# Page Replacement Packet for DZC Text Amendment 2: Color-as-Signs and One-Story Porch Encroachments

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<td>Rules of Interpretation</td>
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### DETACHED ACCESSORY STRUCTURES

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<th>HEIGHT</th>
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<tr>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Stories (max)</td>
<td>1</td>
</tr>
<tr>
<td>Feet (max)</td>
<td>17’</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>SITING</th>
<th>All S-CC,-MX,-MS</th>
</tr>
</thead>
<tbody>
<tr>
<td>SETBACKS</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Setback from Primary Street Facing Facade of Primary Structure (min)</td>
<td>10’</td>
</tr>
<tr>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Side Interior and Side Street (min)</td>
<td>5’</td>
</tr>
<tr>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Rear, no alley (min)</td>
<td>5’</td>
</tr>
<tr>
<td>Rear, alley, where garage doors face alley (min)</td>
<td>5’</td>
</tr>
<tr>
<td>Rear, alley, where garage doors do not face alley (min)</td>
<td>0’</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>DESIGN ELEMENTS</th>
<th>All S-CC,-MX,-MS</th>
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<tbody>
<tr>
<td>Gross Floor Area (max)</td>
<td>10% of the Zone Lot, provided this restriction shall not apply to structures used for the parking of vehicles. See Section 3.3.4.3</td>
</tr>
<tr>
<td>Additional Standards</td>
<td>See Section 3.3.4.3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES</th>
<th>All S-CC,-MX,-MS</th>
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<tbody>
<tr>
<td>Accessory Uses Only</td>
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</table>

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
SECTION 3.3.5 SUPPLEMENTAL DESIGN STANDARDS

3.3.5.1 Surface Parking Between the Building and the Primary/Side Street

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

B. Applicability
This Section 3.3.5.1 applies to the Shopfront building form in the S-MS zone districts.

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

3.3.5.2 Rooftop and/or Second Story Decks

A. Intent
To protect the privacy of adjacent rear yards in low-scale residential neighborhoods.

B. Applicability
All S-SU and S-RH zone districts

C. Supplemental Design Standard
1. Rooftop and/or Second Story Decks are prohibited in the rear 35% of the zone lot depth.
2. The Zoning Administrator may prohibit other similar structures in the rear 35% of the zone lot depth, including detached or freestanding structures, but excluding the detached accessory dwelling unit building form where allowed, when the Zoning Administrator finds the structure would have similar adverse privacy impacts as the specifically prohibited Rooftop and/or Second Story Deck.
### Canopies providing cover to an entrance:

- The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and
- Shall be open on three sides.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All S- Zone Districts, except S-SU and S-RH</td>
<td>All Building Forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>

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

### Gutters and Roof Overhang

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All S- Zone Districts</td>
<td>All Building Forms</td>
<td>3'</td>
<td>3'</td>
<td>3'; if setback is less than 5'; 2'</td>
<td>5'</td>
</tr>
</tbody>
</table>

**Intent:** To allow features of structures intended to repel weather.
### Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:
- May be covered;
- All sides shall be at least 50% open except for any side abutting a building facade or fire wall.

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

<table>
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<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
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</thead>
<tbody>
<tr>
<td>All S- Zone Districts</td>
<td>All Building Forms</td>
<td>8’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>5’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5’</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All S- Zone Districts</td>
<td>All Building Forms</td>
<td>1.5’</td>
<td>1.5’</td>
<td>Not allowed</td>
<td>1.5’</td>
</tr>
</tbody>
</table>
## Article 4. Urban Edge (E-) Neighborhood Context

### Division 4.1 Neighborhood Context Description
- **Section 4.1.1 General Character**
- **Section 4.1.2 Street, Block and Access Patterns**
- **Section 4.1.3 Building Placement and Location**
- **Section 4.1.4 Building Height**
- **Section 4.1.5 Mobility**

### Division 4.2 Districts (E-SU-, E-TU-, E-RH-, E-CC-, E-MX-, E-RX-, E-MS-)
- **Section 4.2.1 Districts Established**
- **Section 4.2.2 Residential Districts (E-SU-A, -B, -D, -Dx, -D1, -D1x, -G, -G1, E-TU-B, -C, E-RH-2.5, E-MU-2.5)**
- **Section 4.2.3 Commercial Corridor Districts (E-CC-3, -3x)**
- **Section 4.2.4 Mixed Use Districts (E-MX-2, -2A, -2x, -3, -3A)**
- **Section 4.2.5 Residential Mixed Use Districts (E-RX-3, -5)**
- **Section 4.2.6 Main Street Districts (E-MS-2, -2x, -3, -5)**

### Division 4.3 Design Standards
- **Section 4.3.1 General Intent**
- **Section 4.3.2 Building Form Intent**
- **Section 4.3.3 Primary Building Form Standards**
- **Section 4.3.4 Detached Accessory Building Form Standards**
- **Section 4.3.5 Supplemental Design Standards**
- **Section 4.3.6 Design Standard Alternatives**
- **Section 4.3.7 Design Standard Exceptions**
- **Section 4.3.8 Reference to Other Design Standards**

### Division 4.4 Uses and Required Minimum Parking
- **Section 4.4.1 Applicability**
- **Section 4.4.2 Organization**
- **Section 4.4.3 Explanation of Table Abbreviations**
- **Section 4.4.4 District Specific Standards**
### Canopies providing cover to an entrance:
- Shall be no more than 8' maximum in horizontal width;
- Shall be open on three sides;
- May include an at-grade landing.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-SU, E-TU, E-RH Zone Districts</td>
<td>All building forms</td>
<td>3'</td>
<td>3'</td>
<td>3'; if setback is less than 5' 2' and at no point closer than 2' to the Zone Lot line.</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>

** Intent: ** To provide for covering over an entrance to protect from weather. Unlike the Porch encroachment, canopy is allowed in Side Interior.

### Canopies providing cover to an entrance:
- The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and
- Shall be open on three sides.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts, except E-SU, E-TU and E-RH</td>
<td>Town House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>5' and at no point closer than 3' to the Zone Lot line</td>
<td>Not allowed</td>
</tr>
<tr>
<td>All others</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>3’</td>
<td>3’</td>
<td>3’; if setback is less than 5’; 2’</td>
<td>5’</td>
</tr>
</tbody>
</table>

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

---

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>Town House</td>
<td>8’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>5’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>5’ and at no point closer than 5’ to the Side Interior Zone Lot line, except Side Interior setback encroachment not allowed for multi-Story features and features not at Street Level</td>
<td>5’</td>
</tr>
<tr>
<td>All Others</td>
<td>All Others</td>
<td>8’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>5’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5’</td>
</tr>
</tbody>
</table>

**Intent:** To promote elements which provide for street activation and human scale.
### Projecting Windows:
- Shall be a minimum of 1.5' above finished floor;
- Shall not extend floor to ceiling; and
- No individual projection shall be more than 10’ in horizontal length at the opening along the face of the building.

#### Table: Projecting Windows

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>Town House</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
</tr>
<tr>
<td>All others</td>
<td>1.5'</td>
<td>1.5'</td>
<td>Not allowed</td>
<td>1.5'</td>
<td></td>
</tr>
</tbody>
</table>

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

#### Illustrative only

---

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

#### Table: Shading Devices

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>5'</td>
<td>3'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

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

#### Illustrative only

---

NOT TO SCALE. ILLUSTRATIVE ONLY.
2. **Site Elements**

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fences and Walls</td>
<td>See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-Street Parking Area</td>
<td>All E-SU, E-TU, E-RH, E-MU Zone Districts</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow off-street parking area where it is not impactful due to the number of required parking spaces.

![Diagram of site elements](image-url)
### Off-Street Parking Area

When a Zone Lot contains two or more building forms with different permitted encroachments, the less restrictive standards shall apply for the entire Zone Lot.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-RH and E-MU Zone Districts</td>
<td>Row House, Garden Court, and Apartment</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td>Allowed within the rear 35% of the Zone Lot only</td>
<td>Any distance</td>
</tr>
<tr>
<td>Town House</td>
<td>Not allowed</td>
<td>Not allowed* (See exception below)</td>
<td>In the front 65% of the Zone Lot: 5' and at no point closer than 5' to the Zone Lot line. In the rear 35% of the Zone Lot: Any distance</td>
<td>Any distance</td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To restrict off-street parking area where it is impactful due to the number of required parking spaces.

---

*Exception:* The minimum 5' of back out space required in Division 10, Section 4 shall be permitted to encroach 2.5’ when:

- The encroachment is screened from the Side Street with a Garden Wall and 1 deciduous canopy tree or minimum 5' wide planting strip landscaped with 50% live plant material as described in 10.5.4.6 Landscape Material Standards.
### Off-Street Parking Area

When a Zone Lot contains two or more building forms with different permitted encroachments, the less restrictive standards shall apply for the entire Zone Lot.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-RX, E-MX, and E-MS Zone Districts</td>
<td>Town House</td>
<td>Not allowed</td>
<td>Not allowed* (*See exception below)</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>All others</td>
<td>Any Distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To restrict off-street parking area where it is impactful due to the number of required parking spaces.

*Exception: The minimum 5' of back out space required in Division 10, Section 4 shall be permitted to encroach 2.5' when:

- The encroachment is screened from the Side Street with a Garden Wall and 1 deciduous canopy tree or minimum 5' wide planting strip landscaped with 50% live plant material as described in 10.5.4.6 Landscape Material Standards.

---

### Drive or Driveway

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-SU, E-TU, E-RH and E-MU Zone Districts</td>
<td>Suburban House, Urban House, Duplex, and Tandem House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area.

---

*Illustrative only*
<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All E-RH and E-MU Zone Districts</td>
<td>Row House and Apartment</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Not allowed (*see exception below)</td>
</tr>
<tr>
<td>Town House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>5’ and at no point closer than 5’ to the Zone Lot line (*see exception below)</td>
<td>Any distance</td>
<td></td>
</tr>
</tbody>
</table>

Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.

*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:
• The Side Interior setback Abuts a public Alley;
• Other public right-of-way, or an easement for public access Abutting a public Alley; or
• Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.
### Article 4. Urban Edge Neighborhood Context

#### Division 4.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All E-MX, E-RX, and E-MS Zone Districts</td>
<td>Town House, General and Shopfront</td>
<td>Any distance</td>
<td>Not allowed</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.

**Illustrative only**

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flatwork providing pedestrian access to entrances and buildings:</td>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Maximum of 5’ wide: Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness

**Illustrative only**
### 3. Service & Utility Elements

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Barrier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.**

- Setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.
- Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.

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

---

**Illustrative only**

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Basketball goals on a fixed post**

**Not to Scale. Illustrative Only.**
### Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

---

### Gas and electric meters

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
</tr>
</tbody>
</table>

**Intent:** To allow for functional siting.
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:

- Does not generate more than 75 decibels of ambient sound according to the manufacturer’s specifications and does not exceed the noise standards of Section 36-6 of the DRMC;
- Does not exceed 4’ in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

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

### Table: Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E- Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
</tr>
</tbody>
</table>

---

Ground mounted evaporative coolers

- located behind the front of the primary structure and
- screened from adjacent properties and public rights-of-way,
- and not to exceed the noise standards of D.R.M.C. Section 36-6

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E- Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>3’</td>
<td>3’</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>

**Intent:** To allow for functional siting.
### Article 4. Urban Edge Neighborhood Context

#### Division 4.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>5'</td>
<td>3'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

**Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways.**

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

---

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

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

---

**Illustrative only**
### Solar Panel, Flush Mounted Roof

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.

![Illustrative only](image)

### Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:

- Shall not exceed 3’ in height.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

![Not to Scale. Illustrative Only.](image)
### Utility Pedestals

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-RH, E-MU, E-RX, E-CC, E-MX, and E-MS Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

Illustrative only

### Window Wells and Emergency Basements

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All E-Zone Districts</td>
<td>All building forms</td>
<td>Any distance for any width</td>
<td>Each may be no more than 3’ in width as measured perpendicular to the side interior/side street zone lot line and 6’ in length as measured parallel to the building facade facing the side interior/side street zone lot line</td>
<td>Any distance for any width</td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To allow for emergency egress

Illustrative only
4.3.7.5 Building Coverage Exception

A. Applicability
   All E-zone districts where a building coverage standard applies.

B. Front Porch
   1. Intent
      To promote street activation and human scale.
   2. Standard
      Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

C. Detached ADU or Detached Garage
   1. Intent
      To promote openness between buildings located in the front and back of the lot.
   2. Standard
      A portion of the area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See applicable building form standards for the applicable zone district for additional limitations on this exception.

D. Attached Garage
   1. Intent
      To promote openness between above-grade portions of a primary structure when such portions are connected only by below-grade living space.
2. **Applicability**
   This exception from building coverage applies only to a primary structure, where a portion of the primary structure functions similarly to a Detached Garage form otherwise allowed, but the garage portion of the structure is attached entirely by a below-grade Room, as defined in this Code and which is greater than 7 feet in any horizontal dimension. The “attached garage” may also contain a permitted ADU use or other allowed Habitable Space.

3. **Standard**
   An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the footprint of the garage portion of the structure (“attached garage”), according to the following:
   
   a. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the at-grade footprint of the garage portion of the structure, up to a maximum credit of 500 sf;
   
   b. The above-grade garage portion of the structure shall be separated by at least 15 feet from any other above-grade portion of the primary structure. See Article 13 for building separation rule of measurement; and
   
   c. At least 80% of the Street Level GFA of the garage portion of the structure shall be used for vehicle parking.

4.3.7.6 **Vehicle Access From Alley Required - Exceptions**

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

   B. **Alley**
      Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless:
      
      1. The Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;
      
      2. The Alley is less than 12 feet in width;
      
      3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;
      
      4. The Department of Public Works prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic;
      
      5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; or
      
      6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 4.3.7.6, then vehicular Alley access is required.
SECTION 4.3.8  REFERENCE TO OTHER DESIGN STANDARDS

4.3.8.1 Article 10: General Design Standards

Refer to the following Divisions for other applicable design standards

A. Parking and Loading: Division 10.4
B. Landscaping, Fences, Walls and Screening: Division 10.5
C. Site Grading: Division 10.6
D. Outdoor Lighting: Division 10.7
E. Signs: Division 10.10
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ARTICLE 5. URBAN (U-) NEIGHBORHOOD CONTEXT

DIVISION 5.1 NEIGHBORHOOD CONTEXT DESCRIPTION ................. 5.1-1
Section 5.1.1 General Character ............................................ 5.1-1
Section 5.1.2 Street, Block and Access Patterns ........................ 5.1-1
Section 5.1.3 Building Placement and Location ........................ 5.1-1
Section 5.1.4 Building Height .............................................. 5.1-1
Section 5.1.5 Mobility ..................................................... 5.1-1

DIVISION 5.2 DISTRICTS (U-SU-, U-TU-, U-RH-, U-MX-, U-RX-, U-MS) .... 5.2-1
Section 5.2.1 Districts Established ......................................... 5.2-1
Section 5.2.2 Residential Districts (U-SU-A, -A1, -A2, -B, -B1, -B2, -C -C1, -C2, -E, -E1, -H, -H1,
U-TU-B, -B2, -C, U-RH-2.5, -3A) ...................................... 5.2-2
Section 5.2.3 Mixed Use Districts (U-MX-2, -2x, -3) .................. 5.2-4
Section 5.2.4 Residential Mixed Use Districts (U-RX-3, -5) .......... 5.2-4
Section 5.2.5 Main Street Districts (U-MS-2, -2x, -3, -5) .......... 5.2-5

DIVISION 5.3 DESIGN STANDARDS ........................................ 5.3-1
Section 5.3.1 General Intent .................................................. 5.3-1
Section 5.3.2 Building Form Intent ....................................... 5.3-1
Section 5.3.3 Primary Building Form Standards ......................... 5.3-5
Section 5.3.4 Detached Accessory Building Form Standards .......... 5.3-26
Section 5.3.5 Supplemental Design Standards .......................... 5.3-38
Section 5.3.6 Design Standard Alternatives ............................. 5.3-41
Section 5.3.7 Design Standard Exceptions ............................... 5.3-43
Section 5.3.8 Reference to Other Design Standards ..................... 5.3-62

DIVISION 5.4 USES AND REQUIRED MINIMUM PARKING ............... 5.4-1
Section 5.4.1 Applicability .................................................. 5.4-1
Section 5.4.2 Organization .................................................. 5.4-1
Section 5.4.3 Explanation of Table Abbreviations ....................... 5.4-1
Section 5.4.4 District Specific Standards ................................ 5.4-3
### Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:
- May be covered;
- All sides shall be at least 50% open except for any side abutting a building facade or fire wall.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>8' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

#### Projecting Windows:
- Shall be a minimum of 1.5' above finished floor;
- Shall not extend floor to ceiling; and
- No individual projection shall be more than 10' in horizontal length at the opening along the face of the building.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>Town House</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
</tr>
<tr>
<td>All others</td>
<td>1.5'</td>
<td>1.5'</td>
<td>Not allowed</td>
<td>1.5'</td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To allow for improved interior daylighting.
Shading devices: Building elements, such as awnings, designed and intended to control light entering a building

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U- Zone Districts</td>
<td>All building forms</td>
<td>5’</td>
<td>3’</td>
<td>3’</td>
<td>10’</td>
</tr>
</tbody>
</table>

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

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

Fences and Walls
See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening

Off-Street Parking Area

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-SU, U-TU, U-RH Zone Districts</td>
<td>Urban House, Duplex, and Tandem House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

Intent: To allow off-street parking area where it is not impactful due to the number of required parking spaces.
### Article 5. Urban Neighborhood Context

### Division 5.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Off-Street Parking Area</strong></td>
<td>All U-TU and U-RH Zone Districts</td>
<td>Row House and Apartment</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td>Allowed within the rear 35% of the Zone Lot only</td>
</tr>
</tbody>
</table>

**Intent:** To restrict off-street parking area where it is impactful due to the number of required parking spaces.

---

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Off-Street Parking Area</strong></td>
<td>All U-RX, U-MS, and U-MS Zone Districts</td>
<td>Town House</td>
<td>Any distance</td>
<td>Not allowed*</td>
<td>Any distance</td>
</tr>
<tr>
<td></td>
<td>General and Shopfront</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**When a Zone Lot contains two or more building forms with different permitted encroachments, the less restrictive standards shall apply for the entire Zone Lot.**

**Intent:** To restrict off-street parking area where it is impactful due to the number of required parking spaces.

---

*Exception: The minimum 5’ of back out space required in Division 10, Section 4 shall be permitted to encroach 2.5’ when:
- The encroachment is screened from the Side Street with a Garden Wall and 1 deciduous canopy tree or minimum 5’ wide planting strip landscaped with 50% live plant material as described in 10.5.4.6 Landscape Material Standards.
### Article 5. Urban Neighborhood Context
### Division 5.3 Design Standards

#### ZONE DISTRICTS | BUILDING FORMS | PRIMARY STREET | SIDE STREET | SIDE INTERIOR | REAR
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All U-SU, U-TU and U-RH Zone Districts</td>
<td>Urban House, Duplex, and Tandem House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area.

*Illustrative only*

#### ZONE DISTRICTS | BUILDING FORMS | PRIMARY STREET | SIDE STREET | SIDE INTERIOR | REAR
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All U-TU and U-RH Zone Districts</td>
<td>Row House and Apartment</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Town House</td>
<td>Any distance</td>
<td>Any distance</td>
<td>5’ and at no point closer than 5’ to the Zone Lot line (*see exception below)</td>
<td>Any distance</td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.

*Illustrative only*

*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:
- The Side Interior setback Abuts a public Alley;
- Other public right-of-way, or an easement for public access Abutting a public Alley; or
- Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.*
Article 5. Urban Neighborhood Context
Division 5.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All U-RX, U-MX, and U-MS Zone Districts</td>
<td>Town House, General and Shopfront</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Not allowed (*see exception below)</td>
</tr>
</tbody>
</table>

Intent: To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.

*Exception: A Drive or Driveway may encroach any distance into a Side Interior setback where:
- The Side Interior setback Abuts a public Alley;
- Other public right-of-way, or an easement for public access Abutting a public Alley; or
- Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one Abutting Zone Lot.

<table>
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<tr>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flatwork providing pedestrian access to entrances and buildings:</td>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Maximum of 5’ wide: Any distance</td>
</tr>
</tbody>
</table>

Intent: To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness
### 3. Service & Utility Elements

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

#### Barrier-free access structures

Barrier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.
- Setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.
- Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

**Basketball goals on a fixed post**

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>
Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

Gas and electric meters

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
</tr>
</tbody>
</table>

Intent: To allow for functional siting.
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
<td>3’; subject to Zoning Permit Review with Informational Notice</td>
</tr>
</tbody>
</table>

- Does not generate more than 75 decibels of ambient sound according to the manufacturer’s specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;
- Does not exceed 4’ in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

Intent: To allow for functional siting.

**Not to Scale. Illustrative Only.**

---

Ground mounted evaporative coolers
- located behind the front of the primary structure and
- screened from adjacent properties and public rights-of-way, and
- not to exceed the noise standards of D.R.M.C. Section 36-6

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>3’</td>
<td>3’</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>

Intent: To allow for functional siting.

**Not to Scale. Illustrative Only.**
Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U- Zone Districts</td>
<td>All building forms</td>
<td>5'</td>
<td>3'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

**Intent:** To provide for egress from a building only for emergency purposes

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U- Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow for above-grade connections that support continuous publicly accessible pedestrian/bicycle routes.
Solar Panel, Flush Mounted Roof

Intent: To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:

• Shall not exceed 3’ in height.

Intent: To allow for functional siting.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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</tr>
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<tbody>
<tr>
<td>All U-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>
### Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:
- Greater than 3’ in height but not exceeding 8’ in height above Finished Grade.

<table>
<thead>
<tr>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U-RH, U-RX, U-MX, and U-MS Zone Districts</td>
<td>All building forms</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

---

### Window well and/or emergency basement egress areas:
- Shall be below grade.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All U- Zone Districts</td>
<td>All building forms</td>
<td>Any distance for any width</td>
<td></td>
<td></td>
<td>Any distance for any width</td>
</tr>
</tbody>
</table>

**Intent:** To allow for emergency egress

---

**Not to Scale. Illustrative Only.**
5.3.7.5 Building Coverage Exception

A. Applicability
All U-zone districts where a building coverage standard applies.

B. Front Porch
1. Intent
   To promote street activation and human scale.
2. Standard
   Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

C. Detached Accessory Dwelling Unit or Detached Garage
1. Intent
   To promote openness between buildings located in the front and back of the lot.
2. Standard
   A portion of the area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See applicable building form standards for the applicable zone district for additional limitations on this exception.

D. Attached Garage
1. Intent
   To promote openness between above-grade portions of a primary structure when such portions are connected only by below-grade living space.
2. Applicability
   This exception from building coverage applies only to a primary structure, where a portion of the primary structure functions similarly to a Detached Garage form otherwise
allowed, but the garage portion of the structure is attached entirely by a below-grade Room, as defined in this Code and which is greater than 7 feet in any horizontal dimension. The “attached garage” may also contain a permitted ADU use or other allowed Habitable Space.

3. Standard
An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the footprint of the garage portion of the structure (“attached garage”), according to the following:

a. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the at-grade footprint of the garage portion of the structure, up to a maximum credit of 500 sf;

b. The above-grade garage portion of the structure shall be separated by at least 15 feet from any other above-grade portion of the primary structure. See Article 13 for building separation rule of measurement; and

c. At least 80% of the Street Level GFA of the garage portion of the structure shall be used for vehicle parking.

5.3.7.6 Vehicle Access From Alley Required - Exceptions

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

B. Alley
Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless:

1. The Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;

2. The Alley is less than 12 feet in width;

3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;

4. The Department of Public Works prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic;

5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street; or

6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 5.3.7.6, then vehicular Alley access is required.
SECTION 5.3.8  REFERENCE TO OTHER DESIGN STANDARDS

5.3.8.1 Article 10: General Design Standards
Refer to the following Divisions for other applicable design standards

A. Parking and Loading: Division 10.4
B. Landscaping, Fences, Walls and Screening: Division 10.5
C. Site Grading Standards: Division 10.6
D. Outdoor Lighting: Division 10.7
E. Signs: Division 10.10
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<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gutters and Roof Overhang</td>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>3'</td>
<td>3'</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

### Building Forms

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>Town House</td>
<td>8' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and at no point closer than 5' to the Side Interior Zone Lot line, except Side Interior setback encroachment not allowed for multi-Story features and features not at Street Level</td>
<td>5'</td>
</tr>
<tr>
<td>All Others</td>
<td>8' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5'</td>
<td></td>
</tr>
</tbody>
</table>

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

To allow for minor screening and parking elements while maintaining an open and unobstructed setback space.
Article 6. General Urban Neighborhood Context
Division 6.3 Design Standards

### Fences and Walls

See Article 10, Division 10.5 Landscaping, Fences, Walls and Screening

**ZONE DISTRICTS** | **BUILDING FORMS** | **PRIMARY STREET** | **SIDE STREET** | **SIDE INTERIOR** | **REAR**
--- | --- | --- | --- | --- | ---
Off-Street Parking Area | All G-RH, G-MU and G-RO | Urban House, Duplex | Any distance | Any distance | Any distance | Any distance

**Intent:**
To allow off-street parking area where it is not impactful due to the number of required parking spaces.

Not to Scale. Illustrative Only.
### Off-Street Parking Area

When a Zone Lot contains two or more building forms with different permitted encroachments, the less restrictive standards shall apply for the entire Zone Lot.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>G-RH, G-MU, G-RO, G-RX, G-MX and G-MS Zone Districts</td>
<td>Garden Court, Row House, and Apartment</td>
<td>Not allowed</td>
<td>Not allowed</td>
<td>Allowed within the rear 35% of the Zone Lot only</td>
<td>Any distance</td>
</tr>
<tr>
<td>Town House</td>
<td>Not allowed</td>
<td>Not allowed*</td>
<td></td>
<td>In the front 65% of the Zone Lot: 5' and at no point closer than 5' to the Zone Lot line, In the rear 35% of the Zone Lot: Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

*Exception: The minimum 5' of back out space required in Division 10, Section 4 shall be permitted to encroach 2.5' when the encroachment is screened from the Side Street with a Garden Wall and 1 deciduous canopy tree or planting strip.

**Intent:** To restrict off-street parking area where it is impactful due to the number of required parking spaces.
### Article 6. General Urban Neighborhood Context

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<table>
<thead>
<tr>
<th>ZONE Districts</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All G-RH, G-MU and G-RO Zone Districts</td>
<td>Urban House and Duplex</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area.

<table>
<thead>
<tr>
<th>ZONE Districts</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Drive or Driveway</td>
<td>All G-RH, G-MU and G-RO Zone Districts</td>
<td>Garden Court, Row House, and Apartment</td>
<td>Any distance</td>
<td>Not allowed* (*see exception below)</td>
<td>Any distance</td>
</tr>
<tr>
<td>Town House</td>
<td>Not allowed* (*see exception below)</td>
<td>5' and at no point closer than 5' to the Zone Lot line</td>
<td>Any distance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To allow a Drive or Driveway to access an Off-Street Parking Area, but restrict the location where it is impactful due to proximity to adjacent properties.

---

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

- The Side Interior setback abuts a public alley;
- Other public right-of-way, or an easement for public access abutting a public alley; or
- Where a shared access agreement allows the Drive or Driveway to provide shared access to more than one abutting Zone Lot.*
### Flatwork providing pedestrian access to entrances and buildings:

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Any distance, but may not exceed 50% of the area within the setback</td>
<td>Maximum of 5’ wide: Any distance</td>
<td>Maximum of 5’ wide: Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To provide pedestrian access to entrances and buildings, but restrict coverage and width to ensure adequate openness.

---

**Illustrative only**

[Diagram of pedestrian access and building forms]

---

Not to Scale. Illustrative Only.
### 3. Service & Utility Elements

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

| Barrier-free access structures providing access to existing buildings as required by the Americans with Disabilities Act or Denver Accessibility Standards, when no alternative locations are available.  
| setback encroachments for required barrier-free access structures are only allowed for expansions, enlargements, and alterations to existing buildings.  
| Such barrier-free access structures shall be designed to be compatible with the character of the building, as determined by the Zoning Administrator.  |

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G- Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

**Illustrative only**

<table>
<thead>
<tr>
<th>Basketball goals on a fixed post</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G- Zone Districts</td>
</tr>
</tbody>
</table>

**Not to Scale. Illustrative Only.**
### Enclosed structure that is below the original grade and completely underground, of any setback space, except as otherwise restricted by this Code

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
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</tbody>
</table>

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

---

### Gas and electric meters

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
</tr>
</tbody>
</table>

Intent: To allow for functional siting.
Ground mounted air conditioning units or other similar mechanical equipment, except evaporative coolers, provided the following are all met:

- All G-Zone Districts: Not allowed
- All building forms: Not allowed
- Primary Street Setback: 3'; subject to Zoning Permit Review with Informational Notice
- Side Street Setback: 3'; subject to Zoning Permit Review with Informational Notice
- Rear Setback: 3'; subject to Zoning Permit Review with Informational Notice

- Does not generate more than 75 decibels of ambient sound according to the manufacturer’s specifications and does not exceed the noise standards of Section 36-6 of the D.R.M.C.;
- Does not exceed 4’ in height or 10 square feet in area per unit;
- Does not exceed 2 units per zone lot;
- Has adequate screening to conceal it from view from adjacent properties and public rights-of-way by means of landscaping and/or fencing; and
- The location of the unit(s) minimizes the impacts on adjoining properties.

Intent: To allow for functional siting.
### Article 6. General Urban Neighborhood Context
Division 6.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>5'</td>
<td>3'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

**Emergency egress, when required by Denver Fire Code, such as fire escapes, fire escape ladders, and outside stairways, including landing(s) which do not exceed the minimum required dimensions for a landing as defined in the Denver Building And Fire Code and excluding above-grade walkways.**

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

---

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
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</tbody>
</table>

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

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

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**Illustrative only**

---

**Not to Scale. Illustrative Only.**
### Solar Panel, Flush Mounted Roof

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

**Intent:** To allow flush mounted solar panels on the roof of existing structures which may not meet a required minimum setback.

![Illustrative only](image1)

### Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:

- Shall not exceed 3' in height.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
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</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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

![Not to Scale. Illustrative Only.](image2)
### Article 6. General Urban Neighborhood Context

#### Division 6.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE STREET</th>
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<th>REAR</th>
</tr>
</thead>
</table>
| Utility pedestals, transformers or other similar equipment, excluding mechanical equipment:  
• Greater than 3’ in height but not exceeding 8’ in height above Finished Grade. | All G-RH, G-MU, G-RO, G-MX, and G-MS Zone Districts | All building forms | Not allowed | Not allowed | Any distance |

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

![Illustrative only](image1)

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
</table>
| Window well and/or emergency basement egress areas:  
• Shall be below grade. | All G-Zone Districts | All building forms | Any distance for any width | Each may be no more than 3’ in width as measured perpendicular to the side interior/side street zone lot line and 6’ in length as measured parallel to the building facade facing the side interior/side street zone lot line | Any distance for any width |

**Intent:** To allow for emergency egress

![Illustrative only](image2)
### 6.3.7.5 Building Coverage Exception

**A. Applicability**

All G-zone districts where a building coverage standard applies.

**B. Front Porch**

1. **Intent**
   
   To promote street activation and human scale.

2. **Standard**
   
   Area on a zone lot occupied by a Front Porch may be excluded from the calculation of building coverage, up to a maximum of 400 square feet for each dwelling unit.

**C. Detached Accessory Dwelling Unit or Detached Garage**

1. **Intent**
   
   To promote openness between buildings located in the front and back of the lot.

2. **Standard**
   
   A portion of the area on a zone lot occupied by either a Detached Accessory Dwelling Unit building form or a Detached Garage building form may be excluded from the calculation of building coverage. See applicable building form standards for the applicable zone district for additional limitations on this exception.

**D. Attached Garage**

1. **Intent**
   
   To promote openness between above-grade portions of a primary structure when such portions are connected only by below-grade living space.

2. **Applicability**
   
   This exception from building coverage applies only to a primary structure, where a portion of the primary structure functions similarly to a Detached Garage form otherwise.

---

**Mailboxes and other similar structures, including individual mailbox structures and cluster box units (CBUs)**

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
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<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All G-Zone Districts</td>
<td>All building forms</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>

Intent: To allow for functional siting

---

**Illustrative only**

Not to Scale. Illustrative Only.
allowed, but the garage portion of the structure is attached entirely by a below-grade Room, as defined in this Code and which is greater than 7 feet in any horizontal dimension. The “attached garage” may also contain a permitted ADU use or other allowed Habitable Space.

3. **Standard**

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the footprint of the garage portion of the structure (“attached garage”), according to the following:

a. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the at-grade footprint of the garage portion of the structure, up to a maximum credit of 500 sf;

b. The above-grade garage portion of the structure shall be separated by at least 15 feet from any other above-grade portion of the primary structure. See Article 13 for building separation rule of measurement; and

c. At least 80% of the Street Level GFA of the garage portion of the structure shall be used for vehicle parking.

### 6.3.7.6 Vehicle Access From Alley Required - Exceptions

**A. No Alley**

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

**B. Alley**

Where a building form specifies vehicle access from Alley is required, and the Zone Lot is bounded by an Alley, any newly constructed Driveway, Off-Street Parking Area, Garage, Carport, or other parking facility shall be accessed solely from an Alley, unless:

1. The Alley is not provided with an all weather surface of asphalt, asphaltic concrete, concrete, or any equivalent material;

2. The Alley is less than 12 feet in width;

3. At least 60 percent of the existing Zone Lots on the same Face Block are served by Driveways, Off-Street Parking Areas, Garages, Carports, or other parking facilities accessed from a primary street. Additionally, the Department of Public Works shall have approved the location of any such vehicular access;

4. The Department of Public Works prohibits the use of the Alley for vehicular access to the Zone Lot based upon a determination that the Alley cannot safely or operationally accommodate additional vehicular traffic;

5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that vehicular access is needed from the street;

6. The applicant can demonstrate at the time of zoning permit application that vehicular access from a street to an Accessory Garage, Carport, or other Off-Street Parking Area was legally established, constructed, or expanded prior to June 25, 2010 and was Continuously Maintained, and the Primary Structure has not been Voluntarily Demolished.

If improvements to any portion of the Alley, including widening and/or repaving, are required by the City at the time of Development due to a change in use or intensity, which resolve the exceptions specified in Section 6.3.7.6, then vehicular Alley access is required.
SECTION 6.3.8  REFERENCE TO OTHER DESIGN STANDARDS

6.3.8.1 Article 10: General Design Standards
Refer to the following Divisions for other applicable design standards

A. Parking and Loading: Division 10.4
B. Landscaping, Fences, Screening and Walls: Division 10.5
C. Site Grading: Division 10.6
D. Outdoor Lighting: Division 10.7
E. Signs: Division 10.10
Article 6. General Urban Neighborhood Context
Division 6.3 Design Standards
	his page left intentionally blank
### Gutters and Roof Overhang

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All C-Zone Districts</td>
<td>All building forms</td>
<td>3'</td>
<td>3'; if setback is less than 5'</td>
<td>2'</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All C-Zone Districts</td>
<td>All building forms</td>
<td>8' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

---

Illustrative only
### Article 7. Urban Center Neighborhood Context

#### Division 7.3 Design Standards

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All C- Zone Districts</td>
<td>Town House</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
<td>1.5'</td>
</tr>
<tr>
<td>All Others</td>
<td>1.5'</td>
<td>1.5'</td>
<td>Not Allowed</td>
<td>1.5'</td>
<td></td>
</tr>
</tbody>
</table>

**Projecting Windows:**
- Shall be a minimum of 1.5’ above finished floor;
- Shall not extend floor to ceiling; and
- No individual projection shall be more than 10’ in horizontal length at the opening along the face of the building.

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

![Illustrative only](image)

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All C- Zone Districts</td>
<td>All building forms</td>
<td>5'</td>
<td>3'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

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

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

![Illustrative only](image)

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

7.3-44 |
ARTICLE 8. DOWNTOWN (D-) NEIGHBORHOOD CONTEXT

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Section 8.1.2 Street, Block, and Access Patterns
Section 8.1.3 Building Entrances
Section 8.1.4 Building Placement and Location:
Section 8.1.5 Building Height
Section 8.1.6 Mobility

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Section 8.2.2 Downtown Districts

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DISTRICTS (D-C, D-TD)
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Section 8.6.1 Golden Triangle District

DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICT
Section 8.7.1 Arapahoe Square District (D-AS)

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ARAPAHOE SQUARE 20+ DISTRICTS
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Section 8.9.1 Design Standard Exceptions
Section 8.9.2 Reference to Other Applicable Design Standards
Section 8.9.3 Surface Parking Lot Landscaping

DIVISION 8.10 USES AND REQUIRED MINIMUM PARKING
Section 8.10.1 Applicability
Section 8.10.2 Organization
Section 8.10.3 Explanation of Table Abbreviations
Section 8.10.4 District Specific Standards
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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 ARAHAOE SQUARE 12+ AND DOWNTOWN ARAHAOE SQUARE 20+ DISTRICTS

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

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

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

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>D-AS-12+</td>
</tr>
<tr>
<td>D-AS-20+</td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

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

A. Civic, Public & Institutional Uses

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

2. Standard
Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.
DIVISION 8.9 DESIGN STANDARDS

SECTION 8.9.1 DESIGN STANDARD EXCEPTIONS

8.9.1.1 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 8.9.1.1.B.

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

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

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

5. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

<table>
<thead>
<tr>
<th>BUILDING FEATURES</th>
<th>ZONE DISTRICTS</th>
<th>THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF</th>
<th>SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN FEET BY:</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</th>
<th>MAY PROJECT THROUGH THE BULK PLANE</th>
<th>MAY ENCROACH INTO THE UPPER STORY SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eaves</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>No</td>
<td>Any distance when attached to a feature that meets the definition of a Story</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>No</td>
<td>28’</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied cooling towers and enclosures for tanks</td>
<td>All D-Zone Districts</td>
<td>No</td>
<td>Yes</td>
<td>28’</td>
<td>Not applicable</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>
### Article 8. Downtown Neighborhood Context
#### Division 8.9 Design Standards

#### 8.9.1.2 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 8.9.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS
See Article 10, General Design Standards.

#### SECTION 8.9.3 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 8.9.3.
B. **Street Tree Planting Required**

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

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

C. **Screening Device Required**

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

2. Except for required street tree planting and additional standards in Section 8.9.3.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 8.9.3.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 8.9.3.D.1 above.
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.
DIVISION 8.10 USES AND REQUIRED MINIMUM PARKING

SECTION 8.10.1 APPLICABILITY

8.10.1.1 This Division 8.10 sets forth the land uses permitted and the required zoning procedure in all the Downtown Neighborhood Context zone districts. 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). Minimum off-street vehicle parking requirements and bicycle parking requirements for the D-LD zone district are provided in Section 8.4.1.4.

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.

8.10.1.1 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 8.10.2 ORGANIZATION

8.10.2.1 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.

8.10.2.2 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 8.10.3 EXPLANATION OF TABLE ABBREVIATIONS

8.10.3.1 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.

8.10.3.2 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.

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

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

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

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

8.10.3.4 Enclosure of Uses
All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk “*” next to the specific use type. For example, the asterisk following the “Telecommunication Tower*” use type in the tables indicates that a telecommunication tower land use need not be enclosed.
## SECTION 8.10.4 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 Exception Review  

When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

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### USE CATEGORY

#### Household Living

- **Dwelling, Single Unit**
  - No Parking Requirements
  - Applicable Use Limitations: L-ZP

- **Dwelling, Two Unit**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - Bicycle: No requirement
  - Applicable Use Limitations: L-ZP

- **Dwelling, Multi-Unit**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/2 units (80/20)
  - Applicable Use Limitations: L-ZP

- **Dwelling, Live / Work**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/2 units (80/20)
  - Applicable Use Limitations: L-ZP

- **Assisted Living Facility**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)
  - Applicable Use Limitations: P-ZP

- **Community Corrections Facility**
  - D-AS & D-GT Districts - Vehicle: No requirement
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/50 units (50/50)
  - Applicable Use Limitations: L-ZPIN

- **Nursing Home, Hospice**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)
  - Applicable Use Limitations: P-ZP, L-ZPIN

- **Residence for Older Adults**
  - D-AS & D-GT Districts - Vehicle: No requirement
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)
  - Applicable Use Limitations: L-ZPIN

- **Residential Care Use, Small or Large**
  - D-AS & D-GT Districts - Vehicle: No requirement
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)
  - Applicable Use Limitations: L-ZPIN

- **Roofing and Boarding House**
  - No Parking Requirements
  - Applicable Use Limitations: NP

- **Shelter for the Homeless**
  - D-AS & D-GT Districts - Vehicle: No requirement
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement
  - Applicable Use Limitations: L-ZPIN/L

- **Student Housing**
  - D-AS & D-GT Districts - Vehicle: 0.75/unit
  - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/2 units (80/20)
  - Applicable Use Limitations: P-ZP

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**DENVER ZONING CODE**

June 25, 2010 | Republished May 24, 2018
**Article 8. Downtown Neighborhood Context**

**Division 8.10 Uses and Required Minimum Parking**

*KEY:  * = Need Not be Enclosed  P = Permitted Use without Limitations  L = Permitted Use with Limitations  NP = Not Permitted Use  
ZP = Zoning Permit Review  ZPIN = Subject to Zoning Permit Review with Informational Notice  ZPSE = Subject to Zoning Permit with Special Exception Review

When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

### USE CATEGORY
- **SPECIFIC USE TYPE**
  - 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)

### CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION

#### Basic Utilities
- **Utility, Major Impact**
  - D-AS & D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA  
  - D-AS, D-AS-12+20+ & D-GT Districts - Bicycle: No requirement

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

#### Community/ Public Services
- **Community Center**
  - No Parking Requirements

- **Day Care Center**
  - 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)

- **Postal Facility, Neighborhood**
  - 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)

- **Postal Processing Center**
  - 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)

- **Public Safety Facility**
  - 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)

#### Cultural/Special Purpose/Public Parks & Open Space
- **Hospital**
  - P-ZP

- **Correctional Institution**
  - NP

- **Cemetery**
  - NP

- **Library**
  - 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)

- **Museum**
  - 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)

- **City Park**
  - NP

- **Open Space - Conservation**
  - No Parking Requirements
### Article 8. Downtown Neighborhood Context
### Division 8.10 Uses and Required Minimum Parking

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#### USE CATEGORY

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>Elementary or Secondary School</td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: Elementary: 1/1,000 s.f. GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS-12+ &amp; 20+ &amp; D-AS &amp; D-GT Districts - Bicycle: Elementary: 1/10,000 s.f. GFA (0/100)</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle:Secondary: 1/1,000 s.f. GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: 1/5,000 s.f. GFA (0/100)</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: Artistic Studio: 0.3/1000 s.f GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: All Others: 1.25/1,000 s.f. GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)</td>
<td>L-ZP</td>
</tr>
</tbody>
</table>

| University or College |                             |
|   - D-AS & D-GT Districts - Vehicle: 1/1,000 s.f. GFA | L-ZP |
|   - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP |

| Vocational or Professional School |                             |
|   - D-AS & D-GT Districts - Vehicle: No Requirement | L-ZP |
|   - D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP |

| Public and Religious Assembly |                             |
|   - All Types - No Parking Requirements | P-ZP |

**COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION**

<table>
<thead>
<tr>
<th>Adult Business</th>
<th>All Types</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
</tr>
</thead>
</table>

| Arts, Recreation & Entertainment | All Types | NP | NP | NP | NP | NP | NP |

| Arts, Recreation and Entertainment Services, Indoor | D-AS & D-GT Districts - Vehicle: Artist Studio: 0.3/1000 s.f GFA | P-ZP |
| D-AS & D-GT Districts - Vehicle: All Others: 1.25/1,000 s.f. GFA | P-ZP |
| D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80) | P-ZP |

| Arts, Recreation and Entertainment Services, Outdoor* | D-AS & D-GT Districts - Vehicle: 1.25/1,000 s.f. GFA | L-ZP |
| D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80) | L-ZPIN |

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

| Nonresidential Uses in Existing Business Structures In Residential Zones | Not Applicable | |

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

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**DENVER ZONING CODE**  
June 25, 2010 | Republished May 24, 2018  
| 8.10-5 |
### Article 8. Downtown Neighborhood Context

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<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eating &amp; Drinking Establishments</strong></td>
<td>All Types</td>
<td></td>
</tr>
</tbody>
</table>
- D-AS & D-GT Districts - Vehicle: 2.5/1,000 s.f. GFA  
- D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/1,000 s.f. GFA (0/100) | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |

| **Lodging Accommodations** | Bed and Breakfast Lodging |  
- 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 P-ZP NP |

| **Office** | Dental / Medical Office or Clinic |  
- 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 L-ZP NP §11.4.8 |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Animal Sales and Services, Household Pets Only |  
- 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 L-ZP NP §11.4.11 |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Animal Sales and Services, All Others |  
- No Parking Requirements | P-ZP P-ZP NP NP NP NP |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Food Sales or Market |  
- 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 P-ZP |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Pawn Shop |  
- 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 L-ZPIN NP §11.4.14 |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Retail Sales, Service & Repair -- Outdoor* |  
| | NP NP NP NP NP NP |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Retail Sales, Service & Repair -- Firearms Sales |  
| | NP NP NP NP NP NP |

| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Retail Sales, Service & Repair, All Others |  
- 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 P-ZP NP |
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<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **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)

#### Vehicle / Equipment Sales, Rentals, Service & Repair

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile Emissions Inspection Facility</td>
<td>L-ZP</td>
<td>§ 11.4.16</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: No requirement</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td>Automobile Services, Light</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA</td>
<td>L-ZPIN</td>
<td></td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Automobile Services, Heavy</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*</td>
<td>L-ZP</td>
<td>§ 11.4.17; §11.4.18</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA</td>
<td>L-ZPIN</td>
<td></td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Heavy Vehicle/ Equipment Sales, Rentals &amp; Service*</td>
<td>NP</td>
<td>NP</td>
</tr>
</tbody>
</table>

#### INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communications and Information</td>
<td>Antennas Not Attached to a Tower*</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Communication Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- D-AS, D-AS-12+/20+ &amp; D-GT Districts - Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Telecommunications Towers*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Telecommunications Tower - Alternative Structure*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Telecommunication Facilities -- All Others*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td>L-ZPIN</td>
<td></td>
</tr>
<tr>
<td>Industrial Services</td>
<td>Contractors, Special Trade - General</td>
<td>L-ZP</td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Contractors, Special Trade - Heavy/ Contractor Yard*</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Food Preparation and Sales, Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td>Laboratory, Research, Development and Technological Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Service/Repair, Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- D-AS &amp; D-GT Districts - Vehicle: .5 / 1,000 s.f. GFA</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td>L-ZP</td>
<td></td>
</tr>
</tbody>
</table>
### 8.10-8 Downtown Neighborhood Context  
**Division 8.10 Uses and Required Minimum Parking**

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<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>D-C</th>
<th>D-TD</th>
<th>D-LD</th>
<th>D-GT</th>
<th>D-AS</th>
<th>D-AS-12+</th>
<th>D-AS-20+</th>
<th>D-CV</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| Manufacturing and Production | Manufacturing, Fabrication & Assembly – Custom  
• 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 | NP | §11.5.8 |
| | Manufacturing, Fabrication & Assembly – General  
• 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 | NP | §11.5.9 |
| | Manufacturing, Fabrication & Assembly – Heavy | NP | NP | NP | NP | NP | NP | |
| Mining & Extraction and Energy Producing Systems | Oil, Gas -- Production, Drilling* | NP | NP | NP | NP | NP | NP | |
| | Sand or Gravel Quarry* | NP | NP | NP | NP | NP | NP | |
| | Wind Energy Conversion Systems*  
• No Parking Requirements | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.5.13 |
| Transportation Facilities | Airport* | NP | NP | NP | NP | NP | NP | |
| | Helipad, Helistop, Heliport*  
• No Parking Requirements | L-ZP | L-ZP | NP | L-ZP/ZPSE | L-ZP | L-ZP | §11.5.14 |
| | Railroad Facilities*  
• 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 | §11.5.14.2 |
| | 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-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-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 | §11.5.17 |
| 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 | |
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<th>D-GT</th>
<th>D-AS</th>
<th>D-AS-12+</th>
<th>D-AS-20+</th>
<th>D-CV</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wholesale, Storage, Warehouse &amp; Distribution</td>
<td>Automobile Towing Service Storage Yard*</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>§11.5.23</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| | Mini-storage Facility  
- 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-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 | §11.5.24 |
| | Wholesale Trade or Storage, Light  
- 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 | L-ZP/ZPSE | §11.5.24 |

### Agriculture PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>Agriculture</th>
<th>Aquaculture*</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>NP</th>
<th>§11.6.2</th>
</tr>
</thead>
</table>
| | Garden, Urban*  
- 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 | §11.6.2 |
| | Husbandry, Plant* | NP | NP | NP | NP | NP | NP | §11.6.2 |
| | Plant Nursery  
- 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 |
### Article 8. Downtown Neighborhood Context
#### Division 8.10 Uses and Required Minimum Parking

**KEY:**
- * = Need Not Be Enclosed
- P = Permitted Use without Limitations
- L = Permitted Use with Limitations
- NP = Not Permitted Use
- ZP = Zoning Permit Review
- ZPIN = Subject to Zoning Permit Review with Informational Notice
- ZPSE = Subject to Zoning Permit with Special Exception Review

When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- Vehicle Parking Reqmt: # spaces per unit of measurement
- Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility) |

<table>
<thead>
<tr>
<th>D-C</th>
<th>D-TD</th>
<th>D-LD</th>
<th>D-AS</th>
<th>D-GT</th>
<th>D-AS-12+</th>
<th>D-AS-20+</th>
<th>D-CV</th>
</tr>
</thead>
<tbody>
<tr>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>NP</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

<table>
<thead>
<tr>
<th>Accessory to Primary Residential Uses</th>
<th>Unlisted Accessory Uses</th>
<th>L - Applicable to all Zone Districts</th>
<th>§11.7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling Unit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Employee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keeping of Household Animals *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers &amp; Recreational Vehicles *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennel or Exercise Run *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use</td>
<td>Not Applicable - See Permitted Primary Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor Storage, Residential *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Kitchen Accessory to Single Unit Dwelling Use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short-term Rental</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Storage, Repair and Maintenance *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wind Energy Conversion Systems *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yard or Garage Sales *</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

<table>
<thead>
<tr>
<th>Home Occupations Accessory to a Primary Residential Use</th>
<th>L-ZP</th>
<th>L-ZPIN</th>
<th>L-ZP</th>
<th>L-ZPIN</th>
<th>L-ZPIN</th>
<th>L-ZPIN</th>
<th>NP</th>
<th>§11.7; §11.8.7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Care Home, Large</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Other Types</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>NP</td>
<td></td>
<td>§11.7; §11.8.8</td>
</tr>
<tr>
<td>Unlisted Home Occupations</td>
<td>L-ZPIN</td>
<td>L-ZPIN</td>
<td>L-ZPIN</td>
<td>L-ZPIN</td>
<td>NP</td>
<td>§11.7; §11.8.11</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Article 8. Downtown Neighborhood Context

#### Division 8.10 Uses and Required Minimum Parking

**KEY:**  
* = Need Not be Enclosed  
P = Permitted Use without Limitations  
L = Permitted Use with Limitations  
NP = Not Permitted Use  
ZP = Zoning Permit Review  
ZPIN = Subject to Zoning Permit Review with Informational Notice  
ZPSE = Subject to Zoning Permit with Special Exception Review  

When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| 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  
| Accessory to Primary Nonresidential Uses | 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 | 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 |
| | Emergency Vehicle Access Point | NP | NP | NP | NP/L-ZPSE | NP | NP | NP |
| | 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/ZP/L-ZPIN | L/ZP/L-ZPIN | 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; §11.10.12 |
| | 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; §11.10.13 |
| | 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; §11.10.14 |
| | Outdoor Retail Sale and Display* | L-ZP/ZPSE | L-ZP/ZPSE | L-ZP/ZPSE | L-ZP/ZPSE | L-ZP/ZPSE | L-ZP/ZPSE | §11.7; §11.10.15 |
| | Outdoor Storage, General* | NP | NP | NP | NP | NP | NP | NP |
| | Outdoor Storage, Limited* | L | L | L | L | L | L | §11.7; §11.10.17 |
| | Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use | L | L | L | L | L | §11.7; §11.10.18 |
**Use Category**

**Specific Use Type**

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)

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>D-C</th>
<th>D-TD</th>
<th>D-LD</th>
<th>D-AS</th>
<th>D-GT</th>
<th>D-AS-12+</th>
<th>D-AS-20+</th>
<th>D-CV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)</td>
<td>Unlisted Temporary Uses</td>
<td>L - Applicable to all Zone Districts</td>
<td>§11.11.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ambulance Service - Temporary</td>
<td>Not Applicable - See Permitted Primary Uses</td>
<td>§11.11.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Amusement / Entertainment - Temporary*</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bazaar, Carnival, Circus or Special Event*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Building or yard for construction materials*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Concrete, Asphalt, and Rock Crushing Facility*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fence for Demolition or Construction Work</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Health Care Center</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Noncommercial Concrete Batching Plant*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outdoor Retail Sales - Pedestrian / Transit Mall*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>NP</td>
<td>L-ZP</td>
<td>NP</td>
<td>§11.11.10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outdoor Retail Sales*</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outdoor Sales, Seasonal*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parking Lot Designated for a Special Event*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Retail Food Establishment, Mobile*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>NP</td>
<td>L-ZP</td>
<td>NP</td>
<td>§11.11.14</td>
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<tr>
<td></td>
<td>Temporary Construction Office</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
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<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>§11.11.15</td>
</tr>
<tr>
<td></td>
<td>Temporary Office - Real Estate Sales</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>§11.11.16</td>
</tr>
<tr>
<td></td>
<td>Tent for Religious Services</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td></td>
</tr>
</tbody>
</table>
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Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:
- May be covered;
- All sides shall be at least 50% open except for any side abutting a building facade or fire wall.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All I- Zone Districts</td>
<td>All building forms</td>
<td>8’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>5’ and minimum of 1’ between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5’</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All I- Zone Districts</td>
<td>Town House</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
<td>1.5’</td>
</tr>
<tr>
<td>All Others</td>
<td>1.5’</td>
<td>1.5’</td>
<td>Not Allowed</td>
<td>1.5’</td>
<td></td>
</tr>
</tbody>
</table>

**Intent:** To allow for improved interior daylighting.
Shading devices: Building elements, such as awnings, designed and intended to control light entering a building.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All I- Zone Districts</td>
<td>All building forms</td>
<td>5’</td>
<td>3’</td>
<td>3’</td>
<td>10’</td>
</tr>
</tbody>
</table>

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

Illustrative only

Not to Scale. Illustrative Only.
### Article 9. Special Contexts and Districts
#### Division 9.2 Campus Context

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick and stone veneers above Finished Grade for re-siding an existing structure only</td>
<td>All CMP- Zone Districts</td>
<td>All Building Forms</td>
<td>6&quot;</td>
<td>6&quot;</td>
<td>6&quot;</td>
</tr>
</tbody>
</table>

**Intent:** To allow for re-siding of existing structures which may not meet a required minimum setback or the re-siding of the structure would result in not meeting the required minimum setback.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
</table>
| Canopies providing cover to an entrance:  
- The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and  
- Shall be open on three sides. | All CMP- Zone Districts | All Building Forms | Any distance | Any distance | Not allowed | Not allowed |

**Intent:** Provide protection from the weather for pedestrians entering the building and define street entrances to the building.
### Article 9. Special Contexts and Districts
### Division 9.2 Campus Context

#### Gutters and Roof Overhang

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All CMP- Zone Districts</td>
<td>All Building Forms</td>
<td>3'</td>
<td>3'</td>
<td>3'; if setback is less than 5': 2'</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

**Illustrative only**

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

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All CMP- Zone Districts</td>
<td>All Building Forms</td>
<td>8' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>5' and minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5'</td>
</tr>
</tbody>
</table>

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

**Illustrative only**

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**DENVER ZONING CODE**

June 25, 2010 | Republished May 24, 2018

**Amendment:** 2
DIVISION 9.3 OPEN SPACE CONTEXT (OS-A, OS-B, OS-C)

SECTION 9.3.1 OPEN SPACE CONTEXT DESCRIPTION

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

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

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

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

Mobility: Priority is given to pedestrians and bicyclists. The automobile is accommodated through fringe parking areas. The Open Space Context has varying levels of access to the multi-modal transit system.
SECTION 9.3.2   DISTRICTS ESTABLISHED

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

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

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

A. Open Space Public Parks District (OS-A)
The OS-A district is intended to protect and preserve public parks owned, operated or leased by the City and managed by the City’s Department of Parks and Recreation (“DPR”) for park purposes.

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

C. Open Space Conservation District (OS-C)
To allow for conservation of open space and natural areas, regardless of ownership, which are not intended for development. Limited passive recreation is allowed, and only limited structures incidental to and supportive of the conservation purpose of the zone district, such as visitor’s/educational center, are allowed.

SECTION 9.3.3   PRIMARY BUILDING FORM STANDARDS

9.3.3.1 OS-A District

A. In the OS-A zone district, the City Council shall have final approval authority over the form of certain building according to D.R.M.C., Chapter 39 (Parks). For all other buildings or structures, the Manager of Parks and Recreation shall determine all applicable building form standards.

B. Design and development standards governing structures in the OS-A zone district, including but not limited to landscaping, parking, and signage, shall be determined by either the City Council according to their authority in D.R.M.C., Chapter 39 (Parks) or by the Manager of Parks and Recreation.
### 9.3.3.2 Primary Building Forms in OS-B and OS-C

Building form standards are applicable in the OS-B and OS-C zone districts, as set forth below.

<table>
<thead>
<tr>
<th></th>
<th>OS-B, OS-C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEIGHT</strong></td>
<td></td>
</tr>
<tr>
<td>Stories (max)</td>
<td>3</td>
</tr>
<tr>
<td>Feet, pitched or Low-Slope Roof (max)</td>
<td>40'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>OS-B, OS-C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SITING</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SETBACKS</strong></td>
<td></td>
</tr>
<tr>
<td>Primary Street (min)</td>
<td>20'</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>20'</td>
</tr>
<tr>
<td>Side, interior (min)</td>
<td>20'</td>
</tr>
<tr>
<td>Rear (min)</td>
<td>20’</td>
</tr>
<tr>
<td><strong>PARKING</strong></td>
<td></td>
</tr>
<tr>
<td>Primary Street Setback (min)</td>
<td>30’</td>
</tr>
<tr>
<td>Side Street Setback (min)</td>
<td>10’</td>
</tr>
<tr>
<td>Setback Adjacent Protected District (min)</td>
<td>5’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>OS-B, OS-C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DESIGN ELEMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Required Entrance, Primary Street</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>OS-B, OS-C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>USES</strong></td>
<td></td>
</tr>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form. See Section 9.3.4 Uses and Required Minimum Parking</td>
<td></td>
</tr>
</tbody>
</table>
9.3.3.3 Design Standard Exceptions

A. Height Exceptions

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

2. Applicability and Standards:
   a. 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 9.3.3.3.2.
   b. 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.
   c. 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.
   d. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.
   e. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

<table>
<thead>
<tr>
<th>BUILDING FEATURES</th>
<th>ZONE DISTRICTS</th>
<th>THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF</th>
<th>SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN FEET BY:</th>
<th>MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:</th>
<th>MAY PROJECT THROUGH THE BULK PLANE</th>
<th>MAY ENCROACH INTO THE UPPER STORY SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eaves</td>
<td>OS-B, OS-C</td>
<td>No</td>
<td>Any distance when attached to a feature that meets the definition of a Story</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
<td></td>
</tr>
<tr>
<td>Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents</td>
<td>OS-B, OS-C</td>
<td>No</td>
<td></td>
<td>28’</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied cooling towers and enclosures for tanks</td>
<td>OS-B, OS-C</td>
<td>No</td>
<td>Yes</td>
<td>28’</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
<tr>
<td>Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment</td>
<td>OS-B, OS-C</td>
<td>Yes</td>
<td>Yes, from the perimeter of the portion of the building facing the Primary Street or Side Street. Yes, from the perimeter of the portion of the building facing the zone lot line adjacent to a Protected District. No, all others.</td>
<td>12’</td>
<td>1 story</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Elevator lobbies</td>
<td>OS-B, OS-C</td>
<td>Yes</td>
<td>Yes</td>
<td>12’</td>
<td>1 story</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Open Structures</td>
<td>OS-B, OS-C</td>
<td>Yes</td>
<td>Yes</td>
<td>12’</td>
<td>Not applicable</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Parapet Wall and/or Safety Railing</td>
<td>OS-B, OS-C</td>
<td>No</td>
<td>Any distance</td>
<td>Not applicable</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>
### B. Setback Exceptions

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

2. **Standard**
   In the OS-B and OS-C zone districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:
   
   a. The street setback required by the applicable building form standards in this Code; or
   
   b. The required Parkway setback established under D.R.M.C., Chapter 49.

## SECTION 9.3.4 USES AND REQUIRED MINIMUM PARKING

### 9.3.4.1 Applicability

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

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

### 9.3.4.2 Organization

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

1. Primary Use Classifications
   All primary land uses in the Use and Parking Table are organized into one of the following five general land use classifications:
   a. Residential Uses
   b. Civic, Public & Institutional Uses
   c. Commercial Sales, Service & Repair Uses
   d. Industrial, Manufacturing & Wholesale Uses
   e. Agriculture

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

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

9.3.4.3 Explanation of Table Abbreviations

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

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

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

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

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

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

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

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

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

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

### 9.3.4.4 Enclosure of Uses

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

KEY: *= Need Not be Enclosed P = Permitted Use with Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>OS-A</td>
</tr>
</tbody>
</table>

#### RESIDENTIAL PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>Household Living</th>
<th>Dwelling, Single Unit</th>
<th>NP</th>
<th>NP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dwelling, Two Unit</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Multi-Unit</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Live / Work</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Group Living</td>
<td>Assisted Living Facility</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Community Corrections Facility</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Nursing Home, Hospice</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Residence for Older Adults</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Residential Care Use, Small or Large</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Rooming and Boarding House</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Shelter for the Homeless</td>
<td>L</td>
<td>L</td>
</tr>
<tr>
<td></td>
<td>Student Housing</td>
<td>NP</td>
<td>NP</td>
</tr>
</tbody>
</table>

#### CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION

| Community/Public Services | Utility, Major Impact*  
|                          |   • Vehicle: .5/1,000 s.f. GFA  
|                          |   • Bicycle: No requirement | L-ZPSE | L-ZPSE | § 11.3.1 |
|                           | Utility, Minor Impact*  
|                           |   • Vehicle: .5/1,000 s.f. GFA  
|                           |   • Bicycle: No requirement | L-ZP | NP | § 11.3.2 |
|                           | Community Center  
|                           |   • Vehicle: .5 / 1,000 s.f. GFA  
|                           |   • Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP | NP | § 11.3.3 |
|                           | Day Care Center  
|                           |   • Vehicle: 1/1,000 s.f. GFA  
|                           |   • Bicycle: 1/10,000 s.f. GFA (0/100) | P-ZP | NP |
|                           | Postal Facility, Neighborhood | NP | NP |
|                           | Postal Processing Center | NP | NP |
|                           | Public Safety Facility  
|                           |   • Vehicle: 1/1,000 s.f. GFA  
|                           |   • Bicycle: 1/10,000 s.f. GFA (0/100) | P-ZP | NP |
|                           | Hospital | NP | NP |
|                           | Correctional Institution | NP | NP |
### Article 9. Special Contexts and Districts
#### Division 9.3 Open Space Context

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| **Cultural/Special Purpose/Public Parks & Open Space** | Cemetery*  
• No Parking Requirements | L-ZP NP §11.3.6 |
| **Cultural/Special Purpose/Public Parks & Open Space** | Library  
• Vehicle: 1/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP NP §11.3.7 |
| **Cultural/Special Purpose/Public Parks & Open Space** | Museum  
• Vehicle: 1/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP NP §11.3.7 |
| **Cultural/Special Purpose/Public Parks & Open Space** | City Park*  
• No Parking Requirements | L-ZP NP NP §9.3.3.1; §9.3.4.1 |
| **Education** | Open Space - Conservation*  
• No Parking Requirements | P-ZP P-ZP |
| **Education** | Elementary or Secondary School  
• Vehicle: 1/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZP NP § 11.3.8 |
| **Education** | University or College | NP NP § 11.3.8 |
| **Education** | Vocational or Professional School | NP NP § 11.3.8 |
| **Public and Religious Assembly** | All Types  
• Vehicle: 0.5/1,000 s.f. GFA  
• Bicycle: No requirement | P-ZP NP |

### COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adult Business</strong></td>
<td>All Types</td>
<td>NP NP</td>
</tr>
</tbody>
</table>
| **Arts, Recreation & Entertainment** | Arts, Recreation and Entertainment Services, Indoor  
• Vehicle - Artist Studio: 0.3/1000 s.f. GFA  
• Vehicle - All Others: 2.5/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (60/40) | L-ZP NP § 11.4.1 |
| **Arts, Recreation & Entertainment** | Arts, Recreation and Entertainment Services, Outdoor*  
• Vehicle: 2.5/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (60/40) | L-ZPSE NP § 11.4.1; §11.4.3 |
| **Arts, Recreation & Entertainment** | Sports and/or Entertainment Arena or Stadium*  
• Vehicle: 1/1,000 s.f. GFA  
• Bicycle: 1/10,000 s.f. GFA (0/100) | L-ZPSE NP §11.4.4 |
| **Nonresidential Uses in Existing Business Structures In Residential Zones** | Park, Parking, Garage  
• No Parking Requirements | P-ZP NP |
| **Eating & Drinking Establishments** | All Types | NP NP |

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**DENVER ZONING CODE**  
June 25, 2010 | Republished May 24, 2018
### Article 9. Special Contexts and Districts
#### Division 9.3 Open Space Context

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Vehicle Parking Requirement - # of spaces per unit of measurement</td>
<td>OS-A</td>
</tr>
<tr>
<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Lodging Accommodations, All Others</td>
<td>NP</td>
</tr>
<tr>
<td>Office</td>
<td>Dental / Medical Office or Clinic</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Office, All Others</td>
<td>NP</td>
</tr>
<tr>
<td>Retail Sales, Service &amp; Repair (Not Including Vehicle or Equipment Sales, Service &amp; Repair)</td>
<td>Animal Sales and Services, Household Pets Only</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Animal Sales and Services, All Others</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Food Sales or Market</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Pawn Shop</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Retail Sales, Service &amp; Repair – Outdoor*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Retail Sales, Service &amp; Repair - Firearms Sales</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Retail Sales, Service &amp; Repair, All Others</td>
<td>NP</td>
</tr>
<tr>
<td>Vehicle / Equipment Sales, Rentals, Service &amp; Repair</td>
<td>Automobile Emissions Inspection Facility</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Automobile Services, Light</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Automobile Services, Heavy</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Heavy Vehicle/ Equipment Sales, Rentals &amp; Service*</td>
<td>NP</td>
</tr>
</tbody>
</table>
### INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications and Information</td>
<td>Antennas Not Attached to a Tower*</td>
<td>L-ZP, NP §11.5.2</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Communication Services</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Telecommunications Towers*</td>
<td>L-ZP, ZPIN/ ZPSE, NP §11.5.2</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecommunications Tower - Alternative Structure</td>
<td>L-ZP/L-ZPIN, NP §11.5.2</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecommunication Facilities -- All Others*</td>
<td>L-ZPIN, NP §11.5.2</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td>Industrial Services</td>
<td>Contractors, Special Trade - General</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Contractors, Special Trade - Heavy/Contractor Yard*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Food Preparation and Sales, Commercial</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Laboratory, Research, Development and Technological Services</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Service/Repair, Commercial</td>
<td>NP</td>
</tr>
<tr>
<td>Manufacturing and Production</td>
<td>Manufacturing, Fabrication &amp; Assembly -- Custom</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- General</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Heavy</td>
<td>NP</td>
</tr>
<tr>
<td>Mining &amp; Extraction and Energy Producing Systems</td>
<td>Oil, Gas -- Production, Drilling*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Sand or Gravel Quarry*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Wind Energy Conversion Systems*</td>
<td>L-ZP, NP §11.5.13</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td>Transportation Facilities</td>
<td>Airport*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Helipad, Helistop, Heliport*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Railroad Facilities*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Railway Right-of-Way*</td>
<td>P-ZP, P-ZP</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Terminal, Station or and Service Facility for Passenger Transit System</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Terminal, Freight, Air Courier Services</td>
<td>NP</td>
</tr>
</tbody>
</table>
## Article 9. Special Contexts and Districts
### Division 9.3 Open Space Context

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Related Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Automobile Parts Recycling Business</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Junkyard*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Center</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Collection Station</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Plant, Scrap Processor</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Solid Waste Facility</td>
<td>NP</td>
</tr>
<tr>
<td>Wholesale, Storage, Warehouse &amp; Distribution</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Automobile Towing Service Storage Yard*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Mini-storage Facility</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Vehicle Storage, Commercial*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Wholesale Trade or Storage, General</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Wholesale Trade or Storage, Light</td>
<td>NP</td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aquaculture*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Garden, Urban*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Husbandry, Animal*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Husbandry, Plant*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Plant Nursery*</td>
<td>L-ZP</td>
</tr>
</tbody>
</table>

### AGRICULTURE PRIMARY USE CLASSIFICATION

- Aquaculture*  0.5 / 1,000 s.f. GFA  No requirement  | L-ZP | NP | §11.6.1
- Garden, Urban*  0.5 / 1,000 s.f. GFA  No requirement | L-ZP | NP | §11.6.2
- Husbandry, Animal*  0.5 / 1,000 s.f. GFA  No requirement | L-ZP | NP | §11.6.3
- Husbandry, Plant*  0.5 / 1,000 s.f. GFA  No requirement | L-ZP | NP | §11.6.4
- Plant Nursery*  0.5 / 1,000 s.f. GFA  No requirement | L-ZP | NP | §11.6.5
### Article 9. Special Contexts and Districts
### Division 9.3 Open Space Context

#### Accessory to Primary Residential Uses

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory to Primary Residential Uses</td>
<td>Unlisted Accessory Uses</td>
<td>NP</td>
</tr>
<tr>
<td>(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)</td>
<td>Accessory Dwelling Unit</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Domestic Employee</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Garden*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Keeping of Household Animals*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers &amp; Recreational Vehicles*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Kennel or Exercise Run*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Storage, Residential*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Second Kitchen Accessory to Single Unit Dwelling Use</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Short-term Rental</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Vehicle Storage, Repair and Maintenance*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Wind Energy Conversion Systems*</td>
<td>Not Applicable - See Permitted Primary Uses</td>
</tr>
<tr>
<td></td>
<td>Yard or Garage Sales*</td>
<td>NP</td>
</tr>
</tbody>
</table>

#### Home Occupations Accessory to Primary Residential Uses

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Occupations</td>
<td>Child Care Home, Large</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>All Other Types</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Unlisted Home Occupations</td>
<td>NP</td>
</tr>
</tbody>
</table>
### Article 9. Special Contexts and Districts
#### Division 9.3 Open Space Context

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory to Primary Nonresidential Uses</td>
<td>Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses</td>
<td>L - Applicable to all Zone Districts $|11.7; |11.10.1</td>
</tr>
<tr>
<td></td>
<td>Automobile Rental Services Accessory to Certain Retail Uses*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities</td>
<td>L NP $|11.7</td>
</tr>
<tr>
<td></td>
<td>Car Wash Bay Accessory to Automobile Services</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>College accessory to a Place for Religious Assembly</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Conference Facilities Accessory to Hotel Use</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Emergency Vehicle Access Point</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Garden*</td>
<td>L L $|11.7; |11.10.10</td>
</tr>
<tr>
<td></td>
<td>Keeping of Animals</td>
<td>L/L-ZP/L-ZPIN L/L-ZP/L-ZPIN $|11.7; |11.10.11</td>
</tr>
<tr>
<td>Unlisted Accessory Uses</td>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Occasional Sales, Services Accessory to Places of Religious Assembly*</td>
<td>L NP $|11.7; |11.10.12</td>
</tr>
<tr>
<td></td>
<td>Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Retail Sale and Display*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Storage, General*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Storage, Limited*</td>
<td>NP NP</td>
</tr>
<tr>
<td></td>
<td>Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use</td>
<td>NP NP</td>
</tr>
</tbody>
</table>
### Article 9. Special Contexts and Districts
#### Division 9.3 Open Space Context

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>OS-A</td>
</tr>
<tr>
<td>Temporary Uses</td>
<td>Unlisted Temporary Uses</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Ambulance Service - Temporary</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Amusement / Entertainment - Temporary*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Bazaar, Carnival, Circus or Special Event*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Building or yard for construction materials*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Concrete, Asphalt, and Rock Crushing Facility*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Fence for Demolition or Construction Work</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Health Care Center</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Noncommercial Concrete Batching Plant*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Retail Sales - Pedestrian / Transit Mall*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Retail Sales*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Outdoor Sales, Seasonal*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Parking Lot Designated for a Special Event*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Retail Food Establishment, Mobile*</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Temporary Construction Office</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Temporary Office - Real Estate Sales</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Tent for Religious Services</td>
<td>L-ZP</td>
</tr>
</tbody>
</table>

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---

**TEMPORARY USE CLASSIFICATION**

- Ambulance Service - Temporary
- Amusement / Entertainment - Temporary*
- Bazaar, Carnival, Circus or Special Event*
- Building or yard for construction materials*
- Concrete, Asphalt, and Rock Crushing Facility*
- Fence for Demolition or Construction Work
- Health Care Center
- Noncommercial Concrete Batching Plant*
- Outdoor Retail Sales - Pedestrian / Transit Mall*
- Outdoor Retail Sales*
- Outdoor Sales, Seasonal*
- Parking Lot Designated for a Special Event*
- Retail Food Establishment, Mobile*
- Temporary Construction Office
- Temporary Office - Real Estate Sales
- Tent for Religious Services
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### Article 9. Special Contexts and Districts
#### Division 9.7 Master Planned Context

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All M-Zone Districts</td>
<td>All Building Forms</td>
<td>Any distance provided a minimum of 1' between right-of-way and first riser of above-grade stairway</td>
<td>Not allowed</td>
<td>5'</td>
<td></td>
</tr>
</tbody>
</table>

**Porches (1-Story or multi-Story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the Street Level connected to a Porch:**
- May be covered;
- All sides shall be at least 50% open except for any side abutting a building facade or fire wall.

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All M-Zone Districts</td>
<td>All Building Forms</td>
<td>1.5'</td>
<td>1.5'</td>
<td>Not allowed</td>
<td>1.5'</td>
</tr>
</tbody>
</table>

**Projecting Windows:**
- Shall be a minimum of 1.5’ above finished floor;
- Shall not extend floor to ceiling; and
- No individual projection shall be more than 10’ in horizontal length at the opening along the face of the building.

**Intent:** To allow for improved interior daylighting.
Shading devices: building elements, such as awnings, designed and intended to control light entering a building.

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>BUILDING FORMS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>All M-Zone Districts</td>
<td>All Building Forms</td>
<td>5'</td>
<td>5'</td>
<td>3'</td>
<td>10'</td>
</tr>
</tbody>
</table>

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

Illustrative only

Not to Scale. Illustrative Only.
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F. No materials or wastes shall be deposited upon a zone lot in such form or manner that they may be transferred off the zone lot by natural causes or forces.

G. All materials or wastes that may cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise be attractive to rodents or insects, shall be stored outdoors only in closed containers.

H. The following limitation shall apply to the above-ground storage of certain materials:

1. No flammable gases or solids, combustible or flammable liquids or explosives shall be stored in bulk above ground except that:
   a. Railroad locomotive fueling, fuel tanks for energy or heating devices or appliances, tanks containing compressed natural gas and the fueling of vehicles operated in association with a permitted use may utilize above-ground tanks, provided they are located a minimum of 1,000 feet from a Protected District protected use.
   b. Vaulted tanks as approved by the Fire Department may be located above ground.
   c. The parking of railroad tank cars containing explosive or flammable materials shall be located at least 1,000 feet from a protected use. The 1,000-foot spacing may be reduced by the Zoning Administrator with review and concurrence of the Fire Department, provided the owner proves by a preponderance of the evidence that the proposed storage facility will not create a hazard for nearby protected uses.
   d. For purposes of this provision only, a “protected use” is any residential use, a hospital, or an auditorium or other building used for public assembly.

2. Liquefied petroleum gases shall be stored no closer to any boundary line of a zone lot on which they are located than that permitted by the Denver Fire Code.

3. Explosives shall be stored no closer to any boundary line of the zone lot on which they are located than that permitted by the Denver Fire Code.

SECTION 11.10.17  OUTDOOR STORAGE, LIMITED

11.10.17.1 All Zone Districts

In all zone districts, where permitted with limitations, Limited Outdoor Storage uses shall comply with the following limitations:

A. Shall only be permitted following approval of a site development plan illustrating the extent of the permitted area for limited outdoor storage and compliance with these limitations.

B. Shall be limited in area to no more than 10% of the gross floor area of the Primary Structure on the Zone Lot.

C. Stored materials and products shall not be more than 12 feet in height. This height limitation shall not apply to stored materials and products in the CMP-NWC zone district.

D. Shall be fully screened from view from the public right-of-way, public Off-Street Parking Areas, or adjacent Residential Zone Districts by a 100 percent opaque visual barrier or screen. Chain-link fencing with slats inserted may be considered acceptable for this screening, except where located abutting or across the street from a Residential Zone District. See also Section 10.5.5, Fences and Walls.

E. Location on Zone Lot

The location of limited outdoor storage on a zone lot is subject to the following conditions:

1. Shall be located at least 15 feet from the public right-of-way and any abutting Residential Zone District;
2. Shall be located behind the Primary Street facing facade of a Primary Structure on the same zone lot;

3. May be located to the side of a building, provided it is not located within the required side interior or side street setback.

F. Vehicles awaiting repair may be stored up to 14 days within the required screened limited outdoor storage area.

G. Shopping cart storage areas located within a surface parking lot for the convenience of the primary land use's customers are exempt from the location and screening standards in Sections 11.10.16.1.B, D, and E above.

H. No materials or wastes shall be deposited upon a zone lot in such form or manner that they may be transferred off the zone lot by natural causes or forces.

I. All materials or wastes that may cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise be attractive to rodents or insects, shall be stored outdoors only in closed containers.

J. The following limitation shall apply to the above-ground storage of certain materials:

   1. No flammable gases or solids, combustible or flammable liquids or explosives shall be stored in bulk above ground except that:

      a. Railroad locomotive fueling, fuel tanks for energy or heating devices or appliances, tanks containing compressed natural gas and the fueling of vehicles operated in association with a permitted use may utilize above-ground tanks, provided they are located a minimum of 1,000 feet from a Protected District protected use.

      b. Vaulted tanks as approved by the Fire Department may be located above ground.

      c. The parking of railroad tank cars containing explosive or flammable materials shall be located at least 1,000 feet from a protected use. The 1,000-foot spacing may be reduced by the Zoning Administrator with review and concurrence of the Fire Department, provided the owner proves by a preponderance of the evidence that the proposed storage facility will not create a hazard for nearby protected uses.

      d. For purposes of this provision only, a “protected use” is any residential use, a hospital, or an auditorium or other building used for public assembly.

   2. Liquefied petroleum gases shall be stored no closer to any boundary line of a zone lot on which they are located than that permitted by the Denver Fire Code.

   3. Explosives shall be stored no closer to any boundary line of the zone lot on which they are located than that permitted by the Denver Fire Code.

SECTION 11.10.18  RENTAL OR SALES OF ADULT MATERIAL ACCESSORY TO RETAIL SALES OF BOOKS

11.10.18.1  All Zone Districts

   In all zone districts, where permitted with limitations, if a bookstore rents or sells adult materials, as described in the definition of “Bookstore, Adult,” (see Article 13, Rules of Measurement and Definitions), as an accessory use, such accessory use shall comply with the following limitations:

   A. The quantity of adult materials displayed or sold shall not exceed the numerical limitations specified in the definition for “Bookstore, Adult”;

   B. All adult materials shall be segregated into a separate section of the bookstore and screened from public view; and

   C. Access to the adult materials shall be denied to all persons under the age of 18 years.
DIVISION 11.11 TEMPORARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific temporary uses across multiple zone districts and neighborhood contexts. Temporary uses are permitted according to Section 12.4.1, Zoning Permit Review, and subject to compliance with this Division’s use-specific standards, as applicable. Structures used to house permitted temporary uses are not required to comply with primary or accessory building form standards.

SECTION 11.11.1 UNLISTED TEMPORARY USES

11.11.1.1 All Zone Districts
In all zone districts, where permitted with limitations:

A. The Zoning Administrator may allow and impose limitations on unlisted temporary uses according to this subsection 11.11.1.

B. All such determinations shall be reviewed according to the procedures and review criteria stated Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

SECTION 11.11.2 AMBULANCE SERVICE

11.11.2.1 All Zone Districts
In all zone districts, where permitted with limitations:

A. Not more than 2 ambulances at any one location;

B. Vehicles to be parked in completely enclosed structure when not in use;

C. No mechanical or maintenance work is to be done on premises and no gasoline is to be stored there;

D. No office is to be maintained in connection with the temporary ambulance service use; and

E. Each permit shall be valid for a period of not more than 6 months, but may be renewed; provided, however, that failure to comply with any of these standards shall be cause for revocation of any permit.

SECTION 11.11.3 AMUSEMENT / ENTERTAINMENT USES

11.11.3.1 All Industrial Context Zone Districts; O-1 Zone District; CMP-H Zone Districts; and CMP-NWC Zone District
In all Industrial Context zone districts, the O-1 zone district, the CMP-H and CMP-H2 zone districts, and the CMP-NWC zone district, where permitted with limitations, a temporary amusement, entertainment or recreational use on the payment of a fee or admission charge shall comply with the following standards:

A. The temporary use shall not be enclosed.

B. The temporary use shall be a minimum of 500 feet from a Residential Zone District. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

C. Each permit shall be valid for a period of not more than 6 calendar months, but may be renewed.
SECTION 11.11.4  BAZAAR, CARNIVAL, CIRCUS OR SPECIAL EVENT

11.11.4.1  All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations:

A. Such temporary use is limited to a place for the display and sale of miscellaneous goods and for entertainment sponsored by a nonprofit organization or governmental entity, not including motorized amusement rides.

B. The temporary use may be operated only between 9:00 a.m. and 11:00 p.m.

C. A temporary bazaar, carnival, circus or special event permitted under this subsection shall be valid for a period not to exceed 12 consecutive days and a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location.

11.11.4.2  All Mixed Use Commercial Zone Districts; OS-B Zone District

In all Mixed Use Commercial Zone Districts and in the OS-B zone district, where permitted with limitations:

A. The temporary use may be operated only between 9:00 a.m. and 11:00 p.m.

B. The temporary use may have motorized rides only if located at least 500 feet from a Residential Zone District.

C. Each permit for such temporary use shall be valid for a period of not more than 12 consecutive days and a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location. The Zoning Administrator may allow an extension of the original time limit, not to exceed 120 days total, including the length of time originally allowed, if:

1. The extension of the requested temporary use shall have no adverse impacts on abutting property and shall not substantially harm the public health, safety, and general welfare; and,

2. The temporary use is compatible in intensity, characteristics and appearance with existing uses in the immediate vicinity of the location considering its proposed temporary duration, and the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected by the use or activities with it. Factors such as location, access, traffic generation, noise, light, dust control and hours of operation will all be considered.

SECTION 11.11.5  BUILDING OR YARD FOR CONSTRUCTION MATERIALS

11.11.5.1  All Zone Districts

In all zone districts where permitted with limitations, temporary building or yard for construction materials, which is the storage of equipment and/or excavated materials both incidental and necessary to a construction project, and which may include temporary parking for construction and/or temporary parking to replace parking temporarily displaced by construction, are permitted, subject to compliance with the following limitations:

A. Every such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than three successive periods at the same location; however, site cleanup shall be completed within 30 days after completion of the project, regardless of the length of the permit.

B. Each permit shall specify the location of the building, yard and/or parking and the location of the permitted operation.
C. Construction materials, equipment, excavated materials and/or parking shall be stored a minimum of 100 feet from a residential use within a residential structure. This spacing requirement may be reduced if concurrence is obtained from the residents living on zone lots within 100 feet of and abutting to the proposed site.

D. Such materials, equipment and/or parking shall be screened from the view of abutting residents to the maximum extent possible as determined by the Zoning Administrator; providing, however, that no screening fence or wall shall be required that is taller than 8 feet.

E. Such materials shall be piled no higher than 20 feet above grade and any piles above 4 feet in height shall be protected by a 7 foot high security fence with controlled access. This requirement may be modified by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the modification will provide security and controlled access to the materials, and the proposed method to pile or store the excavated materials is certified by a licensed engineer or other qualified professional.

F. A temporary building shall comply with the most restrictive building setback requirements of the zone district in which it is located.

G. Temporary parking for construction and temporary parking to replace parking temporarily displaced by construction shall not be subject to Article 10 General Design Standards.

SECTION 11.11.6    CONCRETE, ASPHALT, AND ROCK CRUSHING FACILITY

11.11.6.1 All Zone Districts

In all zone districts, where permitted with limitations, temporary concrete, asphalt, and rock crushing facilities, both incidental and necessary to a specific construction or demolition project, shall comply with the following limitations:

A. Equipment and/or excavated materials shall be stored a minimum of 100 feet from a residential use within a residential structure. This spacing requirement may be reduced if concurrence is obtained from the residents living on zone lots within 100 feet of and abutting the proposed site.

B. Such materials and/or equipment shall be screened from the view of abutting residents to the maximum extent possible as determined by the Zoning Administrator; providing, however, that no screening fence or wall shall be required in excess of eight feet in height.

C. Such materials shall be piled no higher than 20 feet above grade and any piles above 4 feet in height shall be protected by a 7 foot high security fence with controlled access. This requirement may be modified by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the modification will provide security and controlled access to the materials, and the proposed method to pile or store the excavated materials is certified by a licensed engineer or other qualified professional.

D. Any temporary building shall comply with the most restrictive building setback requirements of the zone district in which they are located.

E. Each permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than 10 successive periods at the same location.

F. Site cleanup, shall be completed within 30 days after completion of the project, regardless of the length of the permit.
SECTION 11.11.7 FENCE FOR DEMOLITION OR CONSTRUCTION WORK

11.11.7.1 All Zone Districts
In all zone districts, where permitted with limitations, temporary fences for demolition or construction work are permitted subject to compliance with the following limitations:

A. Notwithstanding other limitations on fence heights in setback areas, a 6 foot high security fence may be installed around the boundary of a zone lot where demolition or construction is to occur.

B. Each permit shall be valid for 6 months and shall not be renewed for more than 2 successive periods.

SECTION 11.11.8 HEALTH CARE CENTER

11.11.8.1 All Residential Zone Districts
In all Residential Zone Districts, where permitted with limitations, temporary health care centers are permitted subject to compliance with the following standards:

A. Such use shall be operated by a political subdivision of the State of Colorado and shall provide a service but not a commodity; and

B. Each permit shall be valid for a period of 1 calendar year and may be renewed.

SECTION 11.11.9 NONCOMMERCIAL CONCRETE Batching PLANT

11.11.9.1 All Zone Districts
In all zone districts where permitted with limitations, temporary noncommercial Concrete Batching Plants, both incidental and necessary to a specific construction project, are permitted subject to compliance with the following standards:

A. Each permit shall specify the location of the plant and the area, within the same zone district, of the permitted operation, no part of which area shall be a distance of more than two miles from the plant.

B. Each such permit shall be valid for a period of not more than 6 calendar months and shall not be renewed for more than six successive periods at the same location.

Outdoor Retail Sales, Temporary - All Types

SECTION 11.11.10 OUTDOOR RETAIL SALES - PEDESTRIAN / TRANSIT MALL

11.11.10.1 All Mixed Use Commercial Zone Districts; All Downtown Neighborhood Context Zone Districts
In all Mixed Use Commercial Zone Districts and in all Downtown Neighborhood Context Zone Districts, where permitted with limitations, temporary outdoor retail sales of articles such as books, artwork, craft work, food, flowers, clothing, newspapers and similar articles, within 125 feet of a pedestrian and/or transit mall, are permitted subject to compliance with the following standards:

A. The use will not obstruct the movement of pedestrians through plazas or other areas intended for public usage, and shall not create congestion on adjoining public sidewalks;

B. The use will not generate an undue amount of noise, fumes, glare or other external effects; and

C. The use will not create a debris or litter problem.
**SECTION 11.11.11  OUTDOOR RETAIL SALES**

**11.11.11.1 All Mixed Use Commercial Zone Districts; OS-B Zone District**

In all Mixed Use Commercial Zone Districts and in the OS-B zone district, where permitted with limitations, temporary outdoor sales involving the sale and display of goods and merchandise as an extension of a primary use operating on the same zone lot, shall comply with the following standards:

A. Each permit for the proposed use shall be valid for a period of not more than 45 days with one renewal for a period of not more than 30 days during any six month period, if all requirements hereof have been complied with during the original permit period.

B. No required off-street parking space will be used for such merchandise display, storage or dispensing.

C. The proposed use must be set back at least 30 feet from the curb of a public street and at least 150 feet from a single unit or two unit dwelling use.

D. No part of the proposed use shall obstruct visibility of motorists if located near a street corner or driveway entrance, nor shall such use obstruct the parking lot circulation system or block access to a public street.

E. No temporary structure erected in conjunction with the proposed use shall be built out of used or unpainted lumber or rusty metal, or similar material as determined by the Zoning Administrator. Tents are permitted, subject to Fire Department regulations.

F. Notwithstanding more restrictive signage regulations found elsewhere, a maximum of 24 square feet of sign area is permitted for each use. Signage shall be limited to the walls or side of a tent, or structure or to a single freestanding sign which is not more than 24 square feet in area per sign face. The maximum sign area provisions of Division 10.10, Signs, shall not apply to this use.

G. The applicant shall be responsible for the storage and daily removal of all trash, refuse and debris occurring on the site. All trash storage areas shall be screened from the view of persons using adjacent rights of way.

H. This provision shall in no way be deemed to authorize the outdoor sale of used furniture, used appliances, used plumbing, used housewares, used building materials or similar items.

**SECTION 11.11.12  OUTDOOR SALES, SEASONAL**

**11.11.12.1 All RX Zone Districts, All Mixed Use Commercial Zone Districts, I-A Zone District; and OS-B Zone District**

In all RX zone districts, all Mixed Use Commercial Zone Districts, the OS-B zone district, and the I-A zone district, where permitted with limitations, temporary seasonal outdoor sales, not limited to the sale and display of goods and merchandise as an extension of a permitted use operating on the same zone lot, are permitted subject to compliance with the following limitations.

A. **Sale of Christmas Trees and Related Holiday Items**

In all zone districts, where temporary seasonal outdoor sales are permitted with limitations, the seasonal outdoor retail sales of Christmas trees, wreaths, and other related holiday goods shall comply with the following limitations:

1. In all RX zone districts, Section 12.4.2, Zoning Permit with Informational Notice shall apply.

2. In the MX-2x and MS-2x zone district, when located within 500 feet of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.
3. No permit shall be effective prior to the 1st day of November in each calendar year;
4. No permit shall be valid for a period of more than 60 days; and
5. Site cleanup shall be completed no later than 5 days after Christmas day.

**B. Sale of Plants or Plant Sales Facilities**

In all zone districts, where temporary seasonal outdoor sales are permitted with limitations, seasonal plant sales facilities shall comply with the following limitations:

1. In all RX zone districts, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
2. In a MX-2x and MS-2x zone district when located within 500 feet of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
3. The applicant is the owner of the subject property or has written consent of the owner.
4. The proposed temporary use shall be operated wholly or partially within a temporary structure, which is not a motor vehicle or trailer.
5. The proposed temporary use, not including parking, encompasses an area of no more than one acre.
6. Permits shall be valid from April 1 through October 31 of each calendar year.
7. Parking shall be provided to encompass a minimum area equal to one-half the covered and uncovered retail sales area proposed at the facility. The Zoning Administrator may reduce or eliminate this off-street parking requirement if the applicant shows by a preponderance of the evidence that alternative parking is available and convenient to the proposed use, including but not limited to nearby on-street parking, public parking facilities, or commercial parking lots or garages. If provided on-site, parking surfaces shall be either paved or shall consist of a dust-free road base or acceptable gravel base material; and the ground area to be occupied by the proposed use shall not reduce the area occupied by the required parking of an existing permitted use on the zone lot by more than ten percent.
8. Vehicle access to the proposed facility shall provide appropriate ingress and egress areas to preclude traffic congestion on adjacent streets.
9. A security fence shall be installed around the entire area of the proposed facility consisting of an approved fencing material such as wire mesh at a height of not less than 6 feet.
10. Any advertising signage at the proposed facility shall be in place only during the proposed operations of the facility; signage shall be limited to a maximum of 50 square feet per face with no more than two signs for each street frontage of the proposed facility; and all signs shall be non-portable and shall conform to zone district setback requirements.
11. Adequate utilities including water and electricity, as well as restroom facilities for the employees of the applicant, are available at or can be provided to the facility.
12. Lighting shall be provided for evening and night operations.
13. The proposed temporary use shall be operated in a manner that does not emit any obnoxious or dangerous degrees of heat, light, glare, or fumes beyond any boundary line encompassed by the facility.

**C. All Other Types of Temporary Outdoor Sales, Seasonal**

1. In all RX zone districts, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.
2. In all MX-2x, -2A, -2 and MS-2x, -2 zone districts, when located within 500 feet of a Residential Zone District, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.

3. Permits shall be valid for no longer than 6 consecutive months of any one calendar year, unless more specifically restricted in this Section.

4. Hours of operation are limited to 8:00 a.m. to 8:00 p.m. daily.

5. The temporary use shall provide off-street parking in an amount equal to one-half of the covered and uncovered retail sales area proposed at the facility. The Zoning Administrator may reduce or eliminate this off-street parking requirement if the applicant shows by a preponderance of the evidence that alternative parking is available and convenient to the proposed use, including but not limited to nearby on-street parking, public parking facilities, or commercial parking lots or garages. If provided on-site, parking surfaces shall either be paved or consist of a dust-free road base or acceptable gravel base material; and the ground area to be occupied by the proposed temporary use shall not reduce the area occupied by the required parking of an existing permitted use on the zone lot.

6. The temporary use shall comply with the setback requirements for the zone district in which it is located and shall be at least 50 feet from any Residential Zone District.

7. The temporary use shall not obstruct the visibility of motorists, nor obstruct the parking lot circulation or block access to a public street.

8. Temporary structures associated with the temporary seasonal outdoor use shall be limited to no more than 200 square feet in gross floor area and shall obtain all required building and safety permits from the Fire Department, Environmental Health Department, and Community Planning and Development.

9. Any electrical work shall be duly permitted by the City prior to operation of the temporary use and related structures.

10. Signs shall be limited to not more than two ground or wall signs as defined in Article 13, Rules of Measurement and Definitions, with a total area not exceeding 24 square feet and located on the same zone lot as the seasonal outdoor sales. Such signs shall meet the most restrictive setback requirements of the zone district in which they are located.

11. The applicant shall be responsible for the daily storage and removal of all trash, refuse, and debris. All trash storage facilities shall be provided with screening adequate to fully conceal such facilities from adjacent properties.

12. No truck-tractors or semi-trailers shall be parked or stored on or adjacent to the seasonal outdoor sales area.

13. No seasonal outdoor sales of fruits or vegetables shall be permitted on any zone lot where any types of chemicals or gasoline are stored or sold.

SECTION 11.11.13 PARKING LOT DESIGNATED FOR A SPECIAL EVENT

11.11.13.1 All Residential Zone Districts

In Residential Zone Districts, where permitted with limitations, a temporary Off-Street Parking Area designated for a special event may be permitted by zoning permit on zone lots occupied by a non-residential use, including but not limited to a Civic, Public and Institutional use, subject to compliance with the following limitations:

A. The Off-Street Parking Area, enclosed or unenclosed, may be used for parking for a special event only if the Off-Street Parking Area was legally established as Accessory Parking.
B. A surface Off-Street Parking Area shall be surfaced with an all-weather surfacing material, but need not include any screening or landscaping as required by Division 10.4, Parking and Loading, or by Division 10.5, Landscaping, Fences, Walls and Screening.

C. A parking lot manager or attendant shall either be present on the zone lot or shall make periodic, regular inspections of the zone lot (e.g., once every 30 - 60 minutes) during the entire period of each special event.

D. The applicant shall be the owner of the property, or the owner’s authorized agent.

E. The zone lot shall be maintained in a manner that mitigates any adverse impacts on the surrounding neighborhood, including but not limited to the effect of dust, erosion and litter, and from damage caused by automobiles. The property shall be cleaned up within 24 hours after its use.

F. Violation of any of the requirements of this section shall result in the cancellation of the zoning permit, and no new zoning permit for special event parking shall be issued for the subject zone lot until after a six-month period of time has transpired.

G. Each zoning permit shall be valid only for a calendar year or remaining portion thereof, and shall allow parking only for the designated special events or series of special events as listed in the application for the permit.

11.11.13.2 All Mixed Use Commercial Zone Districts
In all Mixed Use Commercial Zone Districts, where permitted with limitations, a temporary Off-Street Parking Area designated for a special event may be permitted by zoning permit on a zone lot, subject to compliance with the following limitations:

A. Each zoning permit shall be valid only for the duration of the designated special event; provided, however, that if the designated special event is a seasonal activity, the permit may be valid for the entire season but shall be restricted in use to designated dates and times during which the event is occurring.

B. For Developed Zone Lots Containing a Structure:
   1. The Off-Street Parking Area, enclosed or unenclosed, may be used for parking for a special event only if the Off-Street Parking Area was legally established as Accessory Parking.
   2. A temporary surface Off-Street Parking Area shall be improved according to Section 10.4.7, Use and Maintenance of Parking Areas, and the dimensions for and the arrangement of parking spaces and driving aisles shall comply with the requirements of Section 10.4.6, Vehicle Parking Design.

C. For Vacant Zone Lots:
   1. The surface Off-Street Parking Area shall be improved with an all-weather surfacing material comprised, at a minimum, of gravel or road base material with a thickness of at least 4 inches.
   2. The dimensions for and the arrangement of parking spaces and driving aisles shall comply with Section 10.4.6, Vehicle Parking Design.

11.11.13.3 All I-A, I-B, OS-B, and O-1 Zone Districts
In all I-A, I-B, OS-B, and O-1 zone districts, where permitted with limitations:

A. Each permit for temporary surface Off-Street Parking Area for a designated special event shall be valid only for the duration of the designated event; provided, however, if the designated special event is a seasonal activity, the permit may be granted for the entire season but restricted in use to designated dates and times in which the event is occurring.
B. Except in the O-1 and OS zone districts, a temporary surface Off-Street Parking Area shall be improved with an all-weather surfacing material comprised, at a minimum, of gravel or road base material with a thickness of at least 4 inches.

11.11.13.4 All Zone Districts - Posted Sign Required
A. At each legal vehicle entry from the public street, no more than one advertising or directional sign may be installed, which shall be limited in size to 12 square feet.
B. All signs related to the temporary surface Off-Street Parking Area shall be installed only during the time of the special event, shall not exceed a height of 6 feet, and need not be set back from any property line.
C. Each parking lot shall have one sign 6 square feet in area which is installed on the front property line and which contains the following information printed in letters 2 inches high:
   1. Owner’s name
   2. The temporary permit number
   3. Number of cars permitted in the lot
   4. The designated special event for which the parking is permitted

SECTION 11.11.14 RETAIL FOOD ESTABLISHMENT, MOBILE
11.11.14.1 All Mixed Use Commercial Zone Districts; I-A, I-B Zone Districts; OS-B Zone District
In all Mixed Use Commercial Zone Districts; I-A, I-B zone districts; and OS-B zone district, where permitted with limitations, mobile retail food establishments are permitted subject to compliance with the following standards:
A. Permits shall be valid for 12 consecutive months and shall be renewed annually.
B. Permits shall be valid for 4 consecutive hours for each day at each zone lot.
C. No more than 1 retail food establishment, mobile shall be permitted to operate per day at each zone lot.
D. Hours of operation shall be between 8:00 a.m. and 9:00 p.m.
E. Operations shall only occur on zone lots and shall not reduce the area required for parking for any other use on the zone lot.
F. Operations shall be at least 200 feet from any eating and drinking establishment lawfully existing at the time the permit or renewal permit was issued, and at least 200 feet from any other retail food establishment, mobile.
G. Operations shall not obstruct the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley or sidewalk.
H. The permit authorized hereby shall be permanently displayed to the public in the food handling area of the retail food establishment, mobile during operation.
I. Operations shall not occur outside of the retail food establishment, mobile.
J. Structures, canopies and outdoor tables and chairs are prohibited.
K. Signs must be permanently affixed to or painted on the retail food establishment, mobile.
L. Signs shall not project from the retail food establishment, mobile and shall not illuminate.
M. Operators shall be responsible for the storage and daily disposal of all trash, refuse, and litter.
N. Operators shall not cause any liquid wastes used in the operation, with the exception of clean ice melt, to be discharged from the retail food establishment, mobile.

O. Operations shall be located at least 50 feet from any Residential Zone District.

P. Operations are prohibited on undeveloped zone lots and zone lots with unoccupied structures or unpaved surfaces.

SECTION 11.11.15  TEMPORARY CONSTRUCTION OFFICE

11.11.15.1  All Zone Districts

In all zone districts, where permitted with limitations, temporary construction offices needed for a specific construction project are permitted provided each permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than three successive periods at the same location; however, site cleanup shall be completed within 30 days after completion of the project, regardless of the length of the permit.

SECTION 11.11.16  TEMPORARY OFFICE - REAL ESTATE SALES

11.11.16.1  All Residential and Mixed Use Commercial Zone Districts

In all Residential Zone Districts and Mixed Use Commercial Zone Districts, where permitted with limitations, temporary offices, for the sale or rental of dwelling units within one (1) specific project under construction, rehabilitation or recently completed, and both incidental and necessary for the sale or rental of real property in the zone district are permitted subject to compliance with the following standards:

A. Such permit shall be valid for a period of not more than 6 calendar months and shall not be renewed for more than four successive periods for the same project.

B. Each permit shall specify the location of the temporary office and the area, within the same zone district, of the permitted operation, no part of which area shall be a distance of more than 2 miles from the temporary office.

SECTION 11.11.17  TENT FOR RELIGIOUS SERVICES

11.11.17.1  All Industrial Zone Districts; CMP-NWC Zone District

In all Industrial Zone Districts and CMP-NWC, where permitted with limitations, tents for religious services shall comply with the following limitations:

A. Must be 500 feet from a Residential Zone District.

B. Applications shall be reviewed by the Denver Fire Department.

C. Each such permit shall be valid for a period of one month and may be renewed.
DIVISION 11.12 USE DEFINITIONS

This Division 11.12 contains definitions of primary, accessory and temporary uses permitted in this Code. The Division is organized in the same order as uses are presented in the Use and Parking Tables in Articles 3 through 9, with specific use definitions organized by sections and sub-sections that align with the primary use classifications and use categories, followed by sections for accessory uses and temporary uses.

SECTION 11.12.1 PRIMARY USE CLASSIFICATION

11.12.1.1 All primary or principal land uses in Denver are organized into one of the following five general land use classifications:

A. Residential Uses
B. Civic, Public & Institutional Uses
C. Commercial Sales, Service & Repair Uses
D. Industrial, Manufacturing & Wholesale Uses
E. Agriculture Uses

11.12.1.2 Uses are further organized into use categories and specific use types listed under each general land use classification. A definition of a specific use type shall also meet the definition of the use category in which it falls. The Use and Parking Tables in Articles 3 through 9 are all similarly organized into the above five general land use classifications, use categories and specific use types.

11.12.1.3 The general land use classifications and use categories listed in this Division 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 permitted by this Code.

SECTION 11.12.2 PRIMARY RESIDENTIAL USES

11.12.2.1 Definition of Household Living Use Category

A. Definition of Category

1. Household Living is defined as residential occupancy of a “dwelling unit” by a single “household”. Tenancy is arranged on a month-to-month or longer basis.

B. Definitions of Related Terms

1. Dwelling Unit
   One or more habitable rooms constituting a unit for permanent occupancy, having but one kitchen together with facilities for sleeping, bathing, and which unit occupies a structure or a portion of a structure.

2. Household
   A dwelling unit occupied by persons in any one of the following four categories living as a single non-profit housekeeping unit, including any permitted domestic employees:
   a. A single person plus any number of persons bearing to each other the relationship of: parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or
b. Two persons living together as spouses, domestic partners, or civil union partners, plus any number of persons bearing to either the relationship of: parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or

c. In a single unit dwelling use only: One or two unrelated adults over the age of 18 years plus any persons bearing to either of the two unrelated adults the relationship of parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece); or

d. In a two-unit dwelling use or multi-unit dwelling use only: Up to four unrelated adults over the age of 18 years plus any persons bearing to either of the four unrelated adults the relationship of parent, grandparent, child, sibling, step-child, step-sibling, step-parent, grandchild, parent-in-law, sibling-in-law, child-in-law, parent-sibling (uncle or aunt), or nibling (nephew or niece).

C. Specific Household Living Use Types and Definitions

1. Dwelling, Single Unit
   One dwelling unit contained in a single structure.

2. Dwelling, Two Unit
   Two dwelling units contained in one structure located on a single zone lot.

3. Dwelling, Multi-Unit
   Three or more dwelling units contained in a single structure.

4. Dwelling, Live/Work
   A combination of residential occupancy and commercial activity located within the same dwelling unit. In a “Live/Work Dwelling,” the commercial activity is a primary use in combination with a primary residential occupancy use, and the commercial occupancy shall not be considered a “Home Occupation” or other accessory use.

11.12.2.2 Definition of Group Living Use Category

Group Living is defined as residential occupancy of a structure by a group of people that does not meet the definitions of “household living,” “lodging,” or “correctional institution.” Tenancy is arranged on a monthly or longer basis, except as permitted in a Shelter for the Homeless group living use, and the size of the group may be larger than a single household, and may include supervisory employees who reside on-site. Often, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not reside at the site. “Group living” includes the term “group home.”

A. Specific Group Living Use Types and Definitions

1. Assisted Living Facility
   A residential structure or structures licensed by the state as an assisted living residence and housing more than 8 adults. This use is a residential facility that makes available to more than 8 adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a 24-hour basis, but not to the extent that regular 24-hour medical or nursing care is required.
   a. Such a use shall not include residential treatment facilities for substance abusers or the mentally ill.
   b. This use shall not include the uses nursing home, hospice or residence for older adults.
c. A facility that otherwise meets this definition but has 8 or fewer residents shall be considered a Residential Care use, small, and not an assisted living facility.

2. **Community Corrections Facility**
   A structure which provides a residence for three or more persons who have been placed in a community corrections program of correctional supervision, including a program to facilitate transition to a less-structured or independent residential arrangement; and residents of such facilities shall be those persons placed in the community corrections program by the judicial or correctional departments of the city, the state or the federal government. A community corrections facility shall be considered a Large Residential Care use.

3. **Nursing Home, Hospice**
   An establishment licensed by the state department of public health, which establishment maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care, including hospices, specifically excluding, however, hospitals. A nursing home, hospice shall not be considered a Residential Care use.

4. **Residence for Older Adults**
   A single unit dwelling or multi-unit dwelling housing a number of unrelated mobile older adults (individuals fifty-five (55) or more years of age) in excess of the number of unrelated persons permitted per dwelling unit, receiving fewer services than a special care home or assisted living facility. A residence for older adults shall not be considered a Residential Care use.

5. **Residential Care Use**
   a. **Definition**
      A specific type of group living use where the residents are provided supervised medical, psychological, or developmental care or treatment on a daily, regular basis.
   b. **Types of Residential Care Uses**
      “Residential care use” is limited to the following specific types of group living uses:
      i. **Transitional housing:** A residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district, where such persons are provided with individual bedrooms, where the primary service offered at the facility is related to transitioning into permanent housing and all services provided are not sufficient to constitute a “special care home” and where occupancy of such housing is primarily made available for more than 30 days and less than 2 years. Transitional housing shall be considered a Small Residential Care use.
      ii. **Shelter for the homeless:** See definition of “shelter for the homeless” in subsection 11.12.2.2.A.7.
      iii. **Community corrections facility:** See definition of “community corrections facility” in subsection 11.12.2.2.A.2.
      iv. **Special care home:** A special care home is a residential structure housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district in which the dwelling unit is located, where such persons are living as a single housekeeping unit and are receiving more than 12 hours per day of on-premises treatment, supervision, custodial care or special care due to physical condition or illness, mental condition or illness, or behavioral or disciplinary problems. A special care home, depending on its size, shall be considered a large or Small Residential Care use.
c. **Exclusions**  
Residential care uses shall NOT include any of the following types of group living or institutional uses:

i. Assisted living facility  
ii. Foster family care  
iii. Nursing home or hospice  
iv. Residence for older adults  
v. Rooming and/or boarding house.
vi. A residential structure containing residents whose principal form of support is financial assistance.

vii. **Safe house**: A residential structure that provides residents a place of refuge from abusive people or dangerous social situations. Such structure does not provide refuge for fugitives from justice. Such use may be permitted as a “multi unit dwelling” use.

d. **Residential Care Use, Large**  
A Residential Care use that is the primary residence of 9 or more persons. “Large Residential Care use” shall include shelter for the homeless of any size, or a community corrections facility of any size.

e. **Residential Care Use, Small**  
A residential structure that is the primary residence of 8 or fewer persons, but housing a number of unrelated persons in excess of the number of unrelated persons permitted per dwelling unit in the zone district or transitional housing of any size. This use shall not include a community corrections facility, shelter for the homeless, rooming and/or boarding house, nursing home, safe house, or large special care home.

6. **Rooming and Boarding House**  
A residential building containing one or more guest rooms that are used, rented, or hired out, with or without meals, for permanent occupancy. A Rooming and Boarding House makes no provision for cooking in any of the guest rooms occupied by paying guests.

a. A Rooming and Boarding House use shall not be considered a Residential Care use.

b. A Rooming and Boarding House use shall not be considered a Student Housing use.

7. **Shelter for the Homeless**  
A facility that has as its primary function the provision for overnight sleeping accommodations for homeless people. Tenancy may be shorter than a monthly basis in a shelter for the homeless. A shelter for the homeless shall be considered a Large Residential Care use.

8. **Student Housing**  
A structure used for long-term group residential accommodations for students of a college, university or seminary, and where such structure is related to the college, university or seminary. Common cooking facilities and common gathering rooms for social purposes may also be included. May include a building used for group living quarters for members of a fraternity or sorority that has been officially recognized by the college, university or seminary.
SECTION 11.12.3  PRIMARY CIVIC, PUBLIC & INSTITUTIONAL USES

11.12.3.1  Basic Utilities

A. Definition of Basic Utilities Use Category
Basic Utilities is defined as buildings, structures, or other facilities used or intended to be used by any private or governmental utility, not including telecommunications. This category includes buildings or structures that house or contain facilities for the operation of water, wastewater, waste disposal, natural gas or electricity services. This use also includes water storage tanks; electric or gas substations, water or wastewater pumping stations, or similar structures used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, or wastewater. This category includes passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, water, sewage, or other similar services on a local level.

B. Specific Basic Utilities Use Types and Definitions

1. Utility, Major Impact
   “Major impact utility” shall mean a utility that falls into one or more of the following descriptions:
   a. Above-grade utilities exceeding 10,000 square feet of gross site area that have a substantially larger-than-local impact; or
   b. Any above-ground utility use in the following SIC groups:
      4911 Electric services, including high-voltage transmission lines (115 kilovolts or more), solar generating stations with a gross site area of 10,000 square feet or greater, and wind generating stations, but not including electrical substations with a gross site area of less than 10,000 square feet (which are defined as Minor Impact Utility);
      4922 Natural gas transmission;
      4923 Natural gas transmission and distribution;
      4924 Natural gas distribution;
      4925 Mixed, manufactured, or liquefied petroleum gas production and/or distribution;
      493 Combination electric and gas, and other utility services;
      494 Water supply;
      495 Sanitary services;
      496 Steam and air-conditioning supply;
      497 Irrigation systems; or
   c. The following specific uses:
      i. Sanitary Service Facility
         Establishments primarily engaged in sewage systems or sewage waste treatment facilities that collect, treat and dispose of waste.
      ii. Other similar facilities, as determined by the Zoning Administrator.

2. Utility, Minor Impact
a. Above-grade utilities of less than 10,000 square feet of gross site area that have a localized impact on surrounding properties and are necessary to provide essential services, including, but not limited to, above-ground utilities of less than 10,000 square feet of gross site area in the following SIC groups:
   i. 4813 Telephone communications, except radiotelephone, limited to telephone switching stations;
   ii. 4911 Electric services, limited to electrical substations, and electrical relay switching stations, and solar generating stations (NAICS 221114);
iii. 4923 Natural gas transmission and distribution, limited to natural gas distribution substations;
iv. 494 Water supply, limited to utility pumping stations.

11.12.3.2 Community / Public Services

A. Definition of Community / Public Services Use Category
Community / Public Service uses are defined as community or public safety services that meet public needs for both safety and human services such as day care, Community Centers, fire, police, or life protection, together with incidental storage and maintenance of necessary vehicles. Typical uses include senior or Community Centers, adult or child day care, fire and police stations, detention facilities and ambulance services.

B. Specific Community / Public Services Use Types and Definitions

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

2. Day Care Center
An establishment used for the purposes of providing care for either children or adults for less than a 24 hour consecutive period.
   a. For adults: “Day Care Center” means a facility limited to 5 or more persons who are 18 years and older and not related to the owner, operator or manager thereof, and where care is provided for less than a 24 hour consecutive period.
   b. For children:
      i. “Day Care Center” means a child care center organized under Chapter 11 of the Denver Revised Municipal Code, which is maintained for the whole or part of the day but for less than 24 hour care, which offers care to 5 or more children not related to the owner, operator, or manager thereof, from the ages of 6 weeks through 18 years, whether such facility is operated with or without compensation for such care, and with or without stated educational purposes, subject to the licensing requirements of the state and the city.
      ii. “Day Care Center” includes, but is not limited to, facilities commonly known as Day Care Centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children, and includes those facilities for children under the age of 6 years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school.
      iii. “Day Care Center” shall not include any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least 5 grades or operated as a component of a school district’s preschool program operated pursuant to article 28 of Title 22, C.R.S.
      iv. “Day Care Center” shall not include any facility licensed as a “child day care home” or “Foster Family Care”, as defined in this Code or in the Colorado Revised Statutes.

3. Postal Facility, Neighborhood
A facility that has distribution boxes, collection, and/or retail services related to mail delivery for the general public, but no mail carriers.
4. **Postal Processing Center**
A facility used for the collection, sorting, processing, and distribution of bulk mail or packages to other postal facilities or to the general public, and which may have some retail services for the general public, such as stamps, postcards, or postal insurance.

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

6. **Hospital**
An institution licensed by the state providing 24-hour health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

7. **Correctional Institution**
A secured institution under the supervision of the judiciary, correctional departments of any local, state or federal governments, or any law enforcement agency, in which persons are or may be lawfully held in custody after arrest or as a result of conviction of a crime.

11.12.3.3 **Cultural / Special Purpose / Public Parks & Open Space**

A. **Definition of Cultural / Special Purpose / Public Parks & Open Space Use Category**
Cultural / Special Purpose / Parks and Open Space use category is defined as uses generally providing for display, performance, preserving, or enjoyment of heritage, history, the arts, parks and open space. The use category includes, but is not limited to museums, libraries, parks and open space owned or operated by either public or private entities.

B. **Specific Use Types and Definitions**

1. **Cemetery**
Land used for interment of human or animal remains or cremated remains, including a burial park, a mausoleum, a columbarium, necessary sale and maintenance facilities, or a combination thereof. Mortuaries shall be included when operated within the boundary of such cemetery. The definition of “cemetery” also includes “crematorium.”
   
   a. **Crematorium**
   A location containing properly installed, certified apparatus intended for use in the act of cremation.

2. **City Park**
An area of land owned or leased by the City and operated or managed by the Denver Department of Parks and Recreation.

3. **Library**
A public or private special purpose cultural institution housing a collection of books, magazines, audio and videotapes, or other material for use by the general public.

4. **Museum**
A public or private facility, including an aquarium, botanic garden, or zoo, operated as a repository or a collection of natural, scientific, or literary curiosities or objects of interest, but not including the regular sale or distribution of the objects collected. Activities may include the sale of crafts work and artwork, boutiques, and the holding of meetings and social events. This definition includes, but is not limited to, all uses in the following SIC group: 84 Museums, botanical, zoological gardens.
5. **Open Space - Conservation**
Any Zone Lot, parcel or area of land or water essentially unimproved with any residential, commercial, or industrial uses or structures, and set aside or reserved for scenic, environmental, or preservation of right-of-way purposes. Conservation open space may include agricultural uses and natural features located on a site, including but not limited to steep slopes, flood plains, hazard areas, unique vegetation and critical plant communities, stream/river corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological, historical, and cultural resources. Commercial parking lots or structures and storage areas for vehicles and material shall not be considered an “open space, conservation” use.

11.12.3.4 **Education**

A. **Definition of Education Use Category**
A public or private facility for the general or specialized education or instruction of children or adults. Education uses may or may not meet the requirements of the State of Colorado compulsory education laws. Education uses include elementary or secondary schools, universities or colleges, and vocational or professional schools.

B. **Specific Education Use Types and Definitions**

1. **Elementary or Secondary School**
A public or private school meeting all requirements of the compulsory education laws of the state and providing instruction to students in kindergarten and grades above. The definition of Elementary or Secondary School also includes “High School.”

   a. **High School**
   Any school designed for instruction that includes grades 10 through 12, regardless of whether instruction is also provided in other grades.

2. **University or College**
An educational institution that offers specialized instruction in any of several fields of study and/or in a number of professions or occupations and is authorized to confer various degrees such as the bachelor’s degree. University or college uses may be composed of multiple buildings and uses organized on an integrated campus property composed of one or more zone lots and blocks. Education uses may include a variety of uses such as classroom buildings, administrative offices, sports facilities, student housing, research facilities and other related uses operated by the governing board of the institution within the campus or on adjoining zone lots.

3. **Vocational or Professional School**
Education or training in business, commerce, language, or other similar activity or occupational pursuit, or in the use of specialized, technical, or technological equipment or office machines, and not otherwise defined as Home Occupation, college or university, or elementary or secondary school.

11.12.3.5 **Public and Religious Assembly**

A. **Definition of Public and Religious Assembly Use Category**
Public and religious assembly uses are permanent places where persons regularly assemble for religious worship or secular activities, and which are maintained and controlled by a body organized to sustain the religious or public assembly. Public assembly uses include civic and social organizations such as private lodges, clubs, fraternities, and similar private membership organizations.
B. Specific Public and Religious Assembly Use Types and Definitions

1. Religious Assembly
A building where persons regularly assemble for religious worship and which building is maintained and controlled by a religious body organized to sustain public worship.

2. Club or Lodge
A building or land used for the activities of an association of persons for the promotion of a private or nonprofit common objective, such as literature, science, politics, and good fellowship. A club or lodge is not accessory to, or operated as, or in connection with a tavern, eating or drinking place, or other commercial establishment open to the general public.

SECTION 11.12.4 PRIMARY COMMERCIAL SALES, SERVICES, & REPAIR USES

11.12.4.1 Adult Business

A. Definition of Adult Business Use Category
Adult Business are characterized by commercial establishments where the primary use is the sale, rental, display or other offering of live entertainment, dancing, or material characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. For purposes of this use definition, the following terms shall mean:

1. Specified Sexual Activities: Shall include:
   a. Human genitals in a state of sexual stimulation or arousal;
   b. Acts of human masturbation, sexual intercourse, oral or anal sex, or sodomy; or
   c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

2. Specified Anatomical Area: Shall include less than completely and opaquely covered:
   a. Human genitals and/or pubic region;
   b. The area of the buttock which is located around the lower backbone between straight lines drawn from the outermost point of the pelvis on the side of the body to the ischial tuberosity;
   c. The area of the female breast described as follows: the areola and the lower quadrant of each breast as defined by two (2) lines which crisscross the breast and intersect at right angles at the areola. Such lines also intersect at a forty-five-degree angle the vertical axis of the body as represented by the backbone when viewed from the front of the body; or
   d. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

B. Specific Adult Business Use Types and Definitions

1. Adult Amusement or Entertainment
Amusement or entertainment which is distinguished or characterized by an emphasis on material depicting, describing or relating to “specified sexual activities” or “specified anatomical area” or which feature strippers or dancers, or similar entertainment by people who expose any specified anatomical area; provided, however, that live entertainment involving any specified sexual activity is prohibited.

2. Adult Bookstore
An establishment having as a substantial or significant portion of its stock in trade, books, magazines and other periodicals and goods and items, including video tapes and computer software, held for sale or rental which are distinguished or characterized by their
emphasize on matters depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” (“adult materials”). An establishment which utilizes in excess of ten (10) percent of its gross floor area or its occupied shelf space for the display of adult materials or which has more than ten (10) percent of its total monthly receipts derived from the sale or rental of adult materials shall be regarded as an “adult bookstore.”

3. **Photo Studio, Adult**
   An establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing “specified anatomical areas.”

4. **Sexually Oriented Commercial Enterprise**
   A massage parlor, nude studio, modeling studio, love parlor, encounter parlor or any other similar commercial enterprise whose major business is the offering of a service which is intended to provide sexual stimulation or sexual gratification to the customer but not including: (a) a business licensed to sell alcoholic beverages, (b) any bookstore or theater, (c) a business operated or employing licensed psychologists, licensed physical therapists, licensed cosmetologists or licensed barbers performing functions authorized under the license held, and (d) a business operated by or employing licensed physicians or licensed chiropractors engaged in the healing arts.

5. **Theater, Adult**
   A theater used for the presentation of material distinguished or characterized by an emphasis on material depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” for observation by patrons therein.

11.12.4.2 **Arts, Recreation & Entertainment**

A. **Definition of Arts, Recreation & Entertainment Use Category**
   Arts, Recreation & Entertainment use category includes a broad array of commercial establishments that operate indoor or outdoor facilities or provide services to meet varied artistic, cultural, entertainment, and recreational interests of their patrons. Uses within this category comprise (1) establishments involved in producing, promoting, or participating in live performances, events, or exhibits intended for public viewing; (2) establishments that create, preserve and exhibit objects and sites of artistic, historical, cultural, sports or educational interest; and (3) establishments that operate facilities or provide services that enable patrons to participate in recreational activities or pursue amusement, hobby, or leisure time interests. Excluded are restaurants and night clubs that provide live entertainment in addition to the sale of food and beverages, which this Code categorizes as “eating and drinking establishments.”

B. **Specific Arts, Recreation & Entertainment Use Types and Definitions**

1. **Arts, Recreation and Entertainment Services, Indoor**
   Commercial establishments providing indoor sports, recreation, and/or entertainment services by and for participants, typically in exchange for the payment of a fee or admission charge; excluding, however, Community Center and adult business uses. This definition includes, but is not limited to:

   a. **Art Gallery**
      A public or private facility that is operated as a repository or a collection of works of individual art pieces not mass produced, consisting of one or more of the following: paintings, drawings, etchings or sculptures; may include the sale of the individual art pieces or the sale of related objects and services.

   b. **Artist Studio**
      A place where any of the commercial activities or a combination of commercial activities listed below occur:

      i. **Art Gallery.**
ii. Custom or Craft Manufacturing, Fabrication, and Assembly.

iii. Professional Studio.

c. Amusement Center and Arcade

d. Billiard Parlor

e. Bowling Center; Ice Rink; Swimming Pool, Tennis Club and Similar Sports Clubs, Indoor

f. Children’s Indoor Play Center

g. Cinemas, Motion Picture or Movie Theater
Cinemas, motion picture or movie theaters, but not including drive-in movie theaters.

h. Fitness and Recreational Sports Center
Fitness and recreational sports centers and other related establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.

i. Personal Instruction Studio
Personal instruction studios for dance, martial arts, photography, music and similar activities.

j. Theater and/or Live Performance Space
Establishments that produce, organize, promote, and/or present live performances of actors, singers, dancers, musical groups, artists, and other entertainers (including independent entertainers). Live performances may be presented as musicals, operas, plays, comedy and improvisation, mime, puppet shows, or dinner theater. Such performances are open to the general public and admission may be gained by a payment or fee. Meal service may be included with the performance. This definition excludes any establishment categorized by this Code as “adult business uses.”

k. Professional Studio
A specific type of arts, recreation and entertainment, indoor 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.

l. Conference Center, Event Center
(1) A facility that provides meeting halls, trade centers, merchandise marts, or convention centers for training and other gatherings for large numbers of people for similar functions; or (2) a nonresidential building leased or rented for private parties and other various social or business gatherings for large numbers of people (e.g., banquet halls, reception halls, dance halls, private event centers) and not associated with another permitted use such as lodging accommodations or schools.

2. Arts, Recreation and Entertainment Services, Outdoor
Commercial establishments engaged in providing outdoor amusement, recreation, or entertainment services by and for participants, for the payment of a fee or admission charge, excluding Community Center and adult business uses. Any spectators would be incidental and on an irregular basis. This definition includes, but is not limited to:

a. Amusement/Special Interest Parks
A complex with both indoor and Outdoor Entertainment, eating places/restaurants and/or limited retail uses, open to the public upon payment of a fee or admission charge.
b. Batting Cages

c. Go-Cart Raceway

d. Ice Rinks, Outdoor

e. Miniature Golf Course

f. Private Golf Course

Private golf course, defined to mean an area of land laid out for the game of golf with a series of holes each including tee, fairway, and putting green and often one or more natural or artificial hazards.

g. Skateboard Centers or Parks

h. Swimming Pools, Outdoor

i. Tennis Clubs, Outdoor

j. Outdoor Theaters, Amphitheaters, or Other Permanent Outdoor Performance Spaces

3. Sports and/or Entertainment Arena or Stadium

Commercial establishments designed, intended, or used primarily for indoor or outdoor large-scale spectator events including, but not limited to, professional and amateur sporting events, concerts, theatrical presentations, or motor vehicle racing. Typical uses include coliseums, arenas and sports stadiums.

11.12.4.3 Parking of Vehicles

A. Definition of Parking of Vehicles Use Category

Parking of Vehicles is a use category including the commercial assembly or standing of vehicles, either in a garage structure or on a surface lot.

B. Specific Parking of Vehicles Use Types and Definitions

1. Parking, Garage

a. Any structure, other than a private garage, for the assembling, or standing of vehicles in a structure for relatively temporary periods of time, either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.

b. The term “Garage Parking” includes underground parking, which means a parking surface that is located a minimum of 8 feet below the Street Level and is covered by a structure which provides a surface for another use.

c. A parking garage may include accessory off-street parking spaces required or permitted under this Code.

2. Parking, Surface

The assembling or standing of vehicles on a surface parking lot for relatively temporary periods of time either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.

11.12.4.4 Eating & Drinking Establishments

A. Definition of Eating & Drinking Establishments Use Category

Commercial establishments engaged primarily in the sale of food or drink to consumers for on-premises or off-premises consumption.
B. Specific Eating & Drinking Establishments Use Types and Definitions

1. Eating and Drinking Establishment
   A retail establishment primarily engaged in the sale of prepared, ready-to-consume food and/or drinks within a completely enclosed structure. Typical uses include restaurants, fast-food outlets, snack bars, taverns, bars and brewpubs.

2. Brewpub
   A specific type of eating and drinking establishment. A facility at which malt, vinous, or spirituous liquors are manufactured on the premises, bottled, and sold on the same premises as where the eating and drinking services are provided. No more than 30% of the manufactured product may be sold to off-premises customers. The volume of liquor manufactured on the premises of the brewpub shall not exceed 300 gallons per day each calendar year.

11.12.4.5 Lodging Accommodations

A. Definition of Lodging Accommodations Use Category
   Lodging accommodations uses are characterized by visitor-serving facilities that provide temporary lodging in guest rooms or guest units, for compensation, and with an average length of stay of less than 30 days except as specifically permitted for a Single Room Occupancy (SRO) Hotel. Accessory uses may include pools and other recreational facilities for the exclusive use of guests, limited storage, restaurants, bars, meeting facilities, and offices, but excludes Short-term Rentals as defined in Section 11.12.7.7.

B. Specific Lodging Accommodations Use Types and Definitions

1. Bed and Breakfast Lodging
   A manager-occupied residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. A Bed and Breakfast may provide simultaneous lodging to different parties under separate contracts.

2. Extended Stay Hotel
   A hotel containing guest rooms oriented to allow independent housekeeping for occupancy by the week or by the month, or some portion thereof, with facilities for sleeping, bathing, and cooking.

3. Hotel
   One or more buildings providing temporary lodging primarily to persons who have residences elsewhere, or both temporary and permanent lodging in guest rooms, or apartments. The building or buildings have an interior hall and lobby with access to each room from such interior hall or lobby.

4. Hostel
   A nonprofit facility located in a residential structure and associated with a national or international hostel organization, which facility has but one kitchen and provides sleeping accommodations for not more than 25 persons. All housekeeping duties are shared by the occupants under the supervision of a resident manager.

5. Motel
   One or more buildings providing residential accommodations and containing rental rooms and/or dwelling units, each of which has a separate outside entrance leading directly to rooms from outside the building. Services provided may include maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. Up to 20 percent of the residential units may be utilized for permanent occupancy.

6. Single Room Occupancy (SRO) Hotel
   One or more buildings providing lodging accommodations in 6 or more “SRO rooms” A SRO Hotel use shall not be considered a Residential Care use or a Student Housing use. A “SRO room” means:
a. A guest room intended or designed to be used, rented, or hired out, and which is occupied as a primary residence for any duration; and
b. SRO Rooms may contain kitchens and/or the building(s) may contain congregate cooking and dining facilities.

11.12.4.6 Office

A. Definition of Office Use Category
The Office use category is defined as uses where services are performed for predominately administrative, professional, medical, dental or clerical operations that function as a place of business for any of the following: accountants, architects, attorneys, bookkeeping services, brokers (of stocks, bonds, real estate), building designers, corporate offices, drafting services, dentists, doctors, financial institutions, development companies, engineers, surveyors and planners, insurance agencies, interior decorators and designers, landscape architects, psychiatrists, psychologists, notaries, typing and secretarial services, therapists, and internet publishing, broadcasting, and web search portal establishments, and other similar businesses and professions, not otherwise specifically defined in this Code or separately listed in the Use and Parking Tables.

The Office Use Category also include business operations typically less service-oriented than the more traditional office uses listed above, including but not limited to: (1) software and internet content development and publishing; (2) computer systems design and programming; (3) graphic and industrial design; (4) data processing or call centers; (5) facilities that broadcast exclusively over the Internet and have no live, in-building audiences participating in such broadcasts; (6) scientific and technical services; and (7) medical and/or dental laboratories.

Contractors and others who perform services off-site but who store major equipment and materials on the site are not included in this use category.

B. Specific Office Use Types and Definitions

1. Dental / Medical Office or Clinic
An office use where the primary service is the treatment of patients or clients for physical or mental ailments and disorders, and which may also include passive (non-intrusive) research involving human subjects. Examples include doctor or dentist offices and clinics, and treatment of persons with eating disorders, sleep clinics, and other similar clinic uses. This use excludes hospital and animal hospital uses.

11.12.4.7 Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)

A. Definition of Retail Sales, Service & Repair Use Category -- Not Including Vehicle or Equipment Sales, Services & Repair

1. The Retail Sales, Service and Repair use category includes commercial establishments involved in the retail sale of new or used products, and the retail provision of consumer, repair, or rental services to individuals, households, and businesses.

2. This category includes but is not limited to:
   a. Banking and financial services,
   b. Food sales,
   c. Animal sales and services,
   d. General merchandise sales,
e. Personal and personal care services (e.g., dry cleaning and laundry services, hair/nail salons, tanning salons, day spas, and funeral homes, and mortuaries including accessory crematory services), and

f. Consumer repair services.

3. This land use category excludes motor vehicle and equipment sales, leasing, rental, or repair, except for the sale of motorized vehicles that do not require a license from the Colorado Department of Motor Vehicles.

B. Specific Retail Sales, Service & Repair Use Types and Definitions -- Not Including Vehicle or Equipment Sales, Services & Repair

1. Animal Sales and Services, Household Pets Only
   An establishment engaged in any of the following:
   a. The retail sale, grooming, care, or boarding of domestic or household animals only, and which may include overnight accommodations. The retail sale of domestic animals (e.g., pet store) is permitted.
   b. The maintaining, raising, harboring and/or boarding of 4 or more dogs, or 6 or more cats, or 6 or more dogs and cats shall be considered a primary “animal services and sales - household pets only” use.
   c. Provision of veterinary medicine, dentistry, or surgery services by licensed veterinary practitioners for household or domestic pets only.

2. Animal Sales and Services, All Others
   An establishment engaged in the retail sale, grooming, care, breeding, or boarding of animals, not restricted to domestic or household pets, and which may include overnight accommodations. Includes provision of veterinary medicine, dentistry, or surgery services by licensed veterinary practitioners and animal kennels or other animal boarding facilities not limited to domestic or household pets.

3. Food Sales or Market
   Retail establishments primarily engaged in the retail sale of food and beverages for off-site or home consumption. Typical uses include supermarkets, groceries, markets, or delicatessens. This definition includes, but is not limited to, all uses in the following SIC group: 54 Food stores.

4. Pawn Shop
   Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. This definition excludes motor vehicles.

5. Retail Sales, Service and Repair - Outdoor
   Retail sale of new or used goods or retail provision of consumer, repair, or rental services, excluding the sale, service, or repair of motor vehicle or heavy equipment (and associated vehicle/equipment parts) and firearms, any or all of which primary sale, service or repair activity occurs outside a completely enclosed structure.

6. Retail Sales, Service & Repair - Firearm Sales
   A retail establishment having at least 25 percent of its gross floor area used for the sale of firearms, ammunition and ammunition components, and hunting or shooting equipment.

C. Retail Sales, Service & Repair, All Others -- Definition
   This use type includes all other retail sales, service and repair uses not otherwise specifically defined in Section 11.12.4.7.B, Specific Retail Sales, Service & Repair Use Types and Definitions -- Not Including Vehicle or Equipment Sales, Services & Repair, but which are consistent with
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Section 11.12.4.7.A, Definition of Retail Sales, Service & Repair Use Category -- Not Including Vehicle or Equipment Sales, Services & Repair:

1. **Banking and Financial Services**
   A retail establishment engaged in deposit banking or extending credit in the form of loans. This definition includes, but is not limited to, all uses in the following SIC groups:
   a. 60 Depository institutions; or
   b. 61 Non-depository institutions.

2. **Body Art Establishment**
   A retail establishment where the practice of physical body adornment is performed by artists utilizing, but not limited to, the following techniques: body piercing, and tattooing, but does not include establishments performing only ear piercing.

3. **Learning Center**
   A commercial business that regularly provides on-site, specialized or intensive educational services or tutoring to persons under eighteen (18) years of age.

4. **Liquor Store**
   Retail establishments licensed by the state and/or city to engage in the sale of alcoholic beverages for off-premises consumption.

5. **Manufacturer Sales Room**
   An establishment licensed by the state through the Manufacturers License to engage in the sale of Colorado manufactured alcoholic beverages of their own manufacture and other Colorado manufacturers as enabled by the State license.

11.12.4.8 **Vehicle / Equipment Sales, Rentals, Service & Repair**

A. **Definition of Vehicle / Equipment Sales, Rentals, Service & Repair Use Category**
   Vehicle/Equipment Sales, Rental, Service and Repair includes establishments engaged in the sales, rental or service of motor vehicles and equipment for homeowner use and minor residential construction and landscaping projects. Accessory uses may include offices, parking, minor repair services, and storage of equipment and vehicles.

B. **Specific Vehicle / Equipment Sales, Rentals, Service & Repair Use Types and Definitions**

1. **Automobile Emissions Inspection Facility**
   A facility that is equipped to enable vehicle exhaust, evaporative, and chlorofluorocarbon emissions inspections and any necessary adjustments and repairs to be performed, and which facility owner or operator is licensed by the State of Colorado to operate as an inspection and/or readjustment station. The use “automobile emissions inspection” does not include a retail establishment engaged in the sale of automotive fuel or motor oil for automobiles.

2. **Automobile Services, Light**
   A retail establishment engaged in the provision of one or more of the following types of services, but not including heavy automobile service uses or any servicing of large-scale motor vehicles and trailers or Recreational Vehicles, Large:
   a. The sale of automotive fuel, motor oil, and/or services; and/or
   b. Routine maintenance and minor repair serving of automobiles, which may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing; and/or
   c. Washing, cleaning, and/or waxing of automobiles by hand or with manually operated equipment or automatic machinery.
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3. Automobile Services, Heavy
A retail establishment engaged in the provision of one or more of the following types of services to automobiles:

a. Major repairs to and the servicing of automobiles, including engine overhaul or replacement, body work, upholstery work, glass replacement, transmission overhaul, brake repair with drum and disc grinding, replacement of electrical accessories such as starters and alternators, frame alignment, and rebuilding of wrecked automobiles. This use includes body work and painting. This definition includes, but is not limited to, all uses in the following SIC groups:
   i. 753 Automotive repair shops;
   ii. 7549 Automotive services.

b. Large-scale motor vehicles and trailers or Recreational Vehicle, Large washing/laundering and/or steam cleaning.

c. Such use excludes commercial wrecking, dismantling, junk yard, tire, and truck-tractor repair.

d. An “automobile services, heavy” use that is combined with one or more light automobile service use shall still be categorized as “automobile services, heavy” under this Code.

4. Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer

a. Sales, leasing, rental, and related servicing of new and used automobiles, light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons, motorcycles, motor scooters, mopeds, all-terrain vehicles, snowmobiles, go-carts, automobile hitches or utility trailers, and similar items; excluding, however, commercial wrecking, dismantling, or junk yard. This definition includes, but is not limited to, all uses in the following SIC groups:
   i. 551 New and used car dealers;
   ii. 552 Used car dealers;
   iii. 557 Motorcycle dealers.

b. A business that sells at auction or loans money on deposit of such personal property as:
   i. Automobiles, motorcycles, light trucks;
   ii. Trucks in excess of one-and-one-half tons or equipment for use in agriculture, mining, industry, business, transportation, building, or construction; or
   iii. Automobile hitches or trailers, house trailers, recreational vehicles, and boats.

c. A business that deals in the purchase or possession of such personal property as vehicles or heavy vehicle equipment on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

5. Heavy Vehicle / Equipment Sales, Rentals & Service

a. The sales, leasing, or rental, and related servicing, of:
i. High capacity mechanical devices for moving earth or other materials, and mobile power units including but not limited to: carryalls, graders, loading and unloading devices, cranes, drag lines, trench diggers, tractors, augers, bulldozers, concrete mixers and conveyors, harvester combines and other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.

ii. Trucks in excess of one-and-one-half tons or equipment for use in agriculture, mining, industry, business, transportation, building, or construction; or

iii. Automobile hitches or trailers, house trailers, recreational vehicles, and boats, but excluding commercial wrecking, dismantling, or junk yard.

b. Establishments primarily engaged in servicing, repairing, overhauling, inspecting, licensing, and maintaining aircraft.

SECTION 11.12.5 PRIMARY INDUSTRIAL, MANUFACTURING & WHOLESALE USES

11.12.5.1 Communications and Information

A. Definition of Communications and Information Use Category
Communication and Information includes plant, equipment and property used for the transmission of voice, data, image or video programming.

B. Specific Communications and Information Use Types and Definitions

1. Antennas Not Attached to a Tower
Any antennas or antennas attached to any structure other than a Telecommunications Tower structure or a Telecommunications Tower, Alternative Structure. This use also includes the antennas’ associated telecommunications support facilities.

2. Base Station
A structure or equipment at a fixed location that enables Federal Communication Commission-licensed or authorized wireless communications between user equipment and a communications network, including, but not limited to, radio transceivers, antennas, coaxial or fiberoptic cable, regular and backup power supply, and comparable equipment. The term Base Station does not encompass Telecommunications Tower Structure or Telecommunications Tower – Alternative Structure or any equipment associated therewith.

3. Communication Services
Establishments engaged in the provision of television and film production, broadcasting, and other information relay services accomplished through the use of electronic and telephone mechanisms; excluding, however, telecommunication facilities major impact utilities. Facilities that broadcast exclusively over the Internet and have no live, in-building audiences to broadcasts shall also be excluded from this definition and shall be classified as non-dental or non-medical “office” uses. Typical uses include: television studios; television and film production studios; broadcast and/or recording studios; telecommunication or telecommuting service centers; or cable services.

   a. Broadcast and/or Recording Studio
   An establishment containing one or more broadcasting studios for the over-the-air, cable or satellite delivery of radio or television programs, or studios for the audio or video recording or filming of musical performances, radio, television programs or motion pictures. This term does not include transmission towers.

4. Emergency Telecommunication Services
Telecommunications established or maintained by any public agency providing emergency services such as but not limited to fire, police, and other rescue or first responders.
5. **Telecommunications Towers**
   Any structure designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and other similar structures. This term also includes any antenna or antenna array attached to the tower structure.

6. **Telecommunications Tower - Alternative Structure**
   A man made structure that camouflages or obscures the presence of a tower and is designed to resemble architectural or natural features commonly associated with the site and district where they are located. All such structures shall be subject to the regulatory limitations, such as maximum height and bulk, which are otherwise applicable to like features in the zone district. This term also includes any antenna or antenna array attached to the Telecommunications Tower - Alternative Structure.

7. **Telecommunication Facilities**
   The plant, equipment and property, including but not limited to, cables, wires, conduits, ducts, pedestals, antennas, towers, electronics and other appurtenances used to transmit, receive, distribute, provide or offer telecommunications services.

8. **Telecommunication Facilities, All Others**
   This use type includes all other Telecommunications Facilities not otherwise specifically defined in this Section 11.12.5.1.

### 11.12.5.2 Industrial Services

A. **Definition of Industrial Services Use Category**
   Industrial Service includes the repair or servicing of industrial, business or consumer goods mainly by providing centralized services for separate retail outlets. Contractors and similar uses perform services off site. Few customers, especially the general public, come to the site.

B. **Specific Industrial Services Use Types and Definitions**

1. **Contractor, Special Trades - General**
   a. An establishment providing general contracting and/or building construction services for residential, farm, industrial, or commercial uses, and which typically does not involve outdoor storage of machinery or equipment. This definition includes the following SIC groups:
      i. 15 General building contractors;
      ii. 171 Plumbing, heating, air-conditioning;
      iii. 172 Painting and paper hanging;
      iv. 173 Electrical work;
      v. 174 Masonry, stonework, and plastering;
      vi. 175 Carpentry and floor work;
      vii. 176 Roofing, siding, and sheet metal work;
      viii. 1793 Glass and glazing work;
      ix. 1796 Installing building equipment;
      x. 1799 Special trade contractors.
   b. Includes special trades contractor involving the following trades:
      i. Air conditioning;
      ii. Cabinet making;
      iii. Carpentry;
iv. Decorating;
v. Electrical work;
vi. Exterminations;
vi. Fire-proofing;
viii. Floor laying;
ix. Glass;
x. Glazing;
xi. Heating;
xii. Linoleum;
xiii. Masonry;
xiv. Ornamental iron work;
xv. Painting;
xvi. Paper hanging;
xvii. Plumbing;
xviii. Refrigeration;
xix. Sign construction or installation;
x. Stone work;
xxi. Title;
xii. Waterproofing;
xxiii. Wiring;
xxiv. Other similar trades not listed elsewhere in this Code, but specifically excluding contractors dealing with excavation, structural steel, well drilling, and other similar heavy construction.

2. **Contractors, Special Trade-Heavy/ Contractor Yard**

Establishments providing general contracting and/or building construction services other than for buildings, such as for highways and streets, bridges, sewers, and flood control projects, and which may involve outdoor storage of machinery or equipment, or a contractor yard for vehicles, equipment, materials and/or supplies. This definition includes, but is not limited to, the following SIC groups:

a. 6 Heavy construction, **except** building;
b. 178 Water well drilling
c. 1791 Structural steel erection
d. 1794 Excavation work
e. 1795 Wrecking and demolition work

3. **Food Preparation and Sales, Commercial**

Establishments primarily engaged in the preparation and production of prepared food items in individual servings for off-premises consumption and/or sale by others. Typical uses include caterers, wholesale bakeries, commissary kitchens, specialty food packaging and/or processing shops, and flight kitchens. This definition includes, but is not limited to, uses in the following SIC groups:

a. 2099 Food preparations
b. 2051 Bread and other bakery products, except cookies and crackers
c. 2052 Cookies and crackers
d. 5812 Caterers, commissaries, and contract feeding
4. **Laboratory, Research, Development, and Technological Services**
   A building or group of buildings in which are located one or more of the following types of facilities.
   a. A research and development facility, training facility, production studio, laboratory, display/showroom/sales facility, or other similar use which typically has a high ratio of square feet of floor area per employee.
   b. A building or part of a building devoted to the testing and analysis of any product or animal (including humans). No manufacturing is conducted on the premises except for experimental or testing purposes.
   c. A business primarily engaged in the development or engineering of computer software or computer hardware, but excluding retail sales, computer hardware manufacturers, and computer repair services.
   d. A facility for the servicing of technological equipment and/or office machinery, such as computers, copying machines and word processing equipment.
   e. A facility for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
   f. A facility devoted to the testing and analysis of any product or animal (not including humans), including medical laboratories, biological product (not including diagnostic) manufacturing, and blood and organ banks.
   g. A laboratory that provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists. No fabricating is conducted on the premises, except the custom fabrication of dentures or similar dental appliances. This definition excludes in-patient or overnight care, animal hospitals, veterinarians, or other similar services.

5. **Service/Repair, Commercial**
   Commercial establishments primarily engaged in providing services to commercial and business establishments. Operations may include large-scale facilities and storage of merchandise and equipment outside enclosed buildings. Commercial services includes the following list of uses (including SIC groups and all subcategories not elsewhere listed):
   a. Building maintenance service
   b. Laundry or dry cleaning, commercial, industrial
   c. 721 Laundry, Cleaning, and Garment Services
   d. 735 Equipment Rental and Leasing
   e. 7623 Refrigeration Service and Repair
   f. 7692 Welding Repair
   g. 7694 Armature Rewinding Shops
   h. 7699 Establishments from SIC 7699 primarily engaged in providing repair and other services to businesses and, to a lesser extent, individuals, that by the nature of their operation could impact adjoining property due to noise, odor, vibration, and/or air or water pollution. Uses include repair or servicing of large or heavy machinery, such as engines and appliances, and welding, blacksmith, or gunsmith shops; and septic tank or sewer cleaning services; but not to include agriculture and farm equipment, industrial truck repair, and motorcycle repair.
11.12.5.3 Manufacturing and Production

A. Definition of Manufacturing and Production Use Category
Manufacturing and Production includes manufacturing and production firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, human-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. In most cases, relatively few customers come to the manufacturing site.

B. Specific Manufacturing and Production Use Types and Definitions

1. Manufacturing, Fabrication & Assembly, Custom
Custom Manufacturing, Fabrication and Assembly uses are defined as either 1.a. or 1.b. below:

   a. Establishments engaged in the on-site assembly of completely hand-fabricated parts, or engaged in the on-site hand-manufacture or hand-fabrication of custom or craft goods. Goods are predominantly manufactured and fabricated involving only the use of hand tools or domestic-scaled mechanical equipment and kilns not exceeding 20 square feet in size. Typical uses include ceramic studios, fabrics, inlays, needlework, weaving, leather work, woodwork, metal or glass work, candle making facilities, or custom jewelry makers.

   b. Establishments that fall into one of the following SIC groups shall be categorized as Custom Manufacturing, Fabrication and Assembly uses; this use does not include or permit the production of marijuana concentrate:

      i. 2082 Malt beverage manufacturing of no more than 110,000 gallons per calendar year not otherwise defined as a "General" or "Heavy" Manufacturing, Fabrication and Assembly use.

      ii. 2084 Wines, brandy and brandy spirits manufacturing of no more than 100,000 gallons per year, or a manufacturing operation licensed by the State of Colorado as a "Limited Winery", provided the wines/brandy spirits manufacturing or Limited Winery use are not otherwise defined as a "General" or "Heavy" Manufacturing, Fabrication and Assembly use, and provided brandy and brandy spirits manufacturing uses shall be subject to the same limits on flammable liquids applicable to SIC Code 2085 (Distilled and Blended Liquor) uses in paragraph B.1.b.iii. below.

      iii. 2085 Distilled and blended liquors manufacturing of no more than 11,000 gallons per year not otherwise defined as a "General" or "Heavy" Manufacturing, Fabrication and Assembly use, and provided no more than 960 gallons of Class 1B Flammable Liquids (ethanol) with an alcohol by volume (ABV) content of greater than 19% may be produced or utilized in production within a single building at any point in time, including bulk storage for the purposes of aging or awaiting shipment. Bottled distilled spirits and blended liquors are excluded from this limitation.

2. Manufacturing, Fabrication & Assembly, General
General Manufacturing, Fabrication and Assembly uses are defined as:

   a. A manufacturing establishment primarily engaged in the fabrication or assembly of products from prestructured materials or components; or a manufacturing establishment whose operations include storage of materials; processing, fabrication, or assembly of products; and loading and unloading of new materials and finished products, and does not produce or utilize in large quantities as an integral part of the manufacturing process, toxic, hazardous, or explosive materials. Because of the
nature of its operations and products, little or no noise, odor, vibration, glare, and/or air and water pollution is produced, and, therefore, there is minimal impact on surrounding properties.

b. Establishments that fall into one of the following SIC groups shall be categorized as General Manufacturing, Fabrication and Assembly uses, provided the operations of such use are consistent with Paragraph 2.a. above:

i. 2082 Malt beverage manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use;

ii. 2084 Wines, brandy and brandy spirits manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided: (a) wine manufacturing uses shall be limited to no more than 100,000 gallons per year, or a manufacturing operation licensed by the State of Colorado as a “Limited Winery”; and (b) brandy and brandy spirits manufacturing uses shall be subject to the same limits on flammable liquids applicable to SIC Code 2085 (Distilled and Blended Liquor) uses in paragraph B.2.b.iii. below.

iii. 2085 Distilled and blended liquors manufacturing not otherwise defined as a “Custom” or “Heavy” Manufacturing, Fabrication and Assembly use, and provided no more than 960 gallons of Class 1B Flammable Liquids (ethanol) with an alcohol by volume (ABV) content of greater than 19% may be produced or utilized in production within a single building at any point in time, including bulk storage for the purposes of aging or awaiting shipment. Bottled distilled spirits and blended liquors are excluded from this limitation.

c. This definition includes all uses or products in the following SIC groups except as noted:

i. 20 Food and kindred products, except:
   a) 2011 Meat packing plants;
   b) 2015 Poultry slaughtering;
   c) 2061 Sugar cane;
   d) 2062 Sugar cane refining;
   e) 2063 Sugar beet refining;
   f) 2076 Vegetable oil mill;
   g) 2077 Animal and marine fats and oils;

ii. 22 Textile mill products

iii. 23 Apparel and other textile products

iv. 24 Lumber and wood products except furniture, except:
   a) 2491 Wood preserving;

v. 25 Furniture and fixtures

vi. 26 Paper and allied products, except:
   a) 261 Pulp mills;
   b) 262 Paper mills; and
   c) 263 Paper board mills

vii. 27 Printing, heat set webb process only

viii. 28 Chemicals and allied products, except:
   a) 281 Industrial inorganic chemicals;
b) 282 Plastic materials and synthetic resins, synthetic rubber, cellulosic, and other man-made fibers, except glass;
c) 2822 Synthetic rubber;
d) 2836 Biological products;
e) 284 Soap; detergents and cleaning preparations, perfumes, cosmetics, and other toilet preparations;
f) 2851 Paints, varnishes, lacquers, enamel, and allied products;
g) 286 Industrial organic chemicals;
h) 287 Agricultural chemicals; and
i) 289 Miscellaneous chemical products.
ix. 30 Rubber and miscellaneous plastics and products except:
a) 301 Tires and inner tubes.
x. 31 Leather and leather products
xi. 34 Fabricated metal products except machinery and transportation equipment except:
a) 3462 Iron and steel forgings;
b) 3463 Nonferrous forgings; and
c) 3465 Automotive stampings.
	xii. 35 Industrial and commercial machinery and computer equipment
		xiii. 36 Electronic and other electrical equipment and components except:
a) 3612 Power, distribution, and specialty transformer;
b) 3613 Switchgear and switchboard apparatus;
c) 3621 Motors and generators;
d) 3624 Carbon and graphite products;
e) 3625 Relays and industrial;
f) 3629 Electrical industrial apparatus;
g) 3631 Household cooking equipment;
h) 3632 Household refrigerators and freezers;
i) 3633 Household laundry equipment; and
j) 3639 Household appliances.
	xiv. 37 Transportation equipment
		xv. 375 Motorcycles, bicycles, and parts
		xvi. 38 Measuring, analyzing and controlling instruments, photographic, medical and optical goods, watches and clocks
		xvii. 39 Miscellaneous manufacturing industries
d. Establishments engaged in the production of marijuana concentrate through the use of water-based extraction, food-based extraction, and/or solvent-based extraction, where no more than 3,000 square feet of gross floor area is used in the solvent-based extraction process. This definition shall not include marijuana concentrate production that complies with the definition and limitations for a “Food Preparation and Sales, Commercial” land use under this Code.

i. For purposes of this definition, “gross floor area” shall be the sum of all floor area within a completely enclosed structure where any step in the extraction process occurs, including related storage space for equipment, chemicals or
other materials used in the extraction process or space for storage of waste and by-products. However, “gross floor area” shall not include floor area devoted to offices, restrooms, or other primary land use(s) operating within the same structure. All such “gross floor area” may or may not be contiguous with each other.

3. Manufacturing, Fabrication & Assembly, Heavy
   a. A manufacturing establishment whose operations include storage of materials; processing, fabrication, or assembly of products; and loading and unloading of new materials and finished products.
   b. Toxic, hazardous, or explosive materials may be produced or used in large quantities as an integral part(s) of the manufacturing process.
   c. Noise, odor, dust, vibration, or visual impacts, as well as potential public health problems in the event of an accident, could impact adjacent properties.
   d. This definition includes, but is not limited to, all uses or products in the following SIC groups and the following uses:
      i. 2011 Meat packing plants;
      ii. 2015 Poultry slaughtering;
      iii. 2061 Sugar cane;
      iv. 2062 Sugar cane refining;
      v. 2063 Sugar beet refining;
      vi. 2076 Vegetable oil mill;
      vii. 2077 Animal and marine fats and oils;
      viii. 2082 Malt beverage manufacturing not otherwise defined as a Custom or General Manufacturing, Fabrication & Assembly use;
      ix. 2084 Wines, brandy and brandy spirits, not otherwise defined as a Custom or General Manufacturing, Fabrication & Assembly use;
      x. 2085 Distilled and blended liquors not otherwise defined as a Custom or General Manufacturing, Fabrication & Assembly use;
      xi. 2491 Wood preserving;
      xii. 261 Pulp mills;
      xiii. 262 Paper mills;
      xiv. 263 Paper board mills;
      xv. 281 Industrial inorganic chemicals;
      xvi. 282 Plastic materials, and synthetic resins, synthetic rubber, cellulosic, and other man-made fibers, except glass;
      xvii. 2822 Synthetic rubber;
      xviii. 2836 Biological products;
      xix. 284 Soap, detergents, and cleaning preparations, perfumes, cosmetics and other toilet preparations;
      xx. 2851 Paints, varnishes, lacquers, enamels and allied products;
      xxi. 286 Industrial organic chemicals;
      xxi. 287 Agricultural chemicals;
      xxii. 289 Miscellaneous chemical products;
      xxiv. 29 Petroleum refining;
      xxv. 295 Asphalt paving and roofing materials;
xxvi. 299 Miscellaneous products of petroleum and coal;
xxvii. 301 Tires and inner tubes;
xxviii. 32 Stone, clay, glass and concrete products;
xxix. 321 Flat glass;
xxx. 322 Glass and glassware, pressed or blown;
xxxi. 324 Cement, hydraulic;
xxxii. 325 Structural clay products;
xxxiii. 3291 Abrasive products;
xxxiv. 3295 Minerals and earths, ground or other otherwise treated;
xxxv. 3297 Non-clay refractories;
xxxvi. 33 Primary metal industries;
xxxvii. 3462 Iron and steel forgings;
xxxviii. 3463 Nonferrous forgings;
xxxix. 3465 Automotive stampings;
xl. 3612 Power, distribution, and specialty transformer;
xli. 3613 Switchgear and switchboard apparatus;
xlii. 3621 Motors and generators;
xliii. 3624 Carbon and graphite products;
xlivi. 3625 Relays and industrial;
xlv. 3629 Electrical industrial apparatus;
xlvi. 3631 Household cooking equipment;
xlvii. 3632 Household refrigerators and freezers;
xlviii. 3633 Household laundry equipment;
xlix. 3639 Household appliances;
li. 3711 Motor vehicles;
lii. 3713 Truck and bus bodies;
liii. 3715 Truck trailers;
liv. 3716 Motor homes;
lv. 3721 Aircraft;
lvi. 3724 Aircraft engines;
lvii. 3728 Aircraft parts and auxiliary equipment;
lviii. 373 Ship and boat building;
lx. 374 Railroad equipment;
lxi. 376 Guided missiles and space vehicles and parts;
lxii. 3792 Travel trailers and campers;
lxiii. 3795 Tanks and tank components.
lxiv. Asphalt and concrete plant;
lxv. Concrete, asphalt, and rock crushing facility.

e. Establishments engaged in the production of marijuana concentrate through the use of water-based extraction, food-based extraction, and/or solvent-based extraction, where more than 3,000 square feet of gross floor area is used for the solvent-based extraction process. This definition shall not include marijuana concentrate
production that complies with the definition and limitations for a “Food Preparation and Sales, Commercial” land use under this Code.

i. For purposes of this definition, “gross floor area” shall be the sum of all floor area within a completely enclosed structure where any step in the extraction process occurs, including related storage space for equipment, chemicals or other materials used in the extraction process or space for storage of waste and by-products. However, “gross floor area” shall not include floor area devoted to offices, restrooms, or other primary land use(s) operating within the same structure. All such “gross floor area” may or may not be contiguous with each other.

11.12.5.4 Mining & Extraction and Energy Producing Systems

A. Definition of Mining & Extractions and Energy Producing Systems Use Category

Mining, Extraction and Energy Producing Systems include the process of removing or extracting minerals and building stone from naturally occurring veins, deposits, bodies, beds, seams, fields, pools or other concentrations in the earth’s crust. This term also includes the preliminary treatment of such ore or building stone.

B. Specific Mining & Extractions and Energy Producing Systems Use Types and Definitions

1. Oil, Gas - Production, Drilling

Production of and drilling for gas and oil, along with the installation of pumps, tanks, pits, treaters, separators and other equipment, transportation of petroleum products, and natural gas and natural gas liquids processing.

2. Sand or Gravel Quarry

An open pit from which sand, gravel is taken to be processed for commercial purposes.

3. Wind Energy Conversion Systems

Any mechanism including blades, rotors and other moving surfaces designed for the purpose of converting wind into mechanical or electrical power.

11.12.5.5 Transportation Facilities

A. Definition of Transportation Facilities Use Category

Transportation Facilities Category includes a variety of facilities, generally open to the public, related to the movement of passengers and goods, whether by private auto or public transportation. Typical uses include airports, mass transit facilities, and parking facilities for vehicles.

B. Specific Transportation Facilities Use Types and Definitions

1. Airport

A facility operated by an airport authority or governmental entity that provides infrastructure and services for air travel, together with all activities necessary for, directly related to, or commonly associated with the operation of a major air carrier facility. Such services, infrastructure, and activities may include but are not limited to the following uses:

a. Landing fields;

b. Facilities for the parking, storage, fueling, repair, and rental of aircraft;

c. Passenger and baggage terminals;

d. Air cargo operations and associated facilities;

e. Public transportation infrastructure, including terminals and stations;

f. Safety facilities such as fire and police stations;

g. Open space uses such as agriculture, parks, golf courses, and recreation;
h. Energy production;
i. Retail, concessions, and other uses designed primarily to serve airline passengers, other airport users, and space.
j. Other accessory uses as determined by the Zoning Administrator, in consultation with the Manager of the Department of Aviation or designee, according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

2. **Helipad, Helistop, Heliport**
A facility for landing or take-off area for rotor craft; may include a passenger terminal and/or routine servicing of rotor craft.

3. **Railroad Facilities**
Terminal related to a freight railway; or a railway yard, maintenance, or fueling facility related to a passenger or freight railway.

4. **Railway Right-of-Way**
A public or private Right-of-Way for the purpose of allowing rail travel, including, but not limited to, the following elements: rail tracks, guideways, overhead power lines, relay stations, and substations, but not including Railroad Facilities.

5. **Terminal, Station or Service Facility for Passenger Transit System**
Facilities primarily engaged in furnishing mass passenger transportation (e.g., via bus or rail) over regular routes and on regular schedules, the operations of which may be principally outside of a single municipality, contiguous municipalities, a municipality and its suburban areas or a regional transportation district. Terminal and service facilities for passenger transit systems are limited only to the following specific uses:

   a. Passenger stations, terminals, or transfer stations;
   b. Service facilities for transit vehicles but not including railway yard, maintenance, or fueling facilities for rail transit vehicles (the latter are categorized as “railway facility” uses); and
   c. Parking lots provided for the use of passengers or employees of the transit provider.

6. **Terminal, Freight, Air Courier Services**
Facilities for handling freight, with or without storage and maintenance facilities. This definition includes, but is not limited to, all uses in the following SIC groups and the following uses:

   a. 421 Trucking and courier services;
   b. 423 Trucking terminal facilities;
   c. Railroad terminal facilities;
   d. 4513 which includes:
      i. Courier services, air;
      ii. Letter delivery, private: air;
      iii. Package delivery, private: air;
      iv. Parcel delivery, private: air.

11.12.5.6 **Waste Related Services**

   **A. Definition of Waste Related Services Use Category**
   Waste Related Services include establishments that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the biological decomposition of organic material. Waste/Salvage uses also include uses that receive hazardous wastes from others.
B. Specific Waste Related Services Use Types and Definitions

1. **Automobile Parts Recycling Business**
   An establishment at which motor vehicles are dismantled for the purpose of selling usable parts and which does not include a junk yard.

2. **Junk yard**
   A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged materials as part of manufacturing operations.

3. **Recycling Center**
   A facility at which recoverable resources, such as newspapers, magazines, glass, metal cans, plastic materials, tires, grass and leaves, and similar items, except mixed, unsorted municipal waste or medical waste are collected, stored, flattened, crushed, bundled or separated by grade or type, compacted, baled or packaged for shipment to others for the manufacture of new products. This use does not include SIC group 5015 (motor vehicle parts, used), which is listed as a separate use.

4. **Recycling Collection Station**
   Establishments engaged in collecting recyclable paper, household items, glass, plastic, aluminum, or other materials for the purpose of resource recovery. Typical uses include collection centers that use portable receptacles for collecting containers made from metal, glass, paper, or plastic.

5. **Recycling Plant, Scrap Processor**
   A facility at which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal and aluminum cans; waste oil; iron and steel scrap; rubber; organic materials; and/or other products are recycled and treated to return such products to a condition in which they may again be used for production or for retail or wholesale trade. This definition includes, but is not limited to, all uses in the following SIC group:
   a. 5093 Scrap and waste materials.

6. **Solid Waste Facility**
   An establishment in which municipal solid waste is collected, separated by material, compacted, baled or packaged for shipment to others for the manufacture of new products or for disposal. No manufacturing, remanufacturing, fabrication or processing of new products shall occur in this facility. This use may include a waste transfer station.

11.12.5.7 Wholesale, Storage, Warehouse & Distribution

A. **Definition of Wholesale, Storage, Warehouse & Distribution Use Category**
   Establishments primarily engaged in the sale, storage and distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. This land use category does not include heavy manufacturing, resource extraction, scrap operations, or salvage operations.

B. **Specific Wholesale, Storage, Warehouse & Distribution Use Types and Definitions**

1. **Automobile Towing Service Storage Yard**
   The assembling or standing of damaged or impounded vehicles for indeterminate periods of time. Such use shall not include the wrecking, dismantling or repairing of vehicles.
2. **Mini-storage Facility**
   Provision of storage space for nonhazardous household or commercial goods within a completed enclosed building, which building typically permits direct public access to individual storage spaces. Storage of non-toxic, non-hazardous materials only, and sale or distribution of stored goods is prohibited. This use may include quarters for one or more persons employed by and residing at the mini-storage facility for the purpose of on-site management and security.

3. **Storage Services**
   The use of a building or part of a building designed for storing nonhazardous goods; business, personal, or household effects; and other items of personal property by or with permission of the owner of that personal property. Typically, such building does not provide individual entrances to storage units from the exterior of the structure.

4. **Vehicle Storage, Commercial**
   The assembling or standing of operable vehicles for periods of more than one day. Such use shall not include the storage of damaged, dismantled or impounded vehicles. This land use need not be enclosed.

5. **Wholesale Trade or Storage, General**
   “Wholesale trade or storage, general” use is defined to include all of the following activities:
   a. Establishments primarily engaged in one or more of the following activities: Selling durable and nondurable goods to retailers; to industrial, commercial, institutional, farm, or building trade contractors; to professional businesses; or to other wholesalers. Activities may include physically assembling, sorting, and grading goods into large lots and breaking bulk for redistribution in smaller lots.
   b. The sale at wholesale and/or storage or warehousing of toxic and/or hazardous materials as defined in Article 13, Rules of Measurement and Definitions.
   c. Establishments providing support services primarily to other businesses (rather than to individuals), including but not limited to the following types of services:
      i. Advertising;
      ii. Employment services;
      iii. Equipment rental and leasing;
      iv. Property management, security and maintenance, including custodial services;
      v. Printing and reproduction services;
      vi. Publishing and bookbinding;
      vii. Air courier pickup and delivery “drop-off points”;
      viii. Personnel services;
      ix. Computer programming, data processing and other computer-related services;
      x. Mailing, addressing, stenographic services; and
      xi. Special business services such as travel bureaus, news service, importer, interpreter, appraiser, film library.
      xii. Business to business brokers or agents that arrange for the purchase or sale of goods for others, and which services do not include the warehousing of goods, are classified as “office” uses.
   d. The wholesale trade, distribution, or storage of products in the following SIC groups:
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6. Wholesale Trade or Storage, Light

"Wholesale trade or storage, light" use is defined to include all of the following activities:

a. Establishments primarily engaged in selling durable and nondurable goods to retailers; to industrial, commercial, institutional, farm, building trade contractors; to professional business uses; or to other wholesalers. Activities may include physically assembling, sorting, and grading goods into large lots and breaking bulk for redistribution in smaller lots in such a way as to have a minimal impact on surrounding properties.

b. "Wholesale trade or storage, light" does not include the sale at wholesale and/or storage or warehousing of toxic and/or hazardous materials, as defined in Article 13, Rules of Measurement and Definitions.

c. Establishments providing support services primarily to other businesses (rather than to individuals), including but not limited to the following types of services:
   i. Advertising;
   ii. Employment service;
   iii. Equipment rental and leasing;
   iv. Property management, security and maintenance, including custodial services;
   v. Printing and reproduction services;
   vi. Publishing and bookbinding;
   vii. Air courier pickup and delivery “drop-off points”;
   viii. Personnel services;
   ix. Computer programming, data processing and other computer-related services;
   x. Mailing, addressing, stenographic services; and
   xi. Special business services such as travel bureaus, news service, importer, interpreter, appraiser, film library.
   xii. Business to business brokers or agents that arrange for the purchase or sale of goods for others, and which services do not include the warehousing of goods, are classified as “office” uses.

d. The wholesale trade, distribution, or storage of products in the following SIC groups:
   i. 502 Furniture and home furnishings;
   ii. 503 Lumber and construction materials;
iii. 504 Professional and commercial equipment;
iv. 506 Electrical goods;
v. 507 Hardware, plumbing, and heating equipment;
vi. 509 Miscellaneous durable goods (except scrap and waste materials, SIC group 5093);
vii. 511 Paper and paper products;
viii. 512 Drugs, proprietaries, and sundries;
ix. 513 Apparel, piece goods, and notions;
x. 514 Groceries and related products;
xi. 518 Beer, wine, and distilled beverages;
xii. 519 Miscellaneous nondurable goods (except farm supplies, SIC group 5191).

e. The following specific uses:
i. Storage services, as defined in Subsection B.3 above.
f. Operations with more than 25 percent of sales to retail customers shall be categorized as “retail sales” rather than as “wholesale trade” uses.
g. This use shall not include Mini-Storage Facility.

SECTION 11.12.6 PRIMARY AGRICULTURE USES

A. Definition of Agriculture Use Category
Agriculture Use Category includes cultivation, production, keeping, or maintenance for personal use, donation, sale or lease, of: (1) plants, including but not limited to: forages and sod crops; grains and seed crops; fruits and vegetables; herbs; and ornamental plants; and (2) livestock, including but not limited to: dairy animals and dairy products; poultry and poultry products; cattle and cattle products; or horses.

B. Specific Agriculture Use Types and Definitions

1. Aquaculture
An agricultural use in which food fish, shellfish or other marine foods, aquatic plants, or aquatic animals are cultured or grown in order to sell them or the products they produce. Includes fish hatcheries, growing tanks or raceways; the processing, storage, packaging and distribution of shellfish and fish; and accessory uses such as feed storage and water treatment facilities. This use does not include or permit the growing of marijuana.

2. Garden, Urban
Land that is (1) managed by a public or nonprofit organization, or by one or more private persons, and (2) used to grow and harvest plants for donation, for personal use consumption, or for off-site sales by those managing or cultivating the land and their households. This use does not include or permit the growing of marijuana.

3. Husbandry, Animal
The cultivation, production, and management of animals and/or by-products thereof, including, but not limited to grazing of livestock and production of meat, fur, or eggs; excluding, however, feed lots (see definition below), hog farms, dairies, poultry and egg production facilities, bee-keeping and apiaries, horse boarding, and riding stables.

a. Feed Lot
A feed lot shall be determined to be any of the following facilities:
i. Any tract of land or structure wherein any type of fowl or the by-products thereof are raised for sale at wholesale or retail; or
ii. Any structure, pen or corral wherein cattle, horses, sheep, goats and swine are maintained in close quarters for the purpose of fattening such livestock before final shipment to market; or

iii. The raising of swine under any conditions.

4. **Husbandry, Plant**
   An agricultural use, other than a Plant Nursery, in which plants are cultivated or grown for the sale of such plants or their products, or for their use in any other business, research, or commerce; excluding, however, forestry and logging uses. This use includes the cultivation or growing of marijuana.

5. **Plant Nursery**
   An agricultural use in which plants are grown, cultivated, produced, or managed for the on-site or off-site sale of such plants or their products, or for their use in any other business, research, or commerce. Other customarily incidental products may be sold with the plants. A Plant Nursery may include accessory Aquaculture use, when the Aquaculture is integral to the growing and maintenance of the plants, and provided the accessory Aquaculture occurs within a completely enclosed structure. This use does not include or permit the growing of marijuana.

Examples of Plant Nursery uses include, but are not limited to: wholesale or retail plant nurseries with greenhouses or garden stores; retail nurseries where plant inventory and related plant products are sold, but which may not be grown or produced on-site; tree farms; vineyards and orchards; flower farms; field nurseries; and sod farms. Plant Nursery uses do not include forestry or logging uses, or the keeping of animals or livestock except where expressly permitted as an accessory use.

**SECTION 11.12.7 DEFINITIONS OF USES ACCESSORY TO PRIMARY RESIDENTIAL USES**

11.12.7.1 **Accessory Dwelling Unit**
   A second dwelling unit located on the same zone lot as a primary single unit dwelling use. An accessory dwelling unit is a type of accessory use. An accessory unit may be either “attached” or “detached”, defined as follows:

   **A. Dwelling, Accessory unit, Attached**
   An accessory dwelling unit that is connected to or an integrated part of the same structure housing the primary single unit dwelling (for example, an attached accessory dwelling unit may be located in the basement level of a structure also housing a single-unit dwelling use).

   **B. Dwelling, accessory unit, Detached**
   An accessory dwelling unit that is located within an accessory structure detached from the structure housing the primary single unit dwelling use.

11.12.7.2 **Domestic Employee**
   A person or persons living in the household of another, paying no rent for such occupancy and paying no part of any household utilities; where such person or persons perform household and/or property maintenance duties for the general care, comfort and convenience of the household occupants.

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

11.12.7.4 **Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use**
   Commercial sales, service, and repair uses limited to the following:
A. Banking and Financial Services as defined in Section 11.12.4.7.C.1, Banking and Financial Services.

B. Eating and Drinking Establishment as defined in Section 11.12.4.4.B.1, Eating and Drinking Establishment.

C. Office as defined in Section 11.12.4.6.A, Definition of Office Use Category.

D. Retail Sales, Service & Repair uses as defined in Section 11.12.4.7.A, Retail Sales, Service & Repair Use Category.

11.12.7.5 Outdoor Storage, Residential
The placement or deposit of any equipment, furniture, machine, material, merchandise, or supplies in an outside location or outside of a Partially or Completely Enclosed Structure. Objects that are customarily placed outside and clearly incidental and commonly associated with the permitted use including, but not limited to, lawn furniture, lawn care equipment, gardening supplies, pool equipment, or food preparation equipment intended for outdoor use, shall not be considered Outdoor Storage, Residential. The storage of vehicles is not included.

11.12.7.6 Second Full Kitchen, Accessory to Single Unit Dwelling Use
A second Full Kitchen accessory to a primary single-unit dwelling use and located in the same primary structure.

11.12.7.7 Short-term Rental
The provision of temporary guest housing to non-residents, for compensation, by the person or persons maintaining the primary dwelling unit use as their primary residence. The length of stay per guest visit is less than 30 days. Short-term Rental does not include rental of a dwelling unit for meetings such as luncheons, banquets, parties, weddings, fund raisers, or other similar gatherings for direct or indirect compensation.

11.12.7.8 Vehicle Storage, Repair and Maintenance
1. Storage of operable automobiles or trucks but not "Large-Scale Motor Vehicles and Trailers" or "Recreational Vehicles, Large," as defined in this Code, except as specifically permitted in Division 10.9, Parking, Keeping and Storage of Vehicles.
2. Routine maintenance and minor repair servicing of automobiles or trucks that are not "Large-Scale Motor Vehicles and Trailers" or "Recreational Vehicles, Large," as defined in this Code, where such vehicles are owned by occupants of the primary residential use. Routine maintenance and repair may include washing, polishing, greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other activities of minor repair and servicing.

11.12.7.9 Wind Energy Conversion Systems
See Section 11.12.5.4 for definition of "Wind Energy Conversion System."

SECTION 11.12.8 DEFINITIONS OF HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES

11.12.8.1 General Definition of Home Occupation
A business use (e.g., personal care services or, office), accessory to a primary residential use, which is conducted entirely within a Dwelling Unit, or in a detached structure accessory to such Dwelling Unit, which is carried on by the occupants thereof, and which is clearly incidental and secondary to the primary use of the Dwelling Unit for Residential Occupancy.
11.12.8.2 Specific Home Occupation Use Types and Definitions

1. **Adult Care Home**
   A Home Occupation providing less than 24-hour care of 4 or fewer clients, over the age of 16 years.

2. **Animal Care Service**
   A Home Occupation that provides for the keeping and day-time care only of household animals of a type and number specifically permitted under Section 11.8.5. The number of such animals shall not exceed the number(s) permitted under Section 11.8.5 including any animals kept by the resident(s) of the primary dwelling unit. As a home occupation, Animal Care Services may also include cleaning and grooming services.

3. **Artist Studio**
   See definition of "Artist Studio" in Section 11.12.4.2.B, Specific Arts, Entertainment & Recreation Use Types and Definitions.

4. **Child Care Home, Small**
   A Home Occupation providing the care and education for periods of less than 24 hours of not more than 6 children, plus 2 additional children who attend either before or after school hours, subject to the licensing requirements of the state and the city.

5. **Child Care Home, Large**
   A Home Occupation operated in a single-unit dwelling unit or in a dwelling unit in a multiple-unit dwelling providing care and education for periods of less than 24 hours of 7 to 12 children subject to the licensing requirements of the state and the city.

6. **Craft Work**
   A Home Occupation where individual pieces are crafted but not mass produced, and which shall consist of one (1) or more of the following: ceramics, inlays, needlework, knitting, weaving, leather work, woodwork, metal work or glass work.

7. **Food Preparation**
   A Home Occupation where prepared food items that are not Cottage Foods, as defined in Fresh Produce and Cottage Food Sales, are made and assembled for off-premises consumption by others and/or for off-premises sale.

8. **Foster Family Care**
   A Home Occupation that provides full-time care of not more than 4 children or 2 adults unrelated to the residents by blood or adoption subject to the licensing requirements of the state. A qualified foster care adult is a person who is placed in the home by an agency of the state or one of its political subdivisions.

9. **Fresh Produce and Cottage Foods Sales**
   A Home Occupation where:
   - a. Raw, uncut fresh fruits, vegetables, and herbs, excluding marijuana, that were grown in a permitted accessory Garden or primary Urban Garden are sold; and/or
   - b. Cottage Foods are prepared and/or sold.
   
   Cottage Foods are defined in the State of Colorado Cottage Foods Act (House Bill 13-1158) unless otherwise prohibited by the Department of Environmental Health. Cottage Foods shall not include any food products made with marijuana.

10. **Office, Non-Medical, Non-Dental**
    See Section 11.12.4.6.A, Definition of Office Use Category, but not including Dental / Medical Office or Clinic.
11. **Online Retail Sales**
Online Retail Sales are retail or wholesale sales where the transaction originates on and is completed on the Internet via an individual website or a third party marketplace. Online Retail Sales may include the sale of handmade or craft goods created, fabricated or assembled on the residential premises. Online Retail Sales are distinguished from Retail Sales or Wholesale in that goods or services are not transferred directly to a buyer at the residential premises.

12. **Professional Studio**
See definition of "Professional Studio" in Section 11.12.4.2.B, Specific Arts, Entertainment & Recreation Use Types and Definitions.

13. **Rooming and/or Boarding**
A Home Occupation that provides lodging with or without meals, is available for permanent occupancy only, and which makes no provision for cooking in any of the rooms occupied by paying guests.

SECTION 11.12.9  DEFINITIONS OF USES ACCESSORY TO PRIMARY NONRESIDENTIAL USES

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

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

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

11.12.9.4 **College Accessory to a Place for Religious Assembly**
A post-secondary education facility operated by a place for religious assembly and physically located on a zone lot occupied by such place for religious assembly.

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

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

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

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

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

11.12.9.10 **Outdoor Eating and Serving Area Accessory to an Eating/Drinking Establishment Use**
An unenclosed area containing only tables and chairs where food and drinks are served to patrons of the primary eating and drinking establishment.

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

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

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

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

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

**SECTION 11.12.10 DEFINITIONS OF TEMPORARY USES**

A. **Ambulance Service**
The dispatching of vehicles for transportation of ill or injured persons to or from treatment facilities together with incidental storage and maintenance of such vehicles.
B. Amusement/Entertainment Uses
An amusement, entertainment, or recreation use accessible to the general public upon payment of a fee or admission charge. Examples include temporary circus or sport events.

C. Bazaar
A place for the display and sale of miscellaneous goods and for entertainment sponsored by a nonprofit organization or governmental entity, but not including motorized amusement rides.

D. Building or Yard for Construction Materials
The storage of equipment and/or excavated materials both incidental and necessary to a construction project. Building materials may include lumber, shingles, and the like. This may also include temporary parking for construction and/or temporary parking to replace parking temporarily displaced by construction.

E. Concrete, Asphalt, and Rock Crushing Facility
A facility in which the principal activity is performed in an open area where concrete, asphalt, rock, brick, cement, or other similar paving or building materials are crushed, ground, pulverized, bought, sold, exchanged, stored, mixed, packed, disassembled, or handled.

F. Health Care Center
A facility or institution providing health services.

G. Noncommercial Concrete Batching Plant
A facility that produces or processes concrete or asphalt only for use in a particular construction project and only for the duration of that project.

H. Outdoor Retail Sales
Retail sale of new or used goods, excluding motor vehicles and firearms, not operated in a completely enclosed structure, and operated as an extension of a primary retail sales use on the same zone lot.

I. Outdoor Retail Sales - Pedestrian / Transit Mall
Outdoor retail sales, not operated in a completely enclosed structure, and located within 125 feet of a pedestrian and/or transit mall (e.g. the downtown 16th Street pedestrian mall), including retail sales of articles such as books, artwork, craft work, food, flowers, clothing, newspapers and similar articles. Such retail sales are not required to be operated as an extension of a primary retail sales use on the same or different zone lot.

J. Outdoor Sales, Seasonal
The outdoor retail sales of trees, plants, fruits, vegetables, or other similar foods or prepared food products, including incidental sales of customary non-food items, not operated in a completely enclosed structure, and not as an extension of a primary retail sales use on the same zone lot. Seasonal Outdoor Sales may be conducted by a single person or multiple persons on the same Zone Lot.

Seasonal outdoor sales include, but are not limited to, seasonal sales of Christmas trees, seasonal outdoor sales of plants, seasonal outdoor farmers markets, and other seasonal sales of foods, fruits, and vegetables, such as roasted chiles and corn.

1. Sales of Christmas Trees and Related Holiday Items
Retail sales of Christmas trees, wreaths, garlands, tree stands, tree care items, and other incidental and customary holiday items.

2. Sale of Plants or Plant Sales Facilities
Retail sales of horticultural items including, but not limited to bedding plants, plant containers, seeds, small trees and bushes, and accessories therefor; incidental sales of agricultural chemical and fertilizer products are permitted only if prepackaged.
3. **All Other Types of Temporary Outdoor Sales, Seasonal**
Retail sales of trees, plants, flowers, fruits, vegetables, or other similar foods or prepared food products, including incidental sales of customary non-food items. This use sub-type includes farmers markets, and sales of roasted chiles and corn.

K. **Retail Food Establishment, Mobile**
Readily movable motorized-wheeled vehicle designed and equipped to serve food or towed-wheeled vehicle designed and equipped to serve food. This definition shall not apply to uses which operate for less than 30 consecutive minutes at each separate location.
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Screening: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Secondary Area of GDP: Boundary of a designated area adjoining the primary area of the GDP where development may not be imminent, but based on adopted City plans, can be expected to transition over time.

Semi-Trailer: Any vehicle of the trailer type so designed and used in conjunction with a truck-tractor that some part of its own weight and that of its own load rest upon or is carried by a truck-tractor.


Setback Space or Area: The area between a zone lot line and a required minimum setback line.

Shielded: The light emitted from the lighting fixture is projected below a horizontal plain running through the lowest point of the fixture where light is emitted. The lamp is not visible with a shielded light fixture, and no light is emitted from the sides of such a fixture.

SIC: Standard Industrial Classification as published by the U.S. Census Bureau, has been replaced by the NAICS.


Side Zone Lot Line: See “Zone Lot, Side”.


Sign: A sign is any object or device or part thereof, situated outdoors or indoors, which is used to advertise or identify an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, motion illumination, or projected images. Signs do not include the following:

a. Flags of nations, or an organization of nations, states and cities, fraternal, religious and civic organizations;

b. Merchandise, pictures or models of products or services incorporated in a window display;

c. Time and temperature devices not related to a product;

d. National, state, religious, fraternal, professional and civic symbols or crests;

e. Works of art which in no way identify a product.

Sign, Animated: Any sign or part of a sign which changes physical position by any movement or rotation.

Sign, Arcade: A wall or projecting sign attached to the roof or wall of an arcade and totally within the outside limits of the structural surfaces which are delineating the arcade.

Sign, Billboard: See definition of “Outdoor General Advertising Device,” above.
Sign, Flashing: Any sign either stationary or animated, which exhibits any change in: natural or artificial light or color effects; text; pictures or any other form of message more frequently than once per hour by any means whatsoever.

Sign, Ground: A sign supported by poles, uprights or braces extending from the ground or an object on the ground but not attached to any part of any building.

Sign, Illuminated: A sign lighted by or exposed to artificial lighting either by lights on the sign or directed towards the sign.

Sign, Individual Letter: Letters or figures individually fashioned from metal or other approved materials and attached to the wall of a building, but not including a sign painted on a wall or other surface.

Sign, Joint Identification: A sign which serves as a common or collective identification for three (3) or more business or industrial uses by right on the same zone lot excluding, however, the identification of products.

Sign, Marquee: A sign attached to, painted on, erected against or extending from a marquee.

Sign, Noncommercial: A sign expressing noncommercial speech generally in the form of an opinion on a particular subject, or support for, or opposition to, a particular cause, political or otherwise.

Sign, Off-Site Commercial: A sign that directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same zone lot where such sign is displayed. This definition does not include noncommercial signs.

Sign, Outdoor General Advertising Device: See definition of “Outdoor General Advertising Device,” above.

Sign, Political: A sign expressing support for, or opposition to, a political candidate, political party, ballot or other election issue.

Sign, Portable: Any sign that is not permanently affixed to building, structure or the ground.

Sign, Projecting: A sign or graphic, other than a wall sign, that is attached to and projects from the wall, soffit, or eave of a building, is not in the same plane as the wall, soffit, or eave to which it is attached, and identifies a use within that building.

Sign, Roof: (1) A sign attached to the roof of a building which sign projects above the Roof Line of the building, or (2) a sign attached to an exterior wall or Parapet Wall which sign extends above the lowest height of the Parapet Wall.

Sign, Temporary: Any sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material intended to be displayed for a short period of time.

Sign, Wall: A sign attached to, painted on or erected against a wall, facia, parapet wall or pitched roof of a building or structure, and no part of which sign projects above the Roof Line and whose display surface is parallel to and extends not more than twenty-four (24) inches from the wall to which it is attached and extends not more than eight (8) inches from the facia to which it is attached or, if attached to a pitched roof, the bottom of its display surface does not extend more than six (6) inches vertically from the roof surface and the top of its display surface does not extend more than forty-eight (48) inches horizontally from the roof surface.