



Denver Zoning Code Text Amendment #9 ARAPAHOE SQUARE ZONING UPDATE CITY COUNCIL REDLINE DRAFT 06/27/16

This document contains a redlined draft of the proposed text amendment create new zone districts and enable a new Design Advisory Board for the Arapahoe Square neighborhood at the northeast edge of Downtown Denver.

1. Text in red underline is proposed new language.
2. Text in ~~red strikethrough~~ is language proposed for deletion.
3. Text in blue underline is language that has been moved from another location in the code.
4. Text in ~~blue strikethrough~~ is language that has been moved to another location in the code.
5. Pages with substantive additions (such as new code sections, requirements or clarifications) include a **Text Amendment #9 - Arapahoe Square** header
6. Pages with redline changes that are not substantive (such as updated section numbers, figure numbers or cross-references) are also included in this document, but do not have a special Arapahoe Square header.

Note that this draft updates the Planning Board and City Council Neighborhoods and Planning Committee drafts with edits for clarity, correctness, illustrative graphic, section references, and other non-substantive matters, as well changes made necessary by such edits. While every effort is made to ensure document quality, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.

Please visit the Arapahoe Square zoning update web site at www.DenverGov.org/arapahoesquare for more information about this project.

Please visit our Text Amendments website at www.DenverGov.org/TextAmendments to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Download a summary of the Draft
- Download this complete redlined draft

Please send any questions or comments to PlanningServices@denvergov.org.

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2.5.1.2 General Urban, Urban Center and Downtown Neighborhood Context:

GENERAL URBAN NEIGHBORHOOD CONTEXT		URBAN CENTER NEIGHBORHOOD CONTEXT		DOWNTOWN NEIGHBORHOOD CONTEXT	
G-RH-3	Row House 3	C-RX-5	Residential Mixed Use 5	D-C	Downtown Core District
G-MU-3	Multi Unit 3	C-RX-8	Residential Mixed Use 8	D-TD	Downtown Theater District
G-MU-5	Multi Unit 5	C-RX-12	Residential Mixed Use 12	D-LD	Lower Downtown District
G-MU-8	Multi Unit 8	C-MX-3	Mixed Use 3	D-CV	Downtown Civic District
G-MU-12	Multi Unit 12	C-MX-5	Mixed Use 5	D-GT	Downtown Golden Triangle
G-MU-20	Multi Unit 20	C-MX-8	Mixed Use 8	D-AS	Downtown Arapahoe Square
G-RO-3	Residential Office 3	C-MX-12	Mixed Use 12	<u>D-AS-12+</u>	<u>Downtown Arapahoe Square 12+</u>
G-RO-5	Residential Office 5	C-MX-16	Mixed Use 16	<u>D-AS-20+</u>	<u>Downtown Arapahoe Square 20+</u>
G-RX-5	Residential Mixed Use 5	C-MX-20	Mixed Use 20		
G-MX-3	Mixed Use 3	C-MS-5	Main Street 5		
G-MS-3	Main Street 3	C-MS-8	Main Street 8		
G-MS-5	Main Street 5	C-MS-12	Main Street 12		
		C-CCN-3	Cherry Creek North 3		
		C-CCN-4	Cherry Creek North 4		
		C-CCN-5	Cherry Creek North 5		
		C-CCN-7	Cherry Creek North 7		
		C-CCN-8	Cherry Creek North 8		
		C-CCN-12	Cherry Creek North 12		

2.5.1.3 Special Contexts and Zone Districts:

INDUSTRIAL CONTEXT	
I-MX-3	Industrial Mixed Use 3
I-MX-5	Industrial Mixed Use 5
I-MX-8	Industrial Mixed Use 8
I-A	Light Industrial
I-B	General Industrial
CAMPUS CONTEXT	
CMP-H	Campus Healthcare
CMP-H2	Campus Healthcare 2
CMP-EI	Campus Education Institution
CMP-EI2	Campus Education Institution 2
CMP-ENT	Campus Entertainment
CMP-NWC	Campus National Western Center
OPEN SPACE CONTEXT	
OS-A	Open Space Public Parks
OS-B	Open Space Recreation
OS-C	Open Space Conservation

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

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

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.

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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. The Arapahoe Square (D-AS) neighborhood is in a position to knit northeast downtown into a cohesive urban area. 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.

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 8.910 for uses permitted in the Downtown Core and Downtown Theater Districts.

8.3.1.3 Required Pedestrian-Active Ground Floor 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 pedestrian-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

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 8.910, "Uses and Required Minimum Parking," 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 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. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (.8) and rounding up to the nearest whole number;
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

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 8.910 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' 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 parcels 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.

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DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE DISTRICTS

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 8.9 8.10 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' 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~~ 200 feet, **except in the height areas shown below, wherein structure height is limited to a maximum 80 feet in those areas on the exhibit shown as "Restriction Area"**.

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.

Delete Map

2. Floor Area Premiums

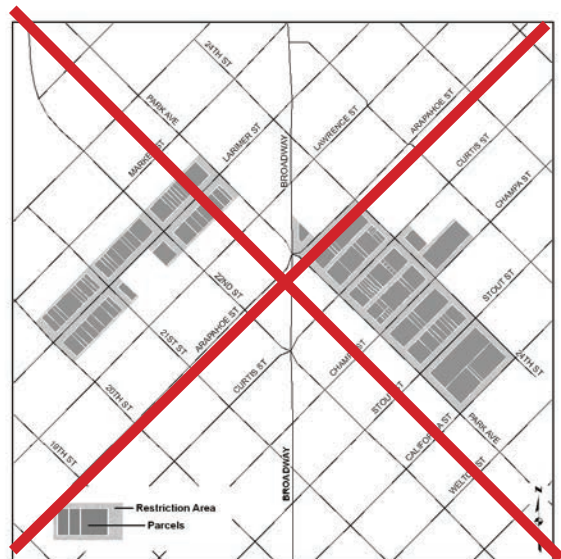
In addition to the basic maximum gross floor area permitted under Section 8.7.1.3.D.1. above, a premium of additional floor area may be constructed according to the following formulas:

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.

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 building 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.

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.

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8.7.1.4 Design Review

A. Applicability

Design ~~standards and~~ review criteria and procedures shall apply to the following:

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

B. Procedures

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

C. Criteria

Design review shall be based on the following criteria.

1. Design Review of Floor Area Premium

The project shall be designed to promote the following objectives:

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

2. Review of Lower 80 Feet Required for All Structures

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

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

3. Parking Structures Review

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

4. Rules and Regulations

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

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

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

SECTION 8.8.1 GENERAL INTENT

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

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

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

8.8.2.1 Height

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

8.8.2.2 Siting

- A. Required Build-To
 - 1. Provide a consistent street edge to enhance the character of the context.
 - 2. Define streets to promote pedestrian activity and sense of place.
 - 3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
- B. Setbacks
 - 1. Site buildings to be consistent with the intended character and functional requirements of the downtown context.
 - 2. Site buildings to define the street edge/public realm consistent with the context.
 - 3. Utilize buildings to create positive transitions between districts.
- C. Parking Location
 - 1. Minimize the visual impacts of parking areas on streets and adjoining property.
 - 2. Minimize conflicts between pedestrians and vehicles.
 - 3. Ensure that surface parking is well integrated into to the streetscape.
 - 4. Ensure that surface parking contributes positively to a sustainable urban environment.

8.8.2.3 Design Elements

- A. Primary Street Upper Story Setback
 - 1. Provide appropriate pedestrian scale, height and massing along the street.
 - 2. Maintain the general appearance of a predominantly 5-story height near the sidewalk edge.
 - 3. Maximize sky exposure.
- B. Building Configuration
 - 1. Promote variation in building form that enhances access to sky exposure, air and views in the district.
 - 2. Encourage variation in building form, especially in the design of a larger building.

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- C. Transparency
 - 1. Maximize transparent windows at the Street Level to activate the street.
 - 2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect uses within the building.
 - 3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties and promote engagement between building activities and the sidewalk.
- D. Entrances
 - 1. Give prominence to pedestrian realm as a defining element of neighborhood character.
 - 2. Provide convenient access to buildings and active uses from the street.
 - 3. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
 - 4. Create visually interesting and human-scaled facades.
- E. Limitation on Visible Parking Above the Street Level
 - 1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
 - 2. Promote visual interest on upper story building facades.

8.8.2.4 Specific Building Form Intent

- A. **General**
To establish the base set of standards for the zone district from which all other building forms deviate for specific situations.
- B. **General with Height Incentive**
To promote buildings with elevated design quality that minimize the visibility of structured parking while allowing increased building height.
- C. **Point Tower**
To promote tall, slender building forms with elevated design quality that preserves views and sky exposure while also minimizing the visibility of structured parking.

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

8.8.3.1 Applicability

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

8.8.3.2 General Standards

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

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:

<u>Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts</u>	<u>Max Number of Primary Structures per Zone Lot</u>	<u>Building Forms</u>													
		<u>Suburban House</u>	<u>Urban House</u>	<u>Detached Accessory Dwelling Unit</u>	<u>Duplex</u>	<u>Tandem House</u>	<u>Town House</u>	<u>Garden Court</u>	<u>Row House</u>	<u>Apartment</u>	<u>Drive Thru Services</u>	<u>Drive Thru Restaurant</u>	<u>General</u>	<u>General with Height Incentive</u>	<u>Point Tower</u>
<u>Downtown Arapahoe Square 12+ District (D-AS-12+)</u>	no max												■	■	■
<u>Downtown Arapahoe Square 20+ District (D-AS-20+)</u>	no max												■	■	■

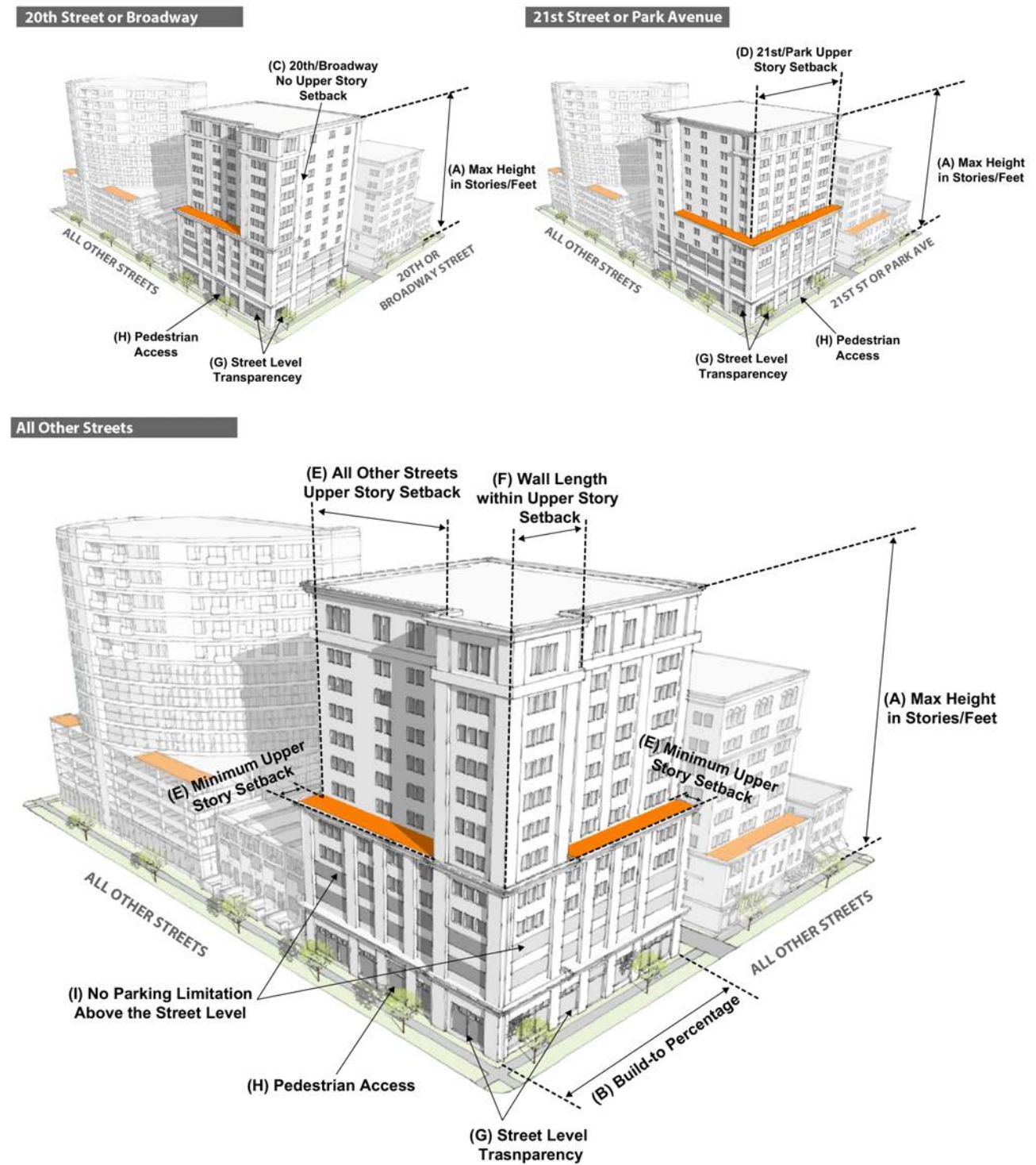
■ = Allowed □ = Allowed subject to limitations

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8.8.3.4 District Specific Standards

A. General

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GENERAL

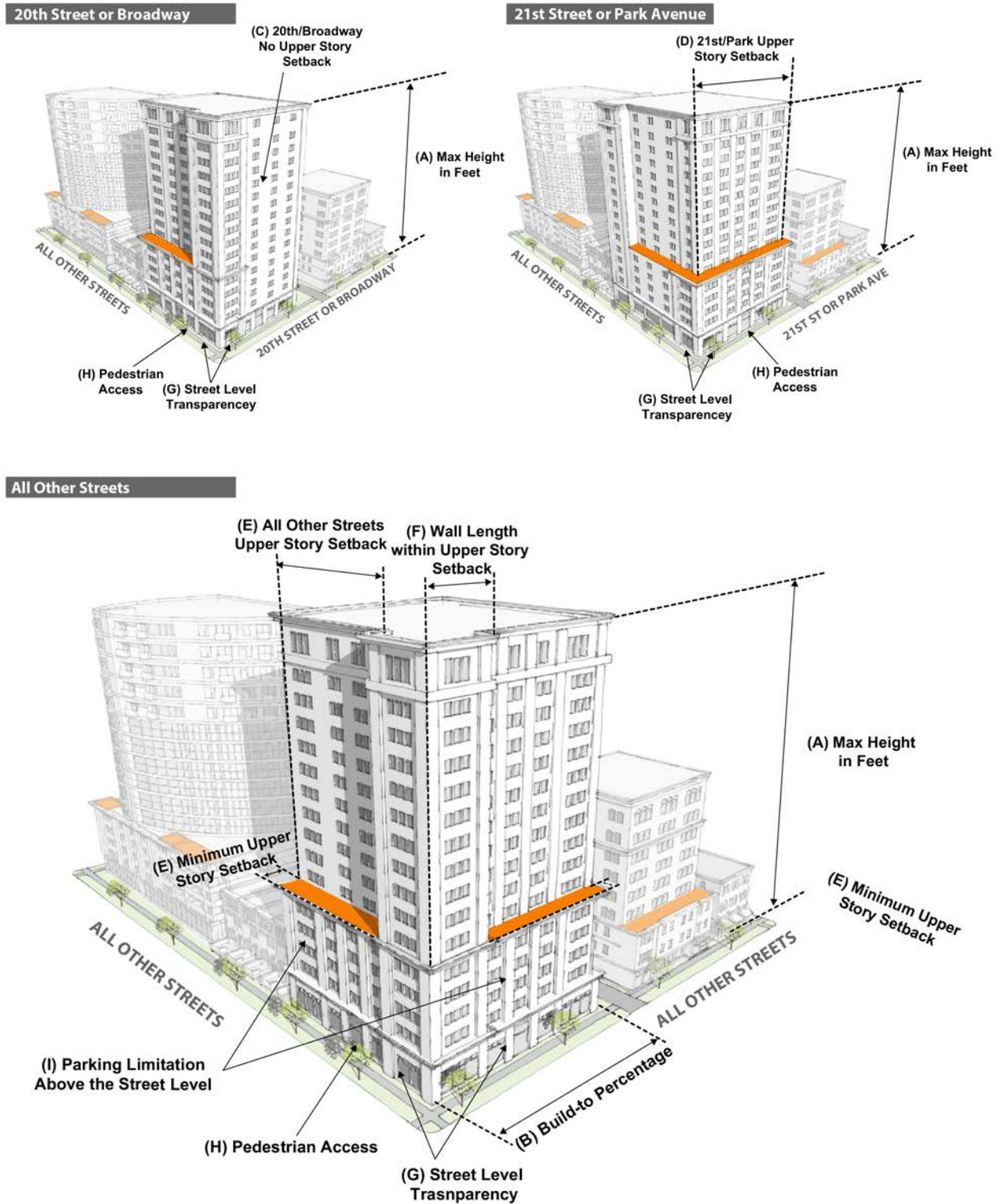
HEIGHT		D-AS-12+	D-AS-20+
A	<u>Stories (max)</u>	8	12
A	<u>Feet (max)</u>	110'	150'
	<u>Height Exceptions</u>	See Section 8.9.1.1	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B	<u>All Primary Streets (min build-to %)</u>	70%	
	<u>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</u>	0'/15'; Residential Only Buildings: 0'/20'	
	<u>Southeast (light rail) Side of Welton Street (min/max build-to range)</u>	0'/20'; Residential Only Buildings: 0'/25'	
	<u>All Other Streets (min/max build-to range)</u>	0'/10'; Residential Only Buildings: 0'/15'	
	<u>Build-to Exceptions and Alternatives</u>	See Sections 8.8.6.1 and 8.8.7.1	
SETBACKS			
	<u>Primary Street (min)</u>	0'	
	<u>Side Interior (min)</u>	0'	
	<u>Rear, alley and no alley (min)</u>	0'	
PARKING			
	<u>Surface Parking between building and Primary Street</u>	Not Allowed	
	<u>Surface Parking Screening Required</u>	See Section 10.5.4.4	
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	From Alley; or Street access allowed when no Alley present	
	<u>Vehicle Access, all other permitted uses</u>	Shall be determined as part of Site Development Plan Review	
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts	
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET			
C	<u>20th Street, Broadway - Upper Story Setback above 5 stories and 70'</u>	No Upper Story Setback required	
D	<u>21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	100%/10''*	
E	<u>All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	65%/10'	
	<u>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</u>	na	
F	<u>All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</u>	80'	
	<u>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</u>	See Section 8.8.6.2	
STREET LEVEL ACTIVATION			
G	<u>Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)</u>	60%/40%	
	<u>Street Level Transparency Alternatives</u>	See Section 8.8.6.3	
H	<u>Pedestrian Access, Primary Street</u>	Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
I	<u>Limitation on Visible Parking above Street Level</u>	No Limitation on Visible Parking Above Street Level	
USES		D-AS-12+ and D-AS-20+ Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

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

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B. **General with Height Incentive**

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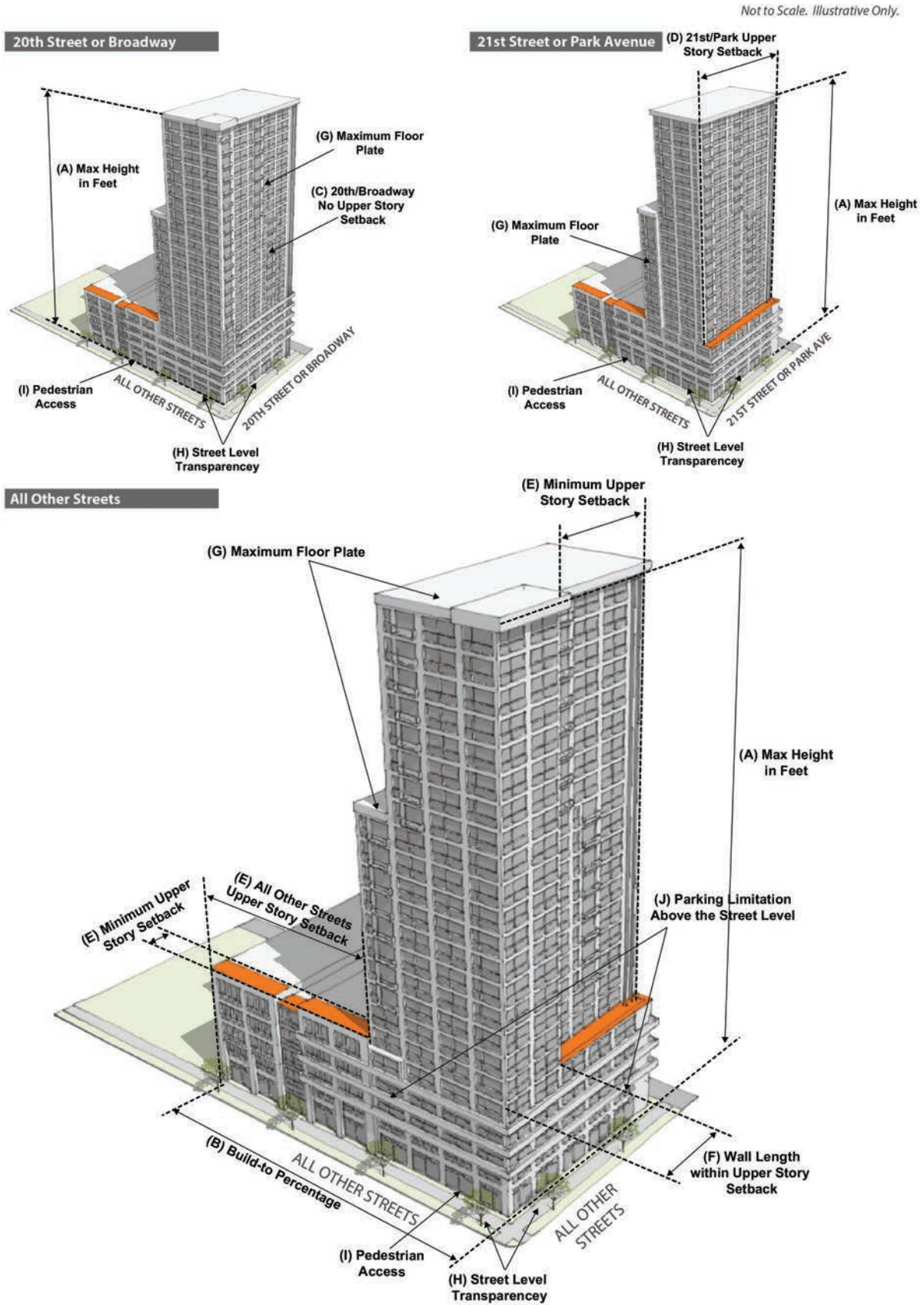
GENERAL WITH HEIGHT INCENTIVE

HEIGHT		D-AS-12+	D-AS-20+
	<u>Stories (max)</u>	<u>na</u>	<u>na</u>
A	<u>Feet (max)</u>	<u>150'</u>	<u>250'</u>
	<u>Height Exceptions</u>	<u>See Section 8.9.1.1</u>	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B	<u>All Primary Streets (min build-to %)</u>	<u>70%</u>	
	<u>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</u>	<u>0'/15'; Residential Only Buildings: 0'/20'</u>	
	<u>Southeast (light rail) Side of Welton Street (min/max build-to range)</u>	<u>0'/20'; Residential Only Buildings: 0'/25'</u>	
	<u>All Other Streets (min/max build-to range)</u>	<u>0'/10'; Residential Only Buildings: 0'/15'</u>	
	<u>Build-to Exceptions and Alternatives</u>	<u>See Sections 8.9.6.1 and 8.9.7.1</u>	
SETBACKS			
	<u>Primary Street (min)</u>	<u>0'</u>	
	<u>Side Interior (min)</u>	<u>0'</u>	
	<u>Rear, alley and no alley (min)</u>	<u>0'</u>	
PARKING			
	<u>Surface Parking between building and Primary Street</u>	<u>Not Allowed</u>	
	<u>Surface parking screening required</u>	<u>See Section 10.5.4.4</u>	
	<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present</u>	
	<u>Vehicle Access, all other permitted uses</u>	<u>Shall be determined as part of Site Development Plan Review</u>	
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts	
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET			
C	<u>20th Street, Broadway - Upper Story Setback above 5 stories and 70'</u>	<u>No Upper Story Setback required</u>	
D	<u>21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	<u>100%/10**</u>	
E	<u>All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	<u>65%/10'</u>	
	<u>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</u>	<u>na</u>	
F	<u>All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</u>	<u>80'</u>	
	<u>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</u>	<u>See Section 8.8.6.2</u>	
STREET LEVEL ACTIVATION			
G	<u>Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)</u>	<u>60%/40%</u>	
	<u>Street Level Transparency Alternatives</u>	<u>See Section 8.8.6.3</u>	
H	<u>Pedestrian Access, Primary Street</u>	<u>Entrance</u>	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
I	<u>Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)</u>	<u>70%</u> <u>See Section 8.8.5.2</u>	
USES		All D-AS Districts	
<u>(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; 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.</u>			

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

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C. Point Tower



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POINT TOWER

HEIGHT		D-AS-12+	D-AS-20+
	Stories (max)	na	na
A	Feet (max)	250'	375'
	Height Exceptions	See Section 8.9.1.1	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B	All Primary Streets (min build-to %)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	0'/15'; Residential Only Buildings: 0'/20'	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	0'/20'; Residential Only Buildings: 0'/25'	
	All Other Streets (min/max build-to range)	0'/10'; Residential Only Buildings: 0'/15'	
	Build-to Exceptions and Alternatives	See Sections 8.9.6.1 and 8.9.7.1	
SETBACKS			
	Primary Street (min)	0'	
	Side Interior (min)	0'	
	Rear, alley and no alley (min)	0'	
PARKING			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface Parking Screening Required	See Section 10.5.4.4	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	
	Vehicle Access, all other permitted uses	Shall be determined as part of Site Development Plan Review	
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts	
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET			
C	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
D	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	100%/10'*	
E	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	65%/10'	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	na	
F	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	80'	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	See Section 8.8.6.2	
BUILDING CONFIGURATION			
G	Point Tower Floor Plate above 5 stories and 70' (max)	10,000 square feet	
STREET LEVEL ACTIVATION			
H	Street Level Transparency, Primary Street (min for non-residential/min for residential only buildings)	60%/40%	
	Street Level Transparency Alternatives	See Section 8.8.6.3	
I	Pedestrian Access, Primary Street	Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
J	Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)	70% See Section 8.8.5.2	
USES		All D-AS Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

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

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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 Specifically Allowed

The following detached accessory structures are specifically allowed:

1. Buildings:

Sheds, utility buildings, playhouses, Patios, cabanas, pool houses, Porches, garages, and guard houses

2. Underground Structures:

Swimming pools, storm and fallout shelters

3. Unenclosed Structures:

a. Carpports

b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas

c. 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.

d. Solar and photo-voltaic energy systems

4. 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 8.8.4.

5. Accessory Structures Not Specifically Listed

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

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

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

d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.8.4.

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8.8.4.3 Supplemental Standards

A. Gross Floor Area for Detached Accessory Structures in Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts

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

B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings

1. Required Building Materials

All detached structures accessory to a 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.

2. Access and Contiguity

Any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

8.8.4.4 District Specific Standards Summary

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

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

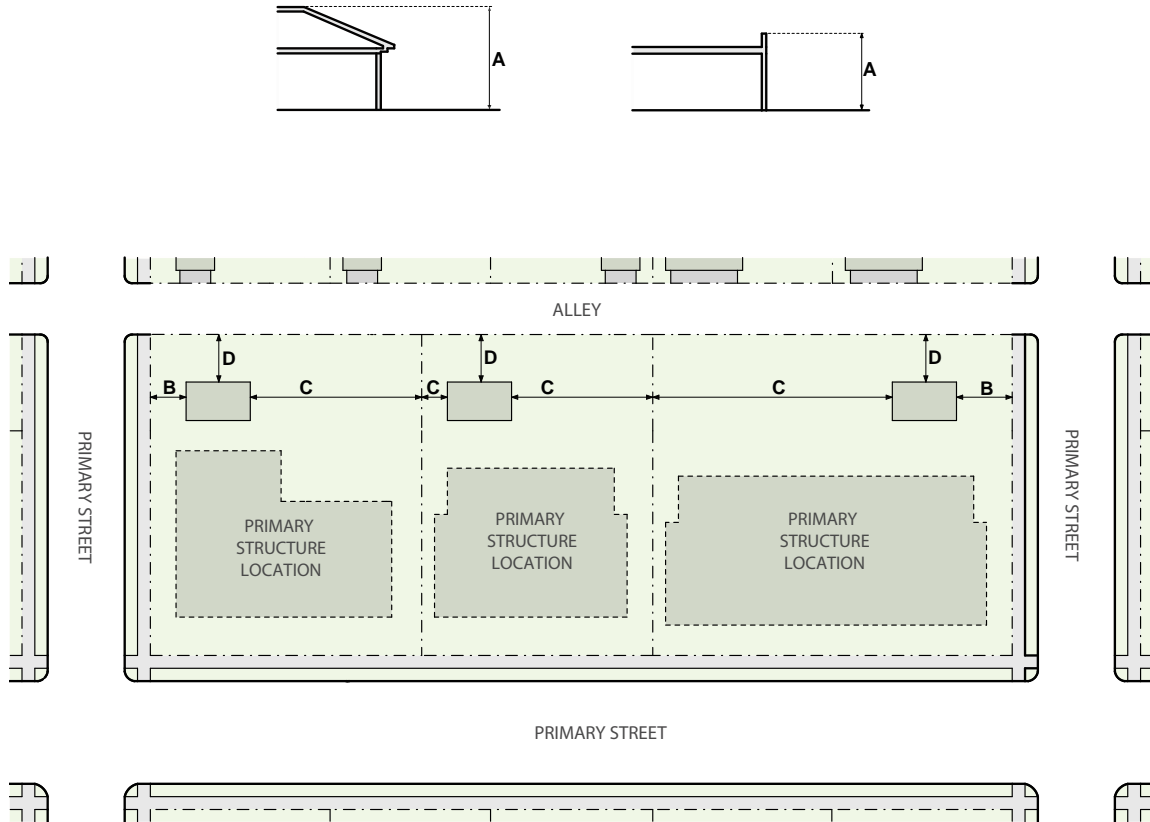
■ = Allowed □ = Allowed subject to limitations

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8.8.4.5 **District Specific Standards**

A. **Detached Accessory Structures**

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DETACHED ACCESSORY STRUCTURES

HEIGHT		D-AS-12+ and D-AS-20+ Districts
A	<u>Stories (max)</u>	<u>1</u>
A	<u>Feet (max)</u>	<u>17'</u>

SITING		D-AS-12+ and D-AS-20+ Districts
	<u>Additional Standards</u>	<u>See Section 8.8.4.3</u>

SETBACKS		
B	<u>Primary Street</u>	<u>5'</u>
C	<u>Side Interior (min)</u>	<u>0'</u>
D	<u>Rear (min)</u>	<u>0'</u>

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

USES		D-AS-12+ and D-AS-20+ Districts
		<u>Accessory Uses Only</u>

See Section 8.9.1 for Design Standard Exceptions

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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).

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.

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C. **Allowance**

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

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 13.1.5.6.E)

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

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.

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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 13.1.6.2.A.5:

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

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 8.89 DESIGN STANDARDS

SECTION 8.89.1 DESIGN STANDARD EXCEPTIONS

8.89.1.1 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 8.89.1.1.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.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All D- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed

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BUILDING FEATURES	ZONE DIS-TRICTS	THE AGGRE-GATE SHALL NOT EXCEED 33-1/3 PER-CENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	<u>Any distance Not Allowed</u>
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	<u>Any distance Not Allowed</u>

8.89.1.2 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 8.89.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

See Article 10, General Design Standards.

SECTION 8.89.3 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 8.89.3.

B. Street Tree Planting Required

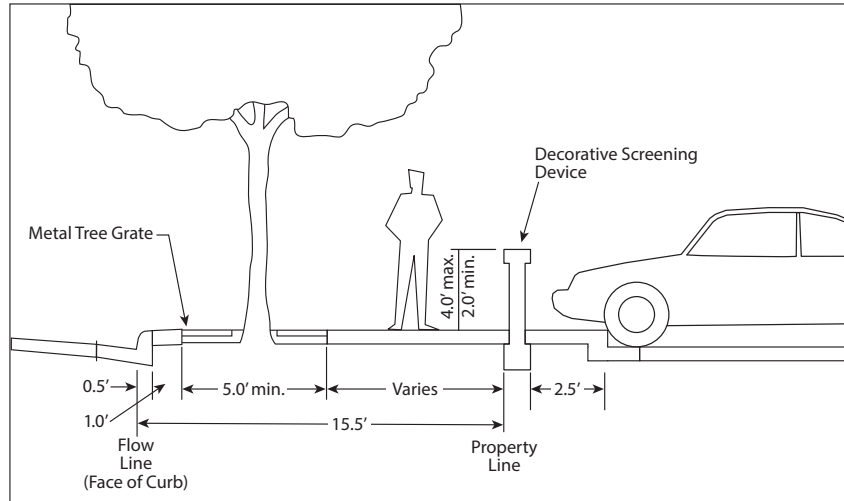
1. Street trees shall be required on all street frontages for all proposed new parking areas.
2. Such trees shall be located on the public right-of-way where the available space between the flow line (face of curb) and the right-of-way/private property line is at least 10 feet wide and where no unusual 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'-8" and 3 feet. Such screening device shall be located on private property.

2. Except for required street tree planting and additional standards in Section 8.89.3.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 and D-AS 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 8.89.3.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.

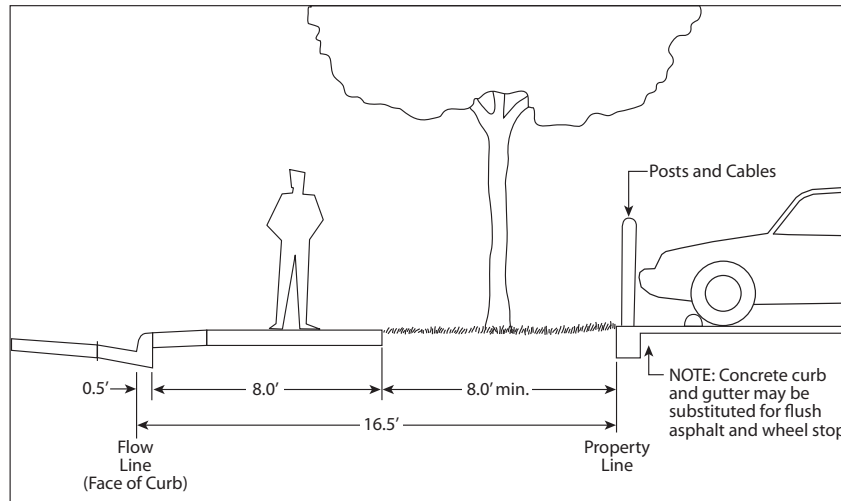
3. Pedestrian Access

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

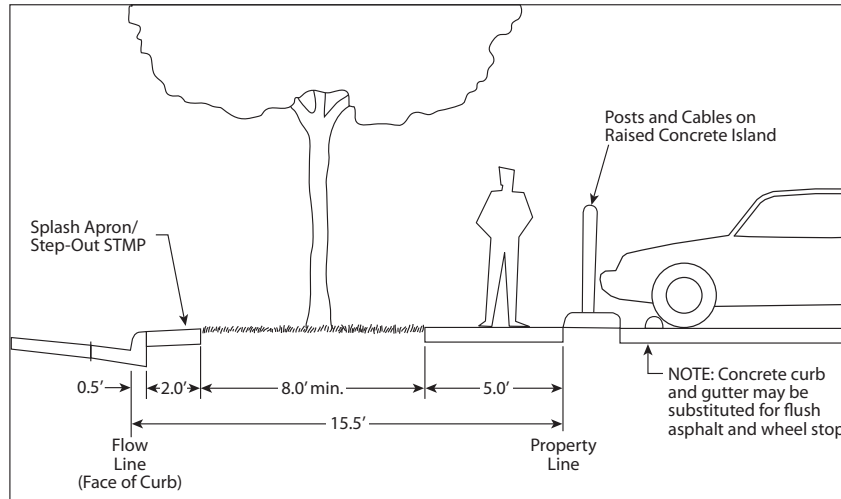
Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.89.3.D.1 above.

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



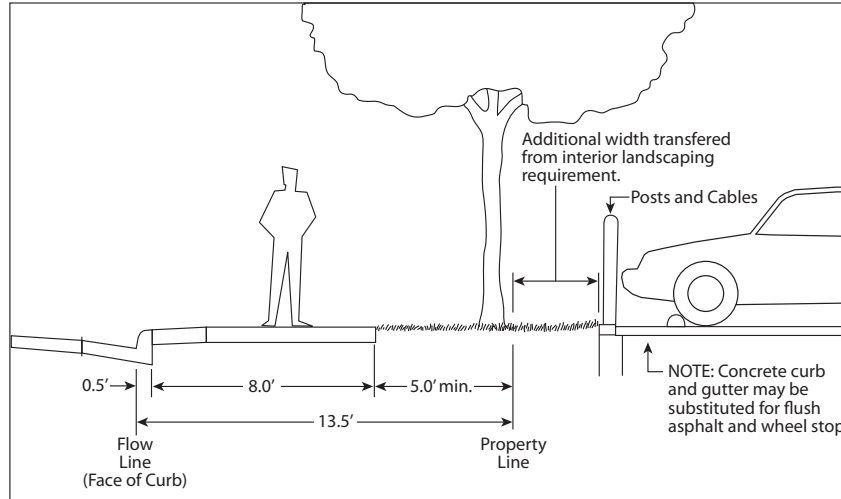
Applicable where right-of-way (flow line to property line) is at least 16.5' or more and sidewalk is attached.

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



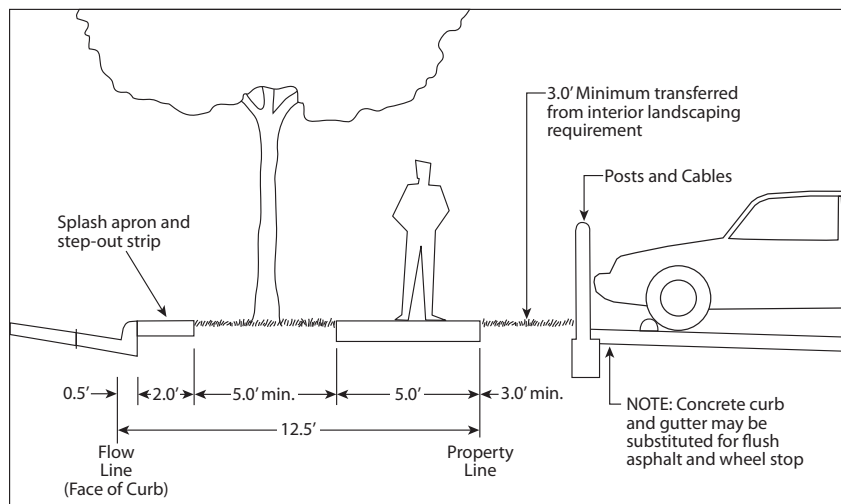
Applicable where right-of-way (flow line to property line) is 15.5' or more and sidewalk is detached.

Illustration 4: D-C, D-TD, D-LD, D-CV and D-AS 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 and D-AS 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.

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DIVISION 8.910 USES AND REQUIRED MINIMUM PARKING

SECTION 8.910.1 APPLICABILITY

8.910.1.1 This Division ~~8.9~~ 8.10 sets forth the land uses permitted and the required zoning procedure in all the Downtown Neighborhood Context Zone Districts, ~~and the~~ It also provides minimum off-street vehicle parking requirements for the D-GT and D-AS Zone Districts, as well as minimum bicycle parking requirements for the D-GT, D-AS, D-AS-12+ and D-AS-20+ Zone Districts. The D-C, D-TD, D-CV, D-AS-12+ and D-AS-20+ Zone Districts have no minimum off-street vehicle parking requirement (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). Parking requirements for the D-LD Zone District are provided in Section 8.4.1.4.

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

8.910.1.3 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 8.910.2 ORGANIZATION

8.910.2.1 Organized by Primary, Accessory and Temporary Uses

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

8.910.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

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

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 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 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 8.910.3 EXPLANATION OF TABLE ABBREVIATIONS

8.910.3.1 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.

8.910.3.2 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.

8.910.3.3 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 zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning 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).

8.910.3.4 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.

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SECTION 8.910.4 DISTRICT SPECIFIC STANDARDS

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

USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	<i>D-AS-12+ D-AS-20+</i>	D-CV		
RESIDENTIAL PRIMARY USE CLASSIFICATION									
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	<i>P-ZP</i>	NP		
	Dwelling, Two Unit • <i>D-AS & D-GT Districts</i> - Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	<i>P-ZP</i>	NP		
	Dwelling, Multi-Unit D-GT & D-AS Districts: • <i>D-AS & D-GT Districts</i> - Vehicle: 0.75/unit • <i>D-AS, D-AS-12+/20+ & D-GT Districts</i> - Bicycle: 1/2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	<i>P-ZP</i>	NP		
	Dwelling, Live / Work D-GT & D-AS Districts: • <i>D-AS & D-GT Districts</i> - Vehicle: 0.75/unit • <i>D-AS, D-AS-12+/20+ & D-GT Districts</i> - Bicycle: 1/2 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	<i>P-ZP</i>	NP	§ 11.2.4	

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 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Excep-
 tion Review
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. 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)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Group Living	Assisted Living Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Community Corrections Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS & D-GT Districts: - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	NP	<u>NP</u>	NP	§ 8.910.5.1
	Nursing Home, Hospice D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Residence for Older Adults D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Residential Care Use, Small or Large D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	§ 11.2.8
	Rooming and Boarding House • <u>No Parking Requirements</u>	NP	NP	NP	NP	<u>P-ZP</u>	NP	
	Shelter for the Homeless D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	<u>L-ZPIN/L</u>	L-ZPIN/L	§ 11.2.9
	Student Housing D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 0.75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	

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KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use
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 tion Review
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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV		
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION									
Basic Utilities	Utility, Major Impact* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L- ZPSE	L-ZPSE	L- ZPSE	L-ZPSE	L-ZPSE	<u>L-ZPSE</u>	L- ZPSE	§ 11.3.1
	Utility, Minor Impact* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	§ 11.3.2
Community/ Public Services	Community Center • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	§ 11.3.3
	Day Care Center D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Postal Facility, Neighborhood D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Postal Processing Center D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Public Safety Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Hospital	P-ZP	P-ZP	NP	NP	NP	<u>NP</u>	NP	
Correctional Institution	NP	NP	NP	NP	NP	<u>NP</u>	NP		

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	
	Library D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle- Elementary: 1/1,000 s.f. GFA • D-AS-12+ & 20+ & D-AS & D-GT Districts - Bicycle- Elementary: 1/ 10,000 s.f. GFA (0/100) • D-AS & D-GT Districts - Vehicle-Secondary: 1/1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.8
	Vocational or Professional School D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS-12+/20+ - Vehicle: No Requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	<u>D-AS-12+</u> <u>D-AS-20+</u>	D-CV	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION								
Adult Business	All Types	NP	NP	NP	NP	<u>NP</u>	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle - Artist Studio: 0.3/1000 ft ² GFA • <u>D-AS & D-GT Districts</u> - Vehicle - All Others: 1.25/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1.25/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L- ZPIN	L-ZPIN	<u>L-ZPIN</u>	L- ZPIN	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	<u>NP</u>	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable						
Parking of Vehicles	Parking, Garage • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP/ ZPIN	<u>P-ZP</u>	NP	§ 11.4.6
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	NP	<u>D-GT:</u> <u>L-ZPIN</u> <u>D-AS:</u> <u>P-ZPIN</u>	<u>NP</u>	NP	§ 11.4.7
Eating & Drinking Establishments	All Types D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 2.5/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/1,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Lodging Accommodations	Bed and Breakfast Lodging D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle - MS only: 2/ 1,000 s.f. GFA • D-AS & D-GT Districts - Vehicle: 0.875/guest room or unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZPIN	<u>P-ZP</u>	NP	
	Lodging Accommodations, All Others D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 0.875/ guest room or unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZPIN	<u>P-ZP</u>	NP	
Office	Dental / Medical Office or Clinic D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.8
	Office, All Others D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.11
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	<u>NP</u>	NP	
	Body Art Establishment D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.13
	Food Sales or Market D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Liquor Store, Including Drugstores Licensed to Sell Liquor D-GT & D-AS Districts:- • D-GT District - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.15
	Pawn Shop D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	NP	L-ZPIN	<u>L-ZPIN</u>	NP	\$11.4.16
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	<u>NP</u>	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	<u>NP</u>	NP	
	Retail Sales, Service & Repair, All Others D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	<u>NP</u>	NP	\$ 11.4.18
	Automobile Services, Light D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	NP	NP	NP	L-ZPIN	<u>L-ZP</u>	NP	\$11.4.19; \$11.4.20
	Automobile Services, Heavy	NP	NP	NP	NP	<u>NP</u>	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	<u>L-ZP</u>	NP	\$11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	<u>NP</u>	NP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
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	<u>L-ZP</u>	L-ZP	\$11.5.2
	Communication Services D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	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	<u>L-ZP/ZPIN/ ZPSE</u>	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	<u>L-ZP/ZPIN</u>	L-ZP/ ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L- ZPIN	L-ZPIN	L- ZPIN	L-ZPIN	<u>L-ZPIN</u>	L- ZPIN	\$11.5.2
Industrial Services	Contractors, Special Trade - General D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	<u>NP</u>	NP	
	Food Preparation and Sales, Commercial D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$ 11.5.5
Industrial Services	Laboratory, Research, Development and Technological Services D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.6
	Service/Repair, Commercial D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.8
	Manufacturing, Fabrication & Assembly -- General D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L- ZPIN/ ZPSE	L-ZPIN/ ZPSE	<u>L-ZP/ZPSE</u>	NP	\$11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	<u>NP</u>	NP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	NP	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	NP	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§11.5.13
Transportation Facilities	Airport*	NP	NP	NP	NP	NP	NP	
	Helipad, Heliport, Heliport* • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	§11.5.14
	Railroad Facilities* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	NP	L-ZP	§8.910.5.2
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Terminal, Freight, Air Courier Services D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	NP	L-ZP	§ 8.910.5.3
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	NP	NP	
	Junkyard*	NP	NP	NP	NP	NP	NP	
	Recycling Center	NP	NP	NP	NP	NP	NP	
	Recycling Collection Station	NP	NP	NP	NP	NP	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	NP	NP	
	Solid Waste Facility	NP	NP	NP	NP	NP	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	NP	NP	
	Mini-storage Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 0.1/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.5.23
	Vehicle Storage, Commercial* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	§ 11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	NP	NP	
	Wholesale Trade or Storage, Light D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	L-ZP/ZPIN/ ZPSE	NP	§ 11.5.26

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
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 tion Review
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USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS	
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV		
AGRICULTURE PRIMARY USE CLASSIFICATION									
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP		
	Garden, Urban* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.6.2	
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP		
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP		
	Plant Nursery D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.6.5	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION									
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts						\$11.7	
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; \$11.8.2
	Domestic Employee	L	L	L	L	L	L	NP	\$11.7.1; \$11.8.3
	Garden*	L	L	L	L	L	L	NP	\$11.7; \$11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	NP	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	NP	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses						\$11.7; \$11.8.7	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; \$11.8.8
	<u>Short-term Rental</u>	L	L	L	L	L	L	NP	<u>\$11.7; \$11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	NP	\$11.7; \$10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses							
Yard or Garage Sales*	L	L	L	L	L	L	NP	\$11.7; \$11.8.9	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION									
Home Occupations Accessory to a Primary Residential Use (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	\$11.9; \$11.9.5

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USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION								
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts						\$11.7; \$11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses						NP
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	L	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	L-ZP	NP	NP	\$11.7; \$11.10.8
	Garden*	L	L	L	L	L	L	\$11.7; \$11.10.9
	Keeping of Animals	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	\$11.7; \$ 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable						
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	\$11.7; \$11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	\$11.7; \$11.10.13
	Outdoor Retail Sale and Display*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	
Outdoor Storage, Limited*	L	L	L	L	L	L	\$11.7; \$11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	\$11.7; \$11.10.17	

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USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	<u>D-AS-12+</u> <u>D-AS-20+</u>	D-CV	
TEMPORARY USE CLASSIFICATION								
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Temporary Uses	L - Applicable to all Zone Districts						\$11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses						\$11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	<u>NP</u>	NP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	<u>L-ZP</u>	NP	\$11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	<u>NP</u>	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	<u>L-ZP</u>	NP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.16
Tent for Religious Services	NP	NP	NP	NP	<u>NP</u>	NP		

SECTION 8.910.5 APPLICABLE USE LIMITATIONS

8.910.5.1 Community Corrections Facility

In all Downtown Zone Districts, where permitted with limitations, all Community Corrections Facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations

Community Corrections Facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.5, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.5, the more specific limitations in this Subsection shall apply.

B. Moratorium on New Community Corrections Facilities

After April 30, 2008, no new community corrections facilities shall begin operation until May 1, 2018.

C. Permitted Location

Community corrections facilities (for purposes of this Subsection, hereinafter “facilities” or “facility”) shall be allowed only in the D-C, D-TD, and D-LD Zone Districts, and shall be located more than:

1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
2. 1,500 feet from a Residential Zone District; and
3. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.

D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less, in the permitted Zone Districts.
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

E. Government Supervision Required for Transition Programs in a Community Corrections Facility

Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

8.910.5.2 Railroad Facilities

In all Downtown Zone Districts where permitted with limitations, all mass transit railroad facilities located within 200 feet of a conforming residential structure shall comply with review procedures according to Section 12.4.3, Site Development Plan Review.

8.910.5.3 Terminal, Freight, Air Courier Service

In the Downtown Zone Districts, where permitted with limitations, this use shall comply with the following:

- A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

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URBAN NEIGHBORHOOD CONTEXT AND MASTER PLANNED CONTEXT		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

GENERAL URBAN NEIGHBORHOOD CONTEXT AND ALL I-MX ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/4 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/3,000 sq. ft. GFA	0%/100%
Commercial Medium	1/10,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

URBAN CENTER NEIGHBORHOOD CONTEXT AND CAMPUS ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/2 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,500 sq. ft. GFA	0%/100%
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

DOWNTOWN NEIGHBORHOOD CONTEXT - D-LD, D-GT, D-AS, <u>D-AS-12+</u>, <u>D-AS-20+</u> ZONE DISTRICTS ONLY		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/2 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,000 sq. ft. GFA	0%/100%
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

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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, Downtown Neighborhood Context, Section ~~8.8.3~~ 8.9.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
4. The City of Denver Landscaping of Parking Areas Rules and Regulations shall not apply to properties zoned under the Denver Zoning Code.
5. See the City of Denver Streetscape Design Manual for additional provisions.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
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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):

CONTEXT AND/OR DISTRICT	PERIMETER PLANTING STRIP REQUIRED	PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN ACCESS REQUIRED
Suburban Neighborhood Context I-A and I-B Zone Districts I-MX Zone Districts with Industrial Building Form (See Figure 10.5-4)	Yes, minimum width of 10 feet	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	No; however may reduce perimeter planting strip width to 5 feet if provide a garden wall	Min 30 inches; Max 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25 feet	Yes
Urban Edge, Urban, General Urban Neighborhood Contexts Campus Master Planned Contexts I-MX Zone Districts with General Building Form (See Figure 10.5-5)	Yes, minimum width of 5 feet		Yes			
Urban Center Neighborhood Context (See Figure 10.5-6)	Not Required	NA	Yes			
<u>Downtown Neighborhood Context D-AS-12+ and D-AS-20+ Districts only (See Figure 10.5-5)</u>	<u>Yes, minimum width of 8 feet (may be located in street right-of-way)</u>	<u>1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'</u>	<u>Yes</u>	<u>Min 30 inches; Max 42 inches</u>		<u>Yes; Min. 3 feet wide access at max. of 80 feet intervals along all public street and alley frontages of the parking lot</u>
Downtown Neighborhood Context <u>D-C, D-TD, D-LD, D-CV, D-GT, D-AS Districts</u>	See <u>Downtown Neighborhood Context Section 8.9.3</u> in Article 8					

Figure 10.5-4

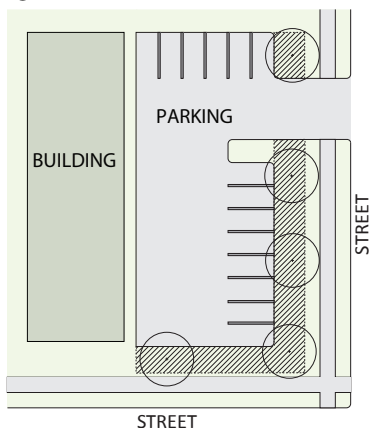


Figure 10.5-5

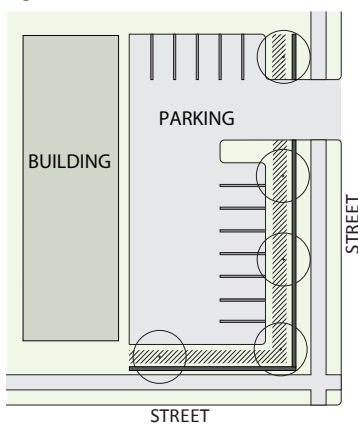
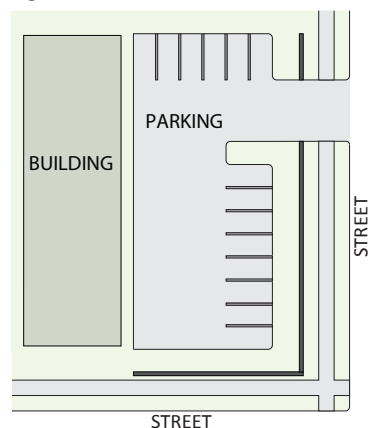


Figure 10.5-6



■ Perimeter Planting Strip
 ○ Canopy Tree
 ▨ Garden Wall

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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, ~~and D-AS~~, D-AS-12+ and D-AS-20+ 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 fee for review of a comprehensive sign plan for large facilities is \$500.00 per facility.

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.

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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-C; and D-TD.

10.10.13.2 Permanent Signs

Permanent signs shall comply with the following standards:

	D-LD; D-CV; D-GT; D-AS, <u>D-AS-12+</u> , <u>D-AS-20+</u>	D-C; D-TD
Contents	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.	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.
Sign Types	Wall, window, ground and arcade.	Wall, window, ground and arcade.
Maximum Number	Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.	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 feet of street frontage in excess of 200 feet. 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.

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	D-LD; D-CV; D-GT; D-AS, <u>D-AS-12+</u> , <u>D-AS-20+</u>	D-C; D-TD
Maximum Sign Area	<p>Dwelling, Multiple Unit: 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.</p> <p>Hospitals: 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.</p> <p>University or College: 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 feet of the zone lot line or campus boundary.</p> <p>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:</p> <ul style="list-style-type: none"> • 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 feet 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. • 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 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter. 	<p>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:</p> <p>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.</p> <p>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.</p> <p>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.</p>
Maximum Height Above Grade	<p>Wall and window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32 feet.</p>	<p>Wall or window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32 feet.</p>
Location	<p>Shall be set back at least 5 feet 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.</p>	<p>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.</p>
Illumination	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>
Animation	<p>Animated signs are prohibited.</p>	<p>Animated signs are prohibited.</p>

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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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: 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.
 - 2. D-LD, D-CV, D-GT, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: 25 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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: 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; ~~and~~ D-AS; D-AS-12+ and D-AS-20+

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.

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- 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, ~~AND~~
D-AS, D-AS-12+, AND D-AS-20+**

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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ 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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ 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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ 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.

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- 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 ~~and D-AS, D-AS-12+, and D-AS-20+~~ 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 ground story 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'-0" 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.
 - b. Multiple signs are not detrimental to the building, the surrounding context or the signage opportunities of adjoining uses.

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- a. 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 (DRC) for each of the D-C, D-TD, D-LD ~~and~~ D-AS, D-AS-12+ and D-AS-20+ 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, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ 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 DRC.
- B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the DRC 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 DRC 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 DRC 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 DRC.
- D. Within the D-AS, D-AS-12+ and D-AS-20+ districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the DRC.
- E. Each DRC shall meet monthly or within 14 calendar days of a special request.
- F. Authority is hereby expressly granted to the applicable DRC 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 DRC by the department of zoning administration. The applicable DRC shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable DRC, 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.

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SECTION 11.4.19 AUTOMOBILE SERVICES, LIGHT OR HEAVY

11.4.19.1 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.

11.4.19.2 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.

11.4.19.3 All C-CCN Zone Districts **and D-AS-12+ and D-AS-20+ Districts**

In all C-CCN **and D-AS-12+ and D-AS-20+** 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 11.4.169.4:

A. Intent

Improve the pedestrian experience ~~in important mixed-use districts through along the Street Level in the Cherry Creek North mixed-use shopping district by requiring ground-story, Street Level pedestrian-friendly active uses in all new development or redevelopment.~~ 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 ~~substantially~~ to the activation, economic vitality, and safety of ~~this important 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 pedestrian-friendly 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 ground-story Household Living uses in Section 11.2.5, and C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces and Street Level active use requirements for the D-AS-12+ and D-AS-20+ Zone Districts in Section 8.8.5.1.

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, Ww~~hen 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

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- 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.

~~See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.5, and C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces.~~

- ~~7. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.~~
- ~~8. Accessory trailer rental is prohibited.~~
- ~~9. 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.~~

11.4.19.4 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.
- B. Rental or sale of motor vehicles is prohibited, unless otherwise permitted as a primary use in the subject Zone District.
- C. Fuel pumps and permitted accessory trailer storage need not be enclosed, except in a RX Zone District.
- D. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.
- E. Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks or public park strips.
- F. The use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles; outdoor lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic.
- G. All outdoor lighting shall be provided with full cut-off fixtures. The use shall extinguish all outdoor lighting that is not fully shielded at close of business or 11:00 p.m., whichever is earlier.
- H. Trailer rentals are permitted as an accessory use subject to the following limitations:
 1. One trailer is permitted on the zone lot for each 4,000 square feet of land area in the zone lot, not, however, exceeding 5 trailers at any one time; and
 2. Each trailer shall not exceed 8 feet in height, length and width.
- I. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the accessory use standards in Division 11.7, Accessory Use Limitations, and in Division 11.10, Uses Accessory to Nonresidential Uses - Limitations.
- J. An automobile services use may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles as regulated by the Denver Fire Code. Any above-ground fuel tanks shall be located a minimum of 1,000 feet from a protected use, as "protected use" is defined by the Denver Fire Code.

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SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT

11.5.26.1 All CC, MX, MS, CMP, and D-AS-12+ and D-AS-20+ Zone Districts

In all CC, MX, MS, CMP, and D-AS-12+ and D-AS-20+ 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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DIVISION 12.2 REVIEW AND DECISION MAKING BODIES

Division 12.2 states the roles and responsibilities of all bodies with respect to administering and enforcing this Code.

SECTION 12.2.1 CITY COUNCIL

12.2.1.1 General Authority

The City Council may exercise powers described by the charter, ordinances, and rules and regulations.

12.2.1.2 Authority for Final Action

The City Council is responsible for final action regarding:

- A. Official Map Amendments (Rezoning)
- B. Text Amendments

SECTION 12.2.2 PLANNING BOARD

12.2.2.1 General Authority

The Planning Board may exercise the powers described by D.R.M.C. Sec. 12-45, Powers and Duties of the Planning Board, and as described in this Code.

12.2.2.2 Authority for Final Action

The Planning Board is responsible for final action regarding:

- A. District Sign Plans in the Downtown Theater Zone District.
- B. Site development plan applications for certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) Zone Districts, as specified in Article 9, Division 2 (Campus Context) of this Code.

12.2.2.3 Review Authority

The Planning Board shall review and make recommendations to the authority responsible for final action shown in Section ~~12.2.8~~12.2.9, Summary Table of Authority and Notice, regarding:

- A. Official Map Amendments (Rezoning)
- B. Text Amendments
- C. General Development Plans (GDPs)

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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 ARAPAHOE SQUARE DESIGN ADVISORY BOARD

12.2.8.1 Creation

- A. The Downtown Arapahoe Square 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 Arapahoe Square area; one resident of the downtown area (including the Ballpark, Curtis Park and Enterprise Hill areas, as well as other nearby parts of the Five Points, Central Business District and Union Station statistical neighborhoods); 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 Arapahoe Square Design Advisory Board shall be open to the public and allow opportunity for public comment.

12.2.8.3 Review Authority

- A. Within the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts, the Downtown Arapahoe Square Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator, as specified in adopted rules and regulations, which may be amended from time to time.

SECTION 12.2.812.2.9 SUMMARY TABLE OF AUTHORITY AND NOTICE

	REVIEW AND DECISION-MAKING AUTHORITY						TYPE OF PUBLIC NOTICE REQUIRED				
	D = Decision-Making Authority R = Review and Recommendation Authority * = Public Hearing Required						■ = Notice Required Blank Cell = Notice Not Required				
							Informational Notice		Notice of Public Hearing		
	Zoning Administrator	Manager	DRC	Board of Adjustment	Planning Board	City Council	Written and Posted Notice of Receipt of Application	Posted Notice of Final Administrative Decision	Written	Posted	Published
Zoning Permit Review	D										
Zoning Permit Review with Informational Notice	D						■	■			
Site Development Plan Review	R	R	D				■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require notice of a public hearing		
Zone Lot Amendment	D										
Administrative Adjustment	D										
Code Interpretation, Determination of Unlisted Use	D										
Comprehensive Sign Plan	D				R*		■	■	■	■	
Variance	R			D*			Refer to rules of Board of Adjustment				
Appeal of Administrative Decision	R			D*			Refer to rules of Board of Adjustment				
Special Exception	R	R		D*			Refer to rules of Board of Adjustment				
Official Map Amendment (Rezoning)		R			R*	D*	■ - Written Notice Only		■	■	■
Text Amendment	R	R			R*	D*			■		■
General Development Plan	R		D		R*				■	■	
Regulating Plan	R	D									

12.3.4.2 Types of Public Notice

There are two types of public notice addressed by this Section:

A. Notice of Public Hearings

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, “Notice of Public Hearings” provides the public with advance notice of a required hearing at which a review- or decision-making body will take action on an application under this Code. Such notice may be provided in writing (mailed), by posting (signs), or by publication.

B. Informational Notice

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, “Informational Notice” provides the public with notice of Community Planning and Development’s receipt of an application for review (e.g., a zoning permit or site development plan), and/or the approving authority’s final decision on such application and available avenues for appeal. Such notice may be provided in writing (mailed) and/or by posting (signs).

12.3.4.3 Public Notice – When Required

Required public notices are summarized in the table shown in Section [12-2-812.2.9](#), Summary Table of Authority and Notice. More detailed information may be included with each specific zoning procedure described in Division 4 of this Article 12.

12.3.4.4 Notice of Public Hearing

A. Written Notice of Public Hearings

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, written notice of a public hearing shall be provided in compliance with the following standards:

1. Written Notice of Planning Board Public Hearings

No later than 15 days before a required Planning Board public hearing on an application, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization’s boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.

2. Written Notice of City Council Public Hearings

No later than 21 days before a required City Council public hearing on an application, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization’s boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.

3. General Requirements

- a. The notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- b. Notification shall include, where applicable, the location and general description of the proposed action; the process to be followed, including the date, time and place of the scheduled public hearing and/or public meeting.

4. Minor Defects in Notice Do Not Impair Hearing

Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a *bona fide* attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing and the location of the subject property shall be strictly construed. If questions arise at the

hearing regarding the adequacy of notice, the review or decision-making body shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before proceeding with the hearing.

B. Posted Notice of Public Hearings

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of a required public hearing shall be provided in compliance with the following standards:

1. No later than 15 days prior to the required Planning Board public hearing, and no later than 21 days prior to the required City Council public hearing, the applicant shall be responsible for posting signs on the subject property providing public notice thereof.
2. Posted notice shall be in number, size, location, and content as prescribed by the Manager and shall indicate the time and place of the public meeting or hearing, and any other information prescribed by the Manager.
3. The applicant shall take all reasonable efforts to assure that posted signs remain on the site in the number and location prescribed by the Manager, and in good condition to maintain legibility, during the posting period.
4. Posted notices shall be removed by the applicant from the subject property no later than 15 days after the public hearing has been held. Failure to do so shall constitute a violation of this Code.

C. Published Notice of City Council Public Hearing

No later than 21 days prior to the required City Council public hearing, the Office of the City Council, together with the Denver City Clerk's Office, shall publish notice of the time and place of a required public hearing before the City Council in the official newspaper.

12.3.4.5 Informational Notice – General Provisions

A. Written Notice of Receipt of Application

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, written notice of receipt of application shall be provided in compliance with the following standards:

1. Official Map Amendment (Rezoning) - Timing of Notice

For an official map amendment (rezoning) application, Community Planning and Development shall cause written informational notice to be provided no later than 10 days after the determination that a complete application has been received in accordance with Section 12.3.3.8, Determination of Complete Application. Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

2. All Other Applications - Timing of Notice

Except for an official map amendment (rezoning) application, no later than 10 days after receipt of a complete application, Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

3. Notice to Landmark Preservation Commission

If the subject property falls within an area designated as a structure or district for preservation according to the Chapter 30 (Landmarks) of the Denver Revised Municipal Code, Community Planning and Development shall notify the Denver Landmark Preservation

Commission regarding the application within the same time periods specified in paragraphs 1 and 2 above.

4. General Rules

- a. The informational notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- b. Notification shall include the location and general description of the application and proposed action; and the process to be followed, including the date, time and place of any related public meeting or hearing, if such has been scheduled; and information concerning, as applicable, when and where written comments may be submitted.
- c. The failure of a registered neighborhood organization for whatever reason to receive a notification required hereunder shall not invalidate any final action by the city.

B. Posted Notice of Receipt of Application

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of receipt of an application shall be provided in compliance with the following standards:

1. No later than 10 days after receipt of a complete application, the applicant shall post the subject property in a conspicuous location for 10 days with a sign or sign template provided by Community Planning and Development. The start of the 10-day period shall be the first day of the posting of the sign.
2. Such sign shall describe the proposal, give directions for submitting comments to Community Planning and Development within 30 days from the beginning of the posting period, and state that any final decision to approve the application shall be posted at the same location for 15 days as soon as it is effective.
3. Posted notices shall be removed by the applicant from the subject property by no later than 15 days after the end of the posting period. Failure to do so shall constitute a violation of this Code.

C. Posted Notice of Final Administrative Action

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of final administrative action on an application shall be provided in compliance with the following standards:

1. Within 7 days after reaching a final decision to approve an application subject to informational notice, Community Planning and Development shall cause the applicant to post the property with a copy of the approving decision for a period of 15 days.
2. The applicant shall post the property in a conspicuous location with a sign or sign template provided by Community Planning and Development.
3. The effective date of the final administrative action and the start of the 15-day period during which appeals may be made to the Board of Adjustment shall be the first day of the posting of the sign. Such sign shall describe how an appeal from the final administrative decision may be filed and state that any appeal must be filed within 15 days, and shall provide contact information for obtaining the standards and criteria that will govern the appeal.

SECTION 12.3.5 EFFECT OF APPROVED APPLICATIONS, PLANS AND PERMITS

All applications, plans and permits approved under this Article 12 and this Code shall be binding upon the applicants, their successors and assigns, shall limit and control the issuance and validity of all subsequent site

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2. For the purpose of computing the size of an area for compliance herewith, there shall be excluded from the minimum area calculation the following:
 - a. That portion of public rights-of-way in excess of 60 feet in width;
 - b. Water reservoirs, including supporting land, owned by the city, the state, the Denver Water Board, or any agency of the federal government;
 - c. All land owned by Denver School District No. 1 which is used for school purposes; and
 - d. All land owned by the city, the state, or any agency of the federal government which is used for public park or recreational purposes.

D. Minimum Area Requirements for Rezoning

Subject to the foregoing limitations, an area proposed to bear the following zoning classifications shall contain at least the following area:

ZONE DISTRICT CLASSIFICATION PROPOSED	MINIMUM AREA REQUIRED
SU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. SU zone to "A1", "B1", "C1" etc. SU Zone District: minimum 1 block • Rezone from "A", "B", "C", etc. SU zone to "A2", "B2", "C2" etc. SU Zone District: 8 acres
TU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. TU zone to "A1", "B2", "C1" etc. TU Zone District: 8 acres

TH	2 acres, or at least one face block
RH	2 acres, or at least one face block
MU	2 acres, or at least two facing block faces or one block
RO	No requirement

CC	No requirement
RX	No requirement
MX	No requirement
MS	No requirement
CCN	No requirement

D-C	Must abut an existing D-C District
D-TD	Must abut an existing D-TD district
D-LD	Must abut an existing D-LD district
D-CV	Must abut an existing D-CV district
<u>D-AS-12+ and D-AS-20+</u>	<u>Must abut an existing D-AS-12+ or D-AS-20+ District</u>

I-MX	No requirement
I-A	8 acres
I-B	8 acres
CMP-H, H2	6 acres or no minimum if abutting an existing CMP-H or CMP-H2 district
CMP-EI, EI2	CMP-EI: 6 acres or no minimum if abutting an existing CMP-EI district CMP-EI2: 70,000 square feet or no minimum if adjacent to or across the street from an existing CMP-EI or CMP-EI2 district
CMP-ENT	6 acres

Contents

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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, and C-CCN-D-AS-12+ and D-AS-20+ Zone Districts~~

A. Intent

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

B. General Requirements

1. 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.
2. 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.

C. Criteria for Zoning Administrator Determinations

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:

1. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
2. Block and lot shape;
3. The functional street classification of all abutting streets as adopted by the Public Works Department;
4. The future street classification of all abutting streets as adopted in Blueprint Denver;
5. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
6. 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.

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13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+ and D-AS-20+ 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+) and Downtown Arapahoe Square 20+(D-AS-20+) 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

The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.

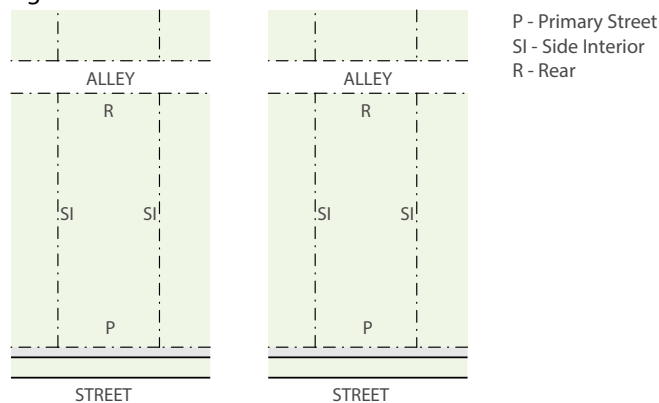
2. Interior Zone Lots

For interior zone lots in all C-CCN, D-AS-12+, and D-AS-20+ 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 13.1-55.

Figure 13.1-55



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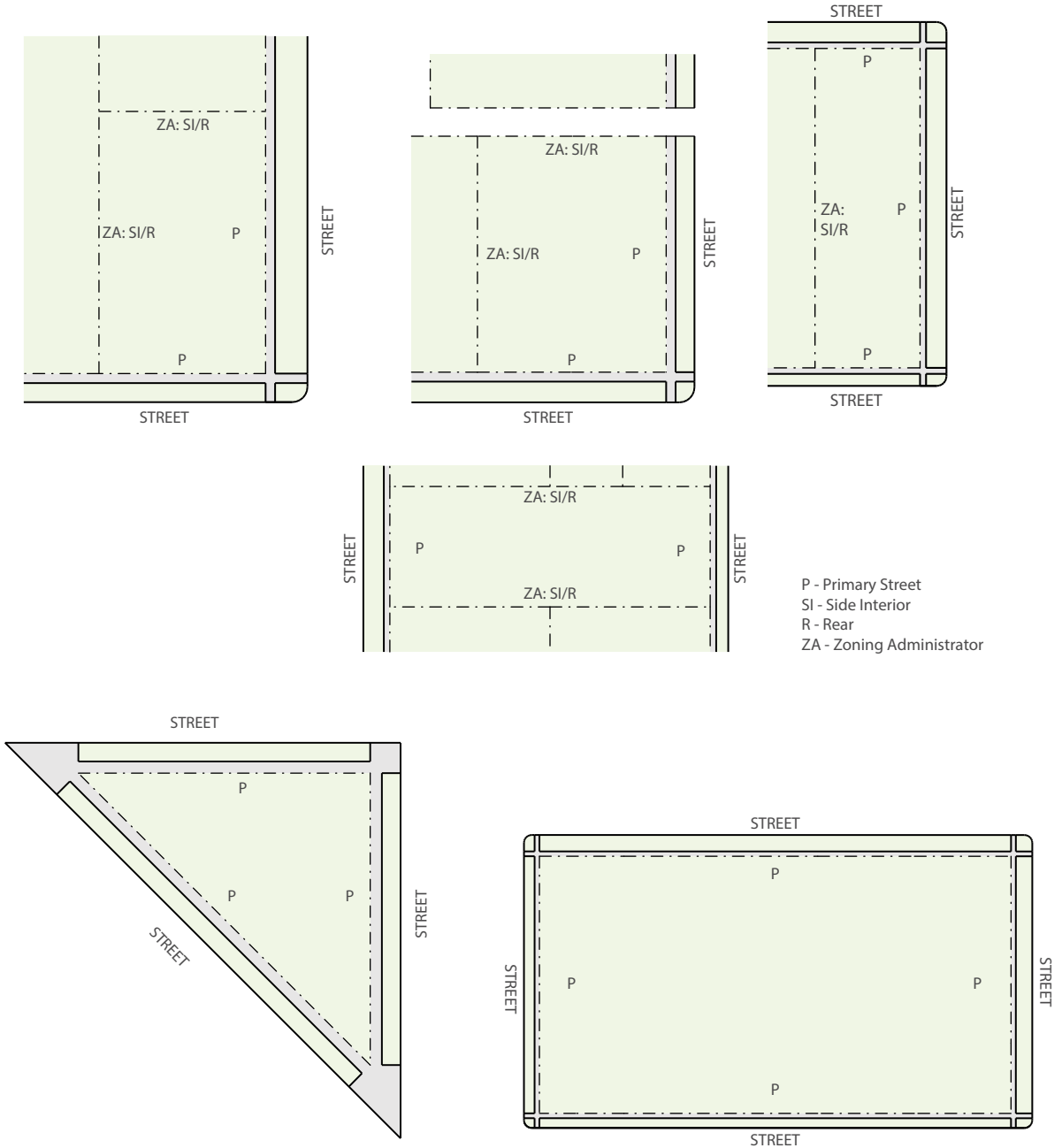
3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block

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+, and D-AS-20+ 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 13.1-56

Figure 13.1-56



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D. General Requirements

1. Required build-to standards shall apply only to the ground floor of the primary structure(s) on a zone lot.
2. Buildings, or a permitted alternative, shall be built at or within the Build-To requirement for at least the minimum percentage (%) required along the Primary and/or Side Street frontage.
3. Build-to requirements are calculated separately for each separately owned zone lot frontage comprising a development site.

E. Build-to Alternative Requirements

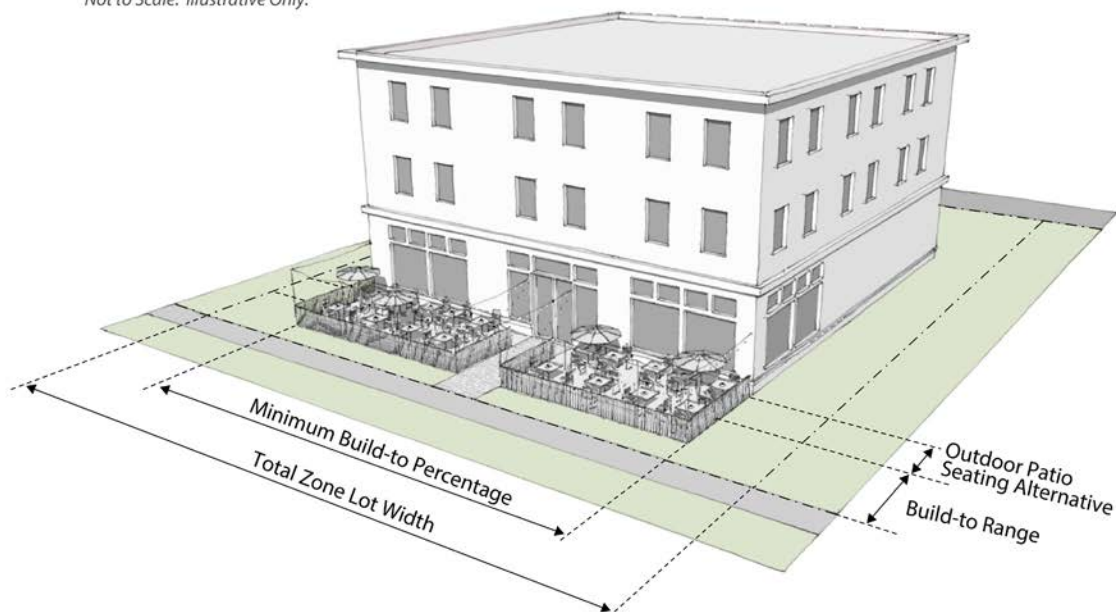
Where permitted, the following alternatives may be used singularly or in combination as alternatives to a required build-to minimum percentage standard:

1. Permanent Outdoor Patio Seating

Permanent outdoor patio seating shall be placed between the building and the Primary Street zone lot line. Street Level Activation standards shall still apply for portions of the facade behind permanent outdoor patio seating.

Figure 13.1-58

Not to Scale. Illustrative Only.



2. Private Open Space

~~When used as an alternative to a required build-to standard,~~ Private Open Space shall comply with the following standards: shall meet the intent and rules of measurement provided in Section 13.1.6.1.B.

- a. Private Open Space used as a build-to alternative in any Zone District:
 - i. Shall be open to the sky
 - ii. Shall not be covered by an Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies
 - iii. May include tables, chairs, benches, sculptures and similar elements

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- iv. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district
- v. Shall be fully visible from a primary street
- vi. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
- b. Private Open Space used as a build-to alternative in a C-CCN Zone District shall contain at least one Minimum Contiguous Area meeting the requirements of Section 13.1.6.1.B.3.b.vii

3. Garden Wall

A garden wall shall comply with all of the following standards:

- a. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - i. Decorative and/or structural piers may exceed 42" in height.
 - ii. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.
 - iii. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84."
- b. Allowed materials are limited to masonry or an ornamental metal fence with masonry piers spaced at not more than 25' with landscaping.
 - i. An Administrative Adjustment to the allowed material is permitted to better match the primary building. See Article 12.
- c. Garden walls used as a Required Build-To Alternative may also be counted toward Perimeter Landscaping Requirements in Article 10.

Figure 13.1-59

Not to Scale. Illustrative Only.



4. Pergola

A pergola shall comply with all of the following standards:

- a. Pergola structure shall consist of an arbor or passageway of columns that is at least 50% open to the sky.
- b. Pergola structure shall be no less than 5' deep as measured perpendicular to the Primary or Side Street zone lot line.
- c. Pergola structure shall not be erected over a Drive or Driveway, or over any part of an Off-Street Parking Area.

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SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

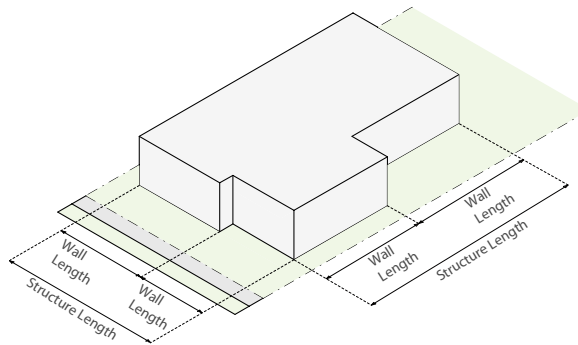
The design element form standards of this Code are defined and measured as set forth below.

13.1.6.1 Building Configuration

A. Front or Side Wall Length / Overall Structure Length

The length of the front or side wall of a structure, or the overall structure length, shall be measured along the primary or side street zone lot line for the entire length of the structure, as shown in Figure 13.1-70 below.

Figure 13.1-70



B. Private Open Space for Cherry Creek Open Space Building Forms

1. Intent

To create quality privately owned open spaces on private property in the Cherry Creek North mixed use shopping district 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 to zone lots in the C-CCN Zone Districts.

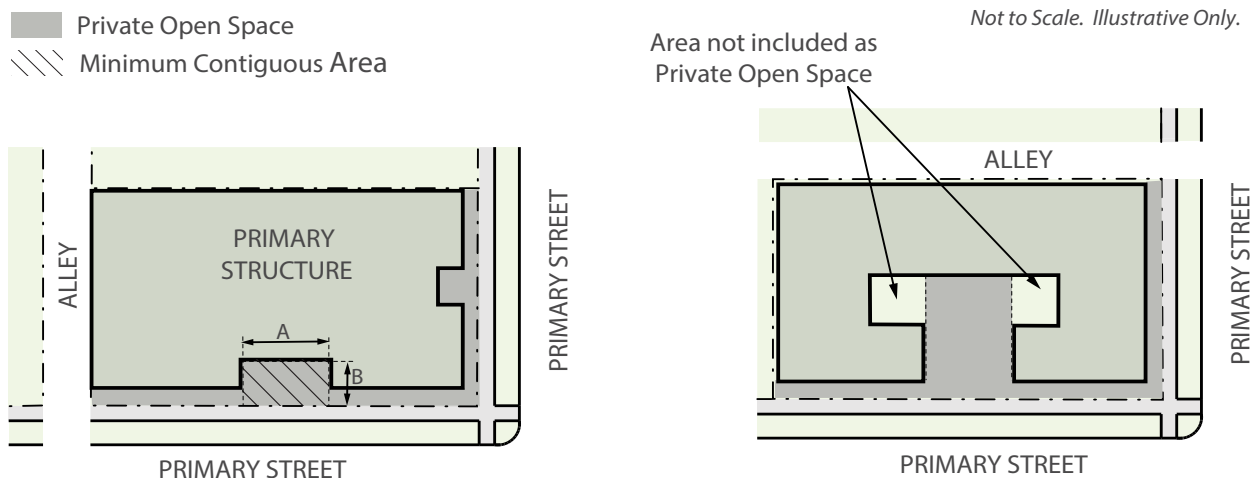
3. Rules of Measurement

- a. For Cherry Creek Open Space building forms, 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 for Cherry Creek Open Space building forms, 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. Any portion of the Private Open Space within the build-to range shall count toward the required build-to percentage (see Subsection 7.3.6.1, Required Build-To Alternatives).
 - iv. Shall abut a primary street zone lot line.
 - v. Shall be fully visible from a primary street.

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- vi. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
- vii. 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 zone lot line, shown as “A” in Figure 13.1-71. The depth of the Minimum Contiguous Area 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 13.1-71.
 - a) For zone lots 9,375 square feet or less, as of October 27, 2014, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep.
 - b) For zone lots 9,375 square feet or less, as of October 27, 2014, where the zone lot abuts the southern boundary of the 3rd Avenue right-of-way, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep and shall abut, be fully visible from, and fully accessible from the 3rd Avenue right-of-way.
 - c) For all other zone lots the Minimum Contiguous Area shall be at least 15 feet wide and 30 feet deep.

Figure 13.1-71



C. Mass Reduction

1. Intent

To sculpt building mass above the base of a building, to reduce the horizontal scale of taller buildings, to provide sun and light exposure through taller buildings, and to encourage architectural variety.

2. Rule of Measurement see Figure 13.1-72

- a. The Mass Reduction is calculated as a percentage (%) using the “gross area without building coverage” at a height of 31 feet or the highest point of the second story, whichever is less, divided by the total gross square foot area of the zone lot and multiplied times 100. For purposes of Mass Reduction, “gross area without building coverage” shall be calculated as the gross area from all zone lot lines to the exterior faces of the following structures:
 - i. Structure, Completely Enclosed;

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D. **Point Tower Floor Plate**

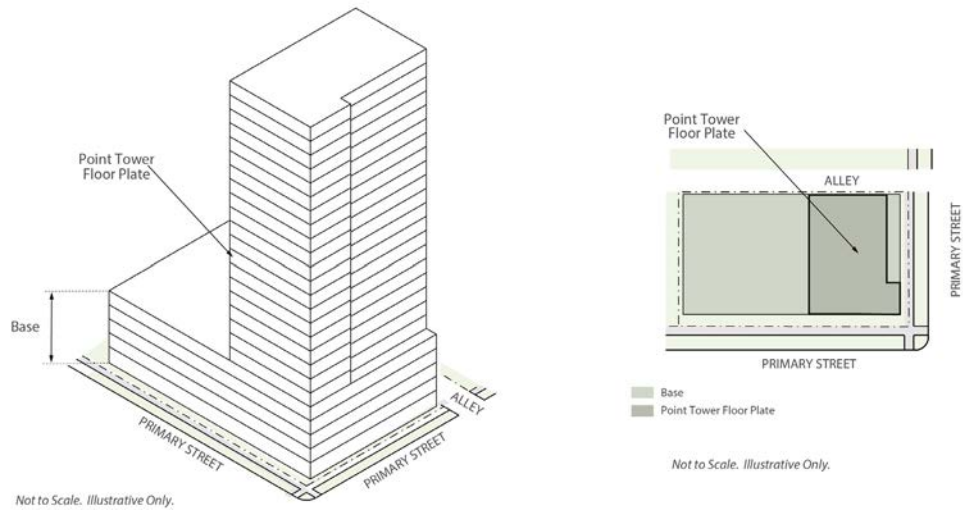
1. **Intent**

To preserve sky exposure and encourage architectural variety by reducing the horizontal scale of the tower portion of a point tower building form.

2. **Rule of Measurement**

- a. Point Tower Floor Plate shall be measured as the Floor Plate of the largest Habitable Story located above the specified height in the building form table. See Figure 13.1-76.

Figure 13.1-76



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E. 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 13.1-7677.

F. Primary Street Upper Story Setback

1. Intent

To provide appropriate pedestrian scale, height and massing along a main Primary Street.

2. Rules of Measurement

a. Upper Story Setback

A minimum Primary Street Upper-story setback is 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 13.1-7677.

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 13.1-78

Figure 13.1-7677

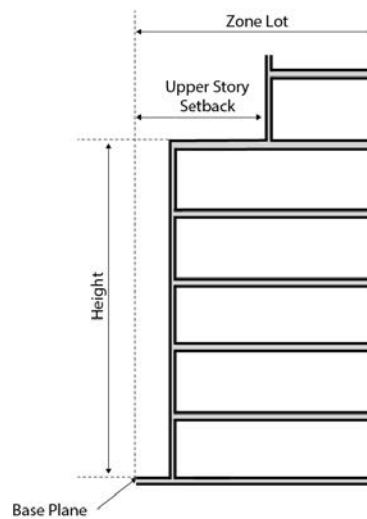
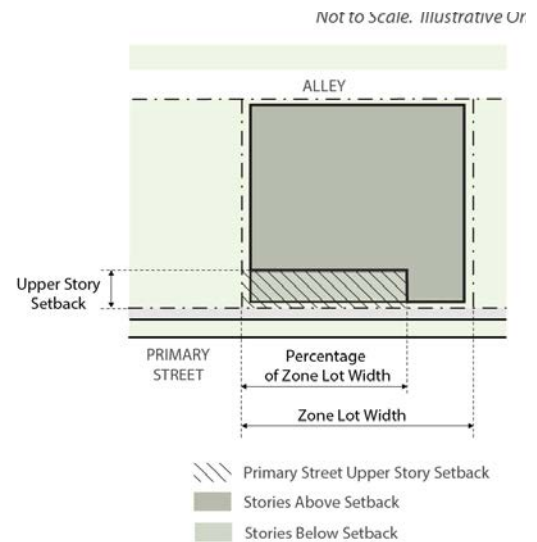


Figure 13.1-78

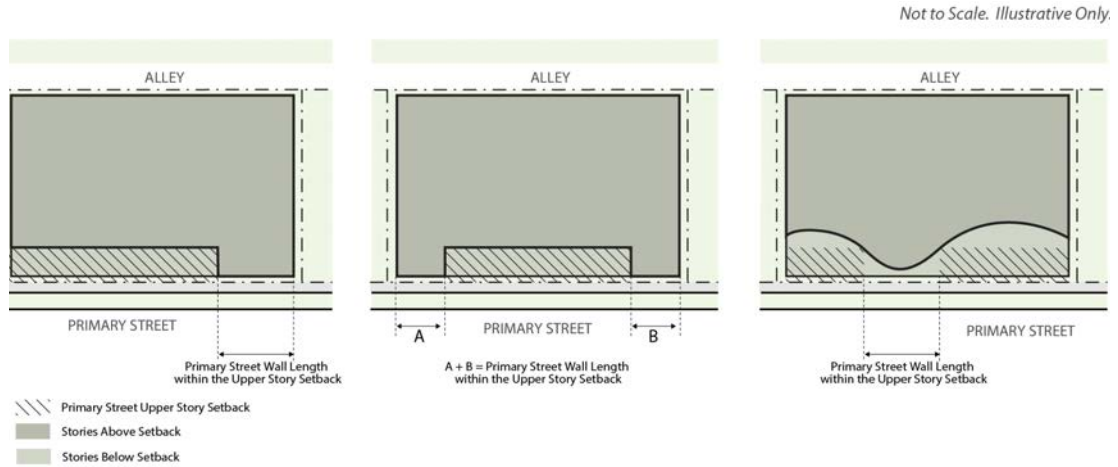


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c. Primary Street Wall Length Within the Upper Story Setback

- 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 13.1-79.

Figure 13.1-79



G. Upper Story Stepback

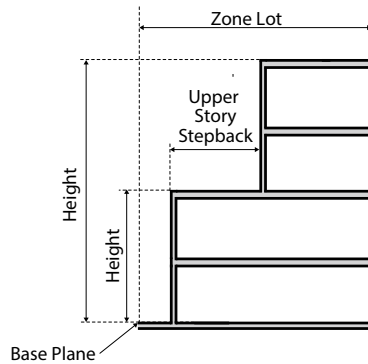
1. Intent

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 13.1-7780.

Figure 13.1-7780



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H. **Limitation on Visible Parking Above Street Level**

1. **Intent**

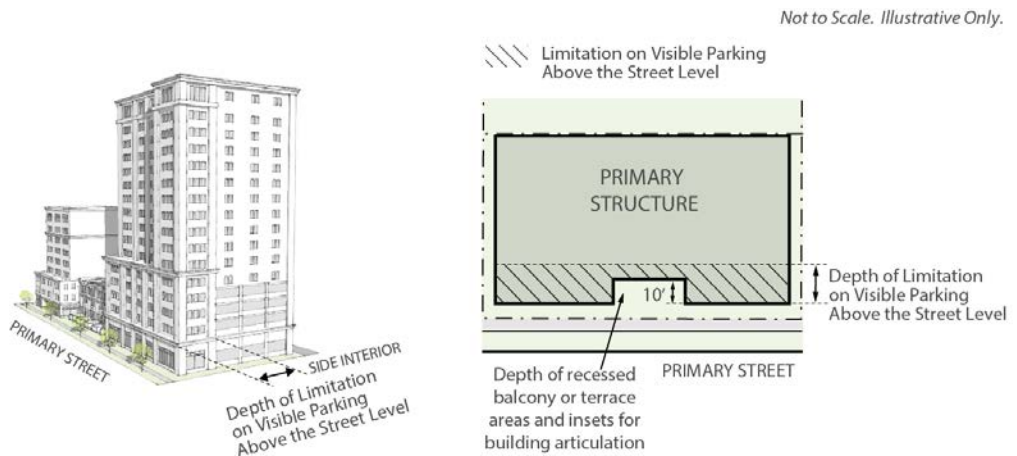
To minimize the visibility, and impacts of structured parking and promote visual interest on upper story building facades.

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 13.1-81. 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 13.1-81.

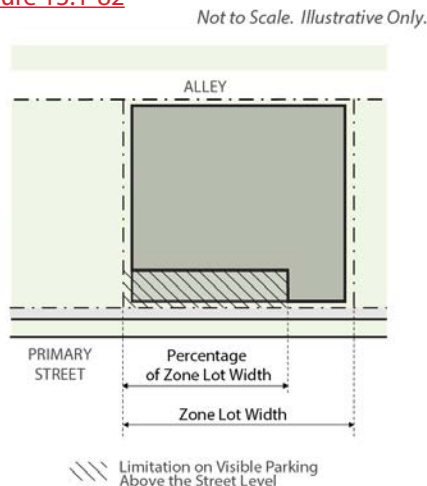
Figure 13.1-81



b. **Percentage of Zone Lot Width for a Limitation on Visible Parking Above Street Level**

The minimum specified building form table percentage of Zone Lot Width at the Primary Street Zone Lot Line shall be required to meet the Limitation on Visible Parking above Street Level. See Figure 13.1-82

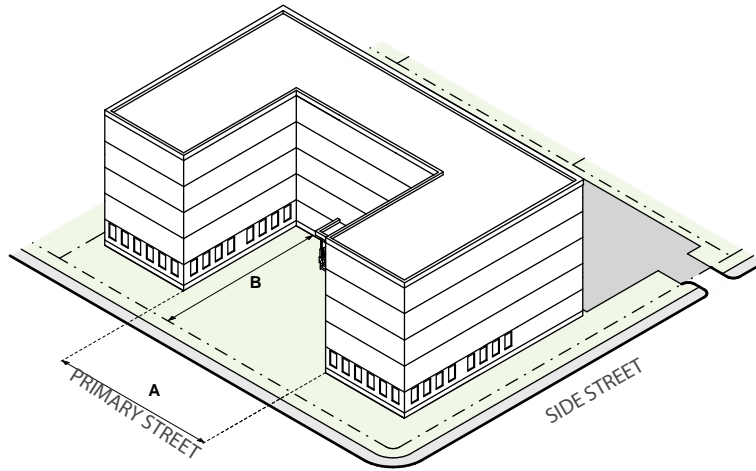
Figure 13.1-82



I. 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 13.1-7882.
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 13.1-7882.

Figure 13.1-7882

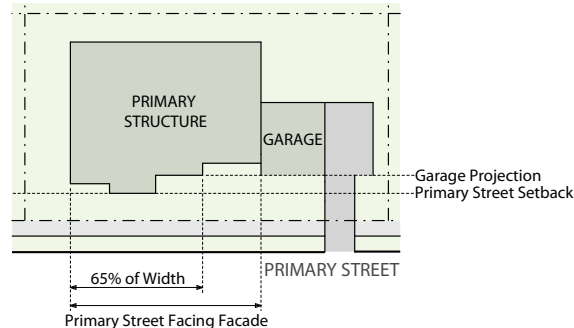


J. Attached Garage Design Standard

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-~~7983~~.

Figure 13.1-~~7983~~



K. Street-facing Attached Garage Door Width

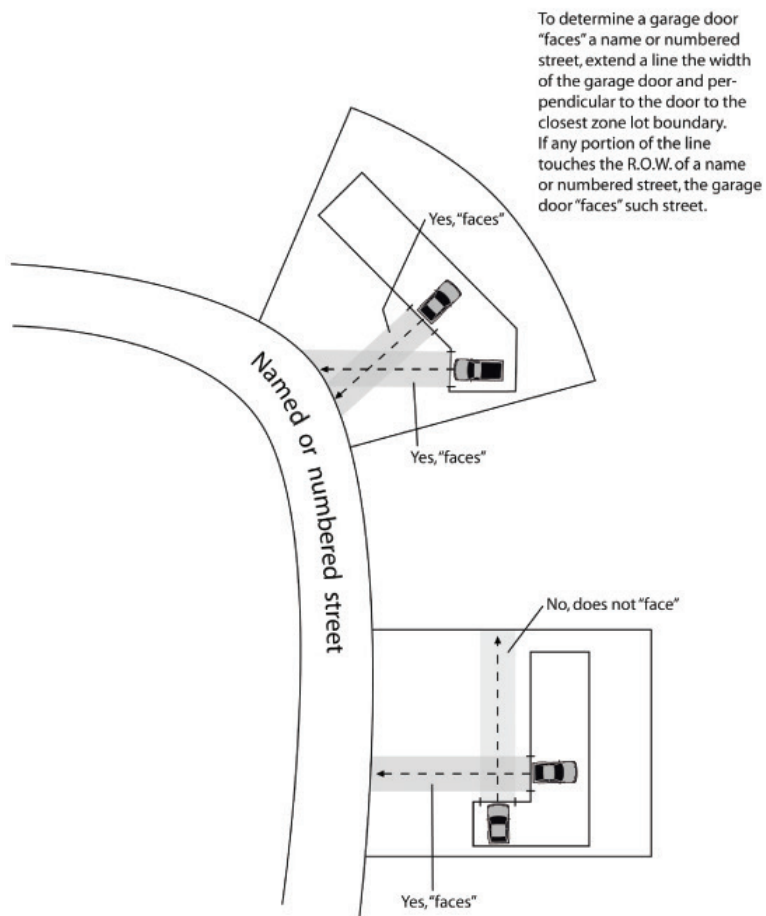
1. Rule of Measurement

- 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-~~8084~~.

Figure 13.1-8084



13.1.6.2 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 13.1.6.2.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 Street Level height across the entire street-facing Street Level building facade. See Figure 13.1-~~8185~~.

- 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-~~8286~~
- 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).

Figure 13.1-8185



Not to Scale. Illustrative Only.

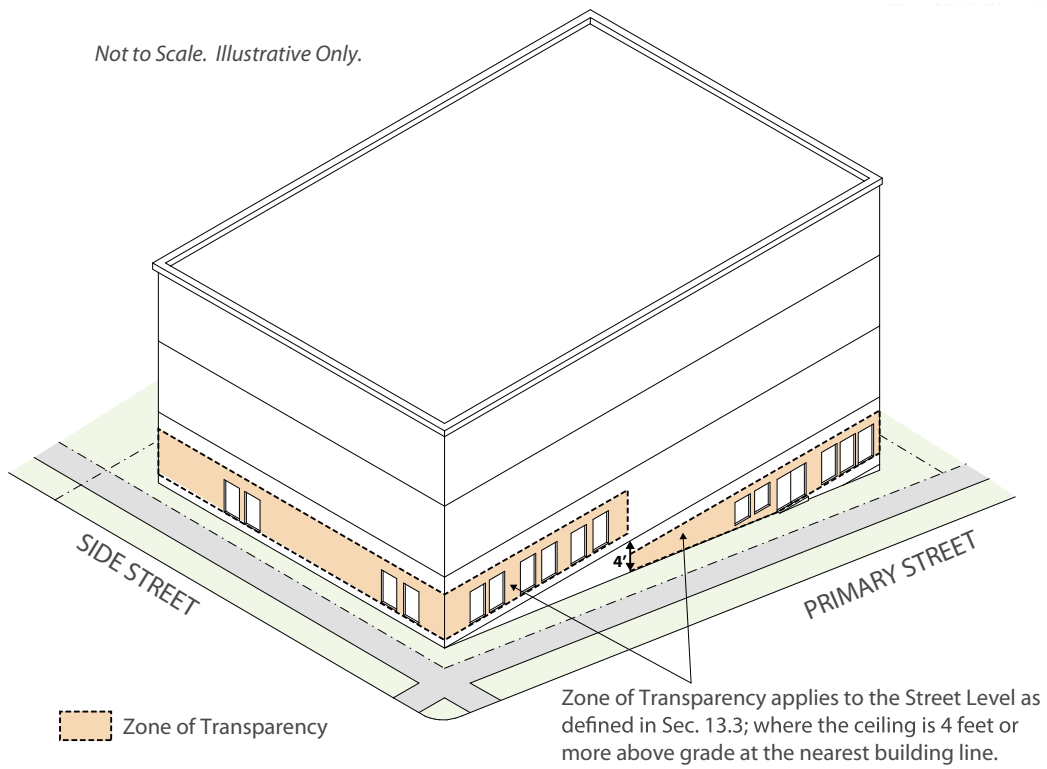
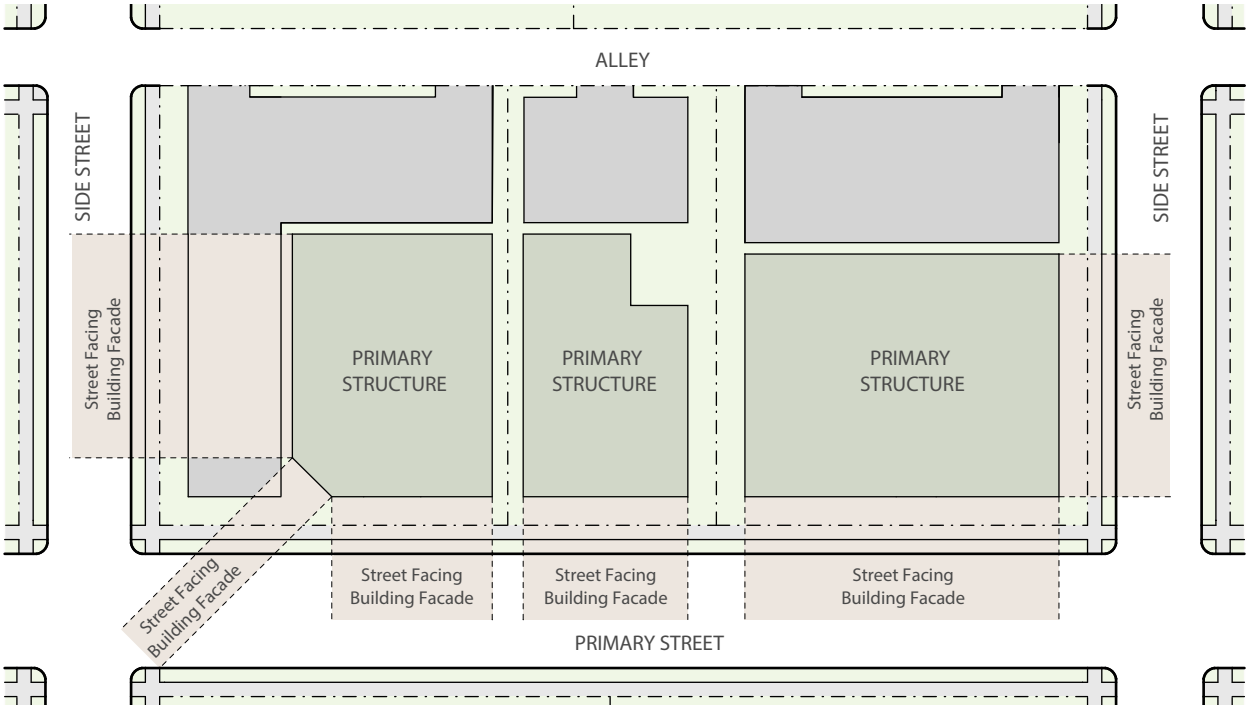


Figure 13.1-8286



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.

Figure 13.1-8387



Not to Scale. Illustrative Only.

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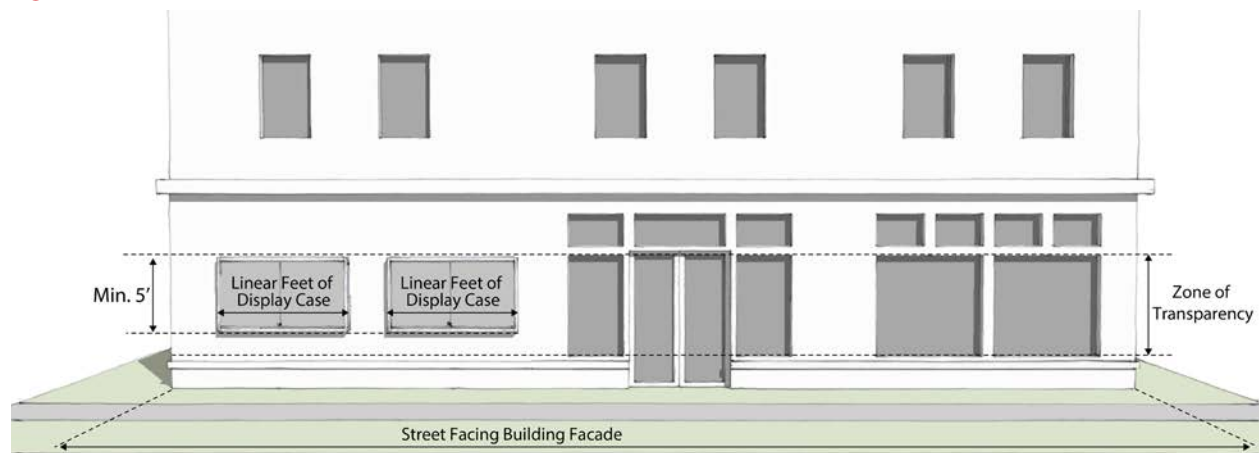
5. **Transparency Alternative Requirements**

Where permitted, the following alternatives may be used singularly or in combination as alternatives to a transparency requirement:

a. **Display Cases and Automated Teller Machines**

- i. Display cases ~~and automated teller machines~~ shall be permanently recessed, integrated into, or installed on the building wall. ~~Display cases~~ They shall be a minimum of 5 feet in height within the Zone of Transparency.
- ii. Display cases ~~and automated teller machines~~ are measured as the total linear width (in feet) of display cases ~~or 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).

Figure 13.1-8488



Not to Scale. Illustrative Only.

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).

Figure 13.1-8589

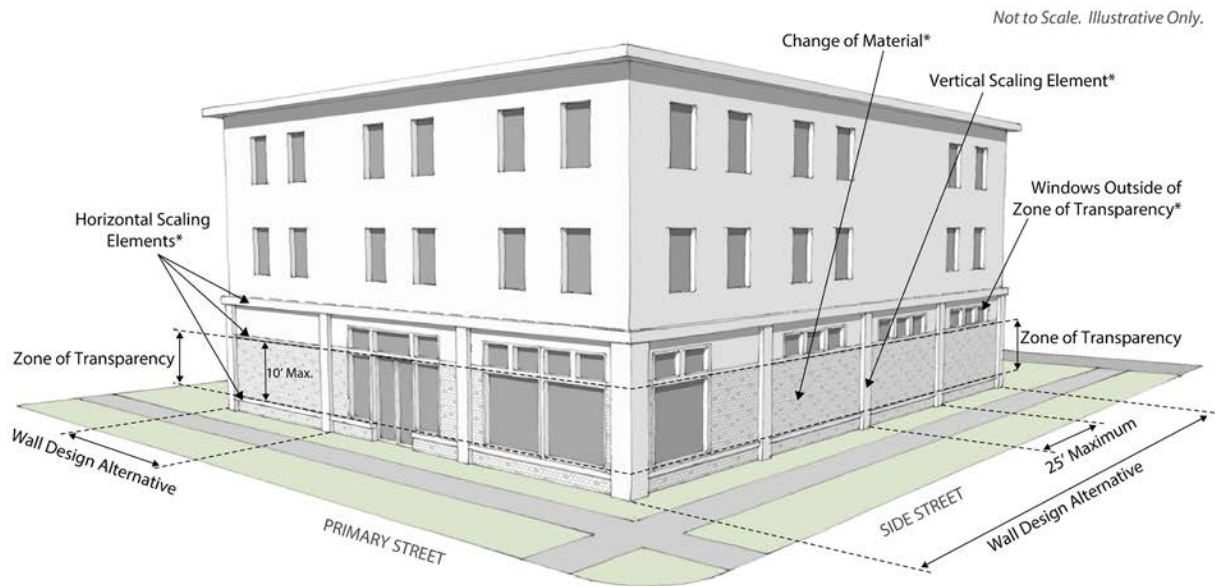


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c. Wall Design Elements

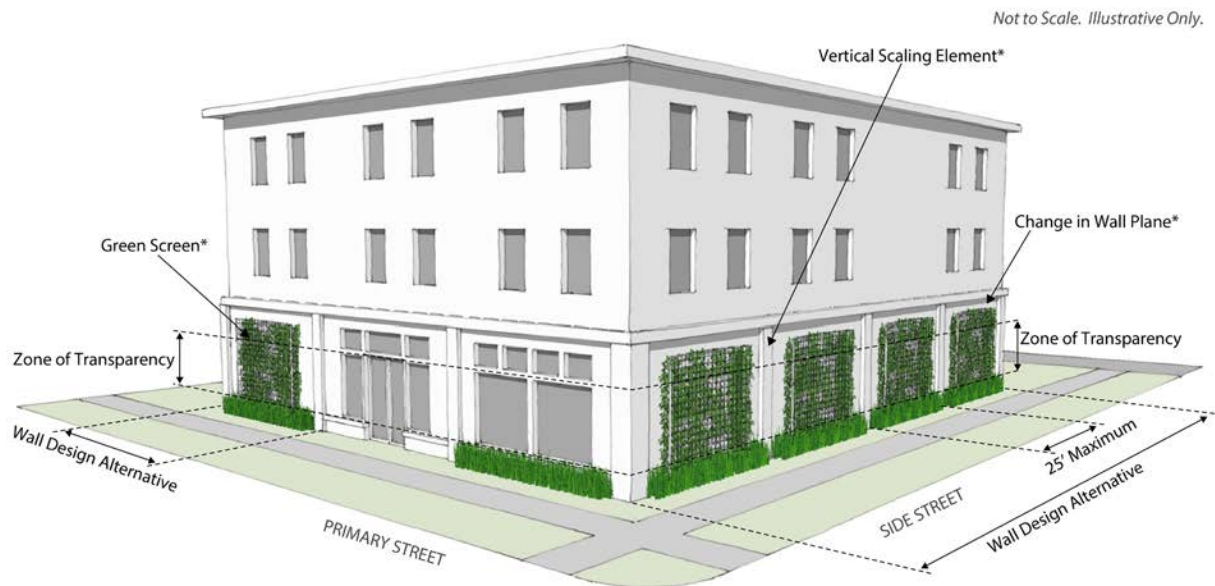
- i. Wall design elements shall be combined into a unified wall design that provides visual interest, pedestrian scale, and integrates into the architecture of the building.
- ii. The unified wall design shall incorporate a minimum of 3 of the following elements, which shall occur at intervals no greater than 25' horizontally:
 - a) An offset or other horizontal change in wall plane not less than 3" in depth.
 - b) A vertical scaling element, such as a pilaster, not less than 4' in height and 1" 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' 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 **if.** below).
 - f) Translucent, fritted, patterned or colored windows (shall not also count as a variation in material, pattern, and/or color per **he.** above).
 - g) Windows outside the zone of transparency when located at the Street Level and compliant with Sections 13.1.6.2.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).

Figure 13.1-8690



*Horizontal Scaling Elements, Vertical Scaling Elements, Change of Material, and Windows Outside of Zone of Transparency create a system of wall design elements.

Figure 13.1-8791

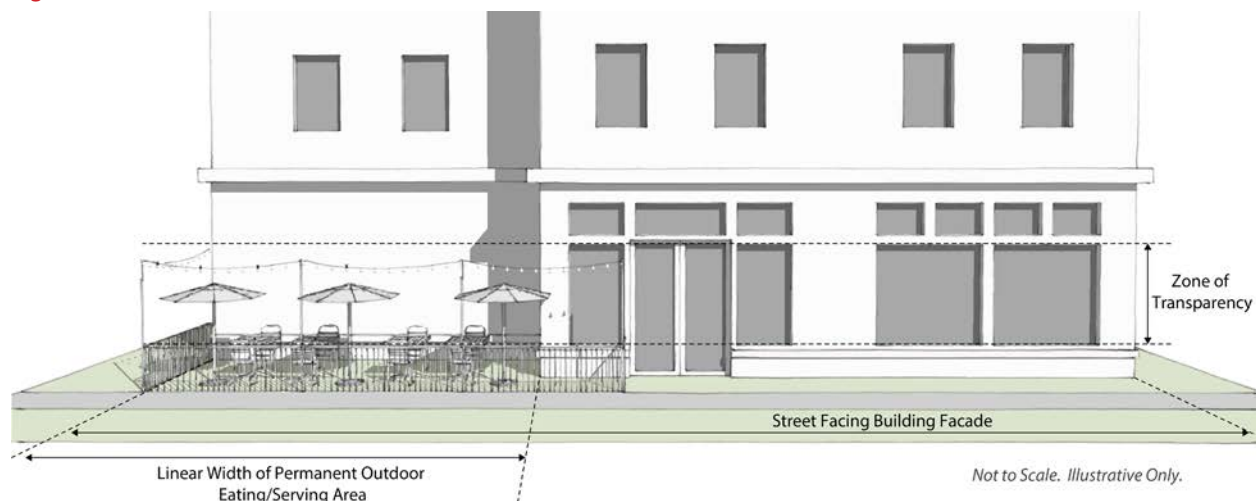


*Green Screen, Vertical Scaling Elements, and Change in Wall Plane create a system of wall design elements.

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).

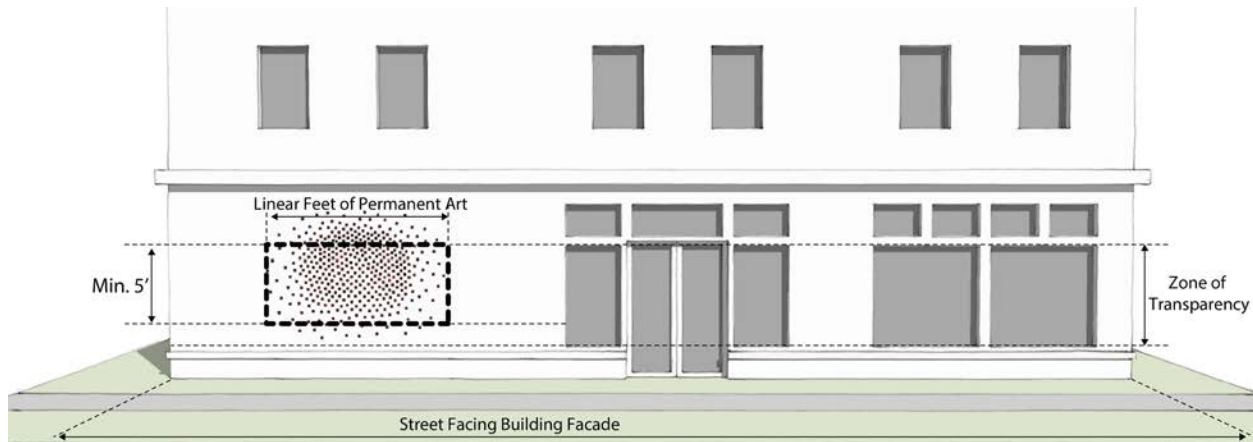
Figure 13.1-8892



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 13.1-8993



Not to Scale. Illustrative Only.

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. Pedestrian access requirements are provided in this Section 13.1.6.2.B.

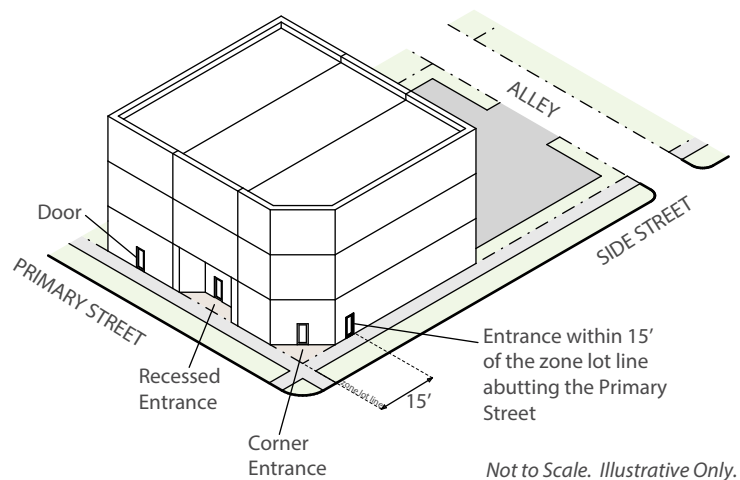
3. Pedestrian Access Requirements

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, Town House, 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 13.1-9094.
- 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.

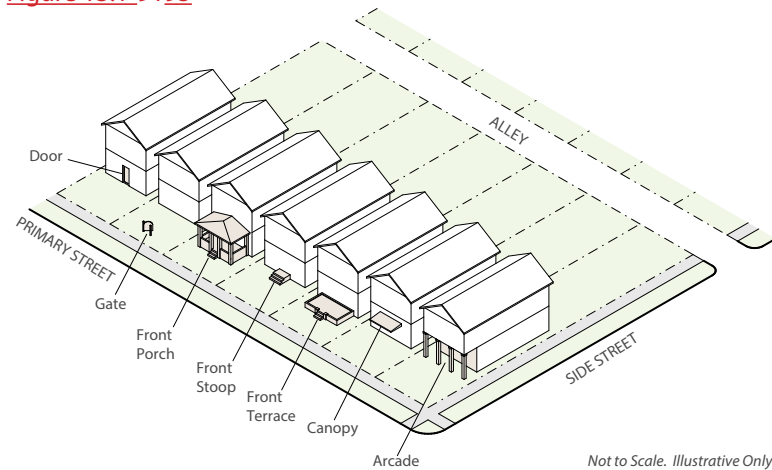
[Figure 13.1-9094](#)



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 13.1-9195.
- iii. An entry feature shall be a Door, Gate, Front Porch, Front Stoop, Front Terrace, Canopy, and/or Arcade

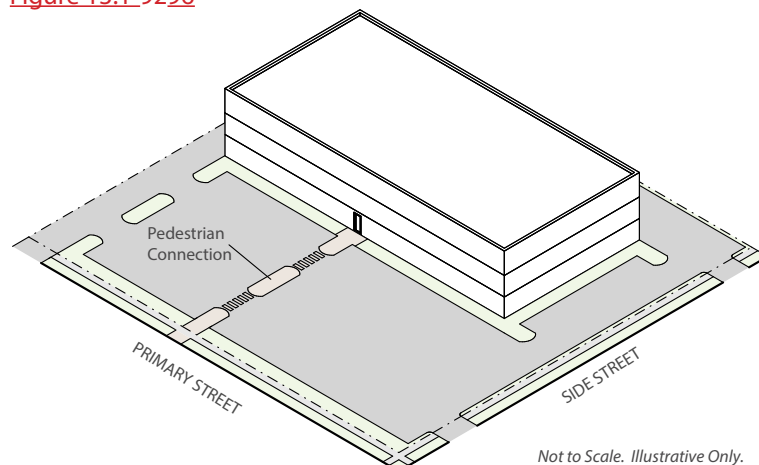
[Figure 13.1-9195](#)



c. 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 13.1-9296. The Pedestrian Connection shall comply with the following:
 - a) Fully paved and maintained surface not less than 5' 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' in length.

[Figure 13.1-9296](#)



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:

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' 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 13.1-9397

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.

Figure 13.1-9498

Not to Scale. Illustrative Only.



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- iii. Overall structure length
 - iv. Pedestrian access, primary structure
 - v. Private open space
 - vi. Mass reduction
 - vii. Limitation on Visible Parking Above the Street Level
- d. Use Building Form Standards
2. The legally established structure was conforming under Former Chapter 59 on June 24, 2010, but does not currently comply with Denver Zoning Code “building height standards,” “siting form standards,” or “design element form standards,” as those terms are defined in Article 13.

Structure, Nonconforming: A structure or building that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure or a compliant structure in the Zone District in which such structure or building is located.

Structure - Group C:

Structure, Accessory: A subordinate structure located on the same zone lot with the primary building, structure, or use, and which is incidental and customary to the primary building, structure, or use. Accessory structures include man-made structures with walls and roofs, along with man-made structures with no walls or no roofs,, including, but not limited to detached garages, fences, walls, gazebos, decks and patios.

Structure, Detached: Any structure having no party wall or common wall with another structure. Bridges, tunnels, breezeways and other similar means of connecting one (1) structure to another shall not, for the purpose of this Code, be considered to constitute a party wall or common wall. See Detached accessory dwelling unit, Detached garage and Detached utility building.

Structure, Permanent: A structure that is built of such materials and in such a way that it would commonly be expected to last and remain useful for a period of time.

Structure, Permitted: A structure meeting all the requirements established by this Code for the Zone District in which the structure is located.

Structure, Primary: The main or primary structure or building in which the primary use of a property is conducted or operated.

Structure, Principal: See “Structure, Primary.”

Structure, Residential: Any building or part of a building constructed with or as sleeping accommodations for a person or group of persons. Other housekeeping accommodations also may be provided.

Structure, Temporary: A structure that is built of such materials and in such a way that it would commonly be expected to have a relatively short life, or is built for a purpose that would commonly be expected to be relatively short, or any structure intended for nonpermanent use or occupancy.

Studio, Professional: A specific type of arts, recreation and entertainment service use. A place where works of art are created, displayed and/or sold, and/or where instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craft work, fine arts, photography, music, or similar fields; but not including health treatment.