPIN | L-ZPIN | L-ZPIN | NP | NP | NP | §11.2.10 |
| | Nursing Home, Hospice  
• D-GT & D-AS Districts - Vehicle: .75/unit  
• D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | NP | P-ZP | P-ZP |
| | Residence for Older Adults  
• D-GT & D-AS Districts - Vehicle: No requirement  
• D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | NP | P-ZP | P-ZP |
| | Residential Care Use, Small or Large  
• D-GT & D-AS Districts - Vehicle: No requirement  
• D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/10 units (50/50) | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | §11.2.9 |
| | Rooming and Boarding House  
• No Parking Requirements | NP | NP | NP | NP | NP | NP | P-ZP |
| | Shelter for the Homeless  
• D-GT & D-AS Districts - Vehicle: No requirement  
• D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | §11.2.11 |
| | Student Housing  
• D-GT & D-AS Districts - Vehicle: 0.75/unit  
• D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/2 units (80/20)  
• D-CPV-T/R/C Districts - Bicycle: 1.1/unit (80/20) | P-ZP | P-ZP | P-ZP | NP | P-ZP | P-ZP |
## Division 8.11 Uses and Minimum/Maximum Parking Requirements

### Article 8. Downtown Neighborhood Context

#### Division 8.11 Uses and Minimum/Maximum Parking Requirements

**KEY:**  
* = Not 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**

- D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4.

- Vehicle Parking Reqmt: # spaces per unit of measurement

- Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)

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<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tr>
<td>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</td>
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#### Basic Utilities

- **Utility, Major Impact***
  - D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement

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- **Utility, Minor Impact***
  - D-GT & D-AS Districts - Vehicle: .5 / 1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement

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#### Community/ Public Services

- **Community Center**
  - No Parking Requirements

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- **Day Care Center**
  - D-GT & D-AS Districts - Vehicle: 1/1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100)
  - D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)

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- **Postal Facility, Neighborhood**
  - D-GT & D-AS Districts - Vehicle: 1.25 / 1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)
  - D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)

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- **Postal Processing Center**
  - D-GT & D-AS Districts - Vehicle: 1/1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)
  - D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80)

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- **Public Safety Facility**
  - D-GT & D-AS Districts - Vehicle: 1/1,000 s.f. GFA
  - D-GT, D-AS, D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100)
  - D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)

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- **Correctional Institution**

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### Article 8. Downtown Neighborhood Context

#### Division 8.11 Uses and Minimum/Maximum Parking Requirements

**KEY:**
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<td>University or College</td>
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<td>§ 11.3.8; § 11.3.8</td>
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<td>- D-GT &amp; D-AS Districts - Vehicle: 1/1,000 s.f. GFA</td>
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<td>- D-GT, D-AS, &amp; D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100)</td>
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<td>- D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)</td>
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<td>Vocational or Professional School</td>
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<td>- D-GT &amp; D-AS Districts - Vehicle: 1/1,000 s.f. GFA</td>
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<td>- D-GT, D-AS, &amp; D-AS-12+/20+ Districts - Bicycle: 1/10,000 s.f. GFA (0/100)</td>
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<td>- D-CPV-T/R/C Districts - Bicycle: 1/5,000 s.f. GFA (0/100)</td>
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<td>Public and Religious Assembly</td>
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<td>- No Parking Requirements</td>
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**COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION**

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<td>Adult Business</td>
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See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
### Article 8. Downtown Neighborhood Context

#### Division 8.11 Uses and Minimum/Maximum Parking Requirements

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| **Arts, Recreation & Entertainment** | **Indoor**  
-D-GT & D-AS Districts - Vehicle - Artist Studio: 0.3/1000 sf GFA  
-D-GT & D-AS Districts - Vehicle - All Others: 1.25/1000 sf GFA  
-D-GT, D-AS, & & D-AS-12+/20+ Districts - Bicycle: 1/7,500 sf GFA (20/80)  
-D-CPV-T/R/C Districts - Bicycle: 1/4,000 sf GFA (20/80) | P-ZP |

| **Outdoor**  
-D-GT & D-AS Districts - Vehicle: 1.25/1000 sf GFA  
-D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 sf GFA (20/80)  
-D-CPV-T/R/C Districts - Bicycle: 1/4,000 sf GFA (20/80) | L-ZP |

| **Sports and/or Entertainment Arena or Stadium** | NP |

### Nonresidential Uses in Existing Business Structures In Residential Zones

| Parking of Vehicles | Parking, Garage  
-No Parking Requirements | L-ZP |

| -Parking, Surface  
-No Parking Requirements | L-ZP |

| Eating & Drinking Establishments | All Types  
-D-GT & D-AS Districts - Vehicle: 2.5/1,000 sf GFA  
-D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: 1/1,000 sf GFA (0/100) | P-ZP |

| Bed and Breakfast Lodging  
-D-AS & D-GT Districts - Vehicle - MS only: 2/1,000 sf GFA  
-D-GT & D-AS Districts - Vehicle: 0.875/guest room or unit  
-D-GT, D-AS, D-AS-12+/20+, & D-CPV-T/R/C Districts - Bicycle: 1/7,500 sf GFA (20/80) | P-ZP |

| Lodging Accommodations, All Others  
-D-GT & D-AS Districts - Vehicle: 0.875/guest room or unit  
-D-GT, D-AS, D-AS-12+/20+, & D-CPV-T/R/C Districts - Bicycle: 1/7,500 sf GFA (20/80) | P-ZP |

| **Office** | Dental / Medical Office or Clinic  
-D-GT & D-AS Districts - Vehicle: 1.25/1,000 sf GFA  
-D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 sf GFA (20/80)  
-D-CPV-T/R/C Districts - Bicycle: 1/4,000 sf GFA (20/80) | L-ZP |

| Office, All Others  
-D-GT & D-AS Districts - Vehicle: 1.25/1,000 sf GFA  
-D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 sf GFA (20/80)  
-D-CPV-T/R/C Districts - Bicycle: 1/4,000 sf GFA (20/80) | P-ZP |
### Article 8. Downtown Neighborhood Context
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<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair) | Animal Sales and Services, Household Pets Only  
- D-GT & D-AS Districts - Vehicle: 1.25/1,000 s.f. GFA  
- D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)  
- D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80) | L-ZP L-ZP L-ZP NP L-ZP L-ZP §11.4.11 |
| | Animal Sales and Services, All Others  
- No Parking Requirements | P-ZP P-ZP NP NP NP NP |
| Retail Sales, Service & Repair -- Outdoor* | Food Sales or Market  
- D-GT & D-AS Districts - Vehicle: 1.25/1,000 s.f. GFA  
- D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)  
- D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80) | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
| Retail Sales, Service & Repair - Firearms Sales | | |
| Retail Sales, Service & Repair, All Others | Pawn Shop  
- D-GT & D-AS Districts - Vehicle: 1.25/1,000 s.f. GFA  
- D-GT, D-AS, & D-AS-12+/20+ Districts - Bicycle: 1/7,500 s.f. GFA (20/80)  
- D-CPV-T/R/C Districts - Bicycle: 1/4,000 s.f. GFA (20/80) | L-ZP L-ZP NP NP L-ZPIN L-ZPIN §11.4.14 |
| Vehicle / Equipment Sales, Rentals, Service & Repair | Automobile Emissions Inspection Facility  
- D-GT & D-AS Districts - Vehicle: 0.5/1,000 s.f. GFA  
- D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement | L-ZP L-ZP NP NP L-ZP NP §11.4.16 |
| | Automobile Services, Light  
- D-GT & D-AS Districts - Vehicle: 0.5/1,000 s.f. GFA  
- D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement | NP NP NP NP L-ZPIN L-ZP §11.4.17; §11.4.18 |
| | Automobile Services, Heavy | NP NP NP NP NP NP |
| | Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*  
- D-GT & D-AS Districts - Vehicle: 0.5/1,000 s.f. GFA  
- D-GT, D-AS, D-AS-12+/20+ & D-CPV-T/R/C Districts - Bicycle: No requirement | L-ZP L-ZP L-ZP NP L-ZPIN L-ZP §11.4.20 |
| | Heavy Vehicle/ Equipment Sales, Rentals & Service* | NP NP NP NP NP NP |
### Article 8. Downtown Neighborhood Context
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**INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION**

|--------------|-------------------|-----|------|------|------|------|------|----------|----------|----------|----------|----------|---------------------------|
| Communications and Information | Antennas Not Attached to a Tower*  
  - No Parking Requirements | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.5.2 |
| Comm Services | D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - No Parking Requirements | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.5.1 |
| Telecommunications Towers*  
  - No Parking Requirements | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | §11.5.2 |
| Telecommunications Tower - Alternative Structure*  
  - No Parking Requirements | L-ZP/ZPIN | L-ZP/ZPIN | L-ZP/ZPIN | L-ZP/ZPIN | L-ZP/ZPIN | §11.5.2 |
| Telecommunication Facilities -- All Others*  
  - No Parking Requirements | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | §11.5.2 |
| Industrial Services | Contractors, Special Trade - General  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.5.3 |
| Contractors, Special Trade - Heavy/ Contractor Yard* | NP | NP | NP | NP | NP | NP | |
| Food Preparation and Sales, Commercial  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.5.5 |
| Laboratory, Research, Development and Technological Services  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.5.6 |
| Service/Repair, Commercial  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP | L-ZP | L-ZP | NP | L-ZP | §11.5.7 |
| Manufacturing and Production | Manufacturing, Fabrication & Assembly -- Custom  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | §11.5.8 |
| Manufacturing, Fabrication & Assembly -- General  
  - D-GT & D-AS Districts - Vehicle: .5/1,000 s.f. GFA  
  - Bicycle: No requirement | L-ZP/ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | L-ZPIN/ZPSE | NP | L-ZPIN/ZPSE | L-ZP/ZPIN/ZPSE | §11.5.9 |
| Manufacturing, Fabrication & Assembly -- Heavy | NP | NP | NP | NP | NP | NP | |
| Mining & Extraction and Energy Producing Systems | Oil, Gas -- Production, Drilling* | NP | NP | NP | NP | NP | NP | |
| Sand or Gravel Quarry* | NP | NP | NP | NP | NP | NP | |
| Wind Energy Conversion Systems*  
  - No Parking Requirements | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.5.13 |
### Article 8.11-9 Uses and Minimum/Maximum Parking Requirements

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**Transportation Facilities**

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td>D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement.</td>
<td>D-AS-12+</td>
<td>L-ZP</td>
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<tr>
<td>D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5.</td>
<td>D-AS-20+</td>
<td>L-ZP</td>
</tr>
<tr>
<td>D-C, T-TD, D-AS-12+ vehicle parking requirements are provided in Section 8.4.1.4.</td>
<td>D-CPV-R</td>
<td>L-ZP</td>
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<tr>
<td>D-CV bicycle parking requirements are provided in Section 8.3.1.5.</td>
<td>L-ZP/ZPSE</td>
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<tr>
<td>D-LD vehicle parking requirements are provided in Section 8.4.1.4.</td>
<td>L-ZP</td>
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**Waste Related Services**

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<th>USE CATEGORY</th>
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<tbody>
<tr>
<td>Automobile Parts Recycling Business*</td>
<td>NP</td>
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<tr>
<td>Junkyard*</td>
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<tr>
<td>Recycling Center</td>
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<tr>
<td>Recycling Collection Station</td>
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<td>Recycling Plant, Scrap Processor</td>
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<td>Solid Waste Facility</td>
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**Wholesale, Storage, Warehouse & Distribution**

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<tbody>
<tr>
<td>Automobile Towing Service Storage Yard*</td>
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<tr>
<td>Mini-storage Facility</td>
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<tr>
<td>Vehicle Storage, Commercial*</td>
<td>L-ZP/ZPSE</td>
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<td>Wholesale Trade or Storage, General</td>
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<td>Wholesale Trade or Storage, Light</td>
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**Agriculture Primary Use Classification**

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<tr>
<td>Aquaculture*</td>
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<td>Garden, Urban*</td>
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<tr>
<td>Husbandry, Animal*</td>
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<tr>
<td>Husbandry, Plant*</td>
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<tr>
<td>Plant Nursery</td>
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</table>
### Article 8. Downtown Neighborhood Context

### Division 8.11 Uses and Minimum/Maximum Parking Requirements

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<tbody>
<tr>
<td>Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)</td>
<td>Unlisted Accessory Uses</td>
<td>L-ZP</td>
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<td>§11.7</td>
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<td>Domestic Employee</td>
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<td>Garden*</td>
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<td>§11.7; §11.8.4</td>
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<td>Keeping of Household Animals*</td>
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<td>L/L-ZPIN</td>
<td>L/L-ZPIN</td>
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<td>L/L-ZPIN</td>
<td>L/L-ZPIN</td>
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<tr>
<td>Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers &amp; Recreational Vehicles*</td>
<td>L</td>
<td>L</td>
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<td>Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use</td>
<td>Not Applicable - See Permitted Primary Uses</td>
<td>§11.7; §11.8.7</td>
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<tr>
<td>Outdoor Storage, Residential*</td>
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<td>§11.7; §11.8.8</td>
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<td>Second Kitchen Accessory to Single Unit Dwelling Use</td>
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<td>Vehicle Storage, Repair and Maintenance*</td>
<td>L</td>
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<td>Wind Energy Conversion Systems*</td>
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<td>§11.7; §11.8.11</td>
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<td>Yard or Garage Sales*</td>
<td>L</td>
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### HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

<table>
<thead>
<tr>
<th>Home Occupations Accessory to a Primary Residential Use (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)</th>
<th>Child Care Home, Large</th>
<th>L-ZPIN</th>
<th>L-ZPIN</th>
<th>NP</th>
<th>L-ZPIN</th>
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<tr>
<td>All Other Types</td>
<td>L-ZP</td>
<td>L-ZP</td>
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<td>Unlisted Home Occupations</td>
<td>L-ZPIN</td>
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<td>NP</td>
<td>L-ZPIN</td>
<td>L-ZPIN</td>
<td>§11.9; §11.9.5</td>
</tr>
</tbody>
</table>
### Article 8. Downtown Neighborhood Context

#### Division 8.11 Uses and Minimum/Maximum Parking Requirements

**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

**SPECIFIC USE TYPE**

**D-C, D-TD, D-CV, D-AS-12+/20+, D-CPV-T/R/C Districts have no minimum vehicle parking requirement. D-CPV-T/R/C maximum vehicle parking requirements are provided in Section 8.11.5. D-C, T-TD, D-CV bicycle parking requirements are provided in Section 8.3.1.5. D-LD vehicle parking requirements are provided in Section 8.4.1.4.**

- **Vehicle Parking Reqmt:** # spaces per unit of measurement
- **Bicycle Parking Reqmt :** # spaces per unit of measurement
- (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>USE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory to Primary Nonresidential Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unlisted Accessory Uses</td>
<td>L - Applicable to all Zone Districts</td>
<td>§11.7; §11.10.1</td>
</tr>
<tr>
<td>Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses</td>
<td>L-ZP</td>
<td>§11.7; §11.10.2</td>
</tr>
<tr>
<td>Automobile Rental Services Accessory to Certain Retail Uses*</td>
<td>Not Applicable - See Permitted Primary Uses</td>
<td>Not Applicable - See Permitted Primary Uses</td>
</tr>
<tr>
<td>Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities</td>
<td>L</td>
<td>§11.7; §11.10.4</td>
</tr>
<tr>
<td>Car Wash Bay Accessory to Automobile Services</td>
<td>NP</td>
<td>§11.7; §11.10.5</td>
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<tr>
<td>College access to a Place for Religious Assembly</td>
<td>L</td>
<td>§11.7; §11.10.6</td>
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<tr>
<td>Conference Facilities Accessory to Hotel Use</td>
<td>L</td>
<td>§11.7; §11.10.7</td>
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<tr>
<td>Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*</td>
<td>NP</td>
<td>§11.7; §11.10.8</td>
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<tr>
<td>Emergency Vehicle Access Point</td>
<td>NP</td>
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<tr>
<td>Garden*</td>
<td>L</td>
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<tr>
<td>Keeping of Animals</td>
<td>L-ZP/L-ZPIN</td>
<td>§11.7; §11.10.11</td>
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**Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses**

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>USE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td>Occasional Sales, Services Accessory to Places of Religious Assembly*</td>
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<tr>
<td>Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*</td>
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<td>§11.7; §11.10.13</td>
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<tr>
<td>Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*</td>
<td>L-ZPIN/ZPSE</td>
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<tr>
<td>Outdoor Retail Sale and Display*</td>
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<td>Outdoor Storage, General*</td>
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<tr>
<td>Outdoor Storage, Limited*</td>
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Amendment: 3
### TEMPORARY USE CLASSIFICATION

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<td>Unlisted Temporary Uses</td>
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<td>Ambulance Service - Temporary</td>
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<td>Amusement / Entertainment - Temporary*</td>
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<td>Bazaar, Carnival, Circus or Special Event*</td>
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<td>Building or yard for construction materials*</td>
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<td>Concrete, Asphalt, and Rock Crushing Facility*</td>
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</tbody>
</table>

### KEY

* = Need Not be Enclosed  
P = Permitted Use without Limitations  
L = Permitted Use with Limitations  
NP = Not Permitted Use  
ZP = Zoning Permit Review  
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SECTION 8.11.5 MAXIMUM VEHICLE PARKING REQUIREMENTS FOR DOWNTOWN CENTRAL PLATTE VALLEY – AURARIA TRANSITION, RIVER AND CENTER DISTRICTS

A. Intent

1. To promote active, transit-supportive development that leverages the regional transit infrastructure investment in the Downtown Central Platte Valley - Auraria districts.

2. To reduce the number of vehicle trips within and around the Downtown Central Platte Valley - Auraria districts and encourage alternative travel modes such as walking, biking, and transit.

3. To promote the efficient development of land in the Downtown Central Platte Valley - Auraria districts by limiting the amount of land dedicated to vehicle parking.

B. Applicability

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

C. Vehicle Parking Standards

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

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

*See Section 10.4.5.4 for Shared Vehicle Parking Requirements
E. Maximum Incentive Height

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

1. Maximum Incentive Height Map

a. For properties in the IO-1 district, Incentive Height maximums are set forth on the map in Figure 9.4-18, except where height transitions are required by Section 9.4.6.6.E.2.

b. Community Planning and Development shall maintain a detailed map for application of Incentive Height to specific Zone Lots.

Figure 9.4-18
2. **Incentive Height in Transition Areas**

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

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

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

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

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

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

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

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

1. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City unless the Structure meets the specific incentive requirements set forth in D.R.M.C. Chapter 27, Article VI Incentives for Affordable Housing and any applicable approved Rules and Regulations as evidenced in writing by the Office of Economic Development.

2. No building permit for development of a Structure exceeding Base Height within this IO-1 district shall be issued by the City for a Structure where the square footage of Parking Spaces or Parking Aisles located above the maximum Base Height comprises 80% or more of the total gross square footage of all uses located above the maximum Base Height.
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**DIVISION 10.4  PARKING AND LOADING**

**SECTION 10.4.1  INTENT**

The intent of Parking Standards, in conjunction with the building form standards according to Articles 3 through 9, is to:

10.4.1.1 Balance the provision of adequate off-street parking to meet demand with city-wide objectives to encourage pedestrian-friendly environments and the use of multiple modes of transportation, including mass transit and bike parking requirements to reduce vehicle parking demand.

10.4.1.2 Provide a variety of mechanisms to meet parking needs while promoting development and reinvestment in existing buildings, including Historic Structures.

10.4.1.3 Recognize, through parking reductions, the parking efficiencies gained through mixed use development, mixed income development, development proximate to rail and bus transit, and their impact on parking demand.

10.4.1.4 Promote bicycle use by providing safe and convenient bike parking through minimum requirements for type of bike parking facility and amount of bicycle spaces.

10.4.1.5 Encourage comprehensive, efficient, multi-site parking strategies.

10.4.1.6 Minimize the visual impacts of Off-Street Parking Areas, structures and garages on streets, open spaces, and adjoining development.

10.4.1.7 Design surface parking and parking structures to be visually compatible with the surrounding development, convenient for users, and mitigate the negative impact of vehicle noise, headlights, lighting and mechanical systems.

10.4.1.8 Integrate the function and appearance of parking structures into building groups so as to minimize negative impacts on public space and the pedestrian environment.

10.4.1.9 Design parking structure facades to reflect the predominant fenestration patterns of area buildings and to the extent possible wrap street facing elevations with active uses, especially at the Street Level.

**SECTION 10.4.2  GENERAL APPLICABILITY**

10.4.2.1 Vehicle and Bicycle Parking Required

A. The owner and operator of any land area, structure, or primary use that generates a vehicle and bicycle parking requirement under this Code shall have joint and several responsibility for providing all parking required by this Division 10.4 and maintaining that parking in accordance with the provisions of this Division.

B. For land, structures, or primary uses, occupied or operated on June 25, 2010, the number of existing off-street parking spaces shall not be reduced below the lesser of the number of spaces required under this Division 10.4 or the number of spaces legally established, including taking into account any exceptions allowed.

C. Minimum/Maximum Amount Required

All primary uses shall provide a number of vehicle and bicycle parking spaces consistent with the context-specific minimum or maximum parking ratios according to Articles 3 through 9, unless otherwise exempt, reduced, or allowed according to this Division 10.4.

1. Exception for Expansions

If land area, structures, or primary uses are enlarged or expanded, minimum parking (in addition to any existing spaces) shall be provided for the additional increment only.
2. **Exception for Change of Use**

This Section 10.4.2.1.C.2 shall apply to maximum and minimum vehicle parking requirements as stated below.

a. **General Exception**

If land area, structures, or primary uses are changed from one primary use to any other primary use which requires more parking spaces than the previous primary use, the following shall apply:

i. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by 25 percent or less, no additional parking spaces shall be required; or

ii. If the new use's minimum parking requirement exceeds the previous use's minimum parking requirement by more than 25 percent, additional off-street parking spaces shall be provided equal to the number that exceeds 125 percent of the previous use's minimum parking requirement.

   a) For example: The new use has a parking requirement that results in 126 required parking spaces. The previous use had a parking requirement that resulted in 100 required parking spaces. The new use shall only have to provide 1 additional parking space.

   iii. If additional vehicle parking is required per this subsection, "Exception for Change of Use," a credit may be taken against the minimum number of vehicle parking spaces required by this subsection in the amount of 1 space for each 25 feet of abutting street frontage, up to a maximum credit of 4 vehicle parking spaces.

b. **Exemption for Change in Use in Existing Buildings Built Prior to 1967**

In all Mixed Use Commercial Zone Districts where minimum vehicle parking requirements apply, buildings shall be exempt from providing additional parking in the event of a change of use, provided all of the following are met:

i. The building was built before 1967,

ii. The building meets the required build-to requirements of the subject property's zone district, and

iii. The building meets the minimum height requirement of the subject property's zone district.

c. **Exception for Change in Use Subject to Maximum Vehicle Parking Standards**

In areas subject to maximum vehicle parking standards, if land area, structures, or primary uses providing off-street parking are changed from one primary use to any other primary use that has a lower maximum number of parking spaces allowed than the previous primary use, the following shall apply:

i. If the parking spaces from the previous primary use are equal to or less than 125 percent of the allowed parking maximum under the new primary use, then parking spaces may continue to be utilized by the uses located on that zone lot, and may be used jointly, or may be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking; or

ii. If the parking spaces from the previous primary use are greater than 125 percent of the allowed parking maximum under the new primary use, then parking spaces exceeding 125 percent of the maximum parking allowed under the new primary use shall be provided as shared vehicle parking according to Section 10.4.5.4, Shared Vehicle Parking.

   a) Example: The maximum parking allowed under a new primary use equals 60 parking spaces. The existing parking spaces from a previous primary use equals 100 parking spaces. The new primary use shall be
required to provide 25 spaces as shared vehicle parking (60 maximum allowed spaces multiplied by 125 percent = 75 allowed spaces. 100 existing spaces minus 75 allowed spaces = 25 spaces required to be provided as shared vehicle parking).

SECTION 10.4.3 BICYCLE PARKING

10.4.3.1 Applicability
Section 10.4.2, General Applicability, shall apply, with the following exceptions:

A. This Section 10.4.3 Bicycle Parking shall not apply in the D-C, D-TD, or D-CV zone districts. See Section 8.3.1.5, Off-Street Parking Requirements, for applicable bicycle parking standards for these districts.

10.4.3.2 Calculation

A. When a primary use’s required amount of bicycle parking is 2 spaces or less, the use shall provide a minimum of 2 bicycle parking spaces in a fixed rack bicycle parking facility.

B. In determining the number of bicycle parking spaces required, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.

C. In determining the number of bicycle parking spaces that must be sited in an enclosed bicycle facility or a fixed rack bicycle facility, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.

D. All required spaces “per square feet” are measured as gross floor area, unless otherwise specified.

E. For residential uses, the bicycle parking requirement shall be calculated separately for separate residential buildings.

F. Where any building or zone lot contains two or more uses having different bicycle parking requirements, the bicycle parking requirements for each use shall apply proportionally to the extent of that use’s gross floor area in the building or on the zone lot.

10.4.3.3 Bicycle Parking Exceptions

A. Reductions in Required Amount by Administrative Adjustment
The Zoning Administrator may adjust the bicycle parking requirement in one of the following ways as described below according to Section 12.4.5, Administrative Adjustment.

1. A reduction in the overall number of bicycle parking spaces required for a primary use, up to a maximum 20% reduction. A reduction in the overall number of spaces does not change the proportional (%) distribution of the required spaces to an enclosed or fixed bicycle rack parking facility; or

2. An adjustment in the number of bicycle parking spaces that must be provided in either an enclosed or fixed bicycle rack parking facility, up to a maximum 20% adjustment, provided any reduction in the number of spaces provided in one type of parking facility shall be providing in the other type of parking facility.

a. For example: When a total of 20 bicycle parking spaces is required and 10 shall be provided in an enclosed storage facility and 10 shall be provided in a fixed bicycle rack parking facility, the Zoning Administrator may grant an adjustment to the amount that must be enclosed, resulting in a reduction from the original 10 enclosed spaces to 8 enclosed spaces. That would require a total of 12 spaces in a fixed bicycle rack parking facility.
**B. Preservation of Existing Trees**

If, in order to comply with bicycle parking requirements, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in the number of required bicycle parking spaces. Requests for this exception from the minimum bicycle parking requirements shall be reviewed according to Section 12.4.5, Administrative Adjustment.

### 10.4.3.4 Required Types of Bicycle Parking Facilities

In order to meet the minimum required bike parking spaces, there are two types of bicycle parking facilities that may be required. The description and minimum standards for each type of bicycle parking facility are as follows. Such facilities may be placed on private property or within the public right-of-way. Facilities in the public right-of-way require a permit by Public Works.

**A. Enclosed Bicycle Parking Facility**

An enclosed bicycle parking facility shall be provided through various methods provided it meet the following minimum standards:

1. Shall provide enclosed bicycle storage in lockers, a room within a building, or within a parking structure.
2. All types of enclosed bicycle storage shall be easily accessible to all building occupants and to public entrances and walkways, secure, well lighted and weather resistant.
3. Each storage space shall provide a minimum of 15 square feet in area. The Zoning Administrator may reduce the minimum area up to 6 square feet if a more efficient layout is provided.

**B. Fixed Bicycle Rack Parking Facility**

A fixed bicycle rack parking facility shall be provided through various methods provided it meet the following minimum design standards:

1. Fixed bicycle racks shall be securely anchored.
2. Fixed bicycle racks must be publicly accessible to building entrances and walkways.
3. Spacing of the racks shall provide clear and maneuverable access.
4. Where two bikes can be locked on both sides without conflict, each side can be counted as one required space.

### SECTION 10.4.4 MINIMUM AND MAXIMUM VEHICLE PARKING

**10.4.4.1 Applicability**

Section 10.4.2, General Applicability, shall apply.

**10.4.4.2 Calculations**

**A. General Rule**

1. In determining the minimum number of vehicle parking spaces required or the maximum number of vehicle parking spaces allowed, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
2. Except when shared parking is allowed (see Section 10.4.5.4 Shared Vehicle Parking), when a zone lot is used for a combination of uses, the minimum vehicle parking requirement shall be the sum of the requirements for each use and may be used jointly. In areas where maximum vehicle parking standards apply, except when shared parking for off-site uses is being provided according to Section 10.4.5.4, Shared Vehicle Parking, where a zone lot contains multiple primary uses subject to maximum parking standards, the total amount of parking provided on the zone lot shall not exceed the aggregate maximum parking allowed for those uses, and may be used jointly.
3. Vehicle queuing spaces serving permitted fuel pumps where the spaces meet the dimensional standards for a 0° parking space as required in Section 10.4.6, may count toward the minimum required number of vehicle parking spaces.

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

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

C. “Unit” for Purposes of Calculating Parking Amounts
For the purposes of complying with minimum and maximum parking requirements, the term “unit” shall mean, as applicable, either:

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

D. Guest Parking in Districts with Maximum Vehicle Parking Standards

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

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

3. Standards
a. On a zone lot containing at least 3 and no more than 19 dwelling units, one additional vehicle parking space may be provided for guest parking.

b. On a zone lot containing 20 or more dwelling units, one additional vehicle parking space may be provided for guest parking for every 20 dwelling units. For example, a 42-unit development may provide two additional parking spaces for guest parking.

c. Except when shared parking is being provided on a separate zone lot according to Section 10.4.5.4, Shared Vehicle Parking, all guest parking must be located on the same zone lot as the residential primary use for which it is being provided.

10.4.4.3 Accessible Vehicle Parking
All primary uses subject to this Division 10.4 shall provide accessible parking for disabled persons that complies with the Denver Building and Fire Code and with the Americans with Disabilities Act (ADA) standards, provided, however, that the amount of accessible parking provided for multi-unit dwelling uses shall be no less than one (1) space for each dwelling unit constructed for occupancy by a disabled person.
10.4.4.4 Maximum Vehicle Surface Parking for Transit Oriented Development

A. Intent
To promote active, transit-supportive development and uses proximate to transit stations, thereby leveraging regional investment in transit infrastructure and promoting livability and sustainability in Denver’s transit neighborhoods.

B. Applicability
1. This Section 10.4.4.4 shall apply to all uses located within 1/4 mile of the outer boundary of a Rail Transit Station Platform in all zone districts except the CMP and zone districts; and
2. This Section 10.4.4.4 shall apply only to limit the amount of Surface Parking.
3. If a structure or use is exempt from minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum amount otherwise required by the underlying zone district for such use or structure absent any exemption or reduction.
   a. If the underlying zone district does not include minimum parking requirements, this subsection's maximum parking standard shall still apply, based on the minimum requirement otherwise required for the subject use or uses in the C-MX Zone Districts.
4. 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.

C. Maximum Vehicle Surface Parking Permitted
For all applicable zone districts where minimum parking requirements apply, Surface Parking spaces shall not exceed 110 percent of the minimum parking spaces required by the subject property's zone district, except that up to 1 vehicle surface parking space per dwelling unit shall be allowed even if exceeding the 110 percent. For all applicable zone districts where maximum vehicle parking standards apply, the more restrictive standard shall determine the maximum vehicle Surface Parking allowed.

10.4.4.5 Location of Required Vehicle Parking
Required vehicle parking spaces shall be located on the same zone lot as the primary use for which provided, except as allowed below:

A. As allowed in Section 10.4.5.4, Shared Vehicle Parking, or

B. Off-Site Vehicle Parking
A primary use's required vehicle parking may be located on a Zone Lot different from the Zone Lot containing the primary use (“off-site vehicle parking”), subject to compliance with the following standards:
1. The subject Primary Use may provide off-site vehicle parking provided that the parking spaces on the off-site Zone Lot are not required vehicle parking spaces for any other Primary Use(s) (See Section 10.4.5.4 Shared Vehicle Parking for that scenario).
2. Parking requirements may be met off the zone lot by ownership or a current lease of parking spaces on another zone lot and dedicated to the primary use being served. Divestment of parking spaces shall result in the zoning permit until the parking deficiency is remedied.
3. Off-site parking shall be located within a “walking distance” of 1,500 feet from the use served by the remote parking. “Walking distance” shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
SECTION 10.4.5 VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

The following uses and circumstances are exempt from providing the minimum amount of vehicle parking otherwise required by this Code, but only to the extent specified in this Section.

A. Pre-Existing Small Zone Lots

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

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

3. Exemption Allowed
   a. Reuse of Existing Buildings on Small Zone Lots
      i. If a building (1) is located on a Small Zone Lot and (2) existed on March 23, 2017, then of all uses in such building, including any modifications, alterations, and expansions, shall be exempt from providing vehicle parking.
      ii. Any building located on a Small Zone Lot that is voluntarily demolished shall not be considered an existing building. “Voluntary demolished” shall have the same meaning as the term “Demolition, Voluntary” defined in Article 13.
   b. New Buildings on Small Zone Lots Located within Proximity to Transit Service
      All uses housed in the lowest two Stories entirely above the base plane of a new building constructed on a Small Zone Lot located within 1/2 mile of the outer boundary of a Rail Transit Station Platform or located within 1/4 mile from a High-Frequency Transit Corridor may be exempt from providing vehicle parking. The Zoning Administrator shall determine whether a Small Zone Lot is within proximity to transit service as specified in Section 13.1.11.
c. **New Buildings on All Other Small Zone Lots**
   All uses housed in the first Story that is entirely above the base plane of a new building constructed on any other Small Zone Lot may be exempt from providing vehicle parking.

d. **Vehicle Parking Exceptions for Required Vehicle Parking on Small Zone Lots**
   i. All exceptions to minimum vehicle parking requirements set forth in Section 10.4.5 are available to any required minimum vehicle parking not exempted as described in this Section 10.4.5.1.A.
   ii. The total number of vehicle parking spaces required may be reduced by up to 100% under any one or combination of the vehicle parking reductions provided in accordance with Section 10.4.5.3.

**B. Ground-Floor Retail Uses in Mixed Use Projects**

1. **Applicability**
   a. All Mixed Use Commercial Zone Districts, except MS-2, MS-2x, MX-2, MX-2x, MX-2A;
   b. Multi-story mixed use buildings; and
   c. Where one or more of the following uses is located on the ground floor:
      i. Retail sales, service, or repair uses, provided no single retail sales, service, or repair use is more than 10,000 square feet of gross floor area;
      ii. Food sales or market, provided no single food sales or market use is more than 10,000 square feet of gross floor area; or
      iii. Eating or drinking establishment, provided no single eating or drinking establishment is more than 3,500 square feet of gross floor area.

2. **Exemption Allowed**
   A maximum of 5,000 square feet of gross floor area of the uses listed in Section 10.4.5.1.B.1.c above per building shall be exempt from vehicle parking requirements.

**C. Historic Structures**

1. Required parking for Historic Structures shall be the lesser of the following:
   a. The number of parking spaces required for the land use and located on site as of August 1, 2007, or for structures designated after August 1, 2007, as of the date of designation; or
   b. The number of parking spaces required for the land use under this Code.

2. Parking spaces required to serve the Historic Structure that are located off of the zone lot as of August 1, 2007, need not be retained unless the provision of off-site parking spaces is a condition resulting from the quasi-judicial decision of the city council (e.g., as a condition or waiver attached to a rezoning approval).

3. Additions to Historic Structures shall be parked in accordance with this Division, and may be eligible for exemption according to Sections 10.4.2.1.C.1 and 2 Exceptions for Expansion and Change of Use. The parking spaces for an addition to a Historic Structure are in addition to the number of parking spaces required according to Section 10.4.5.1.C.1 above. Off street parking requirements for the addition may be met off of the zone lot according to Section 10.4.4.5.B, Off-Site Vehicle Parking.

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

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

10.4.5.2 Alternative Minimum Vehicle Parking Ratios

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

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

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

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

2. No Combination with Reductions

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

   a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

B. Alternative Minimum Vehicle Parking Ratios Allowed

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

<table>
<thead>
<tr>
<th>TYPE OF ALTERNATIVE</th>
<th>APPLICABLE ZONE DISTRICTS</th>
<th>APPLICABLE USE</th>
<th>ADDITIONAL REQUIREMENTS</th>
<th>ALTERNATIVE ALLOWED</th>
<th>SPECIAL REVIEW PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing</td>
<td>All Main Street Zone Districts</td>
<td>Primary Residential Uses</td>
<td>Housing that is affordable for persons with 40 percent area median income and below</td>
<td>Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit</td>
<td>n/a</td>
</tr>
<tr>
<td>Small Dwelling Units</td>
<td>All Main Street Zone Districts</td>
<td>Primary Residential Uses</td>
<td>Dwelling Units that are under 550 square feet in gross floor area may utilize this reduction</td>
<td>Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit</td>
<td>n/a</td>
</tr>
<tr>
<td>Single Room Occupancy (SRO) Hotel</td>
<td>All Zone Districts</td>
<td>Single Room Occupancy (SRO) Hotel Primary Use</td>
<td>n/a</td>
<td>Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit</td>
<td>n/a</td>
</tr>
</tbody>
</table>
### 10.4.5.3 Vehicle Parking Reductions

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

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

2. **Reductions Not Applicable to Accessible Parking**
   The number of required accessible parking spaces shall not be reduced, and the number of required accessible parking spaces shall be calculated based on the minimum number of vehicle parking spaces required not including any reduction.

3. **No Combination with Alternative Minimum Vehicle Parking Ratios**
   A vehicle parking reduction permitted in accordance with Section 10.4.5.3 shall not be taken in combination with use of an alternative minimum vehicle parking ratio provided in Section 10.4.5.2.
   a. For example: A Zone Lot in a Main Street zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions provided in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

4. **Maximum Reduction Allowed**
   a. The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection's permitted reductions, with the following exceptions:
      i. Vehicle parking reductions for small lots in the C-CCN zone districts provided in Section 10.4.5.3.C.
      ii. A General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area.
      iii. Vehicle parking reductions for Pre-Existing Small Zone Lots provided in Section 10.4.5.1.A.
b. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection’s permitted reductions.

i. For example, a Zone Lot in a G-MS-5 zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 75% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

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

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

a. Vehicle parking reductions requested as part of a General Development Plan
b. Alternative vehicle parking ratios
c. Vehicle parking reductions for small lots in the C-CCN zone districts under Section 10.4.5.3.C.

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

a. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.3, may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division 10.4 and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.

b. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.3 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if:

i. The owner(s) demonstrate that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement; or,

ii. By no fault of the owner(s), the justification or factual basis for the reduction no longer applies or exists. Example, the relocation of a Multi-Modal Transportation stop, where the subject property is no longer within the requisite proximity to receive a parking reduction.

B. **Reductions Allowed**

The Zoning Administrator shall allow an applicant to apply reductions to the minimum number of required vehicle parking spaces upon finding that the additional requirements and special review process stated in the following table have been met:
<table>
<thead>
<tr>
<th>TYPE OF REDUCTION</th>
<th>APPLICABLE ZONE DISTRICTS</th>
<th>APPLICABLE USE</th>
<th>ADDITIONAL REQUIREMENTS</th>
<th>REDUCTION ALLOWED</th>
<th>SPECIAL REVIEW PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing</td>
<td>All Zone Districts, except Main Street Zone Districts</td>
<td>Primary Residential Uses</td>
<td>Compliance with the provisions of Article IV Affordable Housing, Chapter 27 Housing, of the Denver Revised Municipal Code</td>
<td>20% reduction in the total number of required vehicle parking spaces</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Assisted Living Facility</td>
<td>All Zone Districts</td>
<td>Assisted Living Primary Use</td>
<td>The reduction shall be allowed only upon finding that the assisted living facility generates less parking need or demand due to the specific nature and character of the facility, its occupants, and/or visitors; and If a reduction is permitted under this provision, no additional parking reduction otherwise available under this Code shall be granted</td>
<td>0.5 space per unit reduction in the total number of required vehicle parking spaces</td>
<td>Section 12.4.2, Zoning Permit with Informational Notice</td>
</tr>
<tr>
<td>Proximity to Multi-Modal Transportation</td>
<td>Suburban (S-), Urban Edge (E-), Urban (U-), or General Urban (G-), Industrial (I-), or Master Planned (M-) Zone District</td>
<td>Any Primary Use</td>
<td>Any Primary Use located on a Zone Lot having its nearest point within 1/4 mile of the outer boundary of a Rail Transit Station Platform or 1/4 mile of an enhanced transit corridor as defined in Blueprint Denver</td>
<td>25% reduction in the total number of required vehicle parking spaces</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>On-Site Car Sharing</td>
<td>All Zone Districts, except Campus Zone Districts</td>
<td>Any Residential Use</td>
<td>Where an active car-sharing program is available in the same building or on the same zone lot as that Primary Use and is made available to the residents in the same building where the residential units are located</td>
<td>5 required vehicle parking spaces reduced for each 1 car share space provided</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Off-Site Car Sharing</td>
<td>All Zone Districts</td>
<td>Any Primary Use</td>
<td>The car sharing program shall be: (1) Located on a zone lot and not within public right-of-way; (2) Located within a walking distance no greater than 1,500’ of the zone lot containing the subject primary use; (3) Either in existence or being developed concurrently with the proposed development; and (4) Has the capacity to meet a portion of the vehicle parking needs of the subject primary use</td>
<td>Determined by the Zoning Administrator</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Bike Sharing</td>
<td>All Zone Districts, except Campus Zone Districts</td>
<td>Any Nonresidential Use</td>
<td>The bike share program shall be located in the same building, on the same zone lot, or in the public right-of-way abutting the subject zone lot.</td>
<td>1 required vehicle parking space reduced for each 5 bike share parking spaces provided</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
</tbody>
</table>
C. Vehicle Parking Reduction for Small Lots in the C-CCN Zone Districts

1. In the C-CCN zone districts, zone lots which are equal to or smaller than 9,375 square feet in area on October 27, 2014, shall be granted a 67 percent reduction in the total number of required vehicle parking spaces.

2. This vehicle parking reduction shall not be allowed in combination with any vehicle parking reduction allowed under section 10.4.5.3.B.

10.4.5.4 Shared Vehicle Parking

A. Applicability

1. An applicant may request shared parking to meet the minimum/maximum vehicle parking requirements for mixed use developments, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.

2. Parking spaces that may be shared according to this subsection:
   a. Shall be located on a zone lot (on-street parking spaces are not eligible), and
   b. Shall be capable of being specifically allocated or reserved for the primary uses served (spaces in a surface lot or garage that are accessible by the general public are not eligible), except that this provision shall not apply in areas where only maximum parking standards apply;
   c. However, in the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the zone lot will count toward the vehicle parking requirement. Although allocated to a specified zone lot, said spaces need not be reserved for said specified zone lot.

B. Shared Parking Where Maximum Parking Standards Apply

1. When located on a Zone Lot subject only to a vehicle Surface Parking maximum according to section 10.4.4.4, each shared vehicle Surface Parking space shall be counted only once in the calculation of vehicle Surface Parking spaces that contribute to the maximum allowed.

2. When shared vehicle parking is required for a change of use according to Section 10.4.2.1.C.2.c, the number of shared spaces provided may exceed the number required to be shared according to that section. Shared spaces shall be counted only once in the calculation of the number of spaces that contribute to the maximum parking allowed for each Primary Use included in the parking analysis.

3. In all other areas subject to maximum vehicle parking standards the following shall apply:
   a. Parking may be shared between Primary Uses located on separate Zone Lots according to this subsection.
   b. Surface Parking and/or Garage Parking shall only be permitted as a Primary Use on a Zone Lot if the spaces are provided as shared vehicle parking according to this subsection.

C. Shared Amount Allowed

The Zoning Administrator shall determine the total amount of parking allowed to be shared based upon the shared parking analysis.

D. Process for Review and Approval

Requests for shared parking shall be processed according to Section 12.4.3, Site Development Plan Review. In addition to the requirements for a Site Development Plan, requests for shared parking shall comply with this Section’s standards and criteria.
E. Shared Parking Analysis Required

A parking analysis shall be submitted as part of the Site Development Plan application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a Qualified Professional. A shared parking study shall, at a minimum, address:

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of the uses;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site.

6. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

7. In areas subject to minimum parking requirements, if the shared parking spaces are located on a different zone lot than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 1,500 feet from the use served. This provision shall not apply in areas where only maximum parking standards apply.
   a. “Walking distance” shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
   b. The Zoning Administrator may increase the allowed distance or waive the standard entirely when there is a shared parking entity and support in the shared parking analysis.

8. In areas subject to maximum parking requirements, when multiple off-site Primary Uses are included, the number of shared spaces shall be specified for each off-site Primary Use contributing to the maximum parking allowed.

F. Withdrawal from Participation in Plans or Programs

1. Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.4 may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division and the applicable zone district parking requirements. The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.

2. The Zoning Administrator may allow withdrawal from a special parking arrangement authorized by this Section 10.4.5.4 to result in a permanent deficiency of the required amount of parking spaces that was otherwise allowed as part of the special parking arrangement if the owner(s) demonstrates that best efforts, as determined by the Zoning Administrator, were made to maintain and continue the authorized special parking arrangement.
SECTION 10.4.6  VEHICLE PARKING DESIGN

10.4.6.1 Vehicle Parking Layout - Single and Two Unit Development

A. Applicability
This Subsection 10.4.6.1 shall apply to all Off-Street Parking Areas for all Single-Unit and Two-Unit Dwelling development.

B. Parking Space Standard
All required parking spaces shall have a width of 8.5 feet and a length of 17.5 feet.

C. Garage and Carport Setbacks
1. For access to a garage or carport, when the garage doors or carport “openings” are not “facing” the alley, there shall be a minimum dimension of 18 feet as measured from the face of the garage door or carport opening to the Side Interior Zone Lot Line. See Figure 10.4-2.

2. Alley Right-of-Way Width 13 Feet or Less
If an alley right-of-way is 13 feet wide or less, when garage doors are facing the alley, the garage or carport shall be setback a minimum of 18 feet from the farthest alley right-of-way boundary line. See Figure 10.4-3.

D. D. Other Standards
1. See Section 10.4.6.3.B, Vehicular Access
2. See Section 10.4.6.4.A, Drainage and Surface Materials

10.4.6.2 Vehicle Parking Layout - All Other Development

A. Applicability
This Subsection 10.4.6.2 shall apply to all All Off-Street Parking Areas except for Single-Unit and Two-Unit Dwelling development and except that mechanized parking spaces are exempt from the parking dimensions standards.

B. Parking Space and Module Standards
Off-street parking spaces shall be laid out in accordance with the standards shown in Table A and Figure 10.4-4, with the following additions and exceptions:

1. Parking Angle
   a. Parking angles greater than 0 degrees and less than 30 degrees are not allowed.
b. Other angles between 30 and 90 degrees are allowed and the dimensions for those angles shall be determined through interpolation.

c. Parking angles for spaces within individual garage units shall be determined by the angle of the entry to the garage structure.

2. Parking Aisle

a. A minimum of 5 feet of back out space shall be provided at ends of parking rows unless the aisle is 30 feet or more in width.

b. If a public alley is allowed to be used as the aisle or access to adjoining parking spaces or garages, the spaces or projection must be lengthened as necessary to provide a total alley or aisle width of 20 feet for 30-degree through 75-degree angle parking and 23 feet for 90-degree angle parking. This requirement shall apply to all new uses and developments except single-unit and two-unit dwellings.

3. Garage Door Setbacks

When a public alley is allowed to be used as the access to a parking garage, any garage door that faces the alley shall be setback at least 5 feet from the zone lot line abutting the public alley.

4. Compact Spaces

a. No more than 10 percent of the total parking spaces provided (required and excess spaces) may be compact.

b. When provided in a parking garage, compact spaces may be used only where the layout of the structure requires such spaces at the end of a row or to accommodate a column.

c. All compact parking spaces shall be clearly and visibly striped and labeled (e.g., by a sign) for compact car use only.

5. Measurements

a. In a parking structure, stall dimensions shall be measured from the surface of an adjacent pillar, post, or column closest to the parking stall.

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Stall Length (A)</th>
<th>Stall Width (B)</th>
<th>Projection (C)</th>
<th>Parking Aisle One-Way / Two-Way (D)</th>
<th>Module One-Way / Two-Way (E)</th>
<th>Interlock Reduction (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Parking Space</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>22’</td>
<td>8.5’</td>
<td>8.5’</td>
<td>13’ / 20’</td>
<td>30/37’</td>
<td>--</td>
</tr>
<tr>
<td>30°</td>
<td>17.5’</td>
<td>8.5’</td>
<td>16.11’</td>
<td>13’ / 20’</td>
<td>45.22/52.22’</td>
<td>2’</td>
</tr>
<tr>
<td>45°</td>
<td>17.5’</td>
<td>8.5’</td>
<td>18.38’</td>
<td>13’ / 20’</td>
<td>49.77/56.77’</td>
<td>2’</td>
</tr>
<tr>
<td>60°</td>
<td>17.5’</td>
<td>8.5’</td>
<td>19.41’</td>
<td>16’ / 20’</td>
<td>54.81/58.81’</td>
<td>1.5’</td>
</tr>
<tr>
<td>75°</td>
<td>17.5’</td>
<td>8.5’</td>
<td>19.1’</td>
<td>18’ / 20’</td>
<td>56.21/58.21’</td>
<td>1’</td>
</tr>
<tr>
<td>90°</td>
<td>17.5’</td>
<td>8.5’</td>
<td>17.5’</td>
<td>23’ / 23’</td>
<td>58/58’</td>
<td>--</td>
</tr>
<tr>
<td>90° *</td>
<td>17.5’</td>
<td>8.5’</td>
<td>17.5’</td>
<td>20’ / 20’</td>
<td>55/55’</td>
<td>--</td>
</tr>
<tr>
<td>Compact Parking Space</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>18’</td>
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<td>7.5’</td>
<td>13’ / 20’</td>
<td>28/35’</td>
<td>--</td>
</tr>
<tr>
<td>30°</td>
<td>15.5’</td>
<td>7.5’</td>
<td>15.11’</td>
<td>13’ / 20’</td>
<td>43.22/50.22’</td>
<td>2’</td>
</tr>
<tr>
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<td>15.5’</td>
<td>7.5’</td>
<td>16.97’</td>
<td>13’ / 20’</td>
<td>46.94/53.94’</td>
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</tr>
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<td>16’ / 20’</td>
<td>51.35/55.35’</td>
<td>1.5’</td>
</tr>
<tr>
<td>75°</td>
<td>15.5’</td>
<td>7.5’</td>
<td>17.17’</td>
<td>18’ / 20’</td>
<td>52.34/54.34’</td>
<td>1’</td>
</tr>
</tbody>
</table>
TABLE A: DIMENSIONS OF PARKING SPACES & MODULES

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Stall Length (A)</th>
<th>Stall Width (B)</th>
<th>Projection (C)</th>
<th>Parking Aisle One-Way / Two-Way (D)</th>
<th>Module One-Way / Two-Way (E)</th>
<th>Interlock Reduction (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>90°</td>
<td>15.5’</td>
<td>7.5’</td>
<td>15.5’</td>
<td>23’ / 23’</td>
<td>54/54’</td>
<td>--</td>
</tr>
<tr>
<td>90° *</td>
<td>15.5’</td>
<td>7.5’</td>
<td>15.5’</td>
<td>20’ / 20’</td>
<td>51/51’</td>
<td>--</td>
</tr>
</tbody>
</table>

*Applies to vehicle parking layout for development under any combination of the following building forms on a Zone Lot: the Town House, Row House, and Garden Court. Standards cannot be used in combination with other building forms such as Apartment, General or Shopfront.

Figure 10.4-4

10.4.6.3 Vehicular Access and Circulation

A. Internal Drive Dimensions

The following standards shall apply in all zone districts to all Off-Street Parking Areas, excluding single-unit and two-unit dwelling development:

1. **Definition**

   “Internal drives” mean the part of a Off-Street Parking Area used for vehicular circulation, but which do not abut parking stalls in a manner that allows their use for vehicular access to the parking stalls.

2. **Minimum Internal Drive Dimensions**

   a. Internal drives shall be a minimum width of 10 feet for one-way traffic and shall be a minimum width of 20 feet for two-way traffic except for development under the Town House, Row House, or Garden Court building forms.
b. Internal drives for development under the Town House, Row House, or Garden Court building forms shall be a minimum width of 12 feet for one-way and/or two-way traffic on Zone Lots that contain no other building forms.

Figure 10.4-4 *Not to scale. Illustrative Only.*

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c. The Zoning Administrator may reduce the minimum internal drive width standard when necessary to relieve hardship associated with providing safe vehicle access and circulation on unusually small or narrow zone lots. Any such request for reduction shall be reviewed according to Section 12.4.5, Administrative Adjustments.

B. Vehicular Access

The following standards shall apply in all zone districts to all Off-Street Parking Areas:

1. Access to and egress from each parking space shall be obtained with no more than a standard two-movement entrance or exit from the parking space by a vehicle parking there.

2. Curb cuts for vehicular access from the public right-of-way and vehicle stacking space on the parking lot proximate to any entry pay station or other control device are subject to review by Public Works according to Section 10.4.6.3.B.3, below. *Vehicular Access from...*
the public right-of-way” means the part of the parking lot used for vehicles to transition between the public right-of-way and the parking lot.

3. Access from the public right-of-way to all Off-Street Parking Areas shall comply with Public Works Access criteria. Parking areas shall be provided with entrances and exits located to minimize traffic congestion and the effect of headlights at night.

4. All surface Off-Street Parking Areas shall be designed to enable all vehicle maneuvers to occur on private property and not in the public right-of-way unless specifically allowed by this Code.

5. Controlled access (e.g., gated or other access control) Off-Street Parking Areas shall be designed to accommodate anticipated queuing of vehicles entirely on private property and not in the public right-of-way.

**10.4.6.4 Surface Parking Design Standards**

The following design standards shall apply in all zone districts to any surface Off-Street Parking Area.

**A. Drainage and Surface Materials**

All Surface Off-Street Parking Areas shall:

1. Be graded for proper drainage; and

2. Be provided with an all-weather surface material of either:
   a. Asphalt,
   b. Asphaltic concrete,
   c. Concrete, or
   d. Any equivalent material as approved by the Zoning Administrator, additionally:
      i. For single-unit dwellings, any “equivalent material” shall be an all-weather surface with a minimum of 4” thickness that provides proper drainage and is the equivalent of asphalt, asphaltic concrete or concrete. This includes, but is not limited to, 3/4 inch recycled asphalt pavement (RAP) and 3/4 inch driveway gravel (crushed aggregate).

3. Additionally, for purposes of this provision, an “all-weather surface material” may include materials with a pervious surface of no greater than 15%.

**B. Screening and Landscaping**

See Division 10.5, Landscaping, Fences, Walls and Screening, for minimum parking lot landscaping and screening standards.

**C. Protection of Landscaping & Pedestrian Access**

1. **Protection of Landscaped Areas**
   a. Surface Off-Street Parking Areas shall be provided with curbs or wheel stops located so that no part of parked vehicles will extend more than 2 feet into any landscaped area. (See Figure 10.4-5)
   b. Planting strips or areas, fences, walls or hedges must be protected from vehicles and maintenance equipment by curbs, bollards, wheelstops, headers or other similar means.
2. **Protection of Sidewalks and Pedestrian Walks**
   
a. Surface Off-Street Parking Areas shall be provided with curbs or wheel stops located so that no part of a parked vehicle will reduce a sidewalk or pedestrian walkway to less than 5 feet in width (See Figure 10.4-6); or

   b. In all locations where the edge of the pedestrian walks are directly abutted by parking spaces, an additional 3 feet of walkway width must be provided to accommodate vehicle overhangs. (See Figure 10.4-7)

3. **Other Protection Required**
   
   Surface Off-Street Parking Areas shall be provided with curbs or wheel stops located so that no part of parked vehicles will extend beyond the zone lot line.

### 10.4.6.5 Parking Structure Design Standards

This Section 10.4.6.5 shall apply to all parking garage structures:

A. Facade openings that face any public right-of-way or publicly accessible open space shall be vertically and horizontally aligned and all floors fronting on such facades shall be level.

B. Parking structures shall be designed to conceal the view of all parked cars and internal light sources from adjacent public rights-of-way and publicly accessible open space for the full height of the structure.
10.4.6.6 Tandem Parking

A. Applicability

This Section 10.4.6.6 shall apply to all tandem parking.

B. Where Allowed

1. Tandem parking is allowed in a residential development, but may not be used to provide guest parking for a residential development and both parking spaces shall be assigned to the same residential unit.

2. Tandem parking is only allowed in a nonresidential development where attendant parking is provided on the zone lot and where parking on the zone lot is subject to a tandem parking management program, as approved by the Zoning Administrator.
   a. For purposes of this provision, a “tandem parking management program” means a formal program undertaken by a property owner or property manager to mitigate the potential adverse effects of tandem parking on vehicle owners and other Off-Street Parking Area users.
   b. Elements of a tandem parking management program include, but are not limited to:
      i. A secured vehicle key storage system located near the tandem parking area;
      ii. A vehicle key management system administered by on-site personnel;
      iii. Reserved tandem program where specific individuals share specific tandem spaces; or
      iv. A fleet/motor pool vehicle management program.

C. Design Standards

1. A maximum of 2 parking spaces may be provided in tandem.

2. Two parking spaces in tandem shall have a combined minimum dimension of 8.5 feet in width and 35 feet in length.

3. It must be possible to get any vehicle in or out of a tandem space by moving only 1 vehicle.

10.4.6.7 Packed Parking

Packed parking, where it can provide more efficient surface parking through the reduction of maneuvering area when an attendant or mechanical parking system is used to park vehicles, is allowed subject to compliance with the following standards:
A. An attendant or mechanical parking system shall be provided to park vehicles during all business hours of the primary use.

B. All maneuvering, stacking, parking and loading for packed parking must be accomplished on private property.

C. The area of each packed parking space shall be no less than 150 square feet.

D. An access lane of no less than 23 feet in width must be provided through the packed parking area.

10.4.6.8 Attendant Shelters or Pay Stations

An attendant shelter or pay station may be provided on the same zone lot as a surface parking lot. If provided, an attendant shelter or pay station shall comply with the building form standards in the applicable zone district, as applicable, in addition to the following design standards. In case of any conflict with an applicable building form standard, the building form standard shall apply.

A. Maximum Number of Attendant Shelters Permitted: 1 attendant shelter building.

B. Maximum Number of Pay Stations Permitted: 1 pay station for each 50 surface parking spaces.

C. Minimum Setback: An attendant shelter shall be setback a minimum of 20 feet from any boundary of the surface parking lot abutting a Protected zone district.

10.4.6.9 Reference to Other Applicable Design Standards

A. Lighting

All off-street parking space lighting shall meet the standards of Division 10.7, Outdoor Lighting.

B. Landscaping

Landscaping standards shall apply to all surface Off-Street Parking Areas according to Division 10.5, Landscaping, Fences, Walls and Screening.

SECTION 10.4.7 USE AND MAINTENANCE OF PARKING AREAS

10.4.7.1 General Use and Maintenance Standards

Off-street parking space, including the spaces in which vehicles are parked as well as all drive aisles and access drives, shall be maintained and used in compliance with the following standards:

A. Off-street parking space shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

B. No cleaning or maintenance of parking lots in a Residential Zone District utilizing motorized equipment may be performed between 11:00 p.m. and 6:30 a.m. each day.

C. Loudspeaker or other amplified systems shall not be used in Off-Street Parking Areas.

D. For additional standards applicable to the parking of vehicles, see Division 10.9, Parking, Keeping and Storage of Vehicles.

10.4.7.2 Fee for Required Parking Allowed

Required parking may be available as free parking, contract parking, or on an hourly or daily fee basis.

10.4.7.3 Flexibility in Use of Accessory Parking Areas

A. Intent

1. Provide flexibility in a property owner’s use of accessory parking spaces when such spaces are not fully utilized by the owner for the subject primary use(s).
2. Allow for the limited sharing of otherwise unused or under-utilized accessory parking spaces to satisfy parking demand in areas near the subject Off-Street Parking Area where the supply of on-street or off-street parking may be insufficient to meet such demand.

B. Applicability
This Section 10.4.7.3 allowance shall apply only under the following conditions:

1. Shall be applied only to the use of existing Accessory Parking spaces, where the subject zone lot contains both a Primary Use and Accessory Parking serving that Primary Use.

2. Shall not apply to a zone lot containing a primary Surface Parking land use, regardless of the legal status of such Surface Parking use, and the BOA shall not have the authority to issue a variance to allow application of this Section 10.4.7.3 to such zone lots.

3. This allowance shall not be used to meet the minimum parking requirements of any primary use. (For that scenario, see Section10.4.5.4, Shared Vehicle Parking, or Section10.4.4.5.B, Off-Site Vehicle Parking.)

C. Flexible Use of Accessory Parking Spaces Allowed with Zoning Permit

1. At any time when Accessory Parking spaces are not needed to meet the parking demand of the subject Primary Use (e.g., when the Primary Use is closed for business), the property owner may make available any unused or under-utilized Accessory Parking spaces to serve the parking needs of one or more Primary Uses not located on the same zone lot.

2. At all times, regardless of the option for flexible use allowed under this Section 10.4.7.3, the property owner shall maintain adequate Accessory Parking during all operating hours to serve the Primary Use(s) for which the Accessory Parking spaces are provided.

3. Such unused or under-utilized Accessory Parking spaces may be made available for a fee, at the property owner's option.

4. Such unused or under-utilized Accessory Parking spaces may be made available to serve a Primary Use located on a different zone lot whose parking is otherwise capped by a maximum parking standard.

5. A Zoning Permit is required according to Section 12.4.1, Zoning Permit Review.

SECTION 10.4.8   LOADING

10.4.8.1 Intent
The intent of this Section's loading standards is to assure the provision of adequate off-street areas to allow vehicle to access, circulate, and service one or more Primary Uses on the zone lot.

10.4.8.2 Applicability

A. All zone districts except SU, TU, TH, RH, MU, RO, or MS zone districts.

B. The duty to provide and maintain off-street loading spaces shall be the joint and several responsibility of the operator and owner of the structure for which off-street loading spaces are required to be provided.

C. No new structure shall be designed, erected, altered, used or occupied unless the off-street loading space required is provided, and the number of off-street loading spaces for structures actually used, occupied and operated on June 25, 2010, shall not be reduced below the minimum number of spaces required by this Division. If such occupied structures are enlarged or expanded, there shall be provided for the increment only the amount or number of off-street loading spaces that would be required as if the increment were a separate structure.
### 10.4.8.3 Standards

**A. Required Number of Spaces**

At least the following number of loading spaces shall be provided:

<table>
<thead>
<tr>
<th>PRIMARY USES</th>
<th>SQUARE FEET OF GROSS FLOOR AREA *</th>
<th>REQUIRED NUMBER OF SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Sales and Wholesale Trade or Storage Primary Uses</td>
<td>Less than or equal to 15,000</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Greater than 15,000 and less than or equal to 50,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Greater than 50,000 and less than or equal to 200,000</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Greater than 200,000 and less than or equal to 350,000</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Greater than 350,000</td>
<td>4</td>
</tr>
<tr>
<td>All Other Primary Uses</td>
<td>Less than or equal to 25,000</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Greater than 25,000 and less than or equal to 250,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Greater than 250,000 and less than or equal to 500,000</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Greater than 500,001 and less than or equal to 750,000</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Greater than 750,000</td>
<td>4</td>
</tr>
</tbody>
</table>

* "Gross Floor Area" for purposes of calculating required loading spaces shall be determined as stated in Section 10.4.4, Vehicle Parking Required.

**B. Dimensions**

At least the following dimensions shall be provided, plus an area or means adequate for maneuvering, ingress and egress entirely within zone lot boundaries. Backing to or from a public right-of-way for loading maneuvering is prohibited unless Public Works expressly approves such movements in unusual situations where the site is constrained and as part of an approved Site Development Plan.

1. For Wholesale Trade or Storage Primary Uses, each loading space shall be at least 35 feet long, 10 feet wide and 14 feet high.
2. For Multi-Unit Dwelling Primary Uses, loading space dimensions shall be determined at Site Development Plan.
3. For all other uses, each loading space shall be at least 26 feet long, 10 feet wide, and 14 feet high.

**C. Location**

1. **On-Site**
   
   Off-street loading spaces shall be located on the same zone lot as the structure for which provided, except as allowed in subsection C.2 below.

2. **On-Street**
   
   a. **Applicability**
      
      On-street loading shall only be allowed where at least two or more loading spaces are required and where the Zoning Administrator has determined that the subject property is unusually small or irregularly shaped so that the reasonable development of the zone lot with the required loading spaces is difficult to achieve.
   
   b. **Standards**
      
      i. No more than two required loading spaces may be located on the public right-of-way;
      
      ii. The spaces shall not create any adverse impacts on traffic or pedestrian movement;
      
      iii. Public Works must approve the loading space(s); and
iv. At least one of the following shall be provided on the subject property zone lot:
   a) One loading space that is 10 feet wide and 26 feet long; or
   b) Two loading spaces that are each 10 feet wide and 20 feet long.

**10.4.8.4 Maintenance**

All off-street loading space shall be maintained in compliance with the regulations for the maintenance of off-street parking space according to Section 10.4.7, Use and Maintenance of Parking Areas.

**SECTION 10.4.9 PARKING CATEGORIES**

**10.4.9.1 Vehicle Parking Categories**

A. **Purpose**
   Parking categories are used to determine the minimum amount of parking spaces required for a specific primary use.

B. **Unclassified Uses**
   If for any reason the parking category of any primary use cannot be determined for the purpose of establishing the number of required vehicle parking spaces, the parking category of such use shall be determined by the Zoning Administrator according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

C. **Parking Category Table**
   The following parking categories apply to all primary permitted by this Code.

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC PRIMARY USE</th>
<th>PARKING CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td>No Requirement</td>
</tr>
<tr>
<td>Household Living</td>
<td>Dwelling, Single Unit</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Two Unit (includes provision of two units on one zone lot in a tandem house form)</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Multi-Unit</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Mixed Use</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Live / Work</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td>Group Living</td>
<td>Assisted Living Facility</td>
<td>Residential Medium</td>
</tr>
<tr>
<td></td>
<td>Community Correctional Facility</td>
<td>Residential Low</td>
</tr>
<tr>
<td></td>
<td>Nursing Home, Hospice</td>
<td>Residential Medium</td>
</tr>
<tr>
<td></td>
<td>Residence for Older Adults</td>
<td>Residential Medium</td>
</tr>
<tr>
<td></td>
<td>Residential Care Use, Small or Large</td>
<td>Residential Low</td>
</tr>
<tr>
<td></td>
<td>Rooming and Boarding House</td>
<td>Commercial High</td>
</tr>
<tr>
<td></td>
<td>Shelter for the Homeless</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Student Housing</td>
<td>Multi-Unit</td>
</tr>
<tr>
<td>Civic, Public and Institutional</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic Utilities</td>
<td>Utility, Major Impact</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Utility, Minor Impact*</td>
<td>Commercial Low</td>
</tr>
</tbody>
</table>
## USE CATEGORY

### Community/Public Services
- Community Recreational Facility: Public Use Medium
- Day Care Center: Public Use Medium
- Postal Facility: Commercial Medium
- Public Safety Facility: Public Use Medium
- Hospital: Public Use High
- Correctional Institution: Public Use Medium

### Cultural/Special Purpose/Public Parks & Open Space
- Cemetery: No Requirement
- Library: Public Use Medium
- Museum: Public Use Medium
- Performing Arts Center: Public Use Medium
- City Park: No Requirement
- Open Space - Recreation: Public Use Low
- Open Space - Conservation: No Requirement

### Education
- Elementary School: Public Use Medium
- Secondary School: Public Use High
- University or College: Public Use Medium
- Vocational or Professional School: Public Use Medium

### Public and Religious Assembly
- All Types: Public Use Medium

### Commercial Sales, Services and Repair
#### Adult Business
- All Types: Commercial Medium

#### Arts, Entertainment & Recreation
- Recreation and Entertainment Services, Indoor: Commercial Medium
- Recreation and Entertainment Services, Outdoor: Commercial Medium
- Sports and/or Entertainment Arena or Stadium: Public Use Medium
- Theater and/or Performance Space: Public Use Medium

#### Parking of Vehicles
- Parking, Garage: No Requirement
- Parking, Surface: No Requirement

#### Eating & Drinking Establishments
- All Types: Commercial High

#### Lodging Accommodations
- Bed and Breakfast Lodging: Commercial Medium
- Lodging Accommodations, All Others: Commercial Medium

#### Office
- Dental / Medical Office or Clinic: Commercial Medium
- Office, All Others: Commercial Medium

#### Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)
- Animal Services and Sales, Household Pets Only: Commercial Medium
- Animal Services and Sales, All Others: Commercial Medium
- Body Art Establishment: Commercial Medium
- Food Sales or Market: Commercial Medium
- Pawn Shop: Commercial Medium
- Pay Day Lending Services: Commercial Medium
- Retail Sales, Service & Repair -- Outdoor: Commercial Medium
- Retail Sales, Service & Repair, Special: Includes Gun Sales: Commercial Medium
- Retail Sales, Service & Repair, All Others: Commercial Medium
### Article 10. General Design Standards

#### Division 10.4 Parking and Loading

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC PRIMARY USE</th>
<th>PARKING CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicle / Equipment Sales, Rentals, Service &amp; Repair</strong></td>
<td>Automobile Emissions Inspection</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Automobile Gas / Service Station</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Automobile Wash, Laundry, Detail or Polishing Shop</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Automobile Repair Garage</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Automobile Pawn Lot or Vehicle Auctioneer</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Heavy Vehicle/ Equipment Sales, Rentals &amp; Service</td>
<td>Commercial Low</td>
</tr>
<tr>
<td><strong>Industrial, Manufacturing and Wholesale</strong></td>
<td>Communication Services</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Telecommunications Towers*</td>
<td>No Requirement</td>
</tr>
<tr>
<td></td>
<td>Telecommunication Facilities -- All Others</td>
<td>No Requirement</td>
</tr>
<tr>
<td><strong>Industrial Services</strong></td>
<td>Contractors, Special Trade -- General</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Food Preparation and Sales, Commercial</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Laboratory -- Research &amp; Development, Technological Services</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Service/Repair, Commercial</td>
<td>Commercial Low</td>
</tr>
<tr>
<td><strong>Manufacturing and Production</strong></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Custom</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- General</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Heavy</td>
<td>Commercial Low</td>
</tr>
<tr>
<td><strong>Mining &amp; Extraction and Energy Producing Systems</strong></td>
<td>Oil, Gas -- Production, Drilling*</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Sand or Gravel Quarry</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Wind Energy Conversion Systems*</td>
<td>No Requirement</td>
</tr>
<tr>
<td><strong>Transportation Facilities</strong></td>
<td>Airport</td>
<td>No Requirement</td>
</tr>
<tr>
<td></td>
<td>Helipad, Helistop, Heliport</td>
<td>No Requirement</td>
</tr>
<tr>
<td></td>
<td>Railroad Facilities</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Railway Right-of-Way</td>
<td>No Requirement</td>
</tr>
<tr>
<td></td>
<td>Terminal, Station, or Service Facility for Passenger Transit System</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Terminal, Freight, Air Courier Services</td>
<td>Commercial Low</td>
</tr>
<tr>
<td><strong>Waste Related Services</strong></td>
<td>Automobile Parts Recycling Business</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Junkyard</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Recycling Center</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Recycling Collection Station</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Recycling Plant, Scrap Processor</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Solid Waste Facility</td>
<td>Commercial Low</td>
</tr>
<tr>
<td><strong>Wholesale, Storage, Warehouse &amp; Distribution</strong></td>
<td>Automobile Towing Service Storage Yard</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Contractors, Special Trade - Heavy, Yard</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Container Storage (Mini-Storage)</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Heavy Equipment Sales or Rentals</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Storage Services</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Vehicle Storage, Commercial</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Wholesale Trade, General, and/or Storage of Toxic and/or Hazardous Materials</td>
<td>Commercial Low</td>
</tr>
<tr>
<td></td>
<td>Wholesale Trade, Light, and/or Storage of Nontoxic and/or Nonhazardous Materials</td>
<td>Commercial Low</td>
</tr>
</tbody>
</table>
### 10.4.9.2 Bicycle Parking Categories

Bicycle parking is required based on the specific primary uses's assigned parking category, according to Section 10.4.9.1, Vehicle Parking Categories. The bicycle parking standards are then varied by neighborhood context, as set forth in the tables below.

#### SUBURBAN NEIGHBORHOOD CONTEXT AND I-A, -B ZONE DISTRICTS

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/5 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/20,000 sq. ft. GFA</td>
<td>60%/40% Retail, sales, service and repair uses: 20%/80%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/20,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>

#### URBAN EDGE NEIGHBORHOOD CONTEXT

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/5 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/20,000 sq. ft. GFA</td>
<td>60%/40% Retail, sales, service and repair uses: 20%/80%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/20,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>

#### URBAN NEIGHBORHOOD CONTEXT AND MASTER PLANNED CONTEXT

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/4 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/3,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>60%/40% Retail, sales, service and repair uses: 20%/80%</td>
</tr>
</tbody>
</table>
### URBAN NEIGHBORHOOD CONTEXT AND MASTER PLANNED CONTEXT

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>

### GENERAL URBAN NEIGHBORHOOD CONTEXT AND ALL I-MX ZONE DISTRICTS

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/4 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/3,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>

### URBAN CENTER NEIGHBORHOOD CONTEXT AND CAMPUS ZONE DISTRICTS

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/2 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/1,500 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/7,500 sq. ft. GFA</td>
<td>60%/40% Retail, sales, service and repair uses: 20%/80%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>

### DOWNTOWN NEIGHBORHOOD CONTEXT - D-LD, D-GT, D-AS, D-AS-12+, D-AS-20+ ZONE DISTRICTS ONLY

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1/2 units</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/1,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/7,500 sq. ft. GFA</td>
<td>60%/40% Retail, sales, service and repair uses: 20%/80%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/10,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>
### DOWNTOWN NEIGHBORHOOD CONTEXT - D-CPV-T, D-CPV-R, D-CPV-C ZONE DISTRICTS ONLY

<table>
<thead>
<tr>
<th>Parking Category</th>
<th>Minimum Bicycle Parking Spaces Required</th>
<th>% Parking Spaces Provided in Enclosed Bicycle Parking Facility/Fixed Bicycle Rack Parking Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-unit</td>
<td>1.1/unit</td>
<td>80%/20%</td>
</tr>
<tr>
<td>Residential Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Commercial High</td>
<td>1/1,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Commercial Medium</td>
<td>1/4,000 sq. ft. GFA</td>
<td>60%/40%</td>
</tr>
<tr>
<td></td>
<td>Lodging accommodations uses: 1/7,500 sq. ft. GFA</td>
<td>Retail, sales, service and repair uses: 20%/80%</td>
</tr>
<tr>
<td>Commercial Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Use High</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Medium</td>
<td>1/5,000 sq. ft. GFA</td>
<td>0%/100%</td>
</tr>
<tr>
<td>Public Use Low</td>
<td>No Requirement</td>
<td>n/a</td>
</tr>
</tbody>
</table>
DIVISION 10.5  LANDSCAPING, FENCES, WALLS AND SCREENING

SECTION 10.5.1  INTENT
The intent of this Division's landscaping, fences, walls, and screening standards is to:

10.5.1.1 Establish an attractive landscaped edge and screening adjacent to street right-of-way and residential.

10.5.1.2 Increase Denver’s urban tree canopy, reduce heat island effects, and improve air quality.

10.5.1.3 Preserve existing trees and vegetation.

10.5.1.4 Promote and enhance the community’s appearance as viewed from the public realm.

10.5.1.5 Improve site permeability and reduce stormwater runoff.

10.5.1.6 Incorporate required water quality and storm water management features into the overall site and landscape design in a way that is attractive and a positive part of an integrated landscape design.

10.5.1.7 Mitigate visual impacts on surrounding properties, open spaces, and public rights-of-way arising from roof-top mechanical equipment, outdoor storage of materials and waste, surface parking lots, and other similar outdoor uses and activities.

SECTION 10.5.2  GENERAL STANDARDS

10.5.2.1 Corner Sight Triangles
Corner sight triangles are areas at intersection corners of streets, driveways, or alleys where the height of landscaping, fences, walls, and screening may be limited to preserve clear vehicle sight lines to oncoming vehicular and pedestrian traffic. Any landscaping, fence, or wall, or screening within a corner sight triangle shall be approved by Public Works.

10.5.2.2 Maintenance

A. Responsibility
The owner of the property, his successors, heirs and assignees are responsible for the proper maintenance of required landscaping, fences, walls and screening.

B. Continuous Maintenance Required
Required landscaping, fences, walls and screening must be Continuously Maintained including necessary watering, weeding, pruning pest control and replacement of dead or diseased plant material or damaged fence and wall materials.

C. Replacement of Planting Material
Replacement of dead or diseased plant material shall be of the same type of plant material as set forth in the approved landscape plan. Replacement of dead or diseased plant material shall occur within 30 days of such event during the growing season of April 1 to October 1. At all other times, replacement shall occur within 45 days of the start of the following growing season. In no event shall replacement time exceed one year.

D. Irrigation

1. Landscaped areas must have a properly designed irrigation system providing full coverage on all plant material areas from drip irrigation lines, impulse sprinklers, pop-up and surface spray sprinklers or other means appropriate for the area to be irrigated.

2. The applicant or a qualified irrigation specialist, must certify, either on the required landscape plan or in a written statement attached to the plan, that the proposed irrigation system is adequate.
SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS

10.5.3.1 Applicability - Preservation of Established Trees in Residential Primary and Side Street Setbacks
As a condition of any permit to demolish or construct any building containing a single unit dwelling, two-unit dwelling, or multi-unit dwelling in a Residential Zone District, the owner of the zone lot shall be required to preserve any established tree not otherwise diseased or decayed within the primary and side street setback areas of the zone lot.

10.5.3.2 Preservation Measures Required
In order to protect an established tree from damage or destruction and to enhance the tree’s chance of survival after construction activities on the zone lot are completed, the owner shall take and maintain throughout the course of demolition or construction the following measures:

A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;

B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree’s root zone; and

C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree’s roots.

10.5.3.3 Permit for Tree Removal
The owner may be relieved from the requirements of this Section only upon obtaining a permit for tree removal from the City Forester according to the provisions of Sections 57-20(b) and 57-25 of the D.R.M.C.

10.5.3.4 Definition of “Established Tree”
See Article 13, Rules of Measurement and Definitions, for the definition of “established tree.”

SECTION 10.5.4 LANDSCAPING STANDARDS

10.5.4.1 Applicability and Exceptions

A. Applicability
1. This Section 10.5.4 shall apply to development in all zone districts, except residential development in all SU or TU zone districts.

2. 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 10.5.4.

3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS zone districts, Section 8.10.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.


5. See the City of Denver Streetscape Design Manual for additional provisions.

B. Exceptions
1. Process for Exception Requests
All requests for exceptions from the general site and surface parking landscaping requirements shall be reviewed according to Section 12.4.5, Administrative Adjustments.
### B. Standards

<table>
<thead>
<tr>
<th>PLANTING AREA</th>
<th>MINIMUM WIDTH OF PLANTING STRIP</th>
<th>PLANTINGS AND SCREENING REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Primary and Side Street Setback Areas</td>
<td>N/A</td>
<td>A Minimum of 50% of the required primary street and side street setback area, exclusive of driveways, shall consist of live ground cover. 1 shade tree or ornamental tree shall be provided every 40 feet of linear frontage. Trees may be grouped or spaced to accommodate building placement, driveways or corner triangles</td>
</tr>
<tr>
<td>Required Side Interior and Rear Setback Areas Abutting Residential Zone District. The presence of a street or alley shall not destroy abutment.</td>
<td>10 ft</td>
<td>Shall create a visual barrier between the Industrial zone lot and abutting Residential Zone District. Such visual barrier shall include: 1. Trees, shrubs, and hedges; 2. Earth berms and plantings; 3. Approved planter boxes, fences or walls; or 4. Any combination of the above which meets these regulations.</td>
</tr>
<tr>
<td>Zone Lot</td>
<td>N/A</td>
<td>Shall provide landscaped areas equal to 5 percent of the zone lot area installed on the zone lot. Primary Street and Side Street setback landscaping and the landscaped areas required for on-site parking lots may be counted toward compliance with this requirement. Such landscaping shall be located near the front of the zone lot and shall comply with all applicable general landscaping standards in Division 10.5, Landscaping, Fences, Walls and Screening.</td>
</tr>
</tbody>
</table>

Figure 10.5-3

[Diagram showing planting areas and visual barrier requirements]
10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards

A. Applicability
Section 10.5.4.1, Applicability and Exceptions, shall apply.

B. Perimeter Surface Parking Lot Landscaping Standards Abutting Street Right-of-Way

1. Standards
   a. To the maximum extent feasible, on-site drainage required for a zone lot shall be integrated into the perimeter planting strip.
   b. Alternatives to required landscape, fence and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5, Administrative Adjustment.
   c. The following shall be provided within zone lot boundaries between the boundary of any surface parking lot and street rights-of-way (except as noted):

<table>
<thead>
<tr>
<th>CONTEXT AND/OR DISTRICT</th>
<th>PERIMETER PLANTING STRIP REQUIRED</th>
<th>PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP</th>
<th>GARDEN WALL REQUIRED</th>
<th>GARDEN WALL HEIGHT</th>
<th>GARDEN WALL MATERIALS</th>
<th>PEDESTRIAN ACCESS REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suburban Neighborhood Context</td>
<td>Yes, minimum width of 10’</td>
<td>1 deciduous canopy tree for every 25’ of linear frontage. Spacing of trees may vary, the maximum spacing is 40’</td>
<td>No; however may reduce perimeter planting strip width to 5’ if provide a garden wall</td>
<td>Min 30 inches; Max 42 inches</td>
<td>Masonry or Ornamental fence with masonry piers spaced not more than 25’</td>
<td>Yes</td>
</tr>
<tr>
<td>Urban Edge, Urban, General Urban Neighborhood Contexts</td>
<td>Yes, minimum width of 5’</td>
<td>1 deciduous canopy tree for every 25’ of linear frontage. Spacing of trees may vary, the maximum spacing is 40’</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campus Master Planned Contexts I-MX Zone Districts with General Building Form</td>
<td>Not Required</td>
<td>NA</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Downtown Neighborhood Context</td>
<td>Yes, minimum width of 8’ (may be located in street right-of-way)</td>
<td>1 deciduous canopy tree for every 25’ of linear frontage. Spacing of trees may vary, the maximum spacing is 40’</td>
<td>Yes</td>
<td>Min 30 inches; Max 42 inches</td>
<td>Yes; Min. 3’ wide access at max. of 80’ intervals along all public street and alley frontages of the parking lot</td>
<td></td>
</tr>
</tbody>
</table>

See Section 8.10.3 in Article 8

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Figure 10.5-4
Figure 10.5-5
Figure 10.5-6
C. Process to Establish Comprehensive Sign Plan

1. Plan Submittal
   The following items and evidence shall be submitted to the Zoning Administrator to explain a proposed comprehensive sign plan for a facility:
   a. A site plan or improvement survey of the facility drawn to scale showing existing and proposed buildings, Off-Street Parking Areas, landscaped areas, drainage swales, detention ponds, adjoining streets and alleys. A comprehensive sign plan may be a component of a general development plan;
   b. Scaled drawings showing the elevations of existing and proposed buildings and structures that may support proposed signage.
   c. Design descriptions of all signs including allowable sign shapes, size of typography, lighting, exposed structures, colors, and materials, and any information on the frequency of changeable graphics.
   d. All information on sign location shall also be provided: wall elevations drawn to scale showing locations of wall, window, projecting and roof signs, and site plans drawn to scale showing allowable locations and heights of ground signs;
   e. Calculations of sign area and number.

2. Notice
   The Zoning Administrator shall see that the notices are placed on the property by the applicant no later than 15 days after receipt of the complete application for the proposed plan. The Zoning Administrator shall also send notice of the proposed plan to the neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot of the large facility. The Zoning Administrator shall also send notices to the city council members in whose district the large facility is located and to the at large council members. Such notice shall require that written comments be submitted to the Zoning Administrator by those persons having a concern with respect to the proposal within 30 days of the date of notification. If the facility site falls within a district designated for preservation or the area of a structure designated for preservation pursuant to the provisions of D.R.M.C., Chapter 30 (Landmark Preservation), the Zoning Administrator shall notify the landmark approving authority regarding the proposal. Such notice shall require that the landmark approving authority provide a written recommendation, based on adopted standards, policies, and guidelines, to the Planning Board and Zoning Administrator, as set forth in D.R.M.C., Chapter 30 (Landmark Preservation).

3. Forwarding of a Proposed Comprehensive Sign Plan
   The Zoning Administrator shall consider the concerns expressed by members of the public, neighborhood organizations and council members, and shall evaluate the proposed plan according to the criteria listed below and shall send the proposed plan and a recommendation for approval, denial or approval with conditions to the planning board.

4. Criteria for Review
   The criteria for reviewing proposed comprehensive sign plans are as follows:
   a. The sign plan shall exhibit design excellence, inventiveness and sensitivity to the context.
   b. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate and area.
   c. Roof signs shall not be allowed unless such signs are designed to appear as an integral part of the building to which they are attached. Such roof signs shall not extend
above any building height limit or zoning bulk plane. Portable roof signs, flashing signs, and animated signs are prohibited.

d. The comprehensive sign plan shall include design guidelines to ensure that all features of the proposed signage, including the illumination, support structure, color, lettering, height, and location, shall be designed so that it will be an attractive and complimentary feature of the building which it serves.

e. Sign design should reflect the existing or desired character of the area. As an example, in a district in which night-time entertainment is concentrated, the intent of this Section 10.10.3.3 is to encourage exciting, iconic, and inventively illuminated signage.

f. Signs shall be professionally designed and fabricated from quality, durable materials.

g. Signs for accessory uses, which are prohibited by other provisions of Division 10.10, are allowed as part of an approved sign plan.

5. Review by the Planning Board

a. The Planning Board shall hold a meeting and shall require that notices be placed on the property by the applicant at least 15 days prior to the meeting. The planning board shall also send notice of the proposed plan to registered neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Denver Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot of the large facility. The planning board shall also send notices to the council members in whose district the large facility is located, and to the at large council members. Such notices shall be sent at least 30 days prior to the hearing.

b. The planning board shall review the Zoning Administrator’s recommendation, the concerns of the public, and the criteria for review, and shall adopt a recommendation for denial, approval, or approval with conditions. The planning board recommendation shall be forwarded to the Zoning Administrator no later than 15 days following the adoption of the recommendation.

6. Action

The Zoning Administrator shall take action on the proposed comprehensive sign plan within 15 days after the receipt by the Zoning Administrator of the planning board’s recommendation. The Zoning Administrator’s action, which shall be approval, approval with conditions or denial of the proposed plan, shall take into consideration the criteria for review, the recommendation of the planning board as well as public input. Upon taking action, the Zoning Administrator shall notify the applicant, appropriate council members and any registered neighborhood organization which expressed concerns over the plan, either in writing or at the planning board public hearing, of the action taken.

D. Changes to the Plan

Any sign changes or additions requested for the facility after the approval of the comprehensive sign plan, must be reviewed according to the provisions of this Section 10.10.3.3.

E. Effect of the Comprehensive Sign Plan Approval

Once a comprehensive sign plan is approved for a large facility, all signs for that facility shall be reviewed to ensure compliance with the sign plan before a permit is issued.

F. Other Permitted Signs

Signs described and regulated by Section 10.10.3.2.E, signs giving parking or traffic directions, and inflatables and balloons and/or streamers/pennants as described and regulated by Section 10.10.3.2.I, need not be included in the comprehensive sign plan. However, other signs permitted by Section 10.10.3.2, signs subject to a permit, must be included in the comprehensive sign plan.
G. Projecting Signs
Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

H. Animation
Flashing signs and animated signs shall not be allowed except when the sign is a projecting sign which is readable from the 16th Street Mall, in which case the provisions of 10.10.16.4.C shall apply.

I. Rules and Regulations
The planning board has the authority to adopt rules and regulations concerning its review of comprehensive sign plans.

J. Fee
The applicant shall pay the fee for review of a comprehensive sign plan for large facilities at the same time the application is submitted.

SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT

10.10.4.1 General
The area of a sign shall be measured in conformance with the regulations according to this Section, provided that the structure or bracing of a sign shall be omitted from measurement, unless such structure or bracing is made part of the message or face of the sign. Where a sign has 2 or more display faces, the area of all faces shall be included in determining the area of the sign unless the display faces join back to back, are parallel to each other and not more than 48 inches apart, or form a V type angle of less than 90 degrees. See special rules for measuring the volume/area of projecting signs below.

10.10.4.2 Sign With Backing
The area of all signs with backing or a background material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

10.10.4.3 Signs Without Backing
The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

10.10.4.4 Projecting Signs

A. Sign Volume - Relationship to Maximum Sign Area Allowed
The sign area allowed for projecting signs shall be deducted from the permitted maximum sign area allowed in the applicable zone district. For these purposes, a cubic foot of projecting sign or graphic volume is considered to be equivalent to a square foot of sign area.
B. Calculation of Projecting Sign Volume - Minor Sign Elements

1. The volume of a projecting sign shall be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.

2. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the Zoning Administrator. Minor elements will be defined as those parts of the sign that add to the design quality without adding significantly to the perceived volume and mass of the sign.

3. No dimension (height, width, or depth) shall be considered to be less than 1 foot and 0 inches for the purposes of calculating projecting sign volume.

C. Allocation of Allowable Projecting Sign Volume

1. Applicability

This Section 10.10.4.4.C shall govern the allocation of allowable projecting sign volume among multiple tenants/uses in a single structure in the following zone districts only:

   a. All RX and RO zone districts
   b. All -CC zone districts
   c. All - MX zone districts
   d. All - MS zone districts
   e. All - CMP zone districts
   f. I-MX zone district
   g. All Master Planned (“M”) zone districts

2. Allocation of Allowable Projecting Sign Volume

   (a) For uses that are located at the Street Level and have entries with direct access to a public sidewalk, court or plaza, or (b) uses located in the basement or on the second floor that have entries at the Street Level with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:

   a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.

   b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.

   c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.

   d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.

10.10.4.5 All Other Signs or Combinations Thereof

The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations: the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support for parts of the sign that have backing and each word, written representation (including any series of letters), emblems or figures of a similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support for parts of the sign having no backing.
### 10.10.12.4 Joint Identification Signs
Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

A. Permitted sign types: Wall and ground.
B. Permitted maximum number: 1 sign for each front line of the zone lot.
C. Permitted area: The greater number of the following:
   1. 100 square feet; or
   2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.

D. Permitted maximum height above grade: 25 feet.

E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.

F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.

G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

### SECTION 10.10.13 DOWNTOWN ZONE DISTRICTS SIGN STANDARDS

#### 10.10.13.1 General
A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right.

B. Provided, however, that off-site advertising devices may be allowed in the D-TD district pursuant to a district sign plan according to Section 10.10.14.

C. The sign standards contained within this Section apply to the following zone districts: D-LD; D-CV; D-GT; D-AS; D-AS-12+; D-AS-20+; D-CPV-T; D-CPV-R; D-CPV-C; D-C; and D-TD.

#### 10.10.13.2 Permanent Signs
Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, D-CPV-C</th>
<th>D-C; D-TD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contents</strong></td>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Sign Types</strong></th>
<th>Wall, window, ground and arcade.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Number</strong></td>
<td>Wall, window, ground and arcade.</td>
</tr>
</tbody>
</table>

| **Contents** | Identification by letter, numeral, symbol or design of the use by right by name and use, hours of operation, services and products offered, events and prices of products and services. |

<table>
<thead>
<tr>
<th><strong>Sign Types</strong></th>
<th>Wall, window, ground and arcade.</th>
</tr>
</thead>
</table>
| **Maximum Number** | Ground level uses by right with street frontage for each separate building: Each use by right may have 3 for each street front of the use by right plus 1 additional sign for each 100' of street frontage in excess of 200'.

All other uses by right combined for each separate building: 1 sign plus 1 sign for each front line of the zone lot on which the building is located. |
### Maximum Sign Area

<table>
<thead>
<tr>
<th>D-LD; D-CV; D-GT; D-AS; D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, D-CPV-C</th>
<th>D-C; D-TD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dwelling, Multiple Unit</strong>: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</td>
<td>Ground level uses by right with street frontage: Sign area shall be based on 1 or the other of the following provisions provided, however, that the total sign area of any use by right shall not exceed 600 square feet and the sign area permitted by this Section shall not be combined with the sign area permitted by any other Section of this chapter.</td>
</tr>
<tr>
<td><strong>Hospitals</strong>: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</td>
<td>Zone lot with 1 use by right: 2 square feet of sign area for each linear foot of the front line of the zone lot. All measurements shall be applied to each street front separately.</td>
</tr>
<tr>
<td><strong>University or College</strong>: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100’ of the zone lot line or campus boundary.</td>
<td>Zone lot with more than 1 use by right: 4 square feet of sign area for each linear foot of that portion of the building frontage occupied by a ground level use by right. The resulting sign area is to be applied only to that portion of the building occupied by the use by right and all measurements shall be applied to each street front separately.</td>
</tr>
<tr>
<td>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</td>
<td>Uses by right other than ground level uses by right with street frontage: 1 square foot of sign area for each foot of the front line of the zone lot on which the building is located or 3 percent of the exterior wall surface of the building whichever is greater. All measurements shall be applied to each building front separately.</td>
</tr>
<tr>
<td>• For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100’ of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</td>
<td></td>
</tr>
<tr>
<td>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100’ of building frontage, then 0.5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</td>
<td></td>
</tr>
</tbody>
</table>

### Maximum Height Above Grade

<table>
<thead>
<tr>
<th>Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32’.</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Shall be set back at least 5’ from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</td>
<td>No setback is required from any boundary line of the zone lot. Wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436.</td>
</tr>
<tr>
<td>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</td>
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</tr>
<tr>
<td>Animated signs are prohibited.</td>
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</tr>
</tbody>
</table>
10.10.13.3 **Temporary Signs**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than twelve (12) calendar months and shall not be renewed for more than 1 successive period at the same location.

A. Permitted sign types: Wall, window or ground.

B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.

C. Permitted sign area:
   1. D-C and D-TD: 64 square feet for each front line of the zone lot or designated land area on which the signs are located. Computations shall be made and sign area shall be applied to each front line separately.
   2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.

D. Permitted maximum height above grade:
   1. D-C and D-TD: 20 feet.

E. Permitted location: No limitation.

F. Permitted illumination:
   1. D-C and D-TD: May be illuminated but only from a concealed light source.
   2. D-LD, D-CV, D-GT, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.

G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

10.10.13.4 **Joint Identification Signs for D-LD; D-CV; D-GT; D-AS; D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C**

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

A. Permitted sign types: Wall and ground.

B. Permitted maximum number: 1 sign for each front line of the zone lot.

C. Permitted area: The greater number of the following:
   1. 100 square feet; or
   2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.

D. Permitted maximum height above grade: 25 feet.

E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.

G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

SECTION 10.10.14 SIGN PLAN FOR D-TD

10.10.14.1 Signs Subject to a District Sign Plan
Notwithstanding more restrictive provisions of this Division 10.10, Signs, the D-TD district may have signs in accordance with a single approved district sign plan.

10.10.14.2 General Purpose
A. Facilitate the creation and recognition of a unique downtown theater district and build on the character of the Denver Performing Arts Complex.
B. Provide flexibility in the size, type and location of signs in exchange for a higher standard of design quality for signs within the district sign plan.
C. Mitigate any possible adverse impacts of large format sign installations on surrounding uses.

10.10.14.3 Description of Qualifying Uses
These provisions shall apply to the D-TD district and signs may be erected, altered and maintained for a use by right in the district and may be used for outdoor general advertising devices, including, but not limited to, City of Denver services and events.

10.10.14.4 Permitted Sign Types
Wall, window, ground, arcade, and projecting.

10.10.14.5 Permitted Maximum Number
There is no maximum number of signs within the district sign plan.

10.10.14.6 Permitted Maximum Sign Area
No maximum signage area within the district sign plan.

10.10.14.7 Permitted Maximum Height Above Grade
A. Wall, window, projecting and arcade signs may extend above the roof line of the building to which the sign is attached and must be in conformance with the approved district sign plan.
B. Ground signs: Maximum of 50 feet.

10.10.14.8 Permitted Location
No setback for signage is required from any boundary line of the zone lot. Signs attached to walls that are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436.

10.10.14.9 Permitted Illumination
May be illuminated. Flashing signs are allowed.

10.10.14.10 Animation Allowed
Animated signs are allowed.

10.10.14.11 Permitted Sign Contents
As a matter of public necessity, the city must protect children and non-consenting adults in and on its public streets, sidewalks, transportation facilities and other public rights-of-way from viewing public displays of offensive sexual material. When such displays are thrust indiscriminately upon unwilling audiences of adults and children, such displays constitute assaults upon individual priva-
F. Relationships to the building facade. Maximum projecting sign dimensions, volumes and locations may additionally be restricted by the dimensions of the building facade on which signage is to be located and the relationship to other tenant signage on the same facade:

1. Signs shall not exceed the height of the parapet of the building on which mounted.
2. Signs shall not be placed less than 8 feet apart.

10.10.15.6 Illumination

Illumination of graphics as defined herein shall be permitted by direct, indirect, neon tube, light-emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. The following additional provisions also apply to the illumination of street graphics:

A. Color of light. Graphics as defined herein may use a variety of illuminated colors.
B. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.
C. Flashing signs are prohibited.
D. Animated signs are prohibited.

SECTION 10.10.16 SPECIAL PROVISIONS FOR D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, AND D-CPV-C

10.10.16.1 General

The provisions of this Section 10.10.16 shall apply to the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts. The other provisions of this Division 10.10 (Signs) shall remain in full force and effect in the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, and there is no requirement that proposed signs be submitted for approval pursuant to this Section. However, an application for a sign may be submitted pursuant to the provisions of this Section in which case this Section will be applicable with respect to the issuance of the sign permit.

10.10.16.2 Purpose

The purpose of this Section is to create the policy for a comprehensive and balanced system of signs and street graphics to facilitate the enhancement and improvement of the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts through the encouragement of urban, innovative signs and street graphics which will aid in the creation of a unique downtown shopping and commercial area, facilitate an easy and pleasant communication between people and their environment and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. To accomplish these purposes, it is the intent of this Section to encourage and to authorize the use of signs and street graphics which are:

A. Compatible with and an enhancement of the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels, and adjoining uses.
B. Compatible with and an enhancement of the architectural characteristics of the buildings on which they appear when considered in terms of scale, proportion, color, materials and lighting levels.
C. Appropriate to and expressive of the business or activity for which they are displayed.
D. Creative in the use of unique 2 and 3 dimensional form, profile, and iconographic representation; employ exceptional lighting design and represent exceptional graphic design, including
the outstanding use of color, pattern, typography and materials. Signage which simply maximizes allowable volume in rectangular form is strongly discouraged.

E. Of high quality, durable materials appropriate to an urban setting.

10.10.16.3 Permitted Maximum Sign Area

The other provisions of this Division 10.10 (Signs) pertaining to the D-C, D-TD, D-LD D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. A cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

10.10.16.4 Projecting Graphics Permitted

A projecting graphic is a sign or street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

A. The following limitations apply to projecting graphics:

1. Each use may display 1 projecting graphic adjacent to every street upon which the use has frontage, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.

2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.

3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.

4. Allocation of allowable sign volume. For uses that are located at the Street Level and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:

   a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.

   b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.

   c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.

   d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.

5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1 feet-0 inches for the purposes of calculating sign volume.

6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:

   a. Multiple signs significantly enhance the creative impact of the signage concept.
10.10.43 The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.

b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.

3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

10.10.16.5 Design Review Committee

There is hereby created a separate Design Review Committee for each of the D-C, D-TD, D-LD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

A. Within the D-C, D-TD, D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the Design Review Committee.

B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the Design Review Committee shall be comprised of 7 members as follows:

1. 1 property owner, who owns property in the D-C or D-TD district;
2. 2 business operators, who operate businesses in the D-C or D-TD district;
3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
4. 2 design professionals;
5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
6. The Manager, or his designee, who shall serve as an ex officio member.

Members of the D-C and D-TD Design Review Committee shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the Design Review Committee is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

C. Within the D-LD district, the Lower Downtown Design Review Board shall comprise the Design Review Committee.

D. Within the D-AS, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the Design Review Committee.

E. Each Design Review Committee shall meet monthly or within 14 calendar days of a special request.

F. Authority is hereby expressly granted to the applicable Design Review Committee to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

10.10.16.6 Design Review

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable Design Review Committee by the department of zoning administration. The applicable Design Review Committee shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable Design Review Committee, the Zoning Administrator shall approve or deny the permit, except that the
Zoning Administrator may not approve a permit if the Lower Downtown Design Review Board has recommended denial.

10.10.16.7 Review Provisions

A. The applicable Design Review Committee may recommend approval of a sign permit for single or multiple uses if the sign(s) is compatible with the theme and overall character to be achieved in the area, and the committee shall base its compatibility determination on the following criteria:

1. The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.
2. The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.
3. The similarity or dissimilarity of the sign’s size and shape to the size and shape of other street graphics in the area.
4. The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.
5. The compatibility of the type of illumination, if any, with the type of illumination in the area.
6. The compatibility of the materials used in the construction of the sign with the material used in the construction of other street graphics in the area.
7. The aesthetic and architectural compatibility of the proposed sign to the building upon which the sign is suspended and the surrounding buildings.
8. The proposed signs shall be of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.

B. Submission of a single sign or multiple sign application:

1. The application for sign permit shall be forwarded to the applicable Design Review Committee at least 2 weeks prior to the regularly scheduled Design Review Committee meeting.
2. Recommendations to the Zoning Administrator will be made in writing with reasons for acceptance, rejection, or acceptance with changes within 15 days of each committee meeting; in the event a written recommendation is not made within said 15 days, the application shall be deemed to have a recommendation for rejection.
3. A graphics plan shall be submitted which shall contain visual representations of the lettering, illumination, color, area and height of graphics and may also indicate the areas and building where they may be placed and located.
4. Submitted photographic or drawn elevations of a minimum of 266 feet of frontage (context of individual sign) photographic or drawn perspective with the individual sign superimposed and a drawing of the sign at 0.5-inch to 1-inch scale shall be submitted.
5. Additionally, proof of consent or attempt to get consent, with reasons for failure, of the managers of all properties within the face block must be provided.
6. The application may also contain such special requirements as approved by the applicable Design Review Committee.
**Retail Sales, Service and Repair Use Category**

**SECTION 11.4.10  RETAIL SALES, SERVICE AND REPAIR, ALL TYPES**

**11.4.10.1  All MX-2x, -2A, -2; MS-2x, -2 Zone Districts**

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

A. Lighted signage shall be turned off during non-operating hours.

B. All outdoor lighting shall be provided with full cut-off fixtures.

C. Retail Marijuana Stores and Medical Marijuana Centers are prohibited in these zone districts.

D. Zoning permit review is required according to Section 12.4.2, Zoning Permit Review with Informational Notice for Liquor Stores and Manufacturer Sales Rooms.

**11.4.10.2  I-B Industrial Zone District**

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

A. Retail Sales are permitted only as a Primary Use (and not an Accessory Use) and only if the Retail Sales use complies with at least one of the following limitations:

1. The commodity sold in the Retail Sales use is grown, manufactured, processed, or fabricated on the same Zone Lot; or

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

3. The Retail Sales use or uses is a minimum of 20,000 square feet GFA in any single primary structure on a zone lot and complies with the following limitations:
   a. The primary structure(s) containing the proposed Retail Sales use shall be located a minimum of 500 feet from any Residential Zone District, and vehicle traffic generated by the proposed Retail Sales use shall not create adverse impacts on nearby residential access streets.
   b. The Retail Sales use shall comply with the following parking standard instead of the minimum parking required in the Use and Parking Table in Article 9:
      i. The use shall provide a minimum of 1 parking space for each 600 square feet of Gross Floor Area.
      ii. The Zoning Administrator may reduce the required parking to 1 space per 1,200 square feet upon finding that characteristics of the proposed Retail Sales use justify a reduction in the parking requirement.

B. Retail Repair Services are limited to the following:

1. Repair of any commodity manufactured, processed, fabricated, stored or sold in the I-B zone district;

2. Vehicle body shop;

3. Upholstery or top shop;
4. Paint shop;  
5. Refrigeration and air conditioning service and repair; or  
6. Disinfecting and pest control service.

SECTION 11.4.11 ANIMAL SERVICES AND SALES, HOUSEHOLD PETS ONLY

11.4.11.1 All Zone Districts  
In all zone districts, where permitted with limitations:

A. All sales and services shall be for household pets only. Wild or dangerous animal services and sales are prohibited.

B. Overnight boarding is permitted within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales, shall have no more than 15 percent of their gross floor area devoted to overnight boarding.

C. The use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter “outdoor run”) are permitted subject to compliance with the following conditions:
   1. Outdoor runs, including the addition, expansion, or relocation of an existing outdoor run, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
   2. Outdoor runs shall not be permitted within 20 feet of a habitable residential structure on a zone lot in a SU, TU, TH, or RH zone district.
   3. The outdoor run may operate only between the hours of 6:30 a.m. and 9:00 p.m.
   4. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.

D. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other zone lots provided, however, that existing facilities may continue to be maintained and operated as previously permitted.

SECTION 11.4.12 ANIMAL SERVICES AND SALES, ALL OTHERS

11.4.12.1 I-MX, I-A, I-B, M-IMX and M-GMX Zone Districts  
In the I-MX, I-A, I-B, M-IMX, and M-GMX zone districts, where permitted with limitations:

A. Wild or dangerous animal boarding and breeding services are prohibited.

B. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.

C. Overnight accommodations are allowed.

D. Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.

SECTION 11.4.13 FOOD SALES OR MARKET

11.4.13.1 All MX, MS and RX Zone Districts  
In all MX, MS and RX zone districts, where permitted with limitations:
A. Accessory outdoor sales and displays, including outdoor sales of fruits or vegetables, shall occupy no greater than \( \frac{1}{4} \) the gross floor area of the structure containing the Food Sales or Market primary use.

B. Outdoor storage is prohibited, unless enclosed by a fence or wall adequate to conceal such storage from adjacent residential property or public right-of-way.

SECTION 11.4.14 PAWN SHOP

11.4.14.1 All Zone Districts
In all zone districts where permitted with limitations:

A. No Pawn Shop establishment shall be established, operated, or maintained within 1,000 feet of another Pawn Shop establishment.

B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

SECTION 11.4.15 RETAIL SALES, SERVICES AND REPAIR, OUTDOOR

11.4.15.1 All Mixed Use Commercial Zone Districts
In all Mixed Use Commercial Zone Districts where permitted with limitations, Outdoor Retail Sales only are permitted, and Outdoor Retail Repair or Service uses are prohibited.

11.4.15.2 Industrial Zone Districts
In the Industrial Zone Districts, where permitted with limitations:

A. All Outdoor Retail Repair and Service uses located within 500 feet of a Residential Zone District or Mixed Use Commercial Zone District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

VEHICLE / EQUIPMENT SALES, RENTALS, SERVICE AND REPAIR USE CATEGORY

SECTION 11.4.16 AUTOMOBILE EMISSIONS INSPECTION FACILITY

11.4.16.1 All MX-2A, -2; MS-2; Downtown Neighborhood Context Zone Districts
In all MX-2A, -2; MS-2; and Downtown Neighborhood Context zone districts, where permitted with limitations, all Automobile Emissions Inspection Facility uses shall be totally enclosed with no outdoor displays, sales, or storage.

SECTION 11.4.17 AUTOMOBILE SERVICES, LIGHT OR HEAVY

11.4.17.1 All RX Zone Districts
In all RX zone districts, where permitted with limitations,

A. All Automobile Services uses, including the sale of automotive fuel and associated fuel pumps, shall be completely enclosed.

11.4.17.2 All MX-2A, -2; MS-2 Zone Districts
In all MX-2, -2A; MS-2 zone districts, where permitted with limitations, automobile wash, laundry, detail or polishing shops (a specific type of Automobile Services, Light use) are prohibited.
Article 11. Use Limitations
Division 11.4 Commercial Sales, Service and Repair Primary Use Limitations

### 11.4.17.3 All C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

In all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.1.9.4:

**A. Intent**

Improve the pedestrian experience in important mixed-use districts through Street Level active uses. While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that substantially contribute to the activation, economic vitality, and safety of vibrant mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for Street Level active uses.

**B. Limitations**

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.

2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

*See also* C-CCN zone district use limitations related to Street Level Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted Street Level active uses in structures or buildings containing parking spaces, Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1, and Street Level active use and Street Level active non-residential use requirements for the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in Sections 8.9.5.1 and 8.9.5.2.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.

4. Accessory trailer rental is prohibited.

5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.

6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
   a. On any story above or below the Street Level, and/or
   b. On the Street Level, but only if 100% of the building’s street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

### 11.4.17.4 All Zone Districts

In all zone districts, where permitted with limitations:

**A.** Outdoor public address or loudspeaker systems are prohibited.
11.5.23.3 All I-A and I-B Zone Districts
In all I-A and I-B zone districts, where the Zone Lot is located within 1/4 mile of a Rail Transit Station Platform, and where permitted with limitations, a Mini-Storage Facility use shall not have individual entrances to storage units from the exterior of the structure.

SECTION 11.5.24 VEHICLE STORAGE, COMMERCIAL

11.5.24.1 All Downtown Neighborhood Context Districts
In all Downtown Neighborhood Context zone districts, where permitted with limitations:
   A. Vehicle Storage is limited to enclosed garage storage for commercial and public utility vehicles only.
   B. Commercial storage of automobiles and light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

11.5.24.2 I-A, I-B Zone Districts
In I-A, I-B zone districts, where permitted with limitations:
   A. The Vehicle Storage use shall be located at least 500 feet from a Residential Zone District.
   B. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

11.5.24.3 All CC Zone Districts
In all CC zone districts, where permitted with limitations, Vehicle Storage, Commercial shall be limited to the assembling or standing of operable vehicles having a capacity of not more than one and one-half tons.

SECTION 11.5.25 WHOLESALE TRADE OR STORAGE, GENERAL

11.5.25.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B zone districts, where permitted with limitations, all Wholesale Trade or Storage, General uses shall be located a minimum of 500 feet from a Residential Zone District.

SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT

11.5.26.1 All CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts
In all CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations:
   A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
   B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.
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C. All such actions by the Board of Adjustment shall be recorded in the real property records of the Denver County Clerk and Recorder. Such stay shall not be a variance on the use of a premises, shall be personal to the applicant, and shall not be transferable.

12.2.6.9 Limitations on Powers

A. Concurring Vote Required
The concurring vote of 4 members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of any administrative official authorized to act under this Code, or to decide in favor of the applicant on any matter upon which the Board of Adjustment is required to pass under this Code or to grant a variance to this Code.

B. Recording of Hearings and Findings of Fact
1. All proceedings before the Board of Adjustment shall be recorded.
2. Every decision of the Board of Adjustment shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings. The enumerated conditions herein shall be construed as limitations on the power of the Board of Adjustment. Mere recitation of the conditions unaccompanied by findings of specific facts shall not constitute compliance with this Code. All findings of fact shall be available for public review within 21 days from the date of the Board of Adjustment’s final decision.

C. Powers Strictly Construed
Nothing herein contained shall be construed to empower the Board of Adjustment to amend the text of this Code, to effect changes in the Official Zoning Map, or to add to the specific uses permitted in any district. The powers of the Board of Adjustment shall be construed to strictly enforce this Code and the Official Zoning Map.

12.2.6.10 Appeals from the Board of Adjustment to District Court

A. Procedure
Any person or any taxpayer aggrieved, the City, or any officer or department of the City may have a decision of the Board of Adjustment reviewed in the manner provided by the Colorado Rules of Civil Procedure. The plaintiff in any appeal to District Court shall be responsible for all costs to prepare the Board of Adjustment’s record for transmittal to the court, according to fees set by the Board, which shall be paid prior to transmittal of the record to the District Court.

B. Effect of Appeal
The filing of an appeal to District Court shall not stay proceedings upon the decision appealed from, unless the court grants a restraining order or stay.

SECTION 12.2.7    CHERRY CREEK NORTH DESIGN ADVISORY BOARD

12.2.7.1 Creation

A. The Cherry Creek North Design Advisory Board shall consist of seven members appointed by the mayor.

B. The board shall consist of the following individuals to be appointed by the mayor from a list of nominations provided by the board of Cherry Creek North Business Improvement district: three licensed architects and one licensed landscape architect who reside in Denver; one member of the board of Cherry Creek North Business Improvement District or its designated successor; one property owner from the district; and one retailer from the district.

C. The members of the board shall be appointed by the mayor for a term of three years and shall serve at the pleasure of the mayor. Vacancies shall be filled within 30 days by the mayor from the date on which the vacancy occurs.
12.2.7.2 Review Authority

A. Within the C-CCN zone districts, the Cherry Creek North Design Advisory Board shall review and make recommendations to the Development Review Committee or the Zoning Administrator as specified in adopted rules and regulations, as may be amended from time to time.

SECTION 12.2.8 DOWNTOWN DESIGN ADVISORY BOARD

12.2.8.1 Creation

A. The Downtown Design Advisory Board shall consist of seven members appointed by the Mayor. The seven members shall include individuals from the following categories: four design professionals, including architects, landscape architects, and urban designers, at least one of whom shall be a landscape architect; one owner of property in the downtown area; one resident or community representative of the downtown area; and one representative of the development/construction industry, including but not limited to engineers, contractors, and developers. All board members must be residents of Denver.

B. The members of the board shall be appointed by the Mayor for terms of three years and shall serve at the pleasure of the Mayor. Terms of office shall be staggered by making the appointments so that approximately one-third of the members’ terms expire each year. Vacancies shall be filled by the mayor within 30 days from the date on which the vacancy occurs.

12.2.8.2 Board Meetings

A. All meetings of the Downtown Design Advisory Board shall be open to the public and allow opportunity for public comment.

12.2.8.3 Review Authority

A. The Downtown Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator for all projects submitted for review within the Downtown Arapahoe Square 12+ (D-AS-12+), Downtown Arapahoe Square 20+ (D-AS-20+), Downtown Central Platte Valley – Auraria Transition (D-CPV-T), Downtown Central Platte Valley – Auraria River (D-CPV-R), and Downtown Central Platte Valley – Auraria Center (D-CPV-C) zone districts, as specified in adopted rules and regulations, which may be amended from time to time. The Zoning Administrator shall conduct all review and approval of projects submitted before April 1, 2019.
C. Zone Lot Width in the DO-7 Overlay District

1. Rule of Measurement
   In lieu of the rule of measurement set forth in Section 13.1.5.1.B, Zone Lot Width in the DO-7 district shall be the distance between the Zone Lot Lines intersecting the Primary Street Zone Lot Line measured along the Primary Street Zone Lot Line. For Zone Lots with multiple Primary Street Zone Lot Lines, the Primary Street Zone Lot Line with the greatest length will used to determine Zone Lot Width.

D. Basis of Zone Lot Size and Width

1. Intent
   To recognize historic development patterns by allowing Zone Lot size and width to be measured based on recorded documents.

2. Rule of Measurement
   a. For Building Form standards that are based on Zone Lot size or width, such as setbacks, the Zoning Administrator shall make a final determination of the applicable Zone Lot size or width based on the Record Document, where available. For the purposes of this provision, a "Record Document" shall mean a recorded Plat or Subdivision that specifies historic platted lot measurements applicable to the subject property.

   b. Where a Record Document is not available, an applicant shall submit a certified survey to determine all Zone Lot measurements. When a Zone Lot measurement is within one-tenth of a foot per 25 feet of the applicable standard, it shall be determined to meet that standard.

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

      a) The zone lot dimensional threshold at issue for determining the applicable setback is 75 feet (of width). Using the results of a certified survey, an applicant needs to know whether to apply the setback standard for a less-than-75-feet wide zone lot (5 feet) or the setback standard for a 75 feet or more wide zone lot (7.5 feet).
One-tenth of 1 foot = 0.10

For a 75-foot width threshold at issue, 25 feet goes into 75 feet 3 times (75 divided by 25 = 3)

\[ .10 \times 3 = .30 \]

75 feet minus .30 feet = 74.7 feet, which is the minimum end-point of a survey measurement that will get applied as equivalent to 75 feet.

75 feet plus .30 feet = 75.3 feet, which is the maximum end-point of a survey measurement that will get applied as equivalent to 75 feet.

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

A. General Provisions

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

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

3. Criteria for Zoning Administrator Determinations
   a. Where identified in the following sections, the Zoning Administrator shall designate a zone lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, 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 Public Works Department;
      iv. The future street classification of all abutting streets as adopted in Blueprint Denver;
      v. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
      vi. In a Campus zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
   b. The Zoning Administrator shall have authority to designate a Zone Lot’s Primary Street Zone Lot Line(s) contrary to the results in Section 13.1.5.2 when:
      i. The Zone Lot contains a Historic Structure, and
      ii. The Zone Lot is located within a Residential Zone District, and
13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

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

B. General Requirements
1. Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.

C. Criteria for Zoning Administrator Determinations
The Zoning Administrator shall designate a zone lot’s Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines.

2. If criterion C.1 does not apply, then the following criteria shall be used:
   a. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
   b. Block and lot shape.
D. **Determining Zone Lot Lines**

1. **All Zone Lots - Primary Street Zone Lot Lines**
   a. The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.
   b. In D-CPV-R zone districts only, any Zone Lot Line that abuts, and is roughly parallel to, the South Platte River, or a Street that is adjacent to the South Platte River shall be designated as a Primary Street Zone Lot Line.
   c. In D-CPV-T, D-CPV-R, and D-CPV-C zone districts only, any Zone Lot Line that abuts a Public Park shall be designated as a Primary Street Zone Lot Line.

2. **Interior Zone Lots**
   For interior zone lots in all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:
   a. The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
   b. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
   c. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

   See Figure 13.1-54.

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**Figure 13.1-54**

![Diagram](image.png)

**Legend:**
- P - Primary Street
- SI - Side Interior
- R - Rear

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

For all corner zone lots, double frontage zone lots, and zone lots with frontage on 3 or more streets or a full block in all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts:

a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street Zone Lot Lines.

b. The Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable. See Figure 13.1-55

---

**Figure 13.1-55**

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

---

Amendment: 3
13.1.5.6 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines in the DO-7 Overlay District

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

B. General Requirements
The general requirements set forth for all CC, MX, and MS Zone Districts in Section 13.1.5.4.B General Requirements shall apply in addition to the requirements set forth in this Section 13.1.5.6.

C. Criteria for Zoning Administrator Determinations
For all Underlying Zone Districts, the Zoning Administrator shall designate a Zone Lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.4.C Criteria for Zoning Administrator Determinations, except that:

1. In lieu of the provisions set forth in Section 13.1.5.4.C.2.a, the Zoning Administrator may designate more than one Primary Street Zone Lot Line in any Underlying Zone District where:
   a. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan, indicates the need for designation of multiple Primary Streets.
   b. The Blueprint Denver Street Classification of all Abutting streets, per the table in Section 13.1.5.4.C.2.b indicates Primary Street designation for more than one Abutting street.

2. The Zoning Administrator shall designate Zone Lot Lines that Abut named streets (such as Wynkoop and Larimer streets) as Primary Street Zone Lot Lines, except that:
   a. Any Zone Lot Line that is Adjacent to 35th Street shall also be designated as a Primary Street Zone Lot Line in addition to the named street.
   b. Where a corner Zone Lot Abuts more than one named street, the Zoning Administrator may elect to designate only one of the named streets as a Primary Street based on an analysis of the Blueprint Denver Street Classification of each named street.

3. Any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River, or a Street that is Adjacent to the South Platte River, shall be designated as a Primary Street Zone Lot Line. See Figure 13.1-56.

4. Any Zone Lot Line that Abuts a Public Park shall be designated as a Side Street Zone Lot Line.

D. Corner Zone Lot, Double Frontage Zone Lot, or Zone Lot with Frontage 3 or More Streets
In lieu of the provisions set forth in Sections 13.1.5.4.E-G, the Zoning Administrator shall designate a Zone Lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable according to the criteria set forth in Section 13.1.5.6.C. See Figure 13.1-56.
13.1.5.8 Setbacks

A. Intent
To provide adequate separation for privacy and access to sunlight.

B. Rules of Measurement
Setbacks provide a minimum horizontal distance between a zone lot line and the location of uses and structures on a zone lot, measured as follows: See Figure 13.1-67

1. Primary and Side Street setbacks are measured perpendicular to the zone lot line at the edge of the right-of-way abutting a name or numbered street or an easement for public access abutting the right-of-way of a named or numbered street.

2. Side Interior and Rear setbacks are measured perpendicular to the side interior or rear zone lot line abutting another zone lot, a public alley, or an easement for public access abutting an Alley.

3. Where a Side Interior setback standard is stated as “min one side/min combined:”
   a. One side interior setback shall meet the standard meeting the “min one side” and the total of both side interior setbacks shall be equal to or greater than the standard of the “min combined.”
   b. If zone lot has only one Side Interior Zone Lot Line, the “min one side” standard shall apply.

4. Primary street and rear setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.
   a. Where a minimum percentage of Zone Lot Width is specified for a Primary Street Setback, the minimum percentage of Zone Lot Width at the Primary Street Zone Lot Line specified in the building form table shall be required to meet the minimum Primary Street Setback.

5. Side interior and side street setbacks extend the full length of the side zone lot lines, overlapping with both the primary street and rear setbacks.

6. Side interior setbacks in the Town House building form for Dwelling Units Oriented to the Street shall apply only to the length of the side interior Zone Lot lines where a line extended perpendicular from the side interior Zone Lot line intersects any exterior building facade of a Side-by-Side Dwelling Unit Oriented to the Primary Street. See Figure 13.1-66
13.1.5.9 Residential Setbacks

A. Intent
To provide transitional space between the edge of a public sidewalk and dwelling units located at the Street Level.

B. Applicability
Residential setback standards apply to the portion of a Structure that contains street-facing dwelling units at the Street Level.

C. Rules of Measurement
1. Residential Setbacks are measured perpendicular to the Zone Lot Line at the edge of the right-of-way Abutting a named or numbered street or an easement for public access Abutting the right-of-way of a named or numbered street.
2. Residential Setbacks are measured from the Primary or Side Street Zone Lot Line to the outside wall of any street-facing dwelling unit. See Figure 13.1-68.
3. Portions of a Structure containing residential lobbies, rental offices, amenity areas or nonresidential uses shall not be subject to a Residential Setback.
4. Residential Setbacks shall be considered to be a Primary Street setback for purposes of allowed encroachments.
i. Structures, Completely Enclosed
ii. Structures, Partially Enclosed
iii. Raised Decks
iv. Balconies

b. Where another structure interrupts the separation between the two subject structures, building separation shall still be considered met.

2. For all other purposes, building separation shall be measured as the horizontal distance between the two closest portions of each building’s exterior walls.

**Figure 13.1-71**

**13.1.5.13 Parking and Drive Lot Coverage in Primary Street Setback**

A. **Rule of Measurement**

Parking and drive lot coverage in the primary street setback is measured as the total amount of material used for vehicle access or vehicle storage within the primary street setback area of a zone lot. See Figure 13.1-72

**Figure 13.1-72**
13.1.5.14 Surface Parking Between Building and Primary Street/Side Street

A. Rule of Measurement
For the purposes of determining if an area is between a Building and a Primary Street/Side Street, extend a line perpendicular from the Primary or Side Street Zone Lot Line. If any portion of said line touches the Building Facade, then said line is between the Building and such Street. See Figure 13.1-73.

Figure 13.1-73

13.1.5.15 Floor Area Ratio (FAR)

A. Rule of Measurement - FAR
Floor area ratio (FAR) is the ratio of gross floor area of a building to the area of the zone lot on which the building is located. For example, 43,560 square feet of building on one acre of land (43,560 sq. ft.) would equal a 1:1 floor area ratio. See Figure 13.1-74

B. Calculation of Gross Floor Area
For purposes of calculating FAR, "gross floor area" means the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured by the exterior faces of walls of each such floor. The floor area of a building shall include the floor area of accessory buildings on the same zone lot, measured the same way. In computing gross floor area the following exclusions shall apply:

1. Any floor area devoted to mechanical equipment serving the building, provided that the floor area of such use occupies not less than 75 percent of the floor area of the story in which such mechanical equipment is located.

2. Any floor area in a story in which the floor above is less than 6 feet above the finished grade for more than 50% of the total building perimeter.
3. Any floor area used exclusively as parking space for vehicles and/or bicycles. This exclusion shall not apply in the D-CPV-C zone district where any floor area used exclusively as parking space for vehicles and/or bicycles shall be included in the calculation of gross floor area.

4. Any floor area that serves as a pedestrian mall or public access way to shops and stores.

5. For purposes of calculating parking amounts, see rule provided in Article 10, Division 10.4 Parking and Loading.

Figure 13.1-74

SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

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

13.1.6.1 Building Configuration

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

1. The length of the front or side wall of a structure, or the overall structure length, shall be measured parallel to the primary street, side street, or side interior zone lot line and includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s), as shown in Figure 13.1-75 below.

2. The overall structure width includes the length of a Completely Enclosed structure plus the length of any portion of any attached Partially Enclosed structure(s) and shall be measured parallel to the primary street zone lot line or the side street/side interior zone lot line, whichever zone lot line is shorter.

3. The Zoning Administrator shall determine the zone lot line corresponding with the overall structure width in cases where the length of the primary street zone lot line and side street/side interior zone lot line are equal.
B. Private Open Space

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

2. Applicability
This section applies where Primary Building Form Standards or Overlay District Standards specify a minimum percentage of Private Open Space.

3. Rules of Measurement
   a. Private Open Space shall be calculated as a percentage (%) using the total area open to the sky, subject to the below requirements, divided by the total gross square footage of the Zone Lot and multiplied by 100.
   b. For purposes of Private Open Space measurement, the total area open to the sky:
      i. Shall not be covered by Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies. Private Open Space may also include tables, chairs, benches, sculptures and similar elements.
      ii. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district.
      iii. Shall Abut a Primary Street or Side Street Zone Lot Line.
      iv. Shall be fully visible from a Primary Street or Side Street.
      v. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
      vi. Shall contain at least one Minimum Contiguous Area, subject to the minimum dimensions below. The width of the Minimum Contiguous Area shall be measured parallel to the Primary Street or Side Street Zone Lot Line, shown as 'A' in Figure 13.1-76. The depth of the Minimum Contiguous Area shall be measured as the horizontal distance between the Primary Street or Side Street Zone Lot Line and the closest facade of the exterior building wall facing the Primary Street or Side Street, measured perpendicular to the Zone Lot Line, shown as "B" in Figure 13.1-76.
E. Tower Floor Plate

1. Intent
To preserve sky exposure and encourage architectural variety by reducing the horizontal scale and ensuring appropriate spacing of the tower portion(s) of Standard Tower and Point Tower building forms.

2. Applicability
Tower Floor Plate standards required by the building form table shall apply to all Structures built under the Standard Tower and Point Tower building forms.

3. Rules of Measurement
a. Tower Floor Plate Area
Tower Floor Plate Area shall be measured as the area of the Floor Plate of the largest Story located above the specified height in the building form table. See Figure 13.1-85

b. Tower Floor Plate Linear Dimension
Tower Floor Plate Linear Dimension shall be measured as the longest horizontal linear distance between two points on the exterior faces of exterior walls of any Story located above the specified height in the building form table. See Figure 13.1-85.

c. Tower Floor Plate Separation
Tower Floor Plate Separation shall be measured as the shortest horizontal linear distance between two or more separate Structures, including Exterior Balconies, regardless of Zone Lot, located above the specified height in the building form table. See Figure 13.1-85.

Figure 13.1-85
F. Upper Story Side or Rear Setback, adjacent to Protected District

1. Intent
   To provide appropriate height and massing transitions to less intensive adjoining zone districts.

2. Rule of Measurement
   An upper-story side or rear setback is measured from the side or rear zone lot line, extending to the specified height from the Base Plane and then horizontally to the specified setback distance. See Figure 13.1-86.

G. Primary Street Upper Story Setback

1. Intent
   To provide appropriate pedestrian scale, height and massing along a Primary Street.

2. Rules of Measurement
   a. Upper Story Setback
      A minimum Primary Street Upper Story setback shall be measured from the Primary Street zone lot line, extending to the maximum specified height in feet and stories from the Base Plane and then horizontally to the specified setback distance, see Figure 13.1-86.

   b. Percentage of Zone Lot Width for an Upper Story Setback
      Where a minimum percentage of Zone Lot Width is specified for a Primary Street Upper Story Setback, the minimum percentage of Zone Lot Width at the Primary Street Zone Lot Line specified in the building form table shall be required to meet the minimum Upper Story Setback. See Figure 13.1-87.

   c. Upper Story Stepback for Low-Slope Roof
      Where a stepback is required for a structure with a Low-Slope Roof, the stepback shall be required for any portion of the building that has a Low-Slope Roof. See Figure 13.1-88.
d. **Primary Street Wall Length Within the Upper Story Setback**

i. Where a maximum Primary Street Wall Length within the Upper Story Setback is specified, it shall be measured as the total length of walls along the Primary Street zone lot line within the specified depth of the Upper Story Setback. For example, if the minimum Primary Street Upper Story Setback is 10 feet, and the maximum Wall Length within the Upper Story Setback is 80 feet, the combined length of all walls above the Upper Story Setback height and within 10 feet of the Primary Street property line may be no more than 80 feet. See Figure 13.1-89.
H. **Upper Story Stepback**

1. **Intent**
   To shape building forms to reduce effect of massing on adjoining properties or along a street.

2. **Rule of Measurement**
   Upper Story Stepback is measured as the specified vertical distance starting at the Base Plane, and then extending the specified horizontal distance from the face of the building’s lower portion, as shown in Figure 13.1-90.

![Figure 13.1-90](image_url)

I. **Limitation on Visible Parking Above Street Level**

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

2. **Rules of Measurement**
   a. **Depth of Limitation on Visible Parking Above Street Level**
      i. The depth of a Limitation on Visible Parking above Street Level shall be measured from the exterior of the street-facing building wall. See Figure 13.1-90. Uses that meet the Limitation on Visible Parking above Street Level shall be located within the specified depth, except as provided below.
      ii. Recessed balcony/terrace areas or insets for building articulation up to 10 feet in depth shall be excluded from the Limitation on Visible Parking above Street Level. The remaining depth after recessed balcony/terrace areas and insets for building articulation are excluded shall be subject to the uses that meet the Limitation on Visible Parking above Street Level. See Figure 13.1-91.
b. **Percentage of Zone Lot Width for a Limitation on Visible Parking Above Street Level**

At every Story above the Street Level, exterior street-facing building walls within the minimum percentage of Zone Lot Width specified in a building form table shall be required to meet the Limitation on Visible Parking above Street Level. See Figure 13.1-92.

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J. **Street-facing Courtyard Width and Depth**

1. The street-facing courtyard width shall be measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard, shown as “A” in Figure 13.1-93.

2. The street-facing courtyard depth shall be measured as the horizontal distance between the primary street zone lot line and the closest facade of the exterior building wall facing the primary street, measured perpendicular to the zone lot line, shown as “B” in Figure 13.1-92.
K. Attached Garage Design Standard

1. Rule of Measurement
   a. Identify the portions of the Primary Street facing facade that shall constitute at least 65% of the total width of the primary structure enclosing the primary use.
   b. Draw a line parallel to the primary street setback line that is not forward at any point of the 65% identified in a. above, thereby determining the maximum permitted attached garage projection. See Figure 13.1-94.

L. Street-facing Attached Garage Door Width

1. Rule of Measurement
   a. “Street-facing attached garage door width” is measured as the total width of all street-facing garage doors attached to the primary building form, divided by the total width of the front facade of the primary building, or of the front facade of an individual dwelling unit, as applicable.
   b. For purposes of this rule, the total width of a street-facing garage door(s) shall be measured as the linear distance between the outer edges of the door(s).

2. Determination of “Street-facing”
   A garage door is “street facing” if it faces a named or numbered street, which shall be determined by extending a line the width of the garage door and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a named or numbered street at the zone lot boundary then said garage door faces a named or numbered street. See Figure 13.1-95.
13.1.6.2 Dwelling Unit Oriented to the Street

1. Intent
   To ensure that buildings contribute to vibrant pedestrian-oriented street frontages by requiring Dwelling Units near the street to orient to and engage the street while still allowing for design flexibility in Dwelling Unit shape and location.

2. Applicability
   The Primary Building Form Standards in Articles 3 through 9 specify required Dwelling Units Oriented to the Street for the Primary Building Forms of Row House and Town House.

3. General Requirements
   For purposes of this standard, a "Dwelling Unit Oriented to the Street" shall meet the following requirements:
   a. A Dwelling Unit that is Street-Facing and the width of the Dwelling Unit does not exceed the length of the Dwelling Unit as measured below;
   b. A Dwelling Unit where the Street-Facing Dwelling Unit Facade width must be at least 75% of the total width of the same Dwelling Unit as measured below; and
c. The Dwelling Unit required to be oriented to the street must share a wall with at least one additional Dwelling Unit also oriented to the same street.

4. **Rules of Measurement**

   **Dwelling Unit Proportions**
   
   a. **Dwelling Unit Width**
      Dwelling Unit Width shall be the linear distance of the Dwelling Unit at its widest point at any height. The width is measured parallel to the front Dwelling Unit Façade facing the corresponding Primary Street or Side Street to which the Dwelling Unit is oriented. See Figure 13.1-97
   
   b. **Dwelling Unit Length**
      Dwelling Unit Length shall be the linear distance of the Dwelling Unit at its longest point at any height. The length is measured perpendicular to the front Dwelling Unit Façade facing the corresponding Primary Street or Side Street to which the Dwelling Unit is oriented. See Figure 13.1-97
c. **Street-Facing Dwelling Unit Façade(s)**

i. For the purposes of this rule, a Dwelling Unit Façade shall be associated with a Dwelling Unit if the same Dwelling Unit is located directly behind the façade.

ii. A Dwelling Unit façade is “street-facing” if it faces a named or numbered street, which shall be determined by extending a line the width of the façade and perpendicular to it to the Zone Lot boundary. If the said line touches the right-of-way of a named or numbered street at the Zone Lot boundary, then said Dwelling Unit façade is “street-facing.” See Figure 1-98

iii. The Street-facing Dwelling Unit Facade(s) width(s) are measured at the highest point horizontally where the Facade meets the Finished Grade. See Figure 13.1-98
iii. The Street-facing Dwelling Unit Façade(s) is the total linear width of the Façade(s) that are associated with a Dwelling Unit and that face the corresponding Primary Street or Side Street to which the same Dwelling Unit is oriented. See Figure 13.1-99

iv. Where more than one street-facing Dwelling Unit Façade faces the corresponding Primary Street and/or Side Street, the linear width of each Façade is measured separately and combined to determine the total linear distance.

13.1.6.3 Street Level Activation

A. Transparency, Primary Street and Side Street

1. **Intent**
   To provide visual interest to building facades, to activate the street and sidewalk, and to provide a safe pedestrian realm.

2. **Applicability**
   The Primary Building Form Standards in Articles 3 through 9 specify transparency standards for many Primary Building Forms. Rules of measurement, window requirements, and transparency alternative requirements are provided in this Section 13.1.6.3.A.
3. Rules of Measurement
   a. Zone of Transparency
      The Zone of Transparency is the area between 2 feet and 9 feet above the finished upper surface of the floor of the Street Level across the entire street-facing Street Level building facade. See Figure 13.1-100.
      i. A building facade is “street-facing” if it faces a name or numbered street, which shall be determined by extending a line the width of the facade and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a name or numbered street at the zone lot boundary, then said facade is “street-facing.” See Figure 13.1-101.
      ii. The required amount of transparency shall be provided within the zone of transparency for the subject building, unless an exception or alternative is permitted by this Code.
   b. Street Level Transparency
      Street Level transparency, primary or side street, is measured as the total amount of linear feet of windows or permitted alternatives provided within the Zone of Transparency divided by the total length of that same street-facing building facade (including any open parking structure entrances).
Zone of Transparency applies to the Street Level as more above grade at the nearest building line.
4. **Window Requirements**

Windows shall be provided to satisfy the transparency requirement, except where a transparency alternative is permitted. All windows used to satisfy the transparency requirement shall comply with the following:

a. All windows shall be a minimum of 5 feet in vertical dimension within the zone of transparency; and.

b. Window glazing shall be clear and shall transmit at least 65 percent of the visible daylight (visible transmittance shall be 0.65 or greater); and

c. No interior or exterior modifications, including temporary and permanent signage, window tinting, furnishings, fixtures, equipment or stored items within 3 feet of the windows will be permitted to reduce the effective minimum transparency standards by more than 25%. Open display of individual merchandise is permitted.
5. **Transparency Alternative Requirements**
Where permitted, the following alternatives may be used singularly or in combination as alternatives to a transparency requirement:

a. **Display Cases**
   i. Display cases shall be permanently recessed, integrated into, or installed on the building wall. They shall be a minimum of 5 feet in height within the Zone of Transparency.
   ii. Display cases are measured as the total linear width (in feet) of display cases provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

b. **Automated Teller Machines**
   i. Automated teller machines shall be permanently recessed, integrated into, or installed on the building wall.
   ii. Automated teller machines are measured as the total linear width (in feet) of automated teller machines provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances).
c. Wall Design Elements
   i. Wall design elements shall be combined into a unified wall design that provides visual interest, pedestrian scale, and integrates into the architecture of the building.
   ii. The unified wall design shall incorporate a minimum of 3 of the following elements, which shall occur at intervals no greater than 25 feet horizontally:
      a) An offset or other horizontal change in wall plane not less than 3 inches in depth.
      b) A vertical scaling element, such as a pilaster, not less than 4 feet in height and 1 inch in width/depth.
      c) A horizontal scaling element, such as a belt course, string course, or cornice, occurring at an interval no greater than 10 feet vertically.
      d) A green screen or planter wall.
      e) A variation in material, pattern, and/or color (shall not also count as translucent, fritted, patterned or colored windows per f. below).
      f) Translucent, fritted, patterned or colored windows (shall not also count as a variation in material, pattern, and/or color per e. above).
      g) Windows outside the zone of transparency when located at the Street Level and compliant with Sections 13.1.6.3.A.4.b and c.
   iii. Wall design elements are measured as the linear width (in feet, measured to the outside design elements) of the unified wall design, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

*Horizontal Scaling Elements, Vertical Scaling Elements, Change of Material, and Windows Outside of Zone of Transparency create a system of wall design elements.
d. **Permanent Outdoor Eating/Serving Areas**

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

ii. Outdoor eating/serving areas are measured as the linear width (in feet, measured to the outside posts or railings of an outdoor eating/serving area), divided by the total length of the same street-facing building façade (including any open parking structure entrances).
e. **Permanent Art**
   
i. Permanent art shall comply with all of the following standards:
   
a) Shall be a “work of public art” as defined by Section 20-86 of the Denver Revised Municipal Code, as determined by the Zoning Administrator, with input from Denver Arts and Venues,

b) Shall be a minimum of 5 feet in vertical dimension within the Zone of Transparency (permanent art may extend outside the Zone of Transparency),

c) Shall not be a Sign, unless permitted according to Section 10.10.3.2.J as a Sign which is a work of public art.

d) Shall be rendered in materials or media that are durable in an exterior, urban environment; and

 e) Shall be permanently integrated into, or installed on, the building wall.

ii. Permanent art is measured as the total linear width (in feet) of rectangles enclosing distinct artworks provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances). Where more than one piece of art is used, the linear width (in feet) of each piece of art is measured separately and combined to determine the total linear width of permanent art.

Figure 13.1-108

6. **Changes to Existing Buildings**

   No existing building shall be altered in such a way that the total linear feet of windows and permitted alternatives in the zone of transparency is reduced below the required amount. If the total linear feet of windows and permitted alternatives in the zone of transparency is already below the required amount, it shall not be further reduced.
B. Pedestrian Access

1. Intent
   To provide clear, obvious connections for pedestrians between Primary Streets and primary uses within buildings.

2. Applicability
   The Primary Building Form Standards in Articles 3 through 9 specify which type of Pedestrian Access is required for each Primary Building Form, or Dwelling Unit. Pedestrian access requirements are provided in this Section 13.1.6.3.B.

3. Pedestrian Access Requirements
   The following are required supplemental standards for each type of Pedestrian Access:
   a. Entrance
      i. Where required by the Primary Building Form Standards, an Entrance shall provide a clear, obvious, publicly accessible connection between the Street defined by the building form (Primary and/or Side) and the primary uses within the building.
      ii. For the Garden Court and Row House building forms, an entrance shall be street-facing according to the standards specific to such building forms in Articles 3 through 9.
      iii. For all other building forms, an entrance shall be located:
         a) On the Primary Street facing facade; or
         b) Located on a Side Street facing facade but entirely within 15 feet of the zone lot line abutting the Primary Street and provided the entrance is clearly visible from the public right-of-way. See Figure 13.1-109.
      iv. An entrance shall be one of the following three types:
         a) Door - An entrance on the same plane as the building facade.
         b) Recessed Entrance - An entrance inset behind the plane of the building facade by no more than 15 feet.
         c) Corner Entrance - An angled street-facing entrance located on the corner of a building at approximately 45 degrees to the intersecting streets.

Figure 13.1-109

Not to Scale. Illustrative Only.
b. **Entry Feature**

i. Where required by the Primary Building Form Standards, an Entry Feature shall signal the connection between the Primary Street and the primary uses within the building.

ii. An entry feature shall be located either on the Primary Street facing facade or be visible from the Primary Street. See Figure 13.1-110.

iii. An entry feature shall be a Door, Gate, Front Porch, Front Stoop, Front Terrace, Canopy, and/or Arcade.

![Figure 13.1-110](image-url)

**Dwelling Unit Entrance with Entry Feature**

i. Where required by Primary Building Form Standards or Overlay District Standards, a Dwelling Unit Entrance with Entry Feature shall provide a clear and obvious publicly accessible connection between the Street and the primary use within the Dwelling Unit.

ii. Each Dwelling Unit Entrance with Entry Feature shall have an Entrance with a minimum of one of the following Entry Features:

   a) A Front Porch with a minimum depth of 5 feet between the street-facing building facade and Primary or Side Street Zone Lot Line, as measured perpendicular to the Zone Lot Line; or

   b) A Canopy with a minimum depth of 3 feet between the street-facing building facade and Primary or Side Street Zone Lot Line, as measured perpendicular to the Zone Lot Line.

iii. A building facade is "street-facing" if it faces a Primary or Side Street Zone Lot Line, which shall be determined by extending a line the width of the facade and perpendicular to it to the Primary or Side Street Zone Lot Line. If any portion of said line touches the Primary or Side Street Zone Lot Line, then said facade is "street-facing." See Figure 13.1-101.
d. Pedestrian Connection

i. Where required by the Primary Building Form Standards, a Pedestrian Connection shall provide a clear, obvious, publicly accessible connection between the Primary Street and the primary uses within the building. See Figure 13.1-112. The Pedestrian Connection shall comply with the following:

a) Fully paved and maintained surface not less than 5 feet in width.
b) Unit pavers or concrete distinct from the surrounding parking and drive lane surface.
c) Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.
d) The portions of pedestrian connection that cross driveways or drive aisles shall not exceed 25 feet in length.

4. Pedestrian Access (Entrance) Alternative Requirements

Where permitted, the following design elements may be used as an alternative to a required entrance on all building forms except Row House and Town House:

a. Courtyard or Plaza
This alternative may be used only if the courtyard or plaza complies with all of the following standards:

i. Shall be accessible to public during business hours.

ii. Shall be within 2 feet of grade at edge of public right-of-way.

iii. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.

iv. Maximum dimension shall not exceed 3 times the minimum dimension.

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

vi. Perimeter walls of court or plaza shall meet primary facade transparency standards.

Figure 13.1-113

Not to Scale. Illustrative Only.
b. **Covered Walkway**
This alternative may be used only if the covered walkway complies with all of the following standards:

i. Shall take the form of an Arcade, Canopy, or Pergola.

ii. Shall be accessible to the general public during business hours.

iii. Shall provide continuous covered access to a required Entrance from the public right-of-way.

iv. A required public Entrance shall be visible from the Primary Street zone lot line.

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C. **Street Level Height**

1. **Intent**

Promote Street Level designs that can be adapted to future uses and ensure that Street Level building spaces have an appropriate scale in relationship to the pedestrian realm.

2. **Applicability**

Street Level Height shall apply to any street-facing story meeting the definition of Street Level in Section 13.3.

3. **Rules of Measurement**

a. Street Level Height is measured from the upper surface of the floor of the Street Level, to the upper surface of the floor or roof next above across the entire street-facing Street Level building facade for a minimum depth of 15 feet from the street-facing building facade. See Figure 13.1-115.

b. A building facade is “street-facing” if it faces a Primary or Side Street Zone Lot Line, which shall be determined by extending a line the width of the facade and perpendicular to it to the Primary or Side Street Zone Lot Line. If any portion of said line touches the Primary or Side Street Zone Lot Line, then said facade is “street-facing.” See Figure 13.1-101.
Figure 13.1-115

[Diagram showing measurements and definitions related to street levels, depths, and slopes.]
SECTION 13.1.7  FENCE AND WALL HEIGHT MEASUREMENT

Fence and wall height shall be measured from the base of the fence or wall at the higher of the finished grade at the inside or outside of the fence or wall, or from the top-most point of the Retaining Wall on which it is placed, to the topmost point of the fence or wall.

SECTION 13.1.8  RETAINING WALL HEIGHT MEASUREMENT

The height of a Retaining Wall shall be measured as the vertical distance from the lowest grade at the base of the Retaining Wall to the top-most point where the wall no longer retains earth. Any vertical distance of wall more than 6 inches above the top-most point is no longer a Retaining Wall but is a Fence and Wall as defined in Article 13, and shall be measured according to the rule in Section 13.1.7.

Figure 13.1-116
Not to Scale. Illustrative Only.

SECTION 13.1.9  ROOFTOP MECHANICAL EQUIPMENT SCREENING MEASUREMENT

Rooftop mechanical equipment screening shall be measured from the opposite side of the abutting Primary Street's public right of way at the edge of the right of way, measured 5'-6" above grade, as measured perpendicular to the midpoint of each building. The midpoint is measured at the widest point of the building parallel to the Primary Street Zone Lot Line.
Figure 13.1-117

Point of Measure

Screening

Mechanical Equipment

Mechanical Equipment not visible from Primary Street R.O.W. (screening not required)

Figure 13.1-118

Not to Scale. Illustrative Only.
SECTION 13.1.10  MEASUREMENT OF MOTOR VEHICLE OR TRAILER LENGTH

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

SECTION 13.1.11  MEASUREMENT OF SEPARATION OR DISTANCE

13.1.11.1  Measurement of Separation or Distance Between Uses

A. When measuring a required separation between uses, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

B. Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

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

A. When measuring a required separation between a use and a zone district, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.

B. Only when a significant part of the primary use requiring separation is operated outside of a completely enclosed structure shall the separation be measured from the nearest point of the zone lot occupied by the primary use requiring separation to the nearest point of the zone district boundary from which the separation is to be effected or established.

C. In the case of an outdoor accessory use requiring separation from a zone district (for example, an accessory outdoor eating or serving area), distance shall be measured from the nearest point of the outdoor accessory use to the nearest point of the zone district boundary from which the separation is to be effected or established.

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

When measuring distance between a Rail Transit Station Platform and uses for which Section 10.4 applies, distance shall be determined from the nearest point of the Rail Transit Station Platform to the nearest point of the Zone Lot.

13.1.11.4  Measurement of Distance from a High Frequency Transit Corridor and a Zone Lot

A. When measuring distance between a High Frequency Transit Corridor and a Zone Lot for which Section 10.4 applies, distance shall be determined from the centerline of the right of way of the High Frequency Transit Corridor to the nearest point of the Zone Lot.
Backhaul or Backhaul Network: The lines that connect a provider’s tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

Balcony, Exterior: A projecting cantilevered platform on a building that is not supported on the ground by posts, columns, or similar supporting structural members. Generally, an exterior balcony is intended to be used for outdoor living, gardening, or other actively used outdoor space. An exterior balcony shall not include a landing abutting an entry to habitable space, provided such landing does not exceed the minimum required dimensions for a landing as defined in the Building Code.

Base Height: the maximum Building Height established in the Underlying Zone District, including any Building Height limits associated with proximity to a Protected District, to which Structures can be constructed without meeting the additional requirements set forth in the Underlying Zone District or an Incentive Overlay District.

Berm: A mound of earth, or the act of pushing earth into a mound, usually for the purpose of shielding or buffering uses, or to control the direction of water flow.

Billboard: See “Outdoor General Advertising Device”.

Block: A tract of land bounded by platted streets, public parks, cemeteries, railroad rights-of-way, shore lines, or corporate boundaries of the city.

Block, Square: A block with contiguous sides, where the difference in length between the sides of the block is no greater than 50 feet.

Block, Oblong: A block with contiguous long and short sides, where the long side of the block is 50 feet or more greater in length than the short side of the block.

Block Face: See definition of “Face Block.”

Breezeway: See definition of “Tunnel/Breezeway”

Build-to: An alignment at the primary street or side street setback line of a zone lot, or within a range of setback from the zone lot line abutting a street, along which a street-facing, primary building wall must be built.

Building: Any covered structure intended for the shelter, housing or enclosure of any person, animal or chattel.

Building, Principal or Primary: A building in which is conducted the principal or primary use of the zone lot on which it is situated.

Building Form Standards: Standards applicable to the development of buildings and structures in this Code which, taken together, regulate building height (Building Height Standards), building siting (Siting Standards), building design elements (Design Element Standards), and the permitted use of buildings (Use Building Form Standards).

Building Front or Frontage: That exterior wall of a building facing a front line of the zone lot.

Building Height: The height of a building, measured in accordance with the Rules of Measurement (see Division 13.1 of this Article.)
Building Height Standards or Height Standards: Standards in this Code that address how tall a building and its component parts may be. Building height standards include, but are not limited to, standards addressing overall building height in feet or stories, side wall height, and bulk plane requirements.

Camper Units, Detached: A shell designed to be mounted on a pickup or truck chassis for use as a temporary shelter for travel, recreation and vacation use.

Campus: A large tract of contiguous land that is planned, developed, and operated as an integrated facility for a number of individual uses, with special attention to coordinated circulation, parking, utility needs, aesthetics, and compatibility. For purpose of this definition, the contiguity of any land area involved shall not be deemed to be destroyed by the presence of public rights-of-way. Examples of campuses may include, but are not limited to: hospitals, educational facilities, industrial or business parks, and performing arts complexes.

Canopy: A structure, fully supported by the building wall, providing shade and cover to an entrance to protect from the weather.

Carport: An accessory structure space used for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.

Carriage House: A structure of more than one habitable story originally constructed as an accessory structure prior to November 8th, 1956 and located on the same zone lot as an existing primary structure.

Carriage Lot: A parcel of land completely surrounded by alleys in the center of a block and which has no public street frontage on a named or numbered street. A “carriage lot,” by definition, is a nonconforming zone lot for failure to comply with this Code’s requirement that all zone lots have frontage on a named or numbered public street. See “Zone Lot, Nonconforming.”

Change of Use: Any use that substantially differs from the previous use of a building or land, as determined by the Zoning Administrator.

City: The City and County of Denver.


Collocation: The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

Commercial: Pertaining to the buying and selling of commodities and services for a profit.

Common Area: Areas within a building or within a residential development that are available for common use by all owners or tenants. Examples of common areas include, but are not limited to: a clubhouse, courtyard or other shared recreation area; building lobbies, corridors, and stairways; parking areas; laundry room; roof; or storage rooms.

Compatibility or Compatible: The characteristics of different uses or activities or designs that allow them to be located near or adjacent to each other without adverse effect. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, building...
materials, and building architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development proposals in maintaining the character and context of existing development.

**Complete Application:** An application in the form required by this Code, including all information necessary to decide whether the application will comply with the requirements of this Code, including all items or exhibits specified during a pre-application conference or concept plan review, and accompanied by the applicable fee or fees.

**Completely Enclosed Structure:** See “Structure, Completely Enclosed.”

**Concealed Light Source:** An artificial light intended to illuminate a building, the face of a sign, or landscaping, which light is shielded from public view and from adjoining zone lots.

**Conforming Structure:** See “Structure, Conforming.”

**Conforming Use:** See “Use, Conforming.”

**Continuously Maintained** means to continue a condition uninterrupted without cessation in space, time, or sequence. When applied to demolition of a structure containing a legally established use, Continuously Maintained means that the legally established use is presumed to have continued uninterrupted and that a different intervening use was not established on the same Zone Lot, regardless of any length of time that the Zone Lot is vacant.

**Corner Lot or Corner Zone Lot:** See “Zone lot, corner.”

**Corner Triangle:** A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or permitted to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

**Court or Courtyard:** An area open from the ground to the sky that is partly or wholly enclosed by buildings or walls.

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

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

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

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

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

Denver Zoning Code: This Code.

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

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


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

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

Disabled Person: A person so severely handicapped that he or she is unable to move from place to place without the aid of a mechanical device or who has a physical impairment verified, in writing, by the director of the state division of rehabilitation or a physician licensed to practice medicine in this state that such impairment limits substantially his or her ability to move from place to place.

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

FCC: Federal Communications Commission.

Facade: Any exterior wall surface located at the ground level of a building that encloses the interior of the building.

Face Block: A zone lot or lots Abutting one side of the block. The “same” block face indicates only those zone lots Abutting the same side of the block as the subject property. The “opposite face block” includes those zone lots located on a different block than the subject property, but located directly across the street from and Abutting the same street as the subject property, and bounded by the same intersecting streets as the subject property’s block. See Figure 13.3-1.

Figure 13.3-1

Fence and Wall: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas. For a retaining wall, see definition of “Retaining Wall.”

Fine Arts: Individual art pieces not mass produced.

Finished Grade: See definition of Grade, finished.

Fixed Rack Bicycle Parking Facility: An unenclosed device used for the parking of bicycles that is affixed permanently to the ground. Examples include, but are not limited to, an inverted “U”-style bicycle rack.

Fixture: A small structure or part of a structure used by the occupants of the premises for the purpose of containing or holding containers of garbage, trash recycling and similar waste products, or for landscaping such as bird baths, ornamental statuary, arbors, rock gardens, monuments, flagpoles, ornamental lampposts and similar decorative features but not including enclosed buildings.

Flag Lot: See “Zone Lot, Flag.”

Flatwork: Improved areas constructed of Impervious Material providing pedestrian access to entrances and buildings, including walkways, stairs, and ramps. Shall be located at original grade. Shall not include areas meeting the definition of Patio.
**Floor Area, Habitable:** The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, and bedroom(s), but not including hallways, stairways, cellars, service rooms, utility rooms, bathrooms, closets, unheated areas such as enclosed porches.

**Floor Area Ratio (FAR):** See the Rule of Measurement within this Article 13.

**Floor Plate:** The sum of the gross horizontal area of a single floor of a building structure, including interior balconies, but excluding exterior balconies; all horizontal floor dimensions are measured from the exterior faces of the exterior walls.


**Food:** Any raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. For purposes of this Code, “Food” shall not include “Marijuana Concentrate” as defined in this Division 13.3.

**Footcandle (F.C.):** A unit of illuminance equivalent to one lumen per square foot.

**Former Chapter 59:** Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk at City Clerk Filing No. 10-512-A on May 20, 2010. Former Chapter 59 remains in full force and effect for any land not re-zoned to zone districts in the Denver Zoning Code.

**Freeways:** Those streets designed to carry large volumes of through traffic at high speeds by restriction of abutting private property from rights of direct access by vehicles and pedestrians.

**Front Porch:** See “Porch, Front”.

**Frontage:** All of the zone lot fronting on one side of an intersecting or intercepting street, or between a street and right-of-way, end of dead-end street, waterway, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

**Full Cutoff Lighting Fixture:** A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

**Fully Shielded Lighting Fixture:** A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.
High-Rise Building: Any building or structure having any portion of a story used for human occupancy more than 75 feet above the lowest level of fire department vehicle access.

Historic Structure: Designated structures for preservation or contributing structures in districts designated for preservation under the provisions of D.R.M.C., Chapter 30 (Landmark Preservation).
Impervious Material: A surface that has been compacted or covered with a layer of materials that is highly resistant to infiltration by water. Impervious materials include, but are not limited to, surfaces such as compacted sand, lime rock, or clay; asphalt concrete, driveways, retaining walls, stairwells, stairways, walkways, decks and patios at grade level, and other similar structures.

Incentive Height: Additional Building Height permitted above the Base Height for development meeting the additional requirements set forth in the Underlying Zone District or an Incentive Overlay District.

Industrial Zone District: The Industrial A ("I-A") and the Industrial B ("I-B") Zone Districts, but not including the Industrial Mixed Use ("I-X" or "M-IMX") Zone Districts established by this Code.

Involuntary Demolition or Involuntarily Destruction: The destruction or demolition of a structure caused by natural forces (e.g., accidental fire; flood; tornado) and not by man-made forces.
Occupancy: The purpose for which a building is used or intended to be used.

Off-Street Parking Area: A storage area for motor vehicles, including parking spaces, Drive Aisles, and access routes. Includes areas providing direct access to parking stalls or attached Garages for more than one dwelling unit.

Off-Street Parking Space: See "Parking Space."

Official Map or Official Zone Map: A map of the city that depicts the zone districts of all land within the City of Denver, adopted by City Council, and incorporated by reference as part of this Code.

On-Street Parking Space: A temporary storage area for a motor vehicle that is located on a dedicated street right-of-way.

Open Space, Publicly Accessible: Space that is clearly intended to be usable, publicly accessible, and a visual amenity, but not including parking lots or vestigial landscaped areas left over after the placement of buildings and parking on a zone lot. Publicly accessible open space may be publicly or privately owned, managed or maintained.

Open Space Zone District: All Open Space (“OS”) Zone Districts.

Original Grade: See definition of “Grade, original.”

Outdoor General Advertising Device: A sign relating to products, services or uses not on the same zone lot. Also commonly known as a “billboard.”

Overlay Zone District: A set of zoning requirements in a zone district that is described in this Code, which is mapped and imposed in addition to those of the underlying zone district. Development within an overlay zone must conform to the requirements of both zones, or the more restrictive of the two.

Owner: Any person with a legal or equitable interest in property, with or without accompanying actual possession thereof; a person who is under contract to purchase property by land installment contract or by a purchase contract; or a person who is acquiring property, or a legal or equitable interest in it, through foreclosure.
Parapet Wall: That part of any wall that extends entirely above the surface of the adjacent roof.

Parking, Accessory: A specific type of accessory use, comprised of surface or garage (structured) parking located on the same zone lot as the primary use such parking is required or intended to serve.

Parking Aisle: Parking “Aisles” mean the part of the parking lot that directly abut parking stalls and are used for vehicular access to the parking stalls.

Parking, Commercial: An open, hard-surfaced area or structure, other than street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

Parking, Shared or Shared Parking: Joint or shared use of parking spaces available to multiple land uses with different parking demand patterns throughout the day.

Parking, Tandem: The parking of 2 vehicles either end to end, vertically stacked, or front to back in a parking space, such that if both vehicles are parked, one vehicle must be moved in order for the other vehicle to exit the parking space.

Parking Area, Off-Street: See "Off-Street Parking Area".

Parking Ratio: A ratio expressing the number of parking spaces per dwelling unit, or per certain amounts of square footage or commercial space, or per number of occupants or employees.

Parking Space: A storage area for a motor vehicle that is directly accessible to an access aisle, street, or alley, and which is not located on a public right-of-way unless specifically permitted by this Code.

Parking, Surface: A storage area for motor vehicles that is not within a completely enclosed structure, including surface parking lot, deck parking and tuck-under parking.

Parkway: A type of boulevard that the city has designated as a “Parkway” according to Chapter 49 of the D.R.M.C.

Patio: A level hard surfaced area at finished grade. (For an above-grade patio, see Deck)

Pedestrian and/or Transit Mall: A public right-of-way and/or public rights-of-way from which general vehicular traffic shall be excluded except that public transportation vehicles, emergency vehicles and other vehicles by special permit may be permitted, and which shall have been specially constructed with amenities to enhance a primarily pedestrian environment.

Pedestrian Connection: A clear, obvious, and publicly accessible route and connection between the Primary Street and the primary uses within the building.

Permanent Occupancy: The use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy.

**Permitted Structure:** See definition of “Structure, Permanent,” below.

**Person:** An individual including any receiver, guardian, personal representative, registered agent, fiduciary, or representative of any kind, and any corporation, partnership, firm, association, joint venture, or other legal entity.

**Planned Unit Development (PUD):** A zone district wherein an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in zone lot size, building form, bulk, use, density, lot coverage, open space, or other restriction to the existing zoning regulations of this Code. See Division 9.6, Planned Unit Development District, of this Code.

**Plaza:** An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky. Any portion of a plaza occupied by landscaping, statuary, pools and open recreation facilities shall be considered to be a part of the plaza. The term “plaza” shall not include off-street loading areas, driveways, off-street parking areas.

**Porch, Front:** A one or two-story structure providing access to the primary uses within a primary building. Front porch may be covered and must be unenclosed on the primary street-facing façade of the primary building.

**Porch:** A one or two-story structure attached to a building providing access to the building. A porch may be covered and must be at least 50% open on each side, except for sides abutting a facade or required fire wall. If a porch is not covered, it is distinguished from a patio by enclosure of the porch on all open sides by low walls or railings, except where pedestrian access is provided to access the porch.

**Premises:** A general term meaning part or all of any zone lot or part or all of any building or structure or group of buildings or structures located thereon.

**Primary Area of GDP:** Boundary of the area within a GDP either owned and/or represented by a private landowner(s) or applicant(s).

**Primary Street:** See Rule of Measurement, Division 13.1.

**Private Open Space:** See Rule of Measurement, Division 13.1.

**Processing:** Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operation described as fabrication.

**Professional Studio:** See “Studio, Professional.”

**Projecting Window:** For purposes of a setback encroachment, shall include bay window, box window and bow window.

**Property:** Any land, building, or other structure, or part thereof.

**Protected District:** Any one of the following zone districts:

1. S-SU-A
2. S-SU-D
3. S-SU-F
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38. U-RH-3A
39. G-RH-3

40. Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a "protected Zone District" under Section 59-96 of the Former Chapter 59.

Public Art: Any structure or other installation meeting the definition of "Works of Public Art" in Section 20-86 of the Denver Revised Municipal Code (DRMC).
**Qualified Professional:** A person with experience and training with expertise appropriate for the relevant subject matter. A qualified professional must have obtained a B.S. or B.A. or equivalent degree in the relevant subject matter (e.g., soil science, engineering, environmental studies, geology or related field), must have related work experience, and must be a professional engineer or other professional licensed in the state of Colorado.