DIVISION 1.2 ZONE LOTS

SECTION 1.2.1 INTENT AND PURPOSE

The purpose of a Zone Lot is to provide a boundary for a defined area of land to which this Code’s regulations for both land uses and structures apply.

SECTION 1.2.2 ZONE LOT REQUIRED

1.2.2.1 Zone Lot Required Prior to Development

A separate ground area, herein called a “Zone Lot,” shall be designated, provided, and continuously maintained for all permitted structures and land uses. Designation shall occur prior to or concurrent with a zoning application required by Article 12, Zoning Procedures and Enforcement.

1.2.2.2 All Zone Lots designated according to this Section shall comply with:

A. The general standards for all Zone Lots in Section 1.2.3., General Standards for All Zone Lots; and
B. The minimum Zone Lot standards for at least one building form allowed in the Zone District in which the subject Zone Lot is located.

1.2.2.4 Zone Lot for Existing Structures and Uses

The land area occupied by a use, or the building site heretofore designated and occupied by each structure existing on June 25, 2010, shall, for the purposes of this Code, be deemed the Zone Lot for such use or structure. Such Zone Lot shall be continuously provided and maintained in accordance with the provisions of this Code for uses or structures in the Zone District in which each such use or structure is located. The boundaries and area of a designated Zone Lot may be amended under Section 12.4.4, Zone Lot Amendments.

SECTION 1.2.3 GENERAL STANDARDS FOR ALL ZONE LOTS

1.2.3.1 Public Street Frontage Required

Each Zone Lot shall have at least one Zone Lot line abutting a dedicated named or numbered street.

1.2.3.2 Contiguous Land Area Required

A. General Rule - Contiguity Required

1. A Zone Lot shall be composed of contiguous land area and its boundaries shall not cross a public right-of-way (including streets and alleys) unless explicitly allowed in this Code.

2. More than one assessor’s parcel and/or portions of one assessor’s parcel may make up a Zone Lot. See Figure 1.2-1. Changes in ownership of one or more assessor’s parcels underlying a Zone Lot does not affect the status of the Zone Lot.

B. Exception in D-C, D-TD and Campus Zone Districts - Zone Lot May Cross Public Streets

In all Campus Context Zone Districts and in the Downtown Core (D-C) and Downtown Theater District (D-TD) Zone Districts, two or more Zone Lots divided by one or more public streets or alleys may be designated as a single Zone Lot. In cases where a single Zone Lot is divided by one or more primary streets or alleys, multiple street frontages within the Zone Lot boundaries shall comply with all building form standards tied to frontage on a primary or side street, including but not limited to build-to standards and Street Level activation standards, unless otherwise specifically exempted by this Code.
1.2.3.3 Limited Allowance for Flag Zone Lots

A. Intent
Creation of a flag zone lot through the zone lot amendment process is intended to accommodate an existing pattern of underlying plats or subdivision that resulted in zone lots that are especially deep and have narrow street frontage. Creation of a flag zone lot is intended to accommodate appropriate development consistent with the subject SU zone district, and to result in a pattern of zone lots compatible with the existing neighborhood context.

B. Applicability
"Flag" zone lots may be permitted only in the SU zone districts.

C. Flag Zone Lot Standards
1. A Flag Zone Lot may be created only through application for a Zone Lot Amendment according to Section 12.4.4, “Zone Lot Amendment,” of this Code.

2. A Flag Zone Lot need not comply with the applicable minimum zone lot width standard at the Primary Street zone lot line, provided the proposed Flag Zone Lot complies with the standards stated in this Section 1.2.3.3.C.

3. The existing Zone Lot proposed for amendment must have a minimum of 160 feet of zone lot depth.
4. The resulting Flag Zone Lot shall have a zone lot width of no less than 20 feet at the Primary Street zone lot line.

5. The resulting Flag Zone Lot shall have a minimum width of 50 feet for at least 40 feet of contiguous zone lot depth.

6. The resulting Flag Zone Lot shall meet the minimum zone lot area building form standard, but no portion of the Flag Zone Lot that is less than 30 feet in width may count toward the required minimum zone lot area.

7. The remainder Zone Lot (the Zone Lot that remains after being amended to create the new Flag Zone Lot) shall comply with Section 1.2.3.4.A., “Compliance with Minimum Zone Lot Standards.”

8. Before any Flag Zone Lot is approved pursuant to this Section 1.2.3.3, and before any development is allowed on a Flag Zone Lot, the Flag Zone Lot shall be reviewed and approved by the Fire Department, which may impose conditions upon its approval, according to Section 12.4.3, Site Development Plan Review.

D. Determination of Zone Lot Lines
As part of the approval of a Zone Lot Amendment application that creates a new Flag Zone Lot, the Zoning Administrator shall determine which zone lot lines of the Flag Zone Lot are Primary Street, Side Street, Side Interior, or Rear zone lot lines. As applicable for purposes of applying building form standards regulating height and bulk plane, the Zoning Administrator shall also determine where on the Flag Zone Lot the front 65% and rear 35% of zone lot depth occur.

E. Effect
Both the Flag Zone Lot and remainder Zone Lot shall be considered Conforming Zone Lots.

Figure 1.2-2

1.2.3.4 Compliance with Minimum Zone Lot Standards
Where the building forms allowed in a Zone District include minimum Zone Lot standards, such as minimum Zone Lot size or minimum Zone Lot width, compliance with such standards is subject to the following:

A. New Zone Lots
The creation or designation of new Zone Lots (whether through subdivision, through designation of a new Zone Lot, or through amendment of an existing Zone Lot) shall comply with the minimum Zone Lot size and minimum Zone Lot width for at least one primary building form.
allowed in the subject Zone district. Different minimum Zone Lot sizes may apply to different primary building forms allowed in the same Zone district.

For example, a Zone Lot is created in the G-MU-3 district after June 25, 2010, and it is 3,000 square feet in size. The Zone Lot is allowed because one of the primary building forms permitted in the G-MU-3, the Urban House form, allows a Zone Lot to be as small as 3,000 square foot. However, while an Urban House form may be developed on that new 3,000 square foot Zone Lot, an Apartment building form could not because, in the G-MU-3 Zone district, the Apartment building form requires a Zone Lot no smaller than 6,000 square feet.

B. Development of Primary Building Forms
Development of an allowed primary building form (e.g., a Row House or Duplex building form) shall occur only on a legally established Zone Lot that complies with the minimum Zone Lot size required for that specific building form. Zone lots that do not comply with the minimum size or width requirements for a specific building form are nonconforming Zone Lots; development on nonconforming Zone Lots shall comply with the standards according to Division 12.10, Nonconforming Zone Lots.

C. Development of Detached Accessory Structures
Development of an allowed detached accessory structure shall occur only on a legally established Zone Lot that complies with the minimum Zone Lot size required for the primary building on the same Zone Lot.

D. Development on Nonconforming Zone Lots
An existing legally established Zone Lot that is nonconforming under this Code may be used and developed according to Division 12.10, Nonconforming Zone Lots.

1.2.3.5 Number of Uses and Structures Allowed Per Zone Lot
The following table establishes the number of structures and uses allowed per zone lot:

<table>
<thead>
<tr>
<th>PRIMARY USES AND STRUCTURES</th>
<th>Applicability</th>
<th>Maximum # Primary Uses per Zone Lot</th>
<th>Maximum # Primary Structures per Zone Lot</th>
<th>Specific Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>All SU and TU Zone Districts, except as otherwise allowed in this table</td>
<td>1</td>
<td>1</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>All SU and TU Zone Districts, Civic, Public and Institutional Uses</td>
<td>No Limit on combining multiple permitted primary uses when all such uses are classified as &quot;Civic, Public and Institutional Uses&quot;. In addition, one primary use categorized as a &quot;Household Living&quot; use and permitted in the zone district may be combined with one or more Civic, Public and Institutional Uses. <strong>For example:</strong> In the U-SU-C zone district, an elementary school, place for religious assembly (e.g., church), and a single-unit dwelling use may all be established as primary uses on the same Zone Lot.</td>
<td>No Limit - Subject to Specific Requirements in this table</td>
<td>On a Zone Lot 18,000 square feet or larger in area, where one of the permitted primary uses is classified as a &quot;Civic, Public and Institutional Use&quot;, the Zone Lot may be occupied by one or more primary structures.</td>
<td></td>
</tr>
</tbody>
</table>
DIVISION 1.3 OFFICIAL ZONING MAP

SECTION 1.3.1 ADOPTION OF OFFICIAL MAP

The digital maps created and maintained by the Department of Community Planning and Development and published by Technology Services' Geographic Information Systems Office delineating the boundaries of the various zone districts, together with all matters and things shown on such maps, are hereby adopted and approved, incorporated herein and made a part hereof and collectively shall constitute the official zoning map of the City and County of Denver (“Official Map”). The Official Map shall be marked pursuant to a system of identification established by Community Planning and Development consistent with this Code.

SECTION 1.3.2 AMENDMENTS TO OFFICIAL MAP

All amendments to the Official Map shall be maintained in and kept current by the Department of Community Planning and Development and made available to the public.

SECTION 1.3.3 INTERPRETATIONS

1.3.3.1 District Regulations to be Uniform

The regulations established in this Code shall apply uniformly to all geographical areas having the same zone district classification and designation on the Official Map.

1.3.3.2 Determination of Zone District Boundaries and Applicable Regulations

A. Zone Lots Less than or Equal to 6,000 Square Feet in Area

If a zone district boundary line divides a zone lot that is less than or equal to 6,000 square feet in area as of the date the zone district boundary line was established such that the zone lot falls within two or more zone districts, then an applicant may select one of the following options to determine the applicable zoning regulations:

1. Each portion of the zone lot may be used in conformity with the regulations applicable to the zone district that such portion falls within; or

2. The entire zone lot may be used in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area; or

3. If the zone lot is divided equally into two zone districts, the applicant may choose to develop the entire zone lot in conformity with the regulations applicable to one of the two zone districts.

B. Zone Lots Greater than 6,000 Square Feet in Area

If a zone district boundary line divides a zone lot that is greater than 6,000 square feet in area as of the date the zone district boundary line was established such that the zone lot falls within two or more zone districts, then each portion of the zone lot shall be developed only in conformity with the regulations applicable to the zone district that such portion falls within, unless one of the following exceptions apply:

1. If a building containing a permitted use exists on the zone lot on the date the zone district boundary line was established and the building is divided by the zone district boundary line, and provided the building is not voluntarily demolished, then an applicant may select one of the following options to determine the applicable zoning regulations: Each portion of the zone lot may be used in conformity with the regulations applicable to the zone district that such portion falls within; or

a. The entire zone lot may be used in conformity with the regulations for the zone district applicable to more than 50% of the zone lot area; or
b. If the zone lot is divided equally into two zone districts, the applicant may choose to
develop the entire zone lot in conformity with the regulations applicable to one of
the two zone districts.

2. The entire zone lot may be developed in conformity with the regulations for the zone
district applicable to more than 50% of the zone lot area if:
   a. The zone lot will only contain a multi-unit dwelling primary use with no other
      primary uses; and
   b. The multi-unit dwelling primary use includes moderately priced dwelling units
      (MPDUs) pursuant to the mandatory or voluntary provisions of DRMC Article IV,
      Chapter 27 (Affordable Housing); and
   c. The zone district applicable to more than 50% of the zone lot area allows more
dwelling units to be constructed than in the other zone districts applicable to the
   zone lot.

This provision shall also apply to multi-family owner-occupied or rental residential
developments that include a higher percentage of MPDUs than the thresholds established
in DRMC Article IV, Chapter 27 (Affordable Housing) and to multi-family residential
development that includes housing affordable to households at a lower adjusted medium
income than the thresholds established in DRMC Article IV, Chapter 27 (Affordable Hous-
ing).

C. If for any reason the location of any zone district boundary line is not readily determinable
from the official map, the location of the zone district boundary line shall be fixed by the De-
partment of Community Planning and Development in accordance with the following provi-
sions. Where more than one of the following provisions are applicable in any given situation,
the first enumerated applicable provision shall prevail over all other provisions:
   1. Where a zone district boundary line is located with reference to a fixture or monument,
      the location of such fixture or monument shall control;
   2. Where a zone district boundary line is given a position within a street or alley right-of-
      way or channelized waterway, the zone district boundary line shall be deemed to be in
      the center of such street or alley right-of-way or channelized waterway;
   3. Where a zone district boundary line is shown as approximately following platted lot lines,
      the zone district boundary line shall be deemed to coincide with such platted lot lines;
   4. Where a zone district boundary line is shown by a specific dimension, such specific di-
      mension shall control;
   5. Where a zone district boundary line extends in the direction of the length of a block, the
      zone district boundary line shall be deemed to coincide with the center line of such block;
   6. Where a zone district boundary line divides a platted lot or crosses unsubdivided prop-
      erty, the location of the zone district boundary line shall be fixed from the scale of the
      official map.

1.3.3.3 Access Across Parcels With Different Districts

A. Notwithstanding the provisions of subsections 1.3.3.2.A and 1.3.3.2.B, access across parcels of
land with different zone districts shall be governed by this Section 1.3.3.3. In order to promote
appropriate development in all zone D districts, access across a parcel of land to another parcel
of land with a different district classification is permitted except that access to a parcel of land
not located in a residential district across a parcel of land located in a residential district shall
not be permitted unless the Zoning Administrator determines that:
1. Such access is compatible or could be made compatible with any existing or allowed uses on the parcel of land in the residential district; and

2. Traffic, noise, pollution and other impacts of such access are or can be mitigated.

B. The Zoning Administrator may impose conditions on the approval of such access in order to ensure that the impacts of traffic, noise, pollution and other external effects of such access are mitigated so as to protect the residential character of the parcel of land located in a residential district. If the use of the parcel of land not located in a residential district changes so as to alter the access or otherwise impact the use of the parcel of land located in the residential district, the Zoning Administrator may terminate the right to access the parcel of land not located in a residential district across the parcel of land located in the residential district or may impose additional conditions on the continued access. All other provisions of the district in which each such parcel of land is located shall apply. An owner requesting such access shall file a request with the Zoning Administrator and the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice (ZPIN), shall be followed.

1.3.3.4 Necessity for District Designation

A. It is the intent of this Code that all lands within the boundaries of the City and County of Denver shall have a zoning district designation. However, nothing herein prohibits one or more overlay districts to be used in conjunction with another of the enumerated districts.

B. If for any reason any land within the boundaries of the City and County of Denver shall be determined not to be within one of the aforesaid districts or shall be determined not to validly bear one of the aforesaid zoning designations, whether such determination results from annexation, from judicial declaration or from any other reason or cause, no permits shall be issued for the erection or alteration of any structure or structures within the area found wanting in classification until a zoning classification has been established therefore by the City Council. A zoning classification shall be established promptly and within a reasonable period of time; provided, however, that if a zoning classification is not established within 90 days from the date on which an area is determined to be in want of a classification, the site shall be considered part of the Open Space C (OS-C) District until such time as a zoning classification is established.
DIVISION 2.1 OVERVIEW

The following Sections describe the approach to the Code, how it is organized, and how information and regulations are presented. They provide a guide to the naming convention for Zone Districts and a step-by-step guide for how to navigate and find information in the Code. Finally, this Article sets forth the full menu of Zone District.
DIVISION 2.2 CODE APPROACH

SECTION 2.2.1 CONTEXT-BASED APPROACH

The Code is organized by Neighborhood Contexts derived from existing and desired characteristics of Denver’s neighborhoods. The Neighborhood Contexts are distinguished from one another by their overall physical and functional characteristics including but not limited to: street, alley, and block patterns; building placement and height; diversity, distribution, and intensity of land uses; and diversity of mobility options. This context-based approach provides a range of zone districts that set standards for compatible development.

SECTION 2.2.2 FORM-BASED APPROACH

The Code also uses a form-based approach to explain how buildings and structures relate to their lots, surrounding buildings and structures, and street and alley rights-of-way. Each zone district includes a menu of illustrated building forms. The building form standards that control height, setbacks, parking location, building configuration and ground story activation, as applicable to the Neighborhood Context, zone district and type of building form. The illustrated building forms are not intended to limit the shape, forms, roof styles or architectural styles. The illustrations are intended solely to illustrate typical volumes that building forms may occupy in order to maintain a consistent context for the neighborhood.
DIVISION 2.3  CODE ORGANIZATION

SECTION 2.3.1  ARTICLES 3 THROUGH 7: NEIGHBORHOOD CONTEXTS

The Code is organized such that each Neighborhood Context is a separate Article. The purpose is to provide, to the extent possible, all regulations applicable to that Neighborhood Context in one location of the Code. Each Neighborhood Context Article has the same Division headings to ensure consistency when referencing regulations between Articles. Each of the Division headings are described below.

2.3.1.1  Neighborhood Context Description

Each Article provides a description of the Neighborhood Context. The description is organized to describe general character; street, block and access patterns; building placement and location; building height; and mobility. The description provides the basis for the context and form based regulations.

2.3.1.2  Districts

A. This Division establishes the menu of \( z \text{ zone} D \text{ district} \)s for the Neighborhood Context. There is a list of intent statements for each \( z \text{ zone} D \text{ district} \) in the Context.

B. Zone District Naming Convention: The \( z \text{ zone} D \text{ district} \)s for the Suburban, Urban Edge, Urban, General Urban and Urban Center Neighborhood Contexts follow a consistent naming convention, as follows:

<table>
<thead>
<tr>
<th>FIRST LETTER</th>
<th>SECOND LETTERS</th>
<th>THIRD LETTER OR THIRD NUMBER</th>
<th>OCCASIONAL LAST NUMBER OR LETTER</th>
<th>EXAMPLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Context</td>
<td>Dominant Building Form and Character</td>
<td>Minimum Zone Lot Size in square feet or Maximum Building Height in stories</td>
<td>Special Purpose</td>
<td></td>
</tr>
<tr>
<td>S = Suburban</td>
<td>SU = Single Unit</td>
<td>Minimum Zone Lot Size</td>
<td>When there is a number or letter at the end of the ( z \text{ zone} D \text{ district} ) name, that is an indicator of special regulations. Refer to the ( z \text{ zone} D \text{ district} ) regulations for more detail. Typically:</td>
<td>U-SU-A: Urban Neighborhood Context, allows single units and the minimum zone lot size is 3,000 sf</td>
</tr>
<tr>
<td>E = Urban Edge</td>
<td>TU = Two Unit</td>
<td>A = 3,000</td>
<td>1 = Accessory dwelling units allowed throughout</td>
<td>U-SU-A1: Urban Neighborhood Context, allow single units, a minimum lot size of 3,000 sf and allows accessory dwelling units</td>
</tr>
<tr>
<td>U = Urban</td>
<td>TH = Town House</td>
<td>B = 4,500</td>
<td>2 = Accessory dwelling unit and duplexes allowed on certain corners</td>
<td>G-MU-3: General Urban Neighborhood, allows up to multiple family uses with a maximum height of 3 stories</td>
</tr>
<tr>
<td>G = General Urban</td>
<td>RH = Row House</td>
<td>C = 5,500</td>
<td>x = Special provisions tailored to that ( z \text{ zone} D \text{ district} )</td>
<td>C-MX-5: Urban Center Neighborhood, allows a commercial and residential uses with a maximum height of 5 stories</td>
</tr>
<tr>
<td>C = Urban Center</td>
<td>MU = Multi Unit</td>
<td>D = 6,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RO = Residential Office</td>
<td>E = 7,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RX = Residential Mixed Use</td>
<td>F = 8,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CC = Commercial Corridor</td>
<td>G = 9,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MS = Main Street</td>
<td>H = 10,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>I = 12,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>TH = Town House</td>
<td>Heights</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>2 = 2 stories</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>2.5 = 2.5 stories</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>3 = 3 stories</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>5 = 5 stories</td>
<td></td>
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<td></td>
<td></td>
<td>8 = 8 stories</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>12 = 12 stories</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>16 = 16 stories</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>20 = 20 stories</td>
<td></td>
</tr>
</tbody>
</table>
2.3.1.3 **Design Standards**
The Design Standards Division establishes the intent of all applicable design standards, allowed building forms by Zone District, building form standards and any exceptions or alternatives. A summary table provides an overview for easy reference. Each building form has a set of illustrations and a table of standards to ensure clarity in interpretation.

2.3.1.4 **Uses and Required Minimum Parking**
Uses and Parking provides a listing of all allowed uses by Zone District. With each use category, the vehicle and bike parking requirements are listed.

**SECTION 2.3.2  ARTICLE 8: DOWNTOWN NEIGHBORHOOD CONTEXT**
The Downtown Neighborhood Context is organized differently than Articles 3 through 7 due to the unique nature of the downtown Zone Districts. This Article contains all the Zone Districts within the city’s downtown area and applicable regulations. The Downtown Neighborhood Context has a different Zone District naming convention. The first letter is "D" to denote the Downtown Neighborhood Context. The second letters are abbreviations for the specific neighborhood within Downtown. For example: D-AS is Downtown Arapahoe Square. After providing the zoning regulations for each Downtown Zone District, there are Sections on design standards and the uses and minimum parking requirements.

**SECTION 2.3.3 ARTICLE 9: SPECIAL CONTEXTS AND DISTRICTS**
Article 9 contains regulations for Special Contexts and Districts. Special Contexts and Districts are those that need to be treated differently due to specialized uses, forms, regulations and/or procedures. Special Contexts and Districts have a different Zone District naming convention described within each Division. The first letters indicate the type of context or district with subsequent lettering or numbering when there is variation.

2.3.3.1 **Industrial Context (I-MX, -A, -B):** The Industrial Context establishes Zone Districts that allow varying intensities and types of industrial forms and uses.

2.3.3.2 **Campus Context (CMP-H, -H2, -E1, -E12, -ENT, -NWC):** The Campus Context establishes Zone Districts for larger scale sites offering healthcare, education/institution, entertainment, and the National Western Center.

2.3.3.3 **Open Space Context (OS-A, -B, -C):** The Open Space Context establishes Zone Districts for various types of park, recreational and open space land.

2.3.3.4 **Overlay Districts (CO, UO, DO, AIO):** Overlay Districts are Zone Districts that apply in addition to the base Zone District. There are Conservation Overlay Districts, Use Overlay Districts, Design Overlay Districts and the Airport Influence Overlay District.

2.3.3.5 **Denver International Airport District:** This district applies to the Denver International Airport.

2.3.3.6 **O-1 Zone District:** O-1 is a Zone District that applies to various recreation, institutional, and utilities.

2.3.3.7 **Planned Unit Development District:** The Planned Unit Development District is a unique Zone District that provides form, use, parking and other standards tailored to a particular site.

2.3.3.8 **Master Planned Context:** The Master Planned Context is intended for larger scale sites that will develop over a long period of time and in multiple phases. Within the Master Planned Context there is a menu of residential and mixed use Zone District.

**SECTION 2.3.4 ARTICLES 10 THROUGH 13: GENERAL STANDARDS AND PROCEDURES**
Articles 10 through 13 contain regulations that apply throughout the city and are not unique to a Neighborhood Context or Special Context. They are organized together so that common regulations are found in the same place such as use limitations, procedures, definitions and rules of measurement.
DIVISION 2.4 USING THE CODE

SECTION 2.4.1 STEP BY STEP USE OF THE CODE

2.4.1.1 Determine the Zone District:
Obtain a property’s zoning from the Denver County assessor’s records, from the Official Map or by consulting the city’s website: www.denvergov.org. Take note of any Overlay Districts that apply. Also take note of zoning for adjacent properties, and specifically whether or not the subject property is in, or adjacent to, a Protected Zone District, as defined in Division 13.3, Definitions of Words, Terms & Phrases.

2.4.1.2 Find the Neighborhood Context Article:
Zone districts are organized by Neighborhood Context in the Code. The first letter of the Zone District indicates the applicable Neighborhood Context. Go to the applicable Article of the Code (Article 3 through Article 9) for the relevant zoning regulations. For example, if the property is zoned U-SU-A, the first “U” in the Zone District name indicates the context – in this case, the “U”rban Neighborhood Context, refer to Article 5, Urban Neighborhood Context.

2.4.1.3 Understand the Neighborhood context:
Gain further understanding of the neighborhood context by reviewing the Neighborhood Context Description, which is the first Division in the Neighborhood Context Article. For example, read Division 5.1, Neighborhood Context Description, for a description of the Urban Neighborhood Context.

2.4.1.4 Review the Applicable Zone Districts:
To understand which Zone Districts apply in the Neighborhood Context, read Districts, which is the second Division in all Neighborhood Context Articles. Review the intent statement for your Zone District to understand its general purpose and how it relates to other Zone Districts in that context. For example, read Division 5.2, Districts, for a Zone District listing and intent statements for the Urban Neighborhood Context. Refer to Article 9, Special Contexts and Districts, Division 9.4, Overlay Zone Districts for information on relevant overlay Zone District.

2.4.1.5 Choose a Building Form:
The Zone District allow a variety of building forms appropriate for the context. Review Design Standards, the third Division in all Neighborhood Context Articles, for a listing of allowed primary and accessory building forms by Zone District. Next, find the building form you want to construct or alter, and use the associated graphic and table to determine allowed building setbacks, height and other regulations. Primary Building Forms are listed separately from Detached Accessory Building Form standards. One building form and the associated standards must be selected. For example, read Section 5.3.3, Primary Building Form Standards in Division 5.3, Design Standards. A table at the beginning of this Section summarizes which building forms are appropriate in each Neighborhood Context Zone District. Assume, for example, you want to build an Urban House in the U-SU-A Zone District. Read Section 5.3.3.4.A, District Specific Standards, for the applicable standards for the Urban House form in the Urban Neighborhood Context. Review the graphic and read the table to find standards for this building form applicable to the U-SU-A Zone District. Read Section 5.3.5 through 5.3.8 to find additional design standards and to understand permitted exceptions and alternatives to meeting the building form standards. If a term is not clear, refer to Article 13 for Rules of Measurement and Definitions.

2.4.1.6 Identify Allowable Uses and Required Parking:
The last Division of each Neighborhood Context Article states the allowed land uses and required vehicle and bicycle parking in each Zone District. To find what uses are allowed in a particular Zone District, consult the Uses Table at the end of the Article. Allowed primary, accessory and temporary uses and the relevant vehicle and bike parking requirements are listed in the first column of the Use Table and Zone Districts are listed across the remaining table columns. Table cell entries for each use indicates whether the use is allowed in the Zone District or allowed
subject to specific limitations, and/or subject to a specific review. If the use is not allowed it will be indicated as Not Permitted (NP). The last column of the Use Table references the user to all applicable use limitations. Some use limitations are contained within the Article and some, that apply to several Zone districts, are found in Article 11, Use Limitations and Definitions. In some cases, use limitations reference their applicability to Residential Zone Districts or Mixed Use Commercial Zone Districts. Refer to Article 13, Rules of Measurement & Definitions for a listing of which Zone districts are categorized as such. Unless otherwise specified, any use can occupy any building form provided they are allowed in the Zone district. If you need a use summary, use definitions or use limitations refer to Article 11, Use Limitations and Definitions.

2.4.1.7 Review the General Design Standards:
Review Article 10, General Design Standards which includes standards that are generally applicable to all new development, regardless of neighborhood context. Standards address vehicle and bicycle parking, loading, multi-structure developments, landscaping, outdoor lighting, outdoor storage and display, signs, and general performance standards. For example, the Parking and Loading Division provides exceptions and reductions that may be available. In some cases, design standards reference their applicability to Residential Zone Districts or Mixed Use Commercial Zone Districts. Refer to Article 13, Rules of Measurement & Definitions for a listing of which Zone districts are categorized as such.

2.4.1.8 Understand Zoning Procedures and Enforcement:
Review Article 12, Zoning Procedures and Enforcement to gain an understanding of all zoning procedures applicable to new development. The Article first identifies all the review and decision-making bodies and their respective roles under this Code, then describes steps common to most or all zoning procedures (e.g., public notice requirements), and then describes the steps required for each type of zoning procedure (e.g., zoning permit review, special exception review, rezonings, and variances). A summary of review and decision making authority and type of public notice required for each procedure is provided in Section 12.3.4. Article 12, Zoning Procedures and Enforcement also contains the rules for nonconforming and compliant uses, structures, and lots. Finally, Article 12, Zoning Procedures and Enforcement contains general enforcement provisions, including what constitutes a violation of the Code and the associated penalties.
DIVISION 2.5  ESTABLISHMENT OF ZONE DISTRICTS

The following are the Zone districts organized by context:

### 2.5.1.1  Suburban, Urban Edge and Urban Neighborhood Context:

<table>
<thead>
<tr>
<th><strong>SUBURBAN NEIGHBORHOOD CONTEXT</strong></th>
<th><strong>URBAN EDGE NEIGHBORHOOD CONTEXT</strong></th>
<th><strong>URBAN NEIGHBORHOOD CONTEXT</strong></th>
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<tbody>
<tr>
<td>S-SU-A</td>
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<td>U-SU-A</td>
</tr>
<tr>
<td>S-SU-D</td>
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<td>U-SU-A1</td>
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<td>S-SU-Fx</td>
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<td>E-SU-D1x</td>
<td>U-SU-B2</td>
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<tr>
<td>S-SU-I</td>
<td>E-SU-G</td>
<td>U-SU-C</td>
</tr>
<tr>
<td>S-TH-2.5</td>
<td>E-SU-G1</td>
<td>U-SU-C1</td>
</tr>
<tr>
<td>S-MU-3</td>
<td>E-TU-B</td>
<td>U-SU-C2</td>
</tr>
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<td>U-SU-E</td>
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<tr>
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<td>E-TU-B2</td>
<td>U-SU-E1</td>
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<td>S-MU-12</td>
<td>E-MU-2.5</td>
<td>U-SU-H</td>
</tr>
<tr>
<td>S-MU-20</td>
<td>E-RX-5</td>
<td>U-SU-H1</td>
</tr>
<tr>
<td>S-CC-3x</td>
<td>E-CC-3x</td>
<td>U-TU-B</td>
</tr>
<tr>
<td>S-CC-3</td>
<td>E-CC-3</td>
<td>U-TU-B2</td>
</tr>
<tr>
<td>S-CC-5x</td>
<td>E-MX-2x</td>
<td>U-TU-C</td>
</tr>
<tr>
<td>S-CC-5</td>
<td>E-MX-2A</td>
<td>U-RH-2.5</td>
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<td>E-MX-2</td>
<td>U-RH-3A</td>
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</tr>
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<td>S-MX-12</td>
<td>E-MS-5</td>
<td></td>
</tr>
<tr>
<td>S-MS-3</td>
<td>Main Street 3</td>
<td></td>
</tr>
<tr>
<td>S-MS-5</td>
<td>Main Street 5</td>
<td></td>
</tr>
</tbody>
</table>

Amendment: 5
DIVISION 3.2 DISTRICTS (S-SU-, S-TH-, S-MU-, S-CC-, S-MX-, S-MS-)

SECTION 3.2.1 DISTRICTS ESTABLISHED
To carry out the provisions of this Article, the following districts have been established in the Suburban Neighborhood Context and are applied to property as set forth on the Official Map.

Suburban Neighborhood Context
S-SU-A Single Unit A
S-SU-D Single Unit D
S-SU-F Single Unit F
S-SU-Fx Single Unit Fx
S-SU-F1 Single Unit F1
S-SU-I Single Unit I
S-SU-Ix Single Unit Ix
S-TH-2.5 Town House 2.5
S-MU-3 Multi Unit 3
S-MU-5 Multi Unit 5
S-MU-8 Multi Unit 8
S-MU-12 Multi Unit 12
S-MU-20 Multi Unit 20
S-CC-3 Commercial Corridor 3
S-CC-3x Commercial Corridor 3x
S-CC-5 Commercial Corridor 5
S-CC-5x Commercial Corridor 5x
S-MX-2 Mixed Use 2
S-MX-2x Mixed Use 2x
S-MX-2A Mixed Use 2A
S-MX-3 Mixed Use 3
S-MX-3A Mixed Use 3A
S-MX-5 Mixed Use 5
S-MX-5A Mixed Use 5A
S-MX-8 Mixed Use 8
S-MX-8A Mixed Use 8A
S-MX-12 Mixed Use 12
S-MX-12A Mixed Use 12A
S-MS-3 Main Street 3
S-MS-5 Main Street 5
SECTION 3.2.2 RESIDENTIAL DISTRICTS (S-SU-A, -D, -F, -Fx, -I, -Ix, S-TH-2.5, S-MU-3, 5, 8, 12, 20)

3.2.2.1 General Purpose

A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts promote a consistent pattern of one to two story suburban houses where the wider part of the building orients to the street and access is provided by front-loaded garages. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the townhouse and multi unit districts promote existing and future patterns of multiple building forms on a single lot. These building forms include duplex, townhouse and apartments and are typically organized around common open space and parking areas with an internal circulation system.

C. These standards recognize common residential characteristics within the Suburban Neighborhood Context but accommodate variation by providing a range of Residential Zone Districts.

D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.

E. These Residential districts capture parts of the city typically platted and developed in the mid-to late 1900s.

3.2.2.2 Specific Intent

A. Single Unit A (S-SU-A)
S-SU-A is a single unit district allowing suburban houses with a minimum zone lot area of 3,000 square feet. This district requires the shallowest setbacks and highest lot coverage in the Suburban Neighborhood Context. Access may be from the street or from an alley.

B. Single Unit D (S-SU-D)
S-SU-D is a single unit district allowing suburban houses with a minimum zone lot area of 6,000 square feet.

C. Single Unit F (S-SU-F)
S-SU-F is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet.

D. Single Unit Fx (S-SU-Fx)
S-SU-Fx is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet. The primary distinction between this S-SU-F district and S-SU-F is there are more limitations on home occupations.

E. Single Unit F1 (S-SU-F1)
S-SU-F1 is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet. Tandem houses and detached accessory dwelling units are also allowed on lots that are at least 150 feet deep.
F. **Single Unit I (S-SU-I)**
S-SU-I is a single unit district allowing suburban houses with a minimum zone lot area of 12,000 square feet. This district requires the largest setbacks and lowest lot coverage (more unobstructed open space) in the Suburban Neighborhood Context.

G. **Single Unit Ix (S-SU-Ix)**
S-SU-Ix is a single unit district allowing suburban houses with a minimum zone lot area of 12,000 square feet. This district requires the largest setbacks and lowest lot coverage in the Suburban Neighborhood Context. The primary distinction between this Zone District and S-SU-I is there are more limitations on home occupations.

H. **Town House 2.5 (S-TH-2.5)**
S-TH-2.5 is a multi unit district and allows suburban house, duplex and town house building forms up to two and one half stories in height.

I. **Multi Unit 3, 5, 8, 12, 20 (S-MU-3, 5, 8, 12, 20)**
S-MU- is a multi unit district and allows suburban house, duplex, town house, garden court and apartment building forms up to 3, 5, 8, 12, 20 stories in height.

### SECTION 3.2.3 COMMERCIAL CORRIDOR DISTRICTS (S-CC-3, -3x, -5, -5x)

#### 3.2.3.1 General Purpose

A. The Commercial Corridor Zone Districts are intended to balance the need for safe, active, and pedestrian-scaled, diverse areas with the need for convenient automobile access.

B. The Commercial Corridor Zone Districts address development opportunities next to the city’s most auto-dominated corridors.

C. Commercial Corridor building form standards have minimum setbacks to allow flexibility in building, circulation and parking lot layout.

D. The Commercial Corridor district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

#### 3.2.3.2 Specific Intent

A. **Commercial Corridor – 3 (S-CC-3)**
S-CC-3 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired.

B. **Commercial Corridor – 3x (S-CC-3x)**
S-CC-3x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired with less intense uses than S-CC-3.

C. **Commercial Corridor – 5 (S-CC-5)**
S-CC-5 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 5 stories is desired.

D. **Commercial Corridor – 5x (S-CC-5x)**
S-CC-5x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 5 stories is desired with less intense uses than S-CC-5.
SECTION 3.2.4 MIXED USE DISTRICTS (S-MX-2, -2X, -2A, -3, -3A, -5, -5A, -8, -8A, -12, -12A)

3.2.4.1 General Purpose

A. The Mixed Use districts are intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods.

B. The Mixed Use districts are appropriate along corridors, for larger sites and at major intersections.

C. The building form standards of the Mixed Use districts balance the importance of street presence and provision of adequate parking through build-to requirements, Street Level activation and parking lot screening along the right-of-way. Standards offer predictable flexibility consistent with the variety of mixed use development found in the Suburban Neighborhood Context.

D. The Mixed Use district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

3.2.4.2 Specific Intent

A. Mixed Use – 2 (S-MX-2)
S-MX-2 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 2 stories is desired.

B. Mixed Use – 2x (S-MX-2x)
S-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

C. Mixed Use – 2A (S-MX-2A)
S-MX-2A applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 2 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to low intensity uses and the low scale General building form to encourage a more pedestrian-oriented environment.

D. Mixed Use – 3 (S-MX-3)
S-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

E. Mixed Use – 3A (S-MX-3A)
S-MX-3A applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

F. Mixed Use – 5 (S-MX-5)
S-MX-5 applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired.

G. Mixed Use – 5A (S-MX-5A)
S-MX-5A applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired. Design standards provide flexibility in building
siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

H. Mixed Use – 8 (S-MX-8)
S-MX-8 applies to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired.

I. Mixed Use – 8A (S-MX-8A)
S-MX-8A applies to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

J. Mixed Use – 12 (S-MX-12)
S-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 1 to 12 stories is desired.

K. Mixed Use – 12A (S-MX-12A)
S-MX-12A applies to areas or intersections served primarily by major arterial streets where a building scale of 1 to 12 stories is desired. Design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to the General building form to encourage a more pedestrian-oriented environment.

SECTION 3.2.5 MAIN STREET DISTRICTS (S-MS-3, -5)

3.2.5.1 General Purpose

A. The Main Street Zone D districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

B. The Main Street Zone D districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city’s commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street Zone D districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

E. In all cases, the Main Street Zone D districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use Zone D district.

F. In the Suburban Neighborhood Context, the Main Street Zone D districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

G. The Main Street Zone D districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and maximum building coverage is significant.
DIVISION 3.3  DESIGN STANDARDS

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

SECTION 3.3.1  GENERAL INTENT
The Intent of this Division 3.3 Design Standards are to:

3.3.1.1  Implement the Denver Comprehensive Plan.

3.3.1.2  Implement the Zone District’s Intent and Purpose

3.3.1.3  To continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.

3.3.1.4  Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.

3.3.1.5  Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.

3.3.1.6  Give equal prominence to pedestrian realm as a defining element of neighborhood character.

3.3.1.7  Spatially define public streets and their associated open space as positive, usable features around which to organize land use and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.

3.3.1.8  Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.

3.3.1.9  Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.

3.3.1.10  Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.

3.3.1.11  Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.

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

SECTION 3.3.2  BUILDING FORM INTENT

3.3.2.1  Height

A. Encourage buildings whose forms are responsive to opportunities to reinforce evolving nodes of mixed-use, pedestrian and transit activity as well as the existing surrounding context.

B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
### SECTION 3.3.3 PRIMARY BUILDING FORM STANDARDS

#### 3.3.3.1 Applicability
All development, except detached accessory structures, in all the Suburban Neighborhood Context Zone Districts.

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

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

<table>
<thead>
<tr>
<th>Suburban (S-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max Number of Primary Structures per Zone Lot</td>
<td>Building Forms</td>
</tr>
<tr>
<td>RESIDENTIAL ZONE DISTRICTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Unit (SU)</td>
<td>S-SU-A, -D, -F, -Fx, -I, -Ix 1*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S-SU-F1 1*</td>
<td></td>
</tr>
<tr>
<td>Town House (TH)</td>
<td>S-TH-2.5 no max</td>
<td></td>
</tr>
<tr>
<td>Multi Unit (MU)</td>
<td>S-MU-3, -5, 8, 12, 20 no max</td>
<td></td>
</tr>
<tr>
<td>COMMERCIAL-MIXED USE COMMERCIAL ZONE DISTRICTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Corridor (CC)</td>
<td>S-CC-3, -3x, -5, -5x no max</td>
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</tr>
<tr>
<td>Mixed Use (MX)</td>
<td>S-MX-2x no max</td>
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</tr>
<tr>
<td></td>
<td>S-MX-2, -3, -5, -8, -12 no max</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S-MX-2A, -3A, -5A, -8A, -12A no max</td>
<td></td>
</tr>
</tbody>
</table>

- = Allowed  ■ = Allowed subject to limitations  *See Section 1.2.3.5 for exceptions
### Article 3. Suburban Neighborhood Context
#### Division 3.3  Design Standards

#### DENVER ZONING CODE
June 25, 2010 | Republished July 6, 2015

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### SUBURBAN HOUSE

#### Height

<table>
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<tr>
<th></th>
<th>S-SU-A</th>
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<th>S-SU-F</th>
<th>S-SU-F1</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
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<tr>
<td>A</td>
<td>Stories (max)</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
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<tr>
<td>A</td>
<td>Feet (max)</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
<td>32'</td>
</tr>
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</table>

Feet, permitted height increase (max)
1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’

<table>
<thead>
<tr>
<th></th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-F</th>
<th>S-SU-F1</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
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</thead>
<tbody>
<tr>
<td>B</td>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>na</td>
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<tr>
<td>C</td>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>na</td>
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#### Sitting

<table>
<thead>
<tr>
<th>ZONE LOT</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-F</th>
<th>S-SU-F1</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>3,000 sfft</td>
<td>6,000 sfft</td>
<td>8,500 sfft</td>
<td>12,000 sfft</td>
<td>6,000 sfft</td>
<td>6,000 sfft</td>
<td></td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>25’</td>
<td>50’</td>
<td>62.5’</td>
<td>62.5’</td>
<td>50’</td>
<td>50’</td>
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</table>

#### Setbacks and Building Coverage by Zone Lot Width

<table>
<thead>
<tr>
<th>All S-SU, -TH, -MU Districts</th>
<th>25’ or Less</th>
<th>Greater than 25’ and less than 62’</th>
<th>62’ or Greater</th>
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</thead>
<tbody>
<tr>
<td>D Primary Street, block sensitive setback required</td>
<td>na</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>D Primary Street, where block sensitive setback does not apply (min)</td>
<td>15’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>E Side Street (min)</td>
<td>3’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>F Side Interior (min)</td>
<td>3’</td>
<td>5’</td>
<td>7.5’</td>
</tr>
<tr>
<td>G Rear, alley/no alley (min)</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
</tr>
</tbody>
</table>

Building Coverage per Zone Lot, including all accessory structures (max)
50%
50%
50%

#### Parking by Zone Lot Width

<table>
<thead>
<tr>
<th>Parking and Drive Lot Coverage in Primary Street Setback (max)</th>
<th>2 Spaces and 320 sfft</th>
<th>2 Spaces and 320 sfft</th>
<th>33%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec. 3.3.7.6)</td>
<td>See Sec. 3.3.4</td>
<td></td>
</tr>
</tbody>
</table>

#### Design Elements

<table>
<thead>
<tr>
<th>BUILDING CONFIGURATION</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-F</th>
<th>S-SU-F1</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 3.3.5.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)</td>
<td>35% of the entire width of the Primary Street facing facade of the primary structure or 16’, whichever is greater</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Street Level Activation

| Pedestrian Access, Primary Street | Entry Feature |

#### USES

| All S-SU, -TH, -MU Districts | Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking. |

---
## DUPLEX

### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
<td>2.5</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max)</td>
<td>30'</td>
</tr>
<tr>
<td></td>
<td>Feet, permitted height increase</td>
<td>1' for every 5' increase in lot width over 50' up to a maximum height of 35'</td>
</tr>
<tr>
<td>B</td>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10'</td>
</tr>
<tr>
<td></td>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
</tr>
</tbody>
</table>

### SITING

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Zone Lot Size (min)</td>
<td>4,500 sft²</td>
</tr>
<tr>
<td></td>
<td>Zone Lot Width (min)</td>
<td>37.5'</td>
</tr>
</tbody>
</table>

### SITING ZONE LOT

<table>
<thead>
<tr>
<th></th>
<th>All S-TH and S-MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</td>
</tr>
<tr>
<td></td>
<td>61’ or Less</td>
</tr>
<tr>
<td>D</td>
<td>Primary Street, block sensitive setback required</td>
</tr>
<tr>
<td>D</td>
<td>Primary Street, where block sensitive setback does not apply (min)</td>
</tr>
<tr>
<td>E</td>
<td>Side Street (min)</td>
</tr>
<tr>
<td>F</td>
<td>Side Interior (min)</td>
</tr>
<tr>
<td>G</td>
<td>Rear, alley/no alley (min)</td>
</tr>
<tr>
<td></td>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
</tr>
<tr>
<td>H</td>
<td>PARKING BY ZONE LOT WIDTH</td>
</tr>
<tr>
<td></td>
<td>Parking and Drive Lot Coverage in Primary Street Setback (max %)</td>
</tr>
<tr>
<td></td>
<td>Vehicle Access</td>
</tr>
<tr>
<td>H</td>
<td>DETACHED ACCESSORY STRUCTURES</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>BUILDING CONFIGURATION</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 3.3.5.1</td>
</tr>
<tr>
<td></td>
<td>Attached Garage Allowed</td>
<td>(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.</td>
</tr>
<tr>
<td>J</td>
<td>Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max)</td>
<td>35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater</td>
</tr>
<tr>
<td>J</td>
<td>STREET LEVEL ACTIVATION</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pedestrian Access, Primary Street</td>
<td>Entry Feature</td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th></th>
<th>All S-TH and S-MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking</td>
</tr>
</tbody>
</table>

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## TANDEM HOUSE

### HEIGHT

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max) 2.5</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max) 30'</td>
</tr>
<tr>
<td>B</td>
<td>Feet, permitted height increase 1' for every 5' increase in lot width over 50' up to a maximum height of 35'</td>
</tr>
<tr>
<td>B</td>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line 10'</td>
</tr>
<tr>
<td>B</td>
<td>Bulk Plane Slope from Side Interior/Side Street Zone Lot Line 45°</td>
</tr>
</tbody>
</table>

### SITING

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Zone Lot Size (min) 12,000 sfft</td>
</tr>
<tr>
<td>C</td>
<td>Zone Lot Width (min) 62.5'</td>
</tr>
<tr>
<td>C</td>
<td>Zone Lot Depth (min) 150'</td>
</tr>
<tr>
<td>C</td>
<td>Number of Primary Structures per Zone Lot (max) 2</td>
</tr>
</tbody>
</table>

### SETBACKS AND BUILDING COVERAGE

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>Primary Street, block sensitive setback required yes</td>
</tr>
<tr>
<td>D</td>
<td>Primary Street (min) 20'</td>
</tr>
<tr>
<td>E</td>
<td>Side Street (min) 10'</td>
</tr>
<tr>
<td>F</td>
<td>Side Interior, for Primary Structure #1 (min one side/min combined) 5'/15'</td>
</tr>
<tr>
<td>G</td>
<td>Side Interior, for Primary Structure #2 (min one side/min combined)* 5'/15'</td>
</tr>
<tr>
<td>H</td>
<td>Rear, for Primary Structure #1, as a % of lot depth (min) 50%</td>
</tr>
<tr>
<td>I</td>
<td>Rear, for Primary Structure #2 (min) 5'</td>
</tr>
<tr>
<td>J</td>
<td>Minimum Spacing Between Primary Structures (min) 6'</td>
</tr>
<tr>
<td>J</td>
<td>Building Coverage per Zone Lot, including all accessory structures (max) 50%</td>
</tr>
</tbody>
</table>

### PARKING BY ZONE LOT WIDTH

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking and Drive Lot Coverage in Primary Street Setback (max %) 50%</td>
<td></td>
</tr>
<tr>
<td>Vehicle Access From Alley; or Street access allowed when no Alley present (See Sec. 3.3.7.6)</td>
<td></td>
</tr>
</tbody>
</table>

### DETACHED ACCESSORY STRUCTURES

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>see Sec. 3.3.4</td>
<td></td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>K</td>
<td>Overall Structure Width, Primary or Side Street (max) 36'</td>
</tr>
<tr>
<td>L</td>
<td>Overall Structure Length, Primary or Side Street (max) 42'</td>
</tr>
<tr>
<td>L</td>
<td>Rooftop and/or Second Story Decks See Section 3.3.5.1</td>
</tr>
</tbody>
</table>

#### Attached Garage Allowed

(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.

(2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks.

#### Primary Street-Facing Attached Garage Door Width in first 50% of lot Depth (max) 35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater

### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>M</td>
<td>Pedestrian Access, Primary Street Primary Structure #1: Entry Feature Primary Structure #2: No Requirement</td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th>Title</th>
<th>S-SU-F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 3.4 Uses and Parking</td>
<td></td>
</tr>
</tbody>
</table>

*Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)
### TOWN HOUSE

#### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
<td>2.5</td>
<td>3</td>
</tr>
<tr>
<td>B</td>
<td>Feet (max)</td>
<td>35'</td>
<td>40'</td>
</tr>
<tr>
<td>C</td>
<td>Side Wall height</td>
<td>25'</td>
<td>na</td>
</tr>
</tbody>
</table>

#### SITING

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 sft²</td>
<td>6,000 sft²</td>
<td>6,000 sft²</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td>Dwelling Units per Primary Residential Structure (max)</td>
<td>10</td>
<td>na</td>
<td>na</td>
</tr>
</tbody>
</table>

#### REQUIRED BUILD-TO

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street (min % within min/max)</td>
<td>na</td>
<td>50% 0'/80'</td>
<td>50% 0'/80'</td>
</tr>
</tbody>
</table>

#### SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Primary Street (min)</td>
<td>20'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Side Interior, adjacent to Protected District (min)</td>
<td>na</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Rear, alley/no alley (min)</td>
<td>12'/20'</td>
<td>10'/20'</td>
<td>10'/20'</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District (min)</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
</tbody>
</table>

#### PARKING

Vehicle Access

From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)

#### DETACHED ACCESSORY STRUCTURES

See Sec. 3.3.4

#### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street-Facing Attached Garage Door Width (max per unit)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Upper Story Stepback, for Flat Roof, Above 25', Primary Street, Side Street and Side Interior</td>
<td>10'</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Upper Story Setback Above 40', Side, interior</td>
<td>na</td>
<td>na</td>
<td>15'</td>
</tr>
<tr>
<td>Upper Story Setback above 51', Side, interior</td>
<td>na</td>
<td>na</td>
<td>15'</td>
</tr>
<tr>
<td>Upper Story Setback Above 27', adjacent to Protected District: Side Interior</td>
<td>na</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Upper Story Setback above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>20'/25'</td>
</tr>
<tr>
<td>Upper Story Setback above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)</td>
<td>na</td>
<td>na</td>
<td>30'/40'</td>
</tr>
<tr>
<td>Upper Story Setback above 51', adjacent to Protected District: Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>40'</td>
</tr>
</tbody>
</table>

Rooftop and/or Second Story Decks

See Section 3.3.5.1

Attached Garage Allowed

May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks

#### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th></th>
<th>S-TH-2.5</th>
<th>S-MU-3</th>
<th>S-MU-5, 8, 12, 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>Transparency, Side Street (min)</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Pedestrian Access

Each unit shall have a street-facing Entrance

### USES

All S-TH and S-MU Districts

Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Applies only to street-facing portions of building facade located within 80’ of the Primary and/or Side Street
# Article 3. Suburban Neighborhood Context
## Division 3.3 Design Standards

### APARTMENT

#### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>3</td>
<td>5</td>
<td>8</td>
<td>12</td>
<td>20</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>40'</td>
<td>65'</td>
<td>100'</td>
<td>140'</td>
<td>230'</td>
</tr>
<tr>
<td>Feet, within 175' of Protected District (max)</td>
<td>na</td>
<td>na</td>
<td>75'</td>
<td>75'</td>
<td>75'</td>
</tr>
</tbody>
</table>

#### SITING

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT Zone Lot Size (min)</td>
<td>6,000 sft</td>
<td>6,000 sft</td>
<td>6,000 sft</td>
<td>6,000 sft</td>
<td>6,000 sft</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>70%</td>
<td>70%</td>
</tr>
</tbody>
</table>

#### REQUIRED BUILD-TO

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>B Primary Street (min% within min/max) 0' / 80'</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>

#### SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Primary Street (min)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>D Side Street (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>E Side Interior (min)</td>
<td>7.5'</td>
<td>7.5'</td>
<td>7.5'</td>
<td>7.5'</td>
<td>7.5'</td>
</tr>
<tr>
<td>F Rear, alley/no alley (min)</td>
<td>10’/20’</td>
<td>10’/20’</td>
<td>10’/20’</td>
<td>10’/20’</td>
<td>10’/20’</td>
</tr>
</tbody>
</table>

#### PARKING

- Surface Parking between building and Primary Street/Side Street: Allowed/Allowed
- Vehicle Access, 3 or more side-by-side dwelling units in one structure: From Alley; or Street access allowed when no Alley present (Sec. 3.3.7.6)
- Vehicle Access, all other permitted uses: Access determined at Site Development Plan Review

#### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>H Primary Street-Facing Attached Garage Door Width (max per structure)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>I Upper Story Setback Above 40', Side Interior</td>
<td>na</td>
<td>15'</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>J Upper Story Setback Above 51'; Side Interior</td>
<td>na</td>
<td>na</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>K Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior</td>
<td>na</td>
<td>na</td>
<td>20'/30'</td>
<td>20'/30'</td>
<td>20'/30'</td>
</tr>
<tr>
<td>L Upper Story Setback above 27', adjacent to Protected District; Side Interior (min)</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>M Upper Story Setback above 40', adjacent to Protected District; Rear, alley/no alley</td>
<td>na</td>
<td>30'/40'</td>
<td>30'/40'</td>
<td>30'/40'</td>
<td>30'/40'</td>
</tr>
<tr>
<td>N Upper Story Setback above 51', adjacent to Protected District; Side Interior (min)</td>
<td>na</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
</tr>
</tbody>
</table>

#### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th></th>
<th>S-MU-3</th>
<th>S-MU-5</th>
<th>S-MU-8</th>
<th>S-MU-12</th>
<th>S-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>L Transparency, Primary Street (min)</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>M Transparency, Side Street (min)</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>N Pedestrian Access, Primary Street</td>
<td>Pedestrian Connection</td>
<td>Pedestrian Connection</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### USES

- All S-MU: Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 3.4 Uses and Parking
### DRIVE THRU RESTAURANT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>S-MX-2</th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>2</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>35’</td>
<td>45’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-2, 3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>REQUIRED BUILD-TO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B Primary Street (min % within min/max)</td>
<td>na</td>
<td>50% 0/80’</td>
<td>50% 0/35’</td>
</tr>
<tr>
<td>C Side Street (min % within min/max)</td>
<td>na</td>
<td></td>
<td>50% 0/18’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-2, 3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>D Primary Street (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>E Side Street (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>F Side Interior (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>Side Interior, adjacent to Protected District (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>G Rear (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>0’/10’</td>
<td>0’/10’</td>
<td>0’/10’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-2, 3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Allowed/Allowed</td>
<td>Allowed/Allowed</td>
<td>Not allowed/Not Allowed</td>
</tr>
<tr>
<td>Drive Thru Lane between building and Primary Street/Side Street</td>
<td>Allowed/Allowed</td>
<td>Allowed/Allowed</td>
<td>Allowed/Allowed</td>
</tr>
<tr>
<td>H Drive Thru Lane Width (max)</td>
<td>na</td>
<td>na</td>
<td>12’</td>
</tr>
<tr>
<td>I Drive Thru Lane Screening</td>
<td>na</td>
<td>na</td>
<td>Garden Wall, following the standards of Article 10, Section 10.5.4.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-2, 3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Story Setback Above 27’, adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)</td>
<td>15’/25’</td>
<td>15’/25’</td>
<td>S-MX-2: na</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET LEVEL ACTIVATION</th>
<th>S-CC-3, -3x, -5, -5x</th>
<th>S-MX-2, 3, -5, -8, -12</th>
<th>S-MS-3, -5</th>
</tr>
</thead>
<tbody>
<tr>
<td>J Transparency, Primary Street (min)</td>
<td>40%*</td>
<td>40%</td>
<td>60%</td>
</tr>
<tr>
<td>K Transparency, Side Street (min)</td>
<td>25%*</td>
<td>25%</td>
<td>25%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES</th>
<th>S-CC, S-MX, and S-MS</th>
</tr>
</thead>
<tbody>
<tr>
<td>L Pedestrian Access, Primary Street</td>
<td>Pedestrian Connection</td>
</tr>
</tbody>
</table>

*Applies only to street-facing portions of building facade located within 80’ of the Primary and/or Side Street
SECTION 3.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

3.3.4.1 Applicability
All detached accessory structures in all the Suburban Neighborhood Context zones districts

3.3.4.2 General Standards
A. Combining standards from different building forms for the same structure is prohibited.
B. Detached Accessory Structures Specifically Allowed
The following detached accessory structures are specifically allowed:

1. Buildings:
   Sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses

2. Underground Structures:
   Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

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

5. Detached Accessory Structures Not Specifically Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 3.3.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone districts, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 3.3.4.
3.3.4.3 **Supplemental Standards**

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

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

2. **Building Coverage**
   
   All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

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

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

2. **Access and Contiguity**
   
   Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

3.3.4.4 **District Specific Standards Summary**

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

<table>
<thead>
<tr>
<th>Suburban (S-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Detached Accessory Dwelling Unit</td>
<td>Detached Garage</td>
</tr>
<tr>
<td>Single Unit (SU) S-SU-A, -D, -F, -Fx, -I, -Ix</td>
<td>no max*</td>
<td></td>
</tr>
<tr>
<td>S-SU-F1</td>
<td>no max*</td>
<td></td>
</tr>
<tr>
<td>Townhouse (TH) S-TH-2.5</td>
<td>no max*</td>
<td></td>
</tr>
<tr>
<td>Multi Unit (MU) S-MU-3, -5, 8, 12, 20</td>
<td>no max*</td>
<td></td>
</tr>
<tr>
<td>Commercial Corridor (CC) S-CC-3, -3x, -5, -5x</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>Mixed Use (MX) S-MX-2x</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>S-MX-2, -3, -5, -8, -12</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>S-MX-2A, -3A, -5A, -8A, -12A</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>Main Street (MS) S-MS-3, -5</td>
<td>no max</td>
<td></td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations  *One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5
### DETACHED ACCESSORY DWELLING UNIT

<table>
<thead>
<tr>
<th>Height</th>
<th>S-SU-F1</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
</tr>
<tr>
<td>B Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10’</td>
<td>10’</td>
<td>na</td>
</tr>
<tr>
<td>B Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>na</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Siting</th>
<th>S-SU-F1</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>8,500 sfft²</td>
<td>6,000 sfft²</td>
<td>6,000 sfft²</td>
</tr>
<tr>
<td>Zone Lot Depth (min)</td>
<td>150’</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Additional Standards</td>
<td>See Section 3.3.4.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Setbacks</th>
<th>S-SU-F1</th>
<th>S-TH-2.5</th>
<th>S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Located in the rear 35% of the zone lot depth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Side Interior and Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>D Rear (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>From Alley; or Street access allowed when no Alley present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>See Sec. 3.3.7.6 for exceptions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design Elements</th>
<th>S-SU-F1 Only</th>
<th>S-TH-2.5, S-MU-3, -5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Configuration</td>
<td>6,000 sfft² or Less</td>
<td>Greater than 6,000 sfft² and up to 7,000 sfft²</td>
</tr>
<tr>
<td></td>
<td>650 sfft²</td>
<td>864 sfft²</td>
</tr>
<tr>
<td></td>
<td>650 sfft²</td>
<td>864 sfft²</td>
</tr>
<tr>
<td>E Horizontal Dimension (max)</td>
<td>36’</td>
<td>36’</td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>Not allowed - See Section 3.3.5.1</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses</th>
<th>S-SU-F1; S-TH-2.5; All S-MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, including accessory dwelling unit where permitted.</td>
<td>See Division 3.4 for permitted Accessory Uses</td>
</tr>
</tbody>
</table>

See Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
**DETACHED GARAGE**

<table>
<thead>
<tr>
<th>HEIGHT</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-Fx</th>
<th>S-SU-F</th>
<th>S-SU-Ix</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, 5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>A</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
</tr>
<tr>
<td>B</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>na</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>na</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITING</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-Fx</th>
<th>S-SU-F</th>
<th>S-SU-Ix</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, 5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Standards</td>
<td>See Section 3.3.4.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SETBACKS</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-Fx</th>
<th>S-SU-F</th>
<th>S-SU-Ix</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, 5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Setback from Primary Street Facing Facade of Primary Structure (min)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Side Street (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E Rear, no alley (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear, alley, where garage doors face alley (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear, alley, where garage doors do not face alley (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESIGN ELEMENTS</th>
<th>S-SU-A</th>
<th>S-SU-D</th>
<th>S-SU-Fx</th>
<th>S-SU-F</th>
<th>S-SU-Ix</th>
<th>S-SU-I</th>
<th>S-TH-2.5</th>
<th>S-MU-3, 5, -8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 sq ft</td>
<td>1,000 sq ft</td>
<td>1,000 sq ft</td>
<td>1,000 sq ft</td>
<td>864 sq ft per unit*</td>
<td>864 sq ft per unit*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F Horizontal Dimension (max)</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>no max</td>
<td>no max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>no max</td>
<td>no max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>no max</td>
<td>no max</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES</th>
<th>All S-SU; S-TH-2.5; All S-MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, excluding accessory dwelling unit where permitted.</td>
<td>See Division 3.4 for permitted Accessory Uses</td>
</tr>
</tbody>
</table>

*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 sq ft.

**Setbacks less than 5' may be subject to more restrictive Public Works, building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'
### OTHER DETACHED ACCESSORY STRUCTURES

<table>
<thead>
<tr>
<th><strong>HEIGH</strong>T</th>
<th><strong>S-SU-A</strong></th>
<th><strong>S-SU-D</strong></th>
<th><strong>S-SU-F</strong></th>
<th><strong>S-SU-Ix</strong></th>
<th><strong>S-TH-2.5</strong></th>
<th><strong>S-MU-3, 5, -8, -12, -20</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>15’</td>
<td>15’</td>
<td>15’</td>
<td>15’</td>
<td>15’</td>
<td>15’</td>
</tr>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>na</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>na</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th><strong>S-SU-A</strong></th>
<th><strong>S-SU-D</strong></th>
<th><strong>S-SU-F</strong></th>
<th><strong>S-SU-Ix</strong></th>
<th><strong>S-TH-2.5</strong></th>
<th><strong>S-MU-3, 5, -8, -12, -20</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Standards</td>
<td>See Section 3.3.4.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SETBACKS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B Setback from Primary Street Facing Facade of Primary Structure (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>C Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>C Side Interior, for structure entirely in rear 35% of zone lot (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>C Side Interior, for structure not entirely in rear 35% of zone lot (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>C Side Interior, for structure not entirely in rear 35% of zone lot (min), where Zone Lot Width is 30’ or less</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
</tr>
<tr>
<td>D Rear, no alley (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>D Rear, alley, where doors face alley (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>D Rear, alley, where doors do not face alley (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th><strong>S-SU-A</strong></th>
<th><strong>S-SU-D</strong></th>
<th><strong>S-SU-F</strong></th>
<th><strong>S-SU-Ix</strong></th>
<th><strong>S-TH-2.5</strong></th>
<th><strong>S-MU-3, 5, -8, -12, -20</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 sfft</td>
<td>1,000 sfft</td>
<td>1,000 sfft</td>
<td>1,000 sfft</td>
<td>1,000 sfft</td>
<td>1,000 sfft</td>
</tr>
<tr>
<td>E Horizontal Dimension (max)</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
</tr>
</tbody>
</table>

**USES**

Accessory Uses Only, excluding accessory dwelling unit where permitted and parking of vehicles. See Division 3.4 for permittedAccessory Uses

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 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-TH 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.

3.3.5.2 Street Level Active Uses in the S-MX-2A, -3A, -5A, -8A, -12A and S-MS Zone Districts

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

B. Applicability
This Section 3.3.5.2 applies to the General building form in the S-MX-2A, -3A, -5A, -8A, -12A zone districts and the Shopfront building form in the S-MS zone districts.

C. Street Level Active Uses
1. Street Level active uses include all permitted primary uses except the following:
   a. Mini-storage Facility; or
   b. Wholesale Trade or Storage, Light.
2. Street Level active uses include all permitted accessory uses except the following:
   a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
   b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
3. Street Level active uses shall not include Parking Spaces or Parking Aisles.
4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
5. The length of any build-to alternatives permitted by Section 3.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

SECTION 3.3.6 DESIGN STANDARD ALTERNATIVES

3.3.6.1 Required Build-To Alternatives

A. Intent
To help define the public realm and enhance the visual quality of the built environment where it is not possible to do so with building facades.
3.3.6.3 Pedestrian Access (Entrance) Alternatives

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

B. Allowance
In the S-MX-2A, -3A, -5A, -8A, -12A districts for all building forms, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.4:

1. Courtyard or Plaza
2. Covered Walkway

3.3.6.4 Attached Garage Alternative

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

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

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

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

1. Garage doors shall not face the Primary Street (See Section 13.1.6.1.I);
2. Maximum 30 feet width and maximum 12 feet depth dimension for the portion of the attached garage projecting forward of the Primary Street facing facade;
3. The attached garage facade facing the Primary Street has similar architectural and material treatment as the other portions of the Primary Street facing facade.
2. **Standard**
   Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.

**B. Parkways**

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

2. **Standard**
   Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

**3.3.7.3 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 S-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.

**3.3.7.4 Setback Encroachments**

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

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

   1. **Architectural Elements**
      To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.
### Utility Pedestals, Transformers or Other Similar Equipment

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</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>Any distance</td>
<td>Any distance</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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</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>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
<td>Any distance</td>
</tr>
</tbody>
</table>

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.

**Intent:** To allow for emergency egress.

---

#### 3.3.7.5 Building Coverage Exception

**A. Applicability**

All S-SU, S-TH, and S-MU zone districts where a building coverage standard applies.

**B. Front Porch**

1. **Intent**
   
   To promote street activation.
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**  
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 those building forms for the applicable zone district.

### 3.3.7.6 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, driving aisle, 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 dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street;

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; or

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

### SECTION 3.3.8 REFERENCE TO OTHER DESIGN STANDARDS

**3.3.8.1 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
DIVISION 3.4 USES AND REQUIRED MINIMUM PARKING

SECTION 3.4.1 APPLICABILITY

3.4.1.1 This Division 3.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Suburban Neighborhood Context Districts.

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

3.4.1.3 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.

SECTION 3.4.2 ORGANIZATION

3.4.2.1 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.

3.4.2.2 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 permitted by this Code.

SECTION 3.4.3 EXPLANATION OF TABLE ABBREVIATIONS

3.4.3.1 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.
3.4.3.2 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.

3.4.3.3 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 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).

3.4.3.4 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 3.4.4 DISTRICT SPECIFIC STANDARDS

**USE CATEGORY**

**SPECIFIC USE TYPE**

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

**APPLICABLE USE LIMITATIONS**

**RESIDENTIAL PRIMARY USE CLASSIFICATION**

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Primary Use Classification</td>
<td></td>
</tr>
<tr>
<td>Household Living</td>
<td></td>
</tr>
<tr>
<td>Dwelling, Single Unit</td>
<td></td>
</tr>
<tr>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td>Dwelling, Two Unit</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 1.25/unit</td>
<td></td>
</tr>
<tr>
<td>• MS only: 1/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Dwelling, Multi-Unit</td>
<td></td>
</tr>
<tr>
<td>• Vehicle - MS only: 1/unit</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 1.25/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
<tr>
<td>Dwelling, Live / Work</td>
<td></td>
</tr>
<tr>
<td>• Vehicle - MS only: 1/unit</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 1.25/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
<tr>
<td>Assisted Living Facility</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: .75/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Community Corrections Facility</td>
<td></td>
</tr>
<tr>
<td>Nursing Home, Hospice</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: .75/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Residence for Older Adults</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: .75/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Residential Care Use, Small or Large</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: .25/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Rooming and Boarding House</td>
<td></td>
</tr>
<tr>
<td>• Vehicle - MS only: 2 / 1,000 $\text{GFA}$</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 5 / 1,000 $\text{GFA}$</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Shelter for the Homeless</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 5 / 1,000 $\text{GFA}$</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Student Housing</td>
<td></td>
</tr>
<tr>
<td>• Vehicle - MS only: 1/unit</td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 1.25/unit</td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Utilities</td>
<td></td>
</tr>
<tr>
<td>Utility, Major Impact*</td>
<td></td>
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<tr>
<td>• Vehicle: 5 / 1,000 $\text{GFA}$</td>
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<tr>
<td>• Bicycle: No requirement</td>
<td></td>
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<tr>
<td>Utility, Minor Impact*</td>
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<tr>
<td>• Vehicle: 5 / 1,000 $\text{GFA}$</td>
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</tr>
</tbody>
</table>
### Article 3. Suburban Neighborhood Context  
#### Division 3.4 Uses and Required Minimum Parking  

**KEY:**  
- * = Need Not be Enclosed  
- P = Permitted Use without Limitations  
- L = Permitted Use with Limitations  
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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>Community/ Public Services</td>
<td></td>
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</tbody>
</table>
| Community Center | • Vehicle: 5 / 1,000 sft^2^- GFA  
• Bicycle: 1 / 10,000 sft^2^- GFA (0/100) | L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP §11.3.3 |
| Day Care Center | • Vehicle: 1/1,000 sft^2^- GFA  
• Bicycle: 1/10,000 sft^2^- GFA (0/100) | L-ZP L-ZP P-ZPIN P-ZP P-ZP P-ZPIN P-ZP P-ZP P-ZP P-ZP §11.3.4 |
| Postal Facility, Neighborhood | • Vehicle - MS only: 2/1,000 sft^2^- GFA  
• Vehicle: 2.5/1,000 sft^2^- GFA  
• Bicycle: 1/20,000 sft^2^- GFA (20/80) | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
| Postal Processing Center | • Vehicle: 1/1,000 sft^2^- GFA  
• Bicycle: 1/20,000 sft^2^- GFA (20/80) | NP NP NP NP NP P-ZP P-ZP NP NP P-ZP P-ZP |
| Public Safety Facility | • Vehicle: 1/1,000 sft^2^- GFA  
• Bicycle: 1/10,000 sft^2^- GFA (0/100) | L-ZP L-ZP L-ZP L-ZP L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.3.5 |
| Hospital | | NP NP NP NP NP NP NP NP NP NP |
| Correctional Institution | | NP NP NP NP NP NP NP NP NP NP |
| Cemetery* | | NP NP NP NP NP NP NP NP NP NP |
| Library | • Vehicle: 1/1,000 sft^2^- GFA  
• Bicycle: 1/10,000 sft^2^- GFA (0/100) | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
| Museum | • Vehicle: 1/1,000 sft^2^- GFA  
• Bicycle: 1/10,000 sft^2^- GFA (0/100) | NP NP NP NP NP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
| City Park* | | NP NP NP NP NP NP NP NP NP NP |
| Open Space - Recreation* | • Vehicle: 5/1,000 sft^2^- GFA  
• Bicycle: No requirement | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
| Open Space - Conservation* | • No Parking Requirements | P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP |
### Article 3. Suburban Neighborhood Context

#### Division 3.4 Uses and Required Minimum Parking

**DENVER ZONING CODE**  
June 25, 2010 | Republished July 6, 2015

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<tr>
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<th>APPLICABLE USE LIMITATIONS</th>
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</thead>
<tbody>
<tr>
<td><strong>Education</strong></td>
<td></td>
<td></td>
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</tbody>
</table>
| Elementary or Secondary School  
  - Vehicle - High School:  
    2/1,000 $\text{sf}^2$ GFA  
    - Bicycle - High School:  
      1/20,000 $\text{sf}^2$ GFA (0/100)  
    - Vehicle - All Others:  
      1/1,000 $\text{sf}^2$ GFA  
    - Bicycle - All Others:  
      1/10,000 $\text{sf}^2$ GFA (0/100) | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.3.8 |
| University or College  
  - Vehicle:  
    1/1,000 $\text{sf}^2$ GFA  
  - Bicycle:  
    1/10,000 $\text{sf}^2$ GFA (0/100) | NP | NP | NP | L-ZP | L-ZP | L-ZP | NP | L-ZP | L-ZP | L-ZP | §11.3.8; §11.3.9 |
| Vocational or Professional School  
  - Vehicle:  
    1/1,000 $\text{sf}^2$ GFA  
  - Bicycle:  
    1/10,000 $\text{sf}^2$ GFA (0/100) | NP | NP | NP | NP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | §11.3.8 |
| **Public and Religious Assembly** |  |  |
| All Types  
  - Vehicle:  
    0.5/1,000 $\text{sf}^2$ GFA  
  - Bicycle:  
    1/10,000 $\text{sf}^2$ GFA (0/100) | L-ZP | L-ZP | L-ZP | L-ZP | P-ZP | P-ZP | L-ZP | P-ZP | P-ZP | §11.3.10 |

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

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

| Arts, Recreation and Entertainment Services, Indoor  
  - Vehicle - Artist Studio:  
    0.3/1000 $\text{sf}^2$ GFA  
    - Vehicle - All Others - MS only:  
      2/1,000 $\text{sf}^2$ GFA  
    - Vehicle - All Others:  
      2.5/1,000 $\text{sf}^2$ GFA  
    - Bicycle - All Others:  
      2.5/10,000 $\text{sf}^2$ GFA (20/80) | NP | NP | NP | NP | P-ZP | P-ZP | L-ZPIN | L-ZP | P-ZP | P-ZP | §11.4.2 |

| Arts, Recreation and Entertainment Services, Outdoor*  
  - Vehicle - MS only:  
    2/1,000 $\text{sf}^2$ GFA  
    - Vehicle - All Others:  
      2.5/10,000 $\text{sf}^2$ GFA (20/80) | NP | NP | NP | NP | L-ZPIN | L-ZP | NP | L-ZPIN | L-ZP | L-ZPIN | §11.4.3 |

| Sports and/or Entertainment Arena or Stadium* | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | |
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<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</td>
<td></td>
<td>§11.4.5</td>
</tr>
<tr>
<td>Parking of Vehicles</td>
<td></td>
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<tr>
<td>Parking, Garage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• No Parking Requirements</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Parking, Surface*</td>
<td>NP</td>
<td>NP</td>
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<tr>
<td>Eating &amp; Drinking Establishments</td>
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<tr>
<td>All Types</td>
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<td>NP</td>
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<tr>
<td>Lodging Accommodations</td>
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<td></td>
</tr>
<tr>
<td>Bed and Breakfast Lodging</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 1/guest room or unit</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 <strong>S/GFA</strong> (60/40)</td>
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<tr>
<td>Lodging Accommodations, All Others</td>
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<tr>
<td>• Vehicle: 1/guest room or unit</td>
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<td>NP</td>
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<tr>
<td>• Bicycle: 1/20,000 <strong>S/GFA</strong> (60/40)</td>
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<tr>
<td>Office</td>
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<td></td>
</tr>
<tr>
<td>Dental / Medical Office or Clinic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 2/1,000 <strong>S/GFA</strong></td>
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<td>NP</td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 <strong>S/GFA</strong> (60/40)</td>
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<td>NP</td>
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<tr>
<td>Office, All Others</td>
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</tr>
<tr>
<td>• Vehicle: 2/1,000 <strong>S/GFA</strong></td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 <strong>S/GFA</strong> (60/40)</td>
<td>NP</td>
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### Article 3. Suburban Neighborhood Context

#### Division 3.4 Uses and Required Minimum Parking

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<th>USE CATEGORY</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Retail Sales, Service &amp; Repair (Not Including Vehicle Sales, Service &amp; Repair)</td>
<td>Animal Sales and Services, Household Pets Only</td>
<td>§11.4.11; §11.4.12</td>
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<tr>
<td></td>
<td>Animal Sales and Services, All Others</td>
<td>§11.4.10 §11.4.13</td>
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<tr>
<td></td>
<td>Body Art Establishment</td>
<td>§11.4.14</td>
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<tr>
<td></td>
<td>Food Sales or Market</td>
<td>§11.4.10 §11.4.12</td>
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<tr>
<td></td>
<td>Liquor Store, Including Drugstores Licensed to Sell Liquor</td>
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</tr>
<tr>
<td></td>
<td>Pawn Shop</td>
<td>§11.4.10 §11.4.14</td>
</tr>
<tr>
<td>Retail Sales, Service &amp; Repair (Not Including Vehicle or Equipment Sales, Service &amp; Repair)</td>
<td>Retail Sales, Service &amp; Repair -- Outdoor*</td>
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<tr>
<td></td>
<td>Retail Sales, Service &amp; Repair - Firearms Sales</td>
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<td>Retail Sales, Service &amp; Repair, All Others</td>
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</table>

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<thead>
<tr>
<th>USE CATEGORY</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>• Vehicle Parking Reqmt: # spaces per unit of measurement</td>
<td></td>
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<tr>
<td></td>
<td>• Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility (% Required Spaces in Fixed Facility))</td>
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</table>

<table>
<thead>
<tr>
<th>S-SU-F</th>
<th>S-SU-F1</th>
<th>S-TH-2.5</th>
<th>S-MU-20</th>
<th>S-CC-3x</th>
<th>S-CC-5x</th>
<th>S-CC-5</th>
<th>S-MX-2x</th>
<th>S-MX-2A</th>
<th>S-MX-12A</th>
<th>S-MS-3</th>
<th>S-MS-5</th>
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<td>L-ZPIN</td>
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<td>L-ZP</td>
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Amendment: 5

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**DENVER ZONING CODE**

June 25, 2010 | Republished July 6, 2015

<p>| 3.4-7 |</p>
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<tr>
<td><strong>USE CATEGORY</strong></td>
<td><strong>SPECIFIC USE TYPE</strong></td>
<td><strong>APPLICABLE USE LIMITATIONS</strong></td>
</tr>
<tr>
<td><strong>COMMUNICATIONS AND INFORMATION</strong></td>
<td></td>
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</tr>
<tr>
<td>Antennas Not Attached to a Tower*</td>
<td></td>
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</tr>
<tr>
<td>Car Telephone Exchange, Central Office, Wireless Access</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Electronic Data Processing, Telecommunications Control</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>L-ZP</td>
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</tr>
<tr>
<td>Telecommunications Towers*</td>
<td>L-ZP/ ZPIN/ ZPSE</td>
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<tr>
<td>Telecommunications Towers - Alternative Structure*</td>
<td>L-ZP/ ZPIN</td>
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<td></td>
<td>L-ZP/ ZPIN/ ZPSE</td>
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<tr>
<td>Telecommunication Facilities - All Others*</td>
<td>L-ZP/ ZPIN</td>
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<tr>
<td></td>
<td>L-ZP/ ZPIN/ ZPSE</td>
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<tr>
<td><strong>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</strong></td>
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<tr>
<td>Contractors, Special Trade - General</td>
<td>L-ZPIN</td>
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<tr>
<td>Contractors, Special Trade - Heavy/ Contractor Yard*</td>
<td>L-ZPIN</td>
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</tbody>
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<tr>
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</thead>
<tbody>
<tr>
<td><strong>Industrial Services</strong></td>
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</tr>
<tr>
<td>Food Preparation and Sales, Commercial</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP § 11.5.5</td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
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</tr>
<tr>
<td>Laboratory, Research, Development and Technological Services</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP §11.5.6</td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
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</tr>
<tr>
<td>Service/Repair, Commercial</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP §11.5.7</td>
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<tr>
<td>- Bicycle: No requirement</td>
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<tr>
<td><strong>Manufacturing and Production</strong></td>
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<tr>
<td>Manufacturing, Fabrication &amp; Assembly – Custom</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP §11.5.8</td>
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<tr>
<td>- Bicycle: No requirement</td>
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<tr>
<td>Manufacturing, Fabrication &amp; Assembly – General</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP §11.5.9</td>
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<tr>
<td>- Bicycle: No requirement</td>
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<tr>
<td>Manufacturing, Fabrication &amp; Assembly – Heavy</td>
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</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZP §11.5.10</td>
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<tr>
<td>- Bicycle: No requirement</td>
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<tr>
<td><strong>Mining &amp; Extraction and Energy Producing Systems</strong></td>
<td></td>
</tr>
<tr>
<td>Oil, Gas – Production, Drilling*</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.11</td>
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<td>- Bicycle: No requirement</td>
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<tr>
<td>Sand or Gravel Quarry*</td>
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</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.12</td>
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<tr>
<td>Wind Energy Conversion Systems*</td>
<td></td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td>L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE §11.5.13</td>
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<tr>
<td><strong>Transportation Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>Airport*</td>
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<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.14</td>
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<tr>
<td>- Bicycle: No requirement</td>
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<tr>
<td>Helipad, Helistop, Heliport*</td>
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<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.15</td>
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<td>Railroad Facilities*</td>
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<tr>
<td>Railway Right-of-Way*</td>
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<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
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<tr>
<td>Terminal, Station or Service Facility for Passenger Transit System</td>
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</tr>
<tr>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>P-ZP L-ZP L-ZP L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.18</td>
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<tr>
<td><strong>Terminal, Freight, Air Courier Services</strong></td>
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</tr>
<tr>
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<tr>
<td><strong>Waste Related Services</strong></td>
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<tr>
<td>Automobile Parts Recycling Business*</td>
<td></td>
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<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.20</td>
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<td></td>
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<tr>
<td>Junkyard*</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.21</td>
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<tr>
<td>Recycling Center</td>
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<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.22</td>
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<td></td>
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<tr>
<td>Recycling Collection Station</td>
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</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.23</td>
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<tr>
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</tr>
<tr>
<td>Recycling Plant, Scrap Processor</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.24</td>
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<td>- Bicycle: No requirement</td>
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<tr>
<td>Solid Waste Facility</td>
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<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.25</td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td><strong>Wholesale, Storage, Warehouse &amp; Distribution</strong></td>
<td></td>
</tr>
<tr>
<td>Automobile Towing Service Storage Yard*</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 0.1/1,000 ft² GFA</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP §11.5.26</td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
</tbody>
</table>
### Division 3.4 Uses and Required Minimum Parking

#### Article 3. Suburban Neighborhood 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

### SPECIFIC USE TYPE

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>

### AGRICULTURE PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>AGRICULTURE PRIMARY USE</th>
<th>USE CATEGORY</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aquaculture*</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td>Garden, Urban*</td>
<td>L-ZP</td>
<td></td>
</tr>
<tr>
<td>Husbandry, Animal*</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td>Husbandry, Plant*</td>
<td>NP</td>
<td></td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>NP</td>
<td></td>
</tr>
</tbody>
</table>

### ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION

<table>
<thead>
<tr>
<th>ACCESSORY TO PRIMARY RESIDENTIAL USES</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling Unit</td>
<td>S-SU-F1 only: L-ZP; All other: NP</td>
</tr>
<tr>
<td>Domestic Employee</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
</tr>
<tr>
<td>Garden*</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
</tr>
<tr>
<td>Keeping of Household Animals*</td>
<td>L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN</td>
</tr>
<tr>
<td>Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers &amp; Recreational Vehicles*</td>
<td>L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN</td>
</tr>
<tr>
<td>Kennel or Exercise Run*</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
</tr>
<tr>
<td>Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use</td>
<td>Not Applicable - See Permitted Primary Uses</td>
</tr>
<tr>
<td>Second Kitchen Accessory to Single Unit Dwelling Use</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
</tr>
<tr>
<td>Short-term Rental</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
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<tr>
<td>Vehicle Storage, Repair and Maintenance*</td>
<td>L-ZPIN/L-ZPSE L-ZPIN/L-ZPINSE L-ZPIN/L-ZPINSE L-ZPIN/L-ZPINSE</td>
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<tr>
<td>Wind Energy Conversion Systems*</td>
<td>Not Applicable - See Permitted Primary Uses</td>
</tr>
<tr>
<td>Yard or Garage Sales*</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
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**Amendment:** 5, 8

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**DENVER ZONING CODE**

June 25, 2010 | Republished July 6, 2015
DIVISION 4.2 DISTRICTS (E-SU-, E-TU-, E-TH-, E-CC-, E-MX-, E-RX-, E-MS-)

SECTION 4.2.1 DISTRICTS ESTABLISHED
To carry out the provisions of this Article, the following zones districts have been established in the Urban Edge Neighborhood Context and are applied to property as set forth on the Official Map.

Urban Edge Neighborhood Context
E-SU-A  Single Unit A
E-SU-B  Single Unit B
E-SU-D  Single Unit D
E-SU-Dx Single Unit Dx
E-SU-D1  Single Unit D1
E-SU-D1x Single Unit D1x
E-SU-G  Single Unit G
E-SU-G1 Single Unit G1
E-TU-B  Two Unit B
E-TU-C  Two Unit C
E-TH-2.5 Town House 2.5
E-MU-2.5 Multi Unit 2.5
E-CC-3  Commercial Corridor 3
E-CC-3x Commercial Corridor 3x
E-MX-2  Mixed Use 2
E-MX-2A Mixed Use 2A
E-MX-2x Mixed Use 2x
E-MX-3  Mixed Use 3
E-MX-3A Mixed Use 3A
E-RX-5  Residential Mixed Use 5
E-MS-2  Main Street 2
E-MS-2x Main Street 2x
E-MS-3  Main Street 3
E-MS-5  Main Street 5

SECTION 4.2.2 RESIDENTIAL DISTRICTS (E-SU-A, -B, -D, -DX, -D1, -D1x, -G, -G1, E-TU-B, -C, E-TH-2.5, E-MU-2.5)

4.2.2.1 General Purpose

A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and town house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form.

C. These standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts.
L. **Multi Unit 2.5 (E-MU-2.5)**  
E-MU-2.5 is a multi unit district and allows urban house, detached accessory dwelling unit, duplex, tandem house, town house, garden court and apartment building forms up to two stories in height.

**SECTION 4.2.3 COMMERCIAL CORRIDOR DISTRICTS (E-CC-3, -3x)**

4.2.3.1 **General Purpose**

A. The Commercial Corridor district is intended to balance the need for safe, active, and pedestrian-scaled, diverse areas with the need for convenient automobile access.

B. Commercial Corridor districts address development opportunities next to the city’s most auto-dominated corridors.

C. Commercial Corridor buildings generally have a deep build-to requirement to allow for some measure of parking between the building and the street. Predictable flexibility is provided for building and parking location for larger scale buildings.

D. The Commercial Corridor district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

4.2.3.2 **Specific Intent**

A. **Commercial Corridor – 3 (E-CC-3)**  
E-CC-3 applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired.

B. **Commercial Corridor – 3x (E-CC-3x)**  
E-CC-3x applies primarily to auto-oriented arterial street corridors where a building scale of 1 to 3 stories is desired with less intense uses than E-CC-3.

**SECTION 4.2.4 MIXED USE DISTRICTS (E-MX-2, -2A, -2X, -3, -3A)**

4.2.4.1 **General Purpose**

A. The Mixed Use districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods.

B. There is a diverse menu of Mixed Use districts in the Urban Edge Neighborhood Context to recognize the diverse pattern of mixed use places in these neighborhoods.

C. The Mixed Use districts are appropriate along corridors, embedded in neighborhoods and on large sites.

D. The building form standards of the Mixed Use districts balance the importance of street presence and provision of parking through build-to requirements, Street Level activation and parking lot screening along the right-of-way. Predictable flexibility in building form options recognizes the varied development pattern of Urban Edge Neighborhoods.

E. The Mixed Use district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
4.2.4.2 Specific Intent

A. Mixed Use – 2 (E-MX-2)
E-MX-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

B. Mixed Use- 2A (E-MX-2A)
E-MX-2A applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

C. Mixed Use - 2x (E-MX-2x)
E-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

D. Mixed Use – 3 (E-MX-3)
E-MX-3 applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

E. Mixed Use - 3A (E-MX-3A)
E-MX-3A applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards support a consistent pattern of buildings placed at the street to offer an active street front.

SECTION 4.2.5 RESIDENTIAL MIXED USE DISTRICTS (E-RX-5)

4.2.5.1 General Purpose

A. The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.

B. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.

C. The Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ground story retail uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.
4.2.5.2 Specific Intent

A. Residential Mixed Use – 5 (E-RX-5)

E-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired.

SECTION 4.2.6 MAIN STREET DISTRICTS (E-MS-2, -2X, -3, -5)

4.2.6.1 General Purpose

A. The Main Street Zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

B. The Main Street Zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city’s commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street Zone Districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

E. In all cases, the Main Street Zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use Zone district.

F. In the Urban Edge Neighborhood Context, the Main Street Zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

G. The Main Street Zone Districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and building coverage is significant.

4.2.6.2 Specific Intent

A. Main Street 2 (E-MS-2)

E-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The E-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located directly within a residential neighborhood.

B. Main Street 2x (E-MS-2x)

E-MS-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

C. Main Street 3 (E-MS-3)

E-MS-3 applies primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.
DIVISION 4.3 DESIGN STANDARDS

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

SECTION 4.3.1 GENERAL INTENT

The Intent of this Division 4.3 Design Standards are to:

4.3.1.1 Implement the Denver Comprehensive Plan.
4.3.1.2 Implement the Zone District’s Intent and Purpose
4.3.1.3 To continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
4.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its varied neighborhoods.
4.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
4.3.1.6 Give prominence to pedestrian realm as a defining element of neighborhood character.
4.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
4.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
4.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
4.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
4.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
4.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

SECTION 4.3.2 BUILDING FORM INTENT

4.3.2.1 Height

A. Encourage buildings whose forms are responsive to evolving nodes of mixed-use, pedestrian and transit activity as well as the surrounding context.

B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

4.3.2.2 Siting

A. Required Build-To

1. Provide a more consistent street edge to enhance the character, quality and accessibility of the context.

2. Provide additional spatial definition to streets to promote pedestrian activity and sense of place.
Article 4. Urban Edge Neighborhood Context
Division 4.3 Design Standards

3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.

B. Setbacks
1. Site buildings to be consistent with intended character and functional requirements of the context.
2. Improve connections between varied uses and the public street.

C. Parking Location
1. Minimize the visual impacts of parking areas on streets and adjoining property.
2. Minimize conflicts between pedestrian and vehicles.

4.3.2.3 Design Elements

A. Configuration
1. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
2. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
3. Main Street setback: Consider the proportional scale of new development necessary to establish a well defined edge to the public street.
4. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

B. Transparency
1. To create rhythms and patterns on building facades that provide visual interest and reflect the uses within the building.
2. Maximize window area at Street Level to help activate the street.
3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.

C. Entrances
1. Give prominence to pedestrian realm as a defining element of zone District and neighborhood character.
2. Provide convenient access to buildings and pedestrian active uses from the street.
3. Create a clearly articulated and varied visual hierarchy of building entrances as an aid in way-finding.
4. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
5. Create visually interesting and human-scaled facades.

4.3.2.4 Specific Building Form Intent

A. Residential Zone Districts
1. Suburban House
   Establish standards for Single Unit Dwelling development that allows more height in the rear of a lot but with a more restrictive bulk plane over the entire lot, as compared to
## SECTION 4.3.3 PRIMARY BUILDING FORM STANDARDS

### 4.3.3.1 Applicability

All development, except detached accessory structures, in all the Urban Edge Neighborhood Context Zone districts.

### 4.3.3.2 General Standards

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

### 4.3.3.3 District Specific Standards Summary

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

<table>
<thead>
<tr>
<th>Urban Edge (E-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Suburban House</td>
<td>Urban House</td>
</tr>
<tr>
<td>RESIDENTIAL ZONE DISTRICTS</td>
<td></td>
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</tr>
<tr>
<td>Single Unit (SU)</td>
<td>E-SU-A, -B, -D</td>
<td>1*</td>
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<tr>
<td></td>
<td>E-SU-D1</td>
<td>1*</td>
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<tr>
<td></td>
<td>E-SU-Dx, -G</td>
<td>1*</td>
</tr>
<tr>
<td></td>
<td>E-SU-D1x, -G1</td>
<td>1*</td>
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<tr>
<td>Two Unit (TU)</td>
<td>E-TU-B, -C</td>
<td>1*</td>
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<td>Town House (TH)</td>
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<tr>
<td>Multi Unit (MU)</td>
<td>E-MU-2.5</td>
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<tr>
<td>COMMERCIAL MIXED USE ZONE DISTRICTS</td>
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<td>Residential Mixed Use (RX)</td>
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<tr>
<td>Commercial Corridor (CC)</td>
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<tr>
<td>Mixed Use (MX)</td>
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<td>E-MX-2, -2A, 3, 3A</td>
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</tr>
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<tr>
<td></td>
<td>E-MS-2, -3, -5</td>
<td>no max</td>
</tr>
</tbody>
</table>

**= Allowed  = Allowed subject to limitations  *See Section 1.2.3.5 for exceptions**
## SUBURBAN HOUSE

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>E-SU-Dx</th>
<th>E-SU-G</th>
<th>E-TH-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
</tr>
</tbody>
</table>

Feet, permitted height increase

1' for every 5' increase in lot width over 50'
up to a maximum height of 35'

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>E-SU-Dx</th>
<th>E-SU-G</th>
<th>E-TH-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>9,000 ft²</td>
<td>6,000 ft²</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50'</td>
<td>62.5'</td>
<td>50'</td>
</tr>
</tbody>
</table>

### SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH

| **D** | Primary Street, block sensitive setback required | yes | yes |
| **D** | Primary Street, where block sensitive setback does not apply (min) | 20' | 20' |
| **E** | Side Street (min) | 5' | 5' |
| **F** | Side Interior (min) | 5' | 7.5' |
| **G** | Rear, alley/no alley (min) | 12'/20' | 12'/20' |

Building Coverage per Zone Lot, including all accessory structures (max)

37.5%

### PARKING BY ZONE LOT WIDTH

| **D** | Parking and Drive Lot Coverage in Primary Street Setback (max) | 33% | 33% |

Vehicle Access

From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)

### DETACHED ACCESSORY STRUCTURES

See Sec. 4.3.4

### DESIGN ELEMENTS

**BUILDING CONFIGURATION**

Rooftop and/or Second Story Decks

See Section 4.3.5.1

Attached Garage Allowed

(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.

(2) May follow the Detached Garage Building Form for Side Street, Side Interior and Rear setbacks

Primary Street-Facing Attached Garage Door Width in first 50% of lot depth (max)

35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater

### STREET LEVEL ACTIVATION

Pedestrian Access, Primary Street

Entry Feature

### USES

Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses.

See Division 4.4 Uses and Parking

---

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
### Article 4. Urban Edge Neighborhood Context
Division 4.3 Design Standards

#### URBAN HOUSE

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>E-SU-A</th>
<th>E-SU-B</th>
<th>E-SU-D</th>
<th>E-SU-Dx</th>
<th>E-SU-G</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A/B</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
</tr>
<tr>
<td>Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
<td>30'/17’</td>
</tr>
<tr>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1' for every 5' increase in lot width over 50' up to a maximum height of 35'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feet, rear 35% of zone lot depth, permitted height increase</td>
<td>1' for every 3' increase in side setback up to a maximum height of 19'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>C/D</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot in front 65% / rear 35% of zone lot depth</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
</tbody>
</table>

#### SITING

<table>
<thead>
<tr>
<th><strong>ZONE LOT</strong></th>
<th>E-SU-A</th>
<th>E-SU-B</th>
<th>E-SU-D</th>
<th>E-SU-Dx</th>
<th>E-SU-G</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>3,000</td>
<td>4,500</td>
<td>6,000</td>
<td>6,000 ft²</td>
<td>9,000 ft²</td>
<td>4,500 ft²</td>
<td>5,500 ft²</td>
<td>4,500 ft²</td>
<td></td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>25'</td>
<td>35'</td>
<td>50'</td>
<td>50'</td>
<td>62.5'</td>
<td>35'</td>
<td>50'</td>
<td>35'</td>
<td></td>
</tr>
<tr>
<td><strong>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</strong></td>
<td>All E-SU, TU, TH, MU Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30' or less</td>
<td>Greater than 30' and up to 40'</td>
<td>Greater than 40' and less than 75'</td>
<td>75' or Greater</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Primary Street, where block sensitive setback does not apply (min)</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Side Street (min)</td>
<td>3'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Side Interior (min)</td>
<td>3'</td>
<td>3' min one side/10' min combined</td>
<td>5'</td>
<td>10'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Rear, alley/no alley (min)</td>
<td>12'/20'</td>
<td>12'/20'</td>
<td>12'/20'</td>
<td>12'/20'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>50%</td>
<td>37.5%</td>
<td>37.5%</td>
<td>37.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PARKING BY ZONE LOT WIDTH</strong></td>
<td>All E-SU, TU, TH, MU Districts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Spaces and 320 ft²</td>
<td>33%</td>
<td>33%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec 4.3.7.6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>J</strong></td>
<td>DETACHED ACCESSORY STRUCTURES</td>
<td>see Sec. 4.3.4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### DESIGN ELEMENTS

**BUILDING CONFIGURATION**

Rooftop and/or Second Story Decks

Attached Garage Allowed

(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.

(2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks

Primary Street-Facing Attached Garage Door Width in first 50% of lot depth (max)

35% of the entire width of the Primary Street facing facade of the primary structure or 16; whichever is greater

**STREET LEVEL ACTIVATION**

Pedestrian Access, Primary Street Entry Feature

**USES**

All E-SU, TU, TH, MU Districts

Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
### DENVER ZONING CODE
June 25, 2010 | Republished July 6, 2015

#### Article 4. Urban Edge Neighborhood Context
#### Division 4.3 Design Standards

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**DUPLEX**

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5; E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
</tr>
<tr>
<td>Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td>30'/17'</td>
</tr>
<tr>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feet, rear 35% of zone lot depth, permitted height increase</td>
<td>1’ for every 3’ increase in side setback up to a maximum height of 19’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines in front 65% / rear 35% of zone lot</td>
<td>17'/10’</td>
<td>17'/10’</td>
<td>17'/10’</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
</tbody>
</table>

---

**SITING**

<table>
<thead>
<tr>
<th><strong>ZONE LOT</strong></th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5; E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>4,500 ft²</td>
<td>5,500 ft²</td>
<td>4,500 ft²</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>35’</td>
<td>50’</td>
<td>35’</td>
</tr>
</tbody>
</table>

---

**SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH**

<table>
<thead>
<tr>
<th><strong>All E-TU, TH, MU Districts</strong></th>
<th>30’ or less</th>
<th>Greater than 30’ and up to 40’</th>
<th>Greater than 40’ and less than 75’</th>
<th>75’ or Greater</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>F</strong> Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td><strong>F</strong> Primary Street, where block sensitive setback does not apply (min)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td><strong>G</strong> Side Street (min)</td>
<td>3’</td>
<td>5’</td>
<td>5’</td>
<td>7.5’</td>
</tr>
<tr>
<td><strong>H</strong> Side Interior (min)</td>
<td>3’</td>
<td>3’ min one side/10’ min combined</td>
<td>5’</td>
<td>10’</td>
</tr>
<tr>
<td><strong>I</strong> Rear, alley/no alley (min)</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>50%</td>
<td>37.5%</td>
<td>37.5%</td>
<td>37.5%</td>
</tr>
</tbody>
</table>

---

**PARKING BY ZONE LOT WIDTH**

| **Vehicle Access** | From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6) |

---

**DESIGN ELEMENTS**

<table>
<thead>
<tr>
<th><strong>BUILDING CONFIGURATION</strong></th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5; E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td></td>
<td></td>
<td>See Section 4.3.5.1</td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form standards for Side Street, Side Interior and Rear setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)</td>
<td></td>
<td></td>
<td>35% of the entire width of the front Primary Street facing facade of the dwelling primary structure or 16; whichever is greater</td>
</tr>
</tbody>
</table>

---

**STREET LEVEL ACTIVATION**

| **K** Pedestrian Access, Primary Street | Entry Feature |

---

**USES**

| **All E-TU, TH, MU Districts** | Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking |

---

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions.

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### TANDEM HOUSE

<table>
<thead>
<tr>
<th>HEIGHT</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5; E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
</tr>
<tr>
<td>A/B Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>30’/24’</td>
<td>30’/24’</td>
<td>30’/24’</td>
</tr>
<tr>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C/D Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of zone lot depth</td>
<td>17’/10’</td>
<td>17’/10’</td>
<td>17’/10’</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street zone lot line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITING</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5; E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Size (min)</td>
<td>4,500 ft²</td>
<td>5,500 ft²</td>
<td>4,500 ft²</td>
</tr>
<tr>
<td>E Zone Lot Width (min)</td>
<td>35’</td>
<td>50’</td>
<td>35’</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH</th>
<th>All E-TU, TH, MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>F Primary Street, block sensitive setback required</td>
<td>yes</td>
</tr>
<tr>
<td>F Primary Street, where block sensitive setback does not apply (min)</td>
<td>20’</td>
</tr>
<tr>
<td>G Side Street (min)</td>
<td>3’</td>
</tr>
<tr>
<td>H Side Interior, for Primary Structure #1 (min one side/min combined)</td>
<td>3’/6’</td>
</tr>
<tr>
<td>I Side Interior, for Primary Structure #2 (min one side/min combined)*</td>
<td>3’/6’</td>
</tr>
<tr>
<td>J Rear, for Primary Structure #1, as a % of lot depth (min)</td>
<td>50%</td>
</tr>
<tr>
<td>K Rear, for Primary Structure #2 (min)</td>
<td>5’</td>
</tr>
<tr>
<td>L Minimum Spacing Between Primary Structures (min)</td>
<td>6’</td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>50%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PARKING BY ZONE LOT WIDTH</th>
<th>All E-TU, TH, MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking and Drive Lot Coverage in Primary Street Setback (max)</td>
<td>50%</td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec 4.3.7.6)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESIGN ELEMENTS</th>
<th>All E-TU, TH, MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
</tr>
<tr>
<td>M Overall Structure Width (max)</td>
<td>36’</td>
</tr>
<tr>
<td>N Overall Structure Length (max)</td>
<td>42’</td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 4.3.5.1</td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form for Side Street, Side Interior and Rear setbacks</td>
</tr>
<tr>
<td>Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)</td>
<td>35% of the entire width of the Primary Street facing facade of the dwelling primary structure or 16’, whichever is greater</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET LEVEL ACTIVATION</th>
<th>All E-TU, TH, MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>O Pedestrian Access, Primary Street*</td>
<td>Primary Structure #1: Entry Feature Primary Structure #2: No Requirement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES</th>
<th>All E-TU, TH, MU Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 4.4 Uses and Parking</td>
<td></td>
</tr>
</tbody>
</table>

---

*Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)

---

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## TOWN HOUSE

### Height

<table>
<thead>
<tr>
<th></th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
<td>see below</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max)</td>
<td>see below</td>
</tr>
<tr>
<td>A</td>
<td>Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1</td>
</tr>
<tr>
<td>A</td>
<td>Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>30'/19'</td>
</tr>
<tr>
<td>B</td>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1' for every 5' increase in lot width over 50' up to a maximum height of 35'</td>
</tr>
<tr>
<td></td>
<td>Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)</td>
<td>25'</td>
</tr>
<tr>
<td></td>
<td>Upper Story Setback, for Flat Roof, Above 25': Side, Interior and Side Street</td>
<td>15'</td>
</tr>
</tbody>
</table>

### Siting

<table>
<thead>
<tr>
<th></th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Primary Street (min % within min/max)</td>
<td>na</td>
</tr>
<tr>
<td>D</td>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
</tr>
<tr>
<td></td>
<td>Primary Street, where block sensitive setback does not apply (min)</td>
<td>20'</td>
</tr>
<tr>
<td>E</td>
<td>Side Street (min)</td>
<td>5'</td>
</tr>
<tr>
<td>F</td>
<td>Side Interior (min)</td>
<td>5'</td>
</tr>
<tr>
<td>G</td>
<td>Rear, alley/no alley (min)</td>
<td>12'/20'</td>
</tr>
<tr>
<td></td>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>na</td>
</tr>
<tr>
<td>H</td>
<td>Parking Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Allowed</td>
</tr>
<tr>
<td></td>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6)</td>
</tr>
</tbody>
</table>

### Design Elements

<table>
<thead>
<tr>
<th></th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Upper Story Stepback, for Flat Roof, Above 25'; Primary Street (min)</td>
<td>10'</td>
</tr>
<tr>
<td>J</td>
<td>Upper Story Setback Above 27'; adjacent to Protected District: Rear, alley/Rear, no alley and Side, interior (min)</td>
<td>na</td>
</tr>
<tr>
<td>K</td>
<td>Primary Street- Facing Attached Garage Door Width (max per unit)</td>
<td>10'</td>
</tr>
<tr>
<td></td>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 4.3.5.1</td>
</tr>
<tr>
<td></td>
<td>Attached Garage Allowed</td>
<td>May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks</td>
</tr>
<tr>
<td></td>
<td>Street Level Activation</td>
<td>Transparency, Primary Street (min)</td>
</tr>
<tr>
<td></td>
<td>Transparency, Side Street (min)</td>
<td>na</td>
</tr>
<tr>
<td></td>
<td>Pedestrian Access</td>
<td>Each unit shall have a street-facing Entrance</td>
</tr>
</tbody>
</table>

### Uses

Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## GARDEN COURT

### Height

| A | Stories, front 65% / rear 35% of zone lot depth (max) | E-TH-2.5 | E-MU-2.5 |
| A | Feet, front 65% / rear 35% of zone lot depth (max) | 30’/19’ | 30’/19’ |
| A | Feet, front 65% of zone lot depth, permitted height increase | 1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’ |

### Sitting

| B | Side Wall Plate Height, for Pitched Roof, within 15’ of Side Interior and Side Street (max) | E-TH-2.5 | E-MU-2.5 |
| B | Upper Story Setback, for Flat Roof, Above 25’: Side, Interior and Side Street | 25’ | 25’ |

### Siting

| C | Zone Lot Size (min) | 6,000 ft²/sf | 6,000 ft²/sf |
| C | Zone Lot Width (min) | 50’ | 50’ |
| C | Dwelling Units per Primary Residential Structure (max) | 10 | 10 |

### Setbacks

| D | Primary Street, block sensitive setback required | yes | yes |
| D | Primary Street, where block sensitive setback does not apply (min) | 20’ | 20’ |
| E | Side Street (min) | 5’ | 5’ |
| F | Side Interior (min) | 5’ | 5’ |
| F | Rear, alley/no alley (min) | 12’/20’ | 12’/20’ |

### Parking

| G | Surface Parking between building and Primary Street/ Side Street | Not Allowed/Allowed |
| H | Surface Parking Screening | See Article 10, Division 10.5 |
| H | Vehicle Access | From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.6) |
| H | DETACHED ACCESSORY STRUCTURES | See Sec. 4.3.4 |

### Design Elements

| I | Upper Story Stepback, for Flat Roof, Above 25’: Primary Street (min) | 10’ | 10’ |
| J | Street-Facing Garden Court Width (min) | 15’ | 15’ |
| J | Street-Facing Garden Court Depth (min) | 30’ | 30’ |
| K | Garden Court Design Standards | See Sec. 4.3.5.2 |
| K | Rooftop and/or Second Story Decks | See Section 4.3.5.1 |
| K | Attached Garage Allowed | May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks |
| L | STREET LEVEL ACTIVATION | |
| L | Pedestrian Access | Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard. |
| L | USES | E-TH-2.5; E-MU-2.5 |
| L | Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking | | |
### APARTMENT

<table>
<thead>
<tr>
<th>HEIGHT</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2/1</td>
</tr>
<tr>
<td>A Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>30’/19’</td>
</tr>
<tr>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1′ for every 5′ increase in lot width over 50′ up to a maximum height of 35′</td>
</tr>
<tr>
<td>Side Wall Plate Height, for Pitched Roof, within 15′ of Side Interior and Side Street (max)</td>
<td>25′</td>
</tr>
<tr>
<td>Upper Story Setback, for Flat Roof, Above 25′: Side Interior and Side Street (min)</td>
<td>15′</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITING</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td>6,000 sf</td>
</tr>
<tr>
<td>Zone Lot Size (min)</td>
<td>50′</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>B Primary Street, block sensitive setback required (see Sec. 13.1.2.3)</td>
</tr>
<tr>
<td>B Primary Street, where block sensitive setback does not apply (min)</td>
</tr>
<tr>
<td>C Side Street (min)</td>
</tr>
<tr>
<td>D Side Interior (min)</td>
</tr>
<tr>
<td>E Rear, alley/no alley (min)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PARKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
</tr>
<tr>
<td>Surface Parking Screening</td>
</tr>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure</td>
</tr>
<tr>
<td>Vehicle Access, all other permitted uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESIGN ELEMENTS</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
</tr>
<tr>
<td>Street facing garage door width per Primary Structure (max)</td>
<td>20′</td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 4.3.5.1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET LEVEL ACTIVATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>G Transparency, Primary Street (min)</td>
</tr>
<tr>
<td>H Transparency, Side Street (min)</td>
</tr>
<tr>
<td>I Pedestrian Access, Primary Street Entrance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking</td>
</tr>
</tbody>
</table>

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
SECTION 4.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

4.3.4.1 Applicability

All detached accessory structures in all the Urban Edge Neighborhood Context Zone D districts

4.3.4.2 General Standards

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

B. Detached Accessory Structures Specifically Allowed

The following detached accessory structures are specifically allowed:

1. Buildings:
   Sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses

2. Underground Structures:
   Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 4.3.4.

5. Detached Accessory Structures Not Specifically Listed

a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 4.3.4.

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

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

d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 4.3.4.
4.3.4.3 Supplemental Standards

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

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

2. Building Coverage
   All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

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

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

2. Access and Contiguity
   Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

4.3.4.4 District Specific Standards Summary

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

<table>
<thead>
<tr>
<th>Urban Edge (E-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Detached Accessory Dwelling Unit</td>
</tr>
<tr>
<td>Single Unit (SU)</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-SU-A, -B, -D, -G</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-SU-D1, -D1, -G</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-SU-Dx</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-SU-D1x</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>Two Unit (TU)</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-TU-B, -C</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>Town House (TH)</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-TH-2.5</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>Multi Unit (MU)</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-MU-2.5</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>E-RX-5</td>
<td></td>
<td>no max*</td>
</tr>
<tr>
<td>Commercial Corridor (CC)</td>
<td></td>
<td>no max</td>
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<tr>
<td>E-CC-3, -3x</td>
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<td>no max</td>
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<tr>
<td>Mixed Use (MX)</td>
<td></td>
<td>no max</td>
</tr>
<tr>
<td>E-MX-2x</td>
<td></td>
<td>no max</td>
</tr>
<tr>
<td>E-MX-2, -2A, 3, 3A</td>
<td></td>
<td>no max</td>
</tr>
<tr>
<td>Main Street (MS)</td>
<td></td>
<td>no max</td>
</tr>
<tr>
<td>E-MS-2x</td>
<td></td>
<td>no max</td>
</tr>
<tr>
<td>E-MS-2, -3, -5</td>
<td></td>
<td>no max</td>
</tr>
</tbody>
</table>

= Allowed  = Allowed subject to limitations *One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5
## Article 4. Urban Edge Neighborhood Context
### Division 4.3 Design Standards

### DETACHED ACCESSORY DWELLING UNIT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>E-SU-D1</th>
<th>E-SU-D1x</th>
<th>E-SU-G1</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
<td>24’</td>
</tr>
<tr>
<td>B Bulk Plane Vertical Height at Side interior and side street zone lot line</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>B Bulk Plane Slope from Side interior and side street zone lot line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
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</table>

### SITING

<table>
<thead>
<tr>
<th><strong>ZONE LOT</strong></th>
<th>E-SU-D1</th>
<th>E-SU-D1x</th>
<th>E-SU-G1</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
<td>9,000 ft²</td>
<td>4,500 ft²</td>
<td>5,500 ft²</td>
<td>4,500 ft²</td>
<td></td>
</tr>
<tr>
<td>Exemption from Maximum Building Coverage (Lesser of)</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td></td>
</tr>
</tbody>
</table>

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft². To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.

### Additional Standards
See Section 4.3.4.3

### SETBACKS

<table>
<thead>
<tr>
<th><strong>LOCATION</strong></th>
<th>E-SU-D1</th>
<th>E-SU-D1x</th>
<th>E-SU-G1</th>
<th>E-TU-B</th>
<th>E-TU-C</th>
<th>E-TH-2.5</th>
<th>E-MU-2.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Located in the rear 35% of the zone lot depth</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Side Interior and Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td></td>
</tr>
<tr>
<td>D Rear (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td></td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th><strong>Vehicles Access</strong></th>
<th>From Alley; or Street access allowed when no Alley present</th>
</tr>
</thead>
</table>

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

<table>
<thead>
<tr>
<th><strong>E-SU-D1, E-SU-D1x, E-SU-G1</strong></th>
<th>By Zone Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,000 ft² or Less</td>
<td>Greater than 6,000 ft² and up to 7,000 ft²</td>
</tr>
<tr>
<td>Greater than 7,000 ft²</td>
<td>E-TU-B, E-TU-C, E-TH-2.5, E-MU-2.5</td>
</tr>
</tbody>
</table>

#### Horizontal Dimension (max) | 36’ |

Rooftop and/or Second Story Decks | Not allowed - See Section 4.3.5.1

#### USES

<table>
<thead>
<tr>
<th><strong>E-SU-D1, -D1x; E-SU-G1; E-TU-B, -C; E-TH-2.5; E-MU-2.5</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, including accessory dwelling unit where permitted.</td>
</tr>
<tr>
<td>See Division 4.4 for permitted Accessory Uses</td>
</tr>
</tbody>
</table>

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
# DETACHED GARAGE

## HEIGHT

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

**B** Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
</tbody>
</table>

**B** Bulk Plane Slope from Side Interior and Side Street Zone Lot Line

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
</tbody>
</table>

### SITING

#### ZONE LOT

<table>
<thead>
<tr>
<th>Exemption from Maximum Building Coverage (Lesser of)</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
<th>50%/500 ft²</th>
</tr>
</thead>
</table>

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft². To qualify, the detached garage form shall comply with minimum 15’ building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.

### Additional Standards

- See Sections 4.3.4.3

### SETBACKS

**C** Setback from Primary Street Facing Facade of Primary Structure (min)

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Setback from Primary Street Facing Facade of Primary Structure (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
</tbody>
</table>

**D** Side Street (min)

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
</tbody>
</table>

**D** Side Interior (min), for structure entirely in rear 35% of zone lot

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Side Interior (min), for structure entirely in rear 35% of zone lot</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
</tbody>
</table>

**D** Side Interior (min), for structure not entirely in rear 35% of zone lot

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Side Interior (min), for structure not entirely in rear 35% of zone lot</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
</tbody>
</table>

**D** Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30’ or less

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30’ or less</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
<td>3’</td>
</tr>
</tbody>
</table>

**E** Rear, no alley (min)

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear, no alley (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
</tbody>
</table>

**E** Rear, where garage doors face alley (min)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear, where garage doors face alley (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
</tbody>
</table>

**E** Rear, where garage doors do not face alley (min)

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear, where garage doors do not face alley (min)</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
<td>0’</td>
</tr>
</tbody>
</table>

#### Vehicle Access

- From Alley; or Street access allowed when no Alley present
- See Sec. 4.3.7.6 for exceptions

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>864 ft²** per unit</td>
<td>864 ft²** per unit</td>
<td>864 ft²** per unit</td>
<td></td>
</tr>
</tbody>
</table>

**F** Horizontal Dimension (max)

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Horizontal Dimension (max)</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’</td>
<td>36’ per unit</td>
<td>36’ per unit</td>
<td>36’ per unit</td>
<td>no max</td>
</tr>
</tbody>
</table>

**G** Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

**G** Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
<td>28’</td>
</tr>
</tbody>
</table>

### USES

- All E-SU, -TU, -TH, -MU
- Accessory Uses Only, excluding accessory dwelling unit where permitted.
- See Division 4.4 for permitted Accessory Uses

---

*Setbacks less than 5’ may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5’

**When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 ft².*

---

Division 4.3 Design Standards

DENVER ZONING CODE
June 25, 2010 | Republished July 6, 2015
## OTHER DETACHED ACCESSORY STRUCTURES

### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>All E-SU, -TU, -TH, -MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max)</td>
</tr>
<tr>
<td>B</td>
<td>Bulk Plane Vertical Height at Side interior and side street zone lot line</td>
</tr>
<tr>
<td></td>
<td>Bulk Plane Slope from Side interior and side street zone lot line</td>
</tr>
</tbody>
</table>

### SITING

<table>
<thead>
<tr>
<th></th>
<th>All E-SU, -TU, -TH, -MU</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Additional Standards See Section 4.3.4.3</td>
</tr>
<tr>
<td>SETBACKS</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Setback from Primary Street Facing Fa- cade of Primary Structure (min)</td>
</tr>
<tr>
<td>D</td>
<td>Side Street (min)</td>
</tr>
<tr>
<td>D</td>
<td>Side Interior (min), for structure entirely in rear 35% of zone lot*</td>
</tr>
<tr>
<td>D</td>
<td>Side Interior (min), for structure not entirely in the rear 35% of zone lot</td>
</tr>
<tr>
<td>D</td>
<td>Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30’ or less</td>
</tr>
<tr>
<td>E</td>
<td>Rear, no alley (min)</td>
</tr>
<tr>
<td></td>
<td>Rear, alley, where doors face alley (min)</td>
</tr>
<tr>
<td></td>
<td>Rear, alley, where doors do not face alley (min)</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th></th>
<th>All E-SU, -TU, -TH, -MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Building Footprint (max)</td>
</tr>
<tr>
<td></td>
<td>Horizontal Dimension (max)</td>
</tr>
</tbody>
</table>

### USES

Accessory Uses Only, excluding accessory dwelling unit where permitted and parking of vehicles. See Division 4.4 for permitted Accessory Uses

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Setbacks less than 5’ may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5’
SECTION 4.3.5 SUPPLEMENTAL DESIGN STANDARDS

4.3.5.1 Rooftop and/or Second Story Decks

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

B. Applicability
   All the E-SU, E-TU, E-TH, and E-MU-2.5 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.

4.3.5.2 Garden Court

A. The Garden Court shall include all of the following characteristics:
   1. Located at natural grade;
   2. Visually and physically accessible from the primary street; may be secured for private use;
   3. Open to the sky; and
   4. Bounded on not less than 3 sides with related building facades on the same parcel.

B. The Garden Court area may be used for any of the following:
   1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
   2. Public or private landscaped area; may also include entries.

C. Vehicular access is not permitted through the Garden Court area.

4.3.5.3 Street Level Active Uses in the E-MS Zone Districts

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

B. Applicability
   This Section 4.3.5.3 applies to the Shopfront building form in the E-MS zone districts.

C. Street Level Active Uses
   1. Street Level active uses include all permitted primary uses except the following:
      a. Mini-storage Facility; or
      b. Wholesale Trade or Storage, Light.
   2. Street Level active uses include all permitted accessory uses except the following:
      a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
      b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
4.3-42

DENVER ZONING CODE
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TRANSPARENCY ALTERNATIVES

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

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

4.3.6.3 Pedestrian Access (Entrance) Alternatives

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

B. Allowance
In E-MX and E-RX Z zone D districts, for all building forms except the Row House building form, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 4.3.7 DESIGN STANDARD EXCEPTIONS

4.3.7.1 Height Exceptions

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

B. 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 4.3.7.1.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...
4.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

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

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

B. Parkways

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

2. **Standard**
   
   Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

4.3.7.3 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 E- 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.

4.3.7.4 Setback Permitted Encroachments

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

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**
   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 those building forms for the applicable Zonal District.

### 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.
DIVISION 4.4  USES AND REQUIRED MINIMUM PARKING

SECTION 4.4.1  APPLICABILITY

4.4.1.1  This Division 4.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Urban Edge Neighborhood Context Zone districts.

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

4.4.1.3  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.

SECTION 4.4.2  ORGANIZATION

4.4.2.1  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.

4.4.2.2  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 4.4.3  EXPLANATION OF TABLE ABBREVIATIONS

4.4.3.1  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.
4.4.3.2 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 or standards.

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.

4.4.3.3 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).

4.4.3.4 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 4.4.4 DISTRICT SPECIFIC STANDARDS

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household Living</td>
<td>Dwelling, Single Unit</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Vehicle: 1/unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dwelling, Two Unit</td>
<td>L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP § 11.2.2</td>
</tr>
<tr>
<td></td>
<td>Vehicle: 1/unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dwelling, Multi-Unit</td>
<td>L-ZP L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP § 11.2.3</td>
</tr>
<tr>
<td></td>
<td>Vehicle: 1/unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dwelling, Live / Work</td>
<td>NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.2.4</td>
</tr>
<tr>
<td></td>
<td>Vehicle: 1/unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assisted Living Facility</td>
<td>NP NP PIN P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Vehicle: .75/unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community Corrections Facility</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td>Nursing Home, Hospice</td>
<td>Vehicle: .75/unit</td>
<td>NP NP NP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Residence for Older Adults</td>
<td>Vehicle: .75/unit</td>
<td>L-ZP L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP § 11.2.7</td>
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<tr>
<td></td>
<td>Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Residential Care Use, Small or Large</td>
<td>Vehicle: .25/unit</td>
<td>L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN/L § 11.2.8</td>
</tr>
<tr>
<td></td>
<td>Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Rooming and Boarding House</td>
<td>- Vehicle: 2 / 1,000 ft² GFA</td>
<td>NP NP E-TH-2.5: E-MU-2.5: P-ZP P-ZP P-ZP P-ZP NP NP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>- Vehicle: 4.5 / 1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Shelter for the Homeless</td>
<td>- Vehicle: 5 / 1,000 ft² GFA</td>
<td>L L L L-ZPIN/L L-ZPIN/L L-ZPIN/L L-ZPIN/L L-ZPIN/L L-ZPIN/L § 11.2.9</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Student Housing</td>
<td>- Vehicle: 1/unit</td>
<td>NP NP NP P-ZP P-ZP P-ZP P-ZP NP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/5 units (80/20)</td>
<td></td>
</tr>
</tbody>
</table>

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

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

**USE CATEGORY SPECIFIC USE TYPE**

- Vehicle Parking Reqmt: # spaces per unit of measurement
- Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)
### Article 4. Urban Edge Neighborhood Context
#### Division 4.4 Uses and Required Minimum Parking

**KEY:** * = Need Not Be Enclosed  
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<table>
<thead>
<tr>
<th>USE CATEGORY SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Basic Utilities</strong></td>
<td></td>
</tr>
<tr>
<td>Utility, Major Impact*</td>
<td>L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE L-ZPSE § 11.3.1</td>
</tr>
<tr>
<td>- Vehicle: .5/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Utility, Minor Impact*</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.2</td>
</tr>
<tr>
<td>- Vehicle: .5/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Community Center</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.3</td>
</tr>
<tr>
<td>- Vehicle: .5/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
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<tr>
<td>Day Care Center</td>
<td>L-ZP L-ZP P-ZPIN P-ZPIN P-ZP P-ZP P-ZPIN P-ZP P-ZP P-ZP § 11.3.4</td>
</tr>
<tr>
<td>- Vehicle: 1/1,000 ft² GFA</td>
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</tr>
<tr>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
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</tr>
<tr>
<td>Postal Facility, Neighborhood</td>
<td>NP NP NP P-ZP P-ZP P-ZP P-ZP NP NP P-ZP P-ZP</td>
</tr>
<tr>
<td>- Vehicle - MS only: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Vehicle: 2.5/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: 1/20,000 ft² GFA (60/40)</td>
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<tr>
<td>Postal Processing Center</td>
<td>NP NP NP P-ZP P-ZP P-ZP NP NP P-ZP P-ZP</td>
</tr>
<tr>
<td>- Vehicle: 1/1,000 ft² GFA</td>
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</tr>
<tr>
<td>- Bicycle: 1/20,000 ft² GFA (60/40)</td>
<td></td>
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<tr>
<td>Public Safety Facility</td>
<td>L-ZP L-ZP L-ZP L-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP § 11.3.5</td>
</tr>
<tr>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td>Correctional Institution</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td><strong>Cultural/Special Purpose/Public Parks &amp; Open Space</strong></td>
<td></td>
</tr>
<tr>
<td>Cemetery*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td>Library</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td>NP NP NP NP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td></td>
</tr>
<tr>
<td>City Park*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td>Open Space - Recreation*</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td>- Vehicle: .5/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td>- Bicycle: No requirement</td>
<td></td>
</tr>
<tr>
<td>Open Space - Conservation*</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td>- No Parking Requirements</td>
<td></td>
</tr>
</tbody>
</table>

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**DENVER ZONING CODE**

June 25, 2010 | Republished July 6, 2015
### Article 4. Urban Edge Neighborhood Context

#### Division 4.4 Uses and Required Minimum Parking

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| **Education** | Elementary or Secondary School  
- Vehicle: 2/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (0/100)  | L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP §11.3.8 |
|              | University or College  
- Vehicle: 1/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (0/100)  | NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZP §11.3.8 |
|              | Vocational or Professional School  
- Vehicle: 1/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (0/100)  | NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZP §11.3.8 |
| **Public and Religious Assembly** | All Types  
- Vehicle: .5/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (0/100)  | L-ZP L-ZP L-ZP L-ZP P-ZP P-ZP L-ZP P-ZP P-ZP §11.3.10 |

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

| Adult Business | All Types | NP NP NP NP NP NP NP NP NP |

See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
### USE CATEGORY SPECIFIC USE TYPE

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>• Vehicle - Artist Studio: 0.3/1000 (\text{ft}^2) GFA</td>
<td>NP L-ZPIN L-ZPIN § 11.4.2</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - All Others - MS only: 2/1,000 (\text{ft}^2) GFA</td>
<td>P-ZP L-ZPIN L-ZPIN § 11.4.2</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - All Others: 2.5/1,000 (\text{ft}^2) GFA</td>
<td>L-ZPIN L-ZPIN § 11.4.2</td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/20,000 (\text{ft}^2) GFA (20/80)</td>
<td>L-ZPIN L-ZPIN § 11.4.3</td>
</tr>
<tr>
<td>Sports and/or Entertainment Arena or Stadium*</td>
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<td></td>
</tr>
<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</td>
<td>L-ZPIN L-ZPIN L-ZPIN Not Applicable §11.4.5</td>
<td></td>
</tr>
<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage: No Parking Requirements</td>
<td>NP L-ZP L-ZP § 11.4.7</td>
</tr>
<tr>
<td></td>
<td>Parking, Surface*: No Parking Requirements</td>
<td>NP L-ZP L-ZP § 11.4.8</td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types: • Vehicle - MS only: 2/1,000 (\text{ft}^2) GFA</td>
<td>NP L-ZPIN L-ZPIN § 11.4.8</td>
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<tr>
<td></td>
<td>• Vehicle: 4.5/1,000 (\text{ft}^2) GFA</td>
<td>P-ZP L-ZPIN L-ZPIN § 11.4.8</td>
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<tr>
<td></td>
<td>• Bicycle: 1/5,000 (\text{ft}^2) GFA (0/100)</td>
<td>P-ZP L-ZPIN L-ZPIN § 11.4.8</td>
</tr>
<tr>
<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging: • Vehicle: 1/guest room or unit</td>
<td>NP NP L-ZP L-ZP § 11.4.7</td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/20,000 (\text{ft}^2) GFA (60/40)</td>
<td>NP NP L-ZP L-ZP § 11.4.8</td>
</tr>
<tr>
<td>Lodging Accommodations, All Others</td>
<td>• Vehicle: 1/guest room or unit</td>
<td>NP NP L-ZP L-ZP § 11.4.7</td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/20,000 (\text{ft}^2) GFA (60/40)</td>
<td>NP NP L-ZP L-ZP § 11.4.7</td>
</tr>
</tbody>
</table>

**Key:**
- * = Need Not Be Enclosed
- P = Permitted Use without Limitations
- L = Permitted Use with Limitations
- NP = Not Permitted Use
- ZP = Zoning Permit Review
- 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**
### Article 4. Urban Edge Neighborhood Context

### Division 4.4 Uses and Required Minimum Parking

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dental / Medical Office or Clinic</td>
<td>ZP, ZPIN, ZPSE listed = No Zoning Permit required</td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.4.9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office, All Others</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NP NP NP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
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</tr>
<tr>
<td><strong>Retail Sales, Service &amp; Repair (Not Including Vehicle or Equipment Sales, Service &amp; Repair)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal Sales and Services, Household Pets Only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle - M5 only: 2/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZPIN L-ZP L-ZP L-ZP §11.4.10; §11.4.11</td>
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<td></td>
</tr>
<tr>
<td>Animal Sales and Services, All Others</td>
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<td></td>
</tr>
<tr>
<td>Body Art Establishment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle - M5 only: 2/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NP NP NP L-ZP NP L-ZP NP NP NP NP L-ZP L-ZP §11.4.10; §11.4.13</td>
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<td></td>
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<tr>
<td>Food Sales or Market</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle - M5 only: 2/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NP NP NP L-ZP P-ZP P-ZP L-ZP L-ZP L-ZP P-ZP P-ZP §11.4.10; §11.4.14</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Article 4. Urban Edge Neighborhood Context
#### Division 4.4 Uses and Required Minimum Parking

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td>Retail Sales, Service &amp; Repair (Not Including Vehicle or Equipment Sales, Service &amp; Repair)</td>
<td>Liquor Store, Including Drugstores Licensed to Sell Liquor</td>
<td>§11.4.10; §11.4.15</td>
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<td>Retail Sales, Service &amp; Repair</td>
<td>Retail Sales, Service &amp; Repair (Retail Sales, Service &amp; Repair)</td>
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<td>Retail Sales, Service &amp; Repair</td>
<td>Retail Sales, Service &amp; Repair - Firearm Sales</td>
<td>§11.4.10</td>
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<tr>
<td>Retail Sales, Service &amp; Repair</td>
<td>Retail Sales, Service &amp; Repair, All Others</td>
<td>§11.4.10</td>
</tr>
</tbody>
</table>

#### Vehicle Parking Requirement
- **Spaces per unit of measurement**
- **Parking Requirement:** Spaces in Enclosed Facility (% Required Spaces in Fixed Facility)

#### Key Abbreviations
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#### Parking Requirements
- **E-SU-A**
- **E-SU-B**
- **E-SU-D**
- **E-SU-D1**
- **E-SU-Dx**
- **E-SU-D1x**
- **E-SU-G**
- **E-TU-B**
- **E-TU-C**
- **E-TH-2.5**
- **E-MU-2.5**
- **E-RX-3x**
- **E-CC-3x**
- **E-MX-2x**
- **E-MS-2x**
- **E-MX-2A**
- **E-MS-2A**
- **E-MX-3A**
- **E-MS-3A**
- **E-MX-3**
- **E-MS-3**
- **E-MX-5**
- **E-MS-5**

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### Division 4.4 Uses and Required Minimum Parking

#### USE CATEGORY
- **Vehicle / Equipment Sales, Rentals, Service & Repair**
  - **SPECIFIC USE TYPE**
    - **Automobile Emissions Inspection Facility**
      - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
      - Bicycle: No requirement
      - Use Category Specific Use Type: NP
    - **Automobile Services, Light**
      - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
      - Bicycle: No requirement
      - Use Category Specific Use Type: NP
    - **Automobile Services, Heavy**
      - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
      - Bicycle: No requirement
      - Use Category Specific Use Type: NP
    - **Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer**
      - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
      - Bicycle: No requirement
      - Use Category Specific Use Type: NP
    - **Heavy Vehicle / Equipment Sales, Rentals & Service**
      - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
      - Bicycle: No requirement
      - Use Category Specific Use Type: NP

#### INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION
- **Antennas Not Attached to a Tower**
  - No Parking Requirements
  - Use Category Specific Use Type: L-ZP
- **Communication Services**
  - Vehicle: \( \frac{.5}{1,000} \text{ ft}^2 \text{ GFA} \)
  - Bicycle: No requirement
  - Use Category Specific Use Type: NP
- **Telecommunications Towers**
  - No Parking Requirements
  - Use Category Specific Use Type: L-ZP/ZPIN/ZPSE
- **Telecommunications Tower - Alternative Structure**
  - No Parking Requirements
  - Use Category Specific Use Type: L-ZP/ZPIN
- **Telecommunication Facilities -- All Others**
  - No Parking Requirements
  - Use Category Specific Use Type: L-ZPIN
### Article 4. Urban Edge Neighborhood Context
Division 4.4 Uses and Required Minimum Parking

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td>Industrial Services</td>
<td>Contractors, Special Trade - General</td>
<td>NP NP NP NP NP L-ZP NP NP L-ZP L-ZP</td>
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<tr>
<td></td>
<td>Contractors, Special Trade - Heavy/ Contractor Yard*</td>
<td>NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Food Preparation and Sales, Commercial</td>
<td>NP NP NP NP L-ZP L-ZP L-ZP L-ZPIN L-ZPIN L-ZP L-ZPIN</td>
</tr>
<tr>
<td></td>
<td>Laboratory, Research, Development and Technological Services</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Service/Repair, Commercial</td>
<td>NP NP NP NP NP NP NP NP NP L-ZP</td>
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<tr>
<td>Manufacturing and Production</td>
<td>Manufacturing, Fabrication &amp; Assembly -- Custom</td>
<td>NP NP NP L-ZPIN L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
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<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- General</td>
<td>NP NP NP NP NP L-ZP/ZPSE NP NP L-ZP/ZPSE L-ZP/ZPSE</td>
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<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Heavy</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td>Mining &amp; Extraction and Energy Producing Systems</td>
<td>Oil, Gas -- Production, Drilling*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<td></td>
<td>Sand or Gravel Quarry*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Wind Energy Conversion Systems*</td>
<td>L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE L-ZPIN/ZPSE</td>
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<tr>
<td>Transportation Facilities</td>
<td>Airport*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Helipad, Helistop, Heliport*</td>
<td>L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN</td>
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<tr>
<td></td>
<td>Railroad Facilities*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Railway Right-of-Way*</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Terminal, Station or Service Facility for Passenger Transit System</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP</td>
</tr>
<tr>
<td>Waste Related Services</td>
<td>Automobile Parts Recycling Business*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td></td>
<td>Junkyard*</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Center</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Collection Station</td>
<td>NP NP NP NP NP NP NP NP NP NP</td>
</tr>
</tbody>
</table>
### Article 4. Urban Edge Neighborhood Context

#### Division 4.4 Uses and Required Minimum Parking

<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>Recycling Plant, Scrap Processor</td>
<td>P-ZPIN NP NP NP NP NP L-ZP NP P-ZP NP § 11.5.24</td>
</tr>
<tr>
<td></td>
<td>Solid Waste Facility</td>
<td>P-ZPIN NP NP NP NP NP L-ZP NP P-ZP NP § 11.5.24</td>
</tr>
<tr>
<td></td>
<td>Automobile Towing Service Storage Yard*</td>
<td>P-ZPIN NP NP NP NP NP L-ZPIN NP NP NP NP § 11.5.24</td>
</tr>
<tr>
<td>Wholesale, Storage, Warehouse &amp; Distribution</td>
<td>Vehicle Storage, Commercial*</td>
<td>P-ZPIN NP NP NP NP NP L-ZPIN NP NP NP NP § 11.5.24</td>
</tr>
<tr>
<td></td>
<td>Wholesale Trade or Storage, General</td>
<td>P-ZPIN NP NP NP NP NP L-ZPIN NP NP NP NP § 11.5.24</td>
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<tr>
<td></td>
<td>Wholesale Trade or Storage, Light</td>
<td>P-ZPIN NP NP NP NP NP L-ZPIN NP NP NP NP § 11.5.24</td>
</tr>
<tr>
<td>Agriculture</td>
<td>Aquaculture*</td>
<td>P-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN L-ZPIN § 11.6.2</td>
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<td>Garden, Urban*</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.6.2</td>
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<td></td>
<td>Husbandry, Animal*</td>
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<tr>
<td></td>
<td>Husbandry, Plant*</td>
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<tr>
<td></td>
<td>Plant Nursery</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.6.2</td>
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</tbody>
</table>

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DIVISION 5.2 DISTRICTS (U-SU-, U-TU-, U-RH-, U-MX-, U-RX-, U-MS)

SECTION 5.2.1 DISTRICTS ESTABLISHED
To carry out the provisions of this Article, the following districts have been established in the Urban Neighborhood Context and are applied to property as set forth on the Official Map.

**Urban Neighborhood Context**
- U-SU-A Single Unit A
- U-SU-A1 Single Unit A1
- U-SU-A2 Single Unit A2
- U-SU-B Single Unit B
- U-SU-B1 Single Unit B1
- U-SU-B2 Single Unit B2
- U-SU-C Single Unit C
- U-SU-C1 Single Unit C1
- U-SU-C2 Single Unit C2
- U-SU-E Single Unit E
- U-SU-E1 Single Unit E1
- U-SU-H Single Unit H
- U-SU-H1 Single Unit H1
- U-TU-B Two Unit B
- U-TU-B2 Two Unit B2
- U-TU-C Two Unit C
- U-RH-2.5 Row House 2.5
- U-RH-3A Row House 3A
- U-MX-2 Mixed Use 2
- U-MX-2x Mixed Use 2x
- U-MX-3 Mixed Use 3
- U-RX-5 Residential Mixed Use 5
- U-MS-2 Main Street 2
- U-MS-2x Main Street 2x
- U-MS-3 Main Street 3
- U-MS-5 Main Street 5


5.2.2.1 General Purpose

A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house districts
SECTION 5.2.3  MIXED USE DISTRICTS (U-MX-2, -2X, -3)

5.2.3.1 General Purpose

A. The Mixed Use Zoning Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and general building forms that clearly define and activate the public street edge.

B. The Mixed Use Zoning Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.

C. The Mixed Use Zoning District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. The Mixed Use districts are intended for corridors, embedded neighborhood business areas and larger sites.

E. In the Urban Neighborhood Context, the Mixed Use Zoning Districts promote a pedestrian-active street front. Buildings are pulled up to the street with parking at the side or rear of the building; however, the front setback range is deeper than the front setback range for the Main Street districts. The required percentage of building facade that must be located in the front setback area is less than the percentage for the Main Street districts.

5.2.3.2 Specific Intent

A. Mixed Use – 2 (U-MX-2)
   U-MX-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired.

B. Mixed Use - 2x (U-MX-2x)
   U-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

C. Mixed Use – 3 (U-MX-3)
   U-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

SECTION 5.2.4  RESIDENTIAL MIXED USE DISTRICTS (U-RX-5)

5.2.4.1 General Purpose

A. The Residential Mixed Use Zoning Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.

B. The Residential Mixed Use Zoning Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s residential neighborhoods.

C. The Residential Mixed Use Zoning District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential

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use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ground story retail uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

5.2.4.2 Specific Intent

A. Residential Mixed Use – 5 (U-RX-5)

U-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 5 stories is desired.

SECTION 5.2.5 MAIN STREET DISTRICTS (U-MS-2, -2X, -3, -5)

5.2.5.1 General Purpose

A. The Main Street Zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

B. The Main Street Zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city’s commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street Zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

E. In all cases, the Main Street Zone districts should be applied where a higher degree of walk ability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use Zone district.

F. In the Urban Neighborhood Context, the Main Street Zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

G. The Main Street Zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

5.2.5.2 Specific Intent

A. Main Street 2 (U-MS-2)

U-MS-2 applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The U-MS-2 district is intended to provide for appropriate locations for traditional corner commercial establishments located within a residential neighborhood.

B. Main Street 2x (U-MS-2x)

U-MS-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.
DIVISION 5.3 DESIGN STANDARDS

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

SECTION 5.3.1 GENERAL INTENT

The Intent of this Division 5.3 Design Standards are to:

5.3.1.1 Implement the Denver Comprehensive Plan.
5.3.1.2 Implement the Zone D district’s Intent and Purpose.
5.3.1.3 To continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
5.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
5.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
5.3.1.6 Give prominence to the pedestrian realm as a defining element of neighborhood character.
5.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
5.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
5.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
5.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
5.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
5.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

SECTION 5.3.2 BUILDING FORM INTENT

5.3.2.1 Height

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

5.3.2.2 Siting

A. Required Build-To

1. Provide a consistent street edge to enhance character of the urban context.
2. Define streets to promote pedestrian activity and sense of place.
5.3.2.4 Specific building form Intent

A. Residential Zone Districts

1. Urban House
   Establish standards for Single Unit Dwelling development. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

2. Duplex
   Establish standards for Two Unit Dwelling development within a single primary structure, allowing side-by-side and up-down configurations. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

3. Tandem House
   Establish standards for two dwelling units on a single zone lot, but occurring in two primary structures with a single unit in each structure.

4. Garden Court
   Establish standards for Multi Unit Dwelling development where dwelling entrances may be oriented around a common, central open space, rather than exclusively orienting toward the street, as Row House requires. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

5. Row House
   Establish standards for appropriately designed Multi-Unit Dwelling development within a Row House Zon District, by requiring each unit to have a street-facing entrance. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

6. Apartment
   Establish standards for Multi-Unit Dwelling development that allows a variety of layouts, but requires a minimum of one entrance at the street. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts

1. Drive Thru Services
   To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane.
   a. U-MX Option B: Limited to Gasoline Service Station, eliminate the build-to requirement, allow parking between the building and the street, and require a garden wall along street frontages.
   b. U-MX Option A: Allow a reduced build-to percentage and an increased build-to range.
   c. U-MS: Allow a reduced build-to percentage, an increased build-to range, and a garden wall and canopy combination to meet a portion of the build-to. Require a garden wall along street frontages.

2. Drive Thru Restaurant
   To allow more flexible design standards to accommodate unique circumstances of eating/drinking establishments with an accessory drive-thru lane.
   a. U-MX: Allow a reduced build-to percentage and allow a drive-thru lane to be located between the building and any street.
   b. U-MS: For corner lots only, allow a reduced build-to percentage on the Primary Street when the build-to percentage is increased along the Side Street.
SECTION 5.3.3 PRIMARY BUILDING FORM STANDARDS

5.3.3.1 Applicability
All development, except detached accessory structures, in all the Urban Neighborhood Context zone districts.

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

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

<table>
<thead>
<tr>
<th>Urban (U-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Suburban House</td>
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<tr>
<td>RESIDENTIAL ZONE DISTRICTS</td>
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<tr>
<td>Single Unit (SU)</td>
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<td>U-SU-A, -B, -C, -E, -H</td>
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<td></td>
<td>U-SU-A1, B1, C1, E1, H1</td>
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<tr>
<td></td>
<td></td>
<td>U-SU-A2, -B2, -C2</td>
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<tr>
<td>Two Unit (TU)</td>
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<td>U-TU-B, -C</td>
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<td>U-TU-B2</td>
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<td>Rowhouse (RH)</td>
<td></td>
<td>U-RH-2.5</td>
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<tr>
<td></td>
<td></td>
<td>U-RH-3A</td>
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<tr>
<td>COMMERCIAL MIXED USE ZONE DISTRICTS</td>
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<td></td>
<td></td>
<td>U-MX-2, -3</td>
</tr>
<tr>
<td>Main Street (MS)</td>
<td></td>
<td>U-MS-2x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-MS-2, -3, -5</td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations  *See Section 1.2.3.5 for exceptions
### Article 5. Urban Neighborhood Context

#### Division 5.3 Design Standards

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>URBAN HOUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1 2.5/1 2.5/1 2.5/1 3/1 2.5/1 2.5/1 2.5/1</td>
</tr>
<tr>
<td>Feet, front 65% of zone lot depth, permitted height increase</td>
<td>1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’</td>
</tr>
<tr>
<td>Feet, rear 35% of zone lot depth, permitted height increase</td>
<td>1’ for every 3’ increase in side setback up to a maximum height of 19’</td>
</tr>
<tr>
<td>Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of Zone Lot Depth</td>
<td>17’/10’ 17’/10’ 17’/10’ 17’/10’ 17’/10’ 17’/10’ 17’/10’ 17’/10’</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street zone lot line</td>
<td>45° 45° 45° 45° 45° 45° 45° 45°</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
</tr>
</tbody>
</table>

### Setbacks and Building Coverage by Zone Lot Width

<table>
<thead>
<tr>
<th><strong>All U-SU, TU, RH Districts</strong></th>
<th>30’ or Less</th>
<th>Greater than 30’ and up to 40’</th>
<th>Greater than 40’ and less than 75’</th>
<th>75’ or Greater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Primary Street, where block sensitive setback does not apply (min)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>3’</td>
<td>5’</td>
<td>5’</td>
<td>7.5’</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>3’</td>
<td>3’ min one side/10’ min combined</td>
<td>5’</td>
<td>10’</td>
</tr>
<tr>
<td>Rear, alley/no alley (min)</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>50%</td>
<td>37.5%</td>
<td>37.5%</td>
<td>37.5%</td>
</tr>
</tbody>
</table>

### Parking by Zone Lot Width

<table>
<thead>
<tr>
<th><strong>Parking and Drive Lot Coverage in Primary Street Setback (max)</strong></th>
<th>2 Spaces 320 ft² 2 Spaces 320 ft²</th>
<th>33% 33%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec. 5.3.7.6)</td>
<td></td>
</tr>
</tbody>
</table>

### Detached Accessory Structures

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
</tr>
<tr>
<td>(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks</td>
</tr>
<tr>
<td>Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)</td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
</tr>
</tbody>
</table>

### Street Level Activation

**K** Pedestrian Access, Primary Street

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>All U-SU, TU and RH Zone Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking</td>
<td></td>
</tr>
</tbody>
</table>

---

**See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions**

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**DENVER ZONING CODE**

June 25, 2010 | Republished July 6, 2015
### DUPLEX

#### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
<td>2.5/1</td>
</tr>
<tr>
<td>Feet, front 65% / rear 35% of lot depth (max)</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td>30'/17'</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### SITING

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>3,000 ft(^2)</td>
<td>4,500 ft(^2)</td>
<td>5,500 ft(^2)</td>
<td>4,500 ft(^2)</td>
<td>5,500 ft(^2)</td>
<td>4,500 ft(^2)</td>
<td></td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>25'</td>
<td>35'</td>
<td>50'</td>
<td>35'</td>
<td>50'</td>
<td>35'</td>
<td></td>
</tr>
</tbody>
</table>

#### SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH

- **Primary Street, block sensitive setback required**
  - 30’ or Less: yes
  - Greater than 30’ and up to 40’: yes
  - Greater than 40’ and less than 75’: yes
  - 75’ or Greater: yes

- **Primary Street, where block sensitive setback does not apply (min)**
  - 20’
  - 20’
  - 20’
  - 20’

- **Side Street (min)**
  - 3’
  - 5’
  - 5’

- **Side Interior (min)**
  - 3’
  - 3’ min one side / 10’ min combined
  - 5’
  - 10’

- **Rear, alley/no alley (min)**
  - 12'/20’
  - 12'/20’
  - 12'/20’
  - 12'/20’

- **Building Coverage per Zone Lot, including all accessory structures (max)**
  - 50%
  - 37.5%
  - 37.5%
  - 37.5%

#### PARKING BY ZONE LOT WIDTH

| Parking and Drive Lot Coverage in Primary Street Setback (max) | 50% | 50% | 33% | 50% |

#### STREET LEVEL ACTIVATION

- **Pedestrian Access, Primary Street Entry Feature**

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.
### TANDEM HOUSE

#### Design Elements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Structure Width (max)</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>U-SU-A2*</td>
<td>U-SU-B2*</td>
</tr>
<tr>
<td>Overall Structure Length (max)</td>
<td>42'</td>
<td>42'</td>
<td>42'</td>
<td>42'</td>
<td>42'</td>
<td>U-TU-B</td>
<td>U-TU-C</td>
</tr>
</tbody>
</table>

Attached Garage Allowed

(1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks.

#### Rooftop and/or Second Story Decks

See Section 5.3.5.1

#### Primary Street Facing Attached Garage Door

Width in first 50% of lot depth (max)

35% of the entire width of the Primary Street facing facade of the primary structure or 16’, whichever is greater.

#### STREET LEVEL ACTIVATION

Primary Structure #1: Entry Feature

Primary Structure #2: No Requirement

#### Uses

<table>
<thead>
<tr>
<th>U-SU-A2*, U-SU-B2*, U-SU-C2*, All U-TU, RH Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Single Unit Dwelling per primary structure. See Division 5.4 Uses and Parking</td>
</tr>
</tbody>
</table>

---

*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

**Must be offset to be visible from the street if to the rear of Primary Structure #1 (side setbacks may be reversed from Primary Structure #1)
### Article 5. Urban Neighborhood Context
Division 5.3 Design Standards

#### GARDEN COURT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/1</td>
<td>2.5/1</td>
</tr>
<tr>
<td>A Feet, front 65% / rear 35% of lot (max)</td>
<td>30'/19'</td>
<td>30'/19'</td>
</tr>
<tr>
<td>Feet, front 65% of lot depth, permitted height increase</td>
<td>1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’</td>
<td></td>
</tr>
<tr>
<td>B Side Wall Plate Height, for Pitched Roof, within 15’ of Side Interior and Side Street (max)</td>
<td>25’</td>
<td>25’</td>
</tr>
<tr>
<td>Upper Story Setback, for Flat Roof, Above 25’: Side, Interior and Side Street (min)</td>
<td>15’</td>
<td>15’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
</tr>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Dwelling Units per Primary Residential Structure (max)</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>C Primary Street, block sensitive setback required</td>
<td>yes</td>
</tr>
<tr>
<td>C Primary Street, where block sensitive setback does not apply (min)</td>
<td>20’</td>
</tr>
<tr>
<td>D Side Street (min)</td>
<td>5’</td>
</tr>
<tr>
<td>E Side Interior (min)</td>
<td>5’</td>
</tr>
<tr>
<td>F Rear, alley/no alley (min)</td>
<td>12’/20’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Allowed</td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or From street when no Alley present (See Sec. 5.3.7.6)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DETACHED ACCESSORY STRUCTURES</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>G</td>
<td>See Sec. 5.3.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Story Stepback, for Flat Roof, Above 25’: Primary Street (min)</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>Street-Facing Courtyard Width (min)</td>
<td>15’</td>
<td>15’</td>
</tr>
<tr>
<td>Street-Facing Courtyard Depth (min)</td>
<td>30’</td>
<td>30’</td>
</tr>
<tr>
<td>Garden Court Design Standards</td>
<td>See Sec. 5.3.5.2</td>
<td></td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks</td>
<td></td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 5.3.5.1</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>STREET LEVEL ACTIVATION</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>J Pedestrian Access</td>
<td>Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>U-RH-2.5 and U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses.</td>
<td>See Division 5.4 Uses and Parking</td>
</tr>
</tbody>
</table>

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
### ROW HOUSE

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>U-TU-B2*</th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories, front 65% / rear 35% of zone lot depth (max)</td>
<td>2.5/2.5</td>
<td>2.5/1</td>
<td>2.5/1</td>
</tr>
<tr>
<td>Feet, front 65% / rear 35% of zone lot depth (max)</td>
<td>35'/35'</td>
<td>35'/19'</td>
<td>35'/19'</td>
</tr>
<tr>
<td>Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Upper Story Setback, for Flat Roof, Above 25': Side Interior and Side Street (min)</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>U-TU-B2*</th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min/max)</td>
<td>6,000 ft² / 9,375 ft²</td>
<td>6,000 ft² / na</td>
<td>6,000 ft² / na</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Dwelling Units per Primary Residential Structure (max)</td>
<td>na</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th>C</th>
<th>C</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Primary Street where block sensitive setback does not apply (min)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Rear, alley/no alley (min)</td>
<td>12’/20’</td>
<td>12’/20’</td>
<td>12’/20’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Allowed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or From street when no Alley present (See Sec. 5.3.7.6)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DETACHED ACCESSORY STRUCTURES</strong></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>See Sec. 5.3.4</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>U-TU-B2*</th>
<th>U-RH-2.5</th>
<th>U-RH-3A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Story Stepback, for Flat Roof, Above 25': Primary Street (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>Street facing attached garage door width per Primary Structure (max)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STREET LEVEL ACTIVATION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrian Access</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USES</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.*
### Apartment

<table>
<thead>
<tr>
<th>HEIGHT</th>
<th>U-RH-3A*</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Stories (max)</td>
<td>3</td>
</tr>
<tr>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Feet (max)</td>
<td>38’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITING</th>
<th>U-RH-3A*</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td></td>
</tr>
<tr>
<td>Zone Lot Size (min/max)</td>
<td>6,000 sq ft / 16,000 sq ft</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50’</td>
</tr>
</tbody>
</table>

| SETBACKS |          |
| B     | Primary Street, block sensitive setback required | yes |
| B     | Primary Street, where block sensitive setback does not apply (min) | 20’ |
| C     | Side Street (min) | 10’ |
| D     | Side Interior (min) | 5’ |
| E     | Rear, alley/no alley (min) | 12’/20’ |

| PARKING |          |
|         | Surface Parking between building and Primary Street/Side Street | Not Allowed/Allowed |
|         | Vehicle Access, 3 or more side-by-side dwelling units in one structure From Alley; or Street access allowed when no Alley present (Sec. 5.3.7.6) |
|         | Vehicle Access, all other permitted uses Shall be determined as part of Site Development Plan Review |

<table>
<thead>
<tr>
<th>DESIGN ELEMENTS</th>
<th>U-RH-3A*</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
</tr>
<tr>
<td>Street facing garage door width per Primary Structure (max)</td>
<td>20’</td>
</tr>
<tr>
<td>Rooftop and/or Second Story Decks</td>
<td>See Section 5.3.5.1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET LEVEL ACTIVATION</th>
<th>Entrance</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>USES</th>
<th>U-RH-3A*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Primary Uses shall be limited to Multi Unit Dwelling and permitted Group Living and Nonresidential uses. See Division 5.4 Uses and Parking</td>
</tr>
</tbody>
</table>

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.
SECTION 5.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

5.3.4.1 Applicability
All detached accessory structures in all the Urban Neighborhood Context Zone D districts

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

B. Detached Accessory Structures Specifically Allowed
The following detached accessory structures are specifically allowed:

1. Buildings:
Sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses

2. Underground Structures:
Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls
All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 5.3.4.

5. Accessory Structures Not Specifically Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 5.3.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the Zone D district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 5.3.4.
5.3.4.3 Supplemental Standards

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

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

2. Building Coverage
   All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

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

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

2. Access and Contiguity
   Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

5.3.4.4 District Specific Standards Summary

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

<table>
<thead>
<tr>
<th>Urban (U-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Unit (SU)</td>
<td>U-SU-A, -B, -C, -E, -H</td>
<td>Detached Accessory Dwelling Unit</td>
</tr>
<tr>
<td></td>
<td>no max*</td>
<td>□</td>
</tr>
<tr>
<td></td>
<td>U-SU-A1, B1, C1, E1, H</td>
<td>no max*</td>
</tr>
<tr>
<td></td>
<td>U-SU-A2, -B2, -C2</td>
<td>no max*</td>
</tr>
<tr>
<td>Two Unit (TU)</td>
<td>U-TU-B, -C</td>
<td>no max*</td>
</tr>
<tr>
<td></td>
<td>U-TU-B2</td>
<td>no max*</td>
</tr>
<tr>
<td>Rowhouse (RH)</td>
<td>U-RH-2.5</td>
<td>no max*</td>
</tr>
<tr>
<td></td>
<td>U-RH-3A</td>
<td>no max*</td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>U-RX-5</td>
<td>no max</td>
</tr>
<tr>
<td>Mixed Use (MX)</td>
<td>U-MX-2x</td>
<td>no max</td>
</tr>
<tr>
<td></td>
<td>U-MX-2, -3</td>
<td>no max</td>
</tr>
<tr>
<td>Main Street (MS)</td>
<td>U-MS-2x</td>
<td>no max</td>
</tr>
<tr>
<td></td>
<td>U-MS-2, -3, -5</td>
<td>no max</td>
</tr>
</tbody>
</table>

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

A. Detached Accessory Dwelling Unit

Not to Scale. Illustrative Only.
## DETACHED ACCESSORY DWELLING UNIT

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
<td>1.5</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
<td>24'</td>
</tr>
<tr>
<td>B Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
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<td>45°</td>
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</tbody>
</table>

**SITING**

<table>
<thead>
<tr>
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<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>3,000 ft²</td>
<td>4,500 ft²</td>
<td>5,500 ft²</td>
<td>7,000 ft²</td>
<td>10,000 ft²</td>
<td>3,000 ft²</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exemption from Maximum Building Coverage (Lesser of)</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td>50%/ 500 ft²</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft². To qualify, the ADU form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.

**Additional Standards**

See Sections 5.3.4.3

**SETBACKS**

Location

Located in the rear 35% of the zone lot depth

Lots 30' wide or less: 3'  
All Others: 5'

If exceeding one story or 17' shall be located adjoining the southern most side setback line

**PARKING**

Parking Access

From Alley; or Street access allowed when no Alley present (see Sec. 5.3.7.6 for exceptions)

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>6,000 ft² or Less</td>
<td>Greater than 6,000 ft² and up to 7,000 ft²</td>
<td>Greater than 7,000 ft²</td>
</tr>
</tbody>
</table>

**BUILDING CONFIGURATION**

| Building Footprint (max) | 650 ft² | 864 ft² | 1,000 ft² | 1,000 ft² |
| Habitable Space (max) | 650 ft² | 864 ft² | 1,000 ft² | na |
| Horizontal Dimension (max) | 36' | 36' | 36' | 36' |

**USES**

All U-SU, TU, RH  
Accessory Uses Only, including accessory dwelling unit where permitted.

See Division 5.4 for permitted Accessory Uses

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.
## DETACHED GARAGE

### Height

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
<td>17'</td>
</tr>
<tr>
<td>C</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>D</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
<td>45°</td>
</tr>
</tbody>
</table>

### Siting

| Zone    | All U-SU, -TU, -RH |

Exemption from Maximum Building Coverage (Lesser of) 50%/500 ft²

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft². To qualify, the detached garage form shall comply with minimum 15' building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.

### Building Configuration

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
<td>864 ft² per unit**</td>
<td>864 ft² per unit**</td>
<td>864 ft² per unit**</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36' per unit</td>
<td>36' per unit</td>
<td>no max</td>
<td></td>
</tr>
</tbody>
</table>

### Design Elements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36'</td>
<td>36' per unit</td>
<td>36' per unit</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>28'</td>
<td>no max</td>
<td></td>
</tr>
</tbody>
</table>

### Uses

| Zone   | All U-SU, TU, RH |

Accessory Uses Only, excluding accessory dwelling unit where permitted.

See Division 5.4 for permitted Accessory Uses

---

*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'

**When used with the Urban House building form, the permitted building footprint for a detached garage may be increased to 1,000 ft².
### OTHER DETACHED ACCESSORY STRUCTURES

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>All U-SU, -TU, -RH</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>15'</td>
</tr>
<tr>
<td>B Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line</td>
<td>10'</td>
</tr>
<tr>
<td>B Bulk Plane Slope from Side Interior and Side Street Zone Lot Line</td>
<td>45°</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>All U-SU, -TU, -RH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Standards</td>
<td>See Sections 5.3.4.3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th>All U-SU, -TU, -RH</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Setback from Primary Street Facing Facade of Primary Structure (min)</td>
<td>10'</td>
</tr>
<tr>
<td>D Side Street (min)</td>
<td>5'</td>
</tr>
<tr>
<td>D Side Interior (min), for structure entirely in rear 35% of zone lot*</td>
<td>0'</td>
</tr>
<tr>
<td>D Side Interior (min), for structure not entirely in rear 35% of zone lot</td>
<td>5'</td>
</tr>
<tr>
<td>D Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30' or less</td>
<td>3'</td>
</tr>
<tr>
<td>E Rear, no alley (min)</td>
<td>5'</td>
</tr>
<tr>
<td>E Rear, alley, where doors face alley (min)</td>
<td>5'</td>
</tr>
<tr>
<td>E Rear, alley, where doors do not face alley (min)*</td>
<td>0'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>All U-SU, -TU, -RH</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
</tr>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Horizontal Dimension (max)</td>
<td>36'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>All U-SU, TU, RH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, excluding accessory dwelling unit where permitted and parking of vehicles. See Division 5.4 for permitted Accessory Uses</td>
<td></td>
</tr>
</tbody>
</table>

*See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions*

*Setbacks less than 5' may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5'*
SECTION 5.3.5 SUPPLEMENTAL DESIGN STANDARDS

5.3.5.1 Rooftop and/or Second Story Decks

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

B. Applicability
All the U-SU, U-TU, and U-RH Zone D 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.

5.3.5.2 Garden Court

A. The Garden Court shall include all of the following characteristics:
1. Located at natural grade;
2. Visually and physically accessible from the primary street; may be secured for private use;
3. Open to the sky; and
4. Bounded on not less than 3 sides with related building facades on the same parcel.

B. The Garden Court area may be used for any of the following:
1. Single or multiple entries, or access to single or multiple entries, to uses within the buildings; or
2. Public or private landscaped area; may also include entries.

C. Vehicular access is not permitted through the Garden Court area.
SECTION 5.3.6 DESIGN STANDARD ALTERNATIVES

5.3.6.1 Required Build-To Alternatives

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

B. Allowance
The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E:

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>U-RX U-MX</td>
</tr>
<tr>
<td>U-MS</td>
</tr>
</tbody>
</table>

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

5.3.6.2 Transparency Alternatives

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

B. Allowance
The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.6.2.A.4:

<table>
<thead>
<tr>
<th>TRANSPARENCY ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>U-RX</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>U-MX</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
TRANSPARENCY ALTERNATIVES

<table>
<thead>
<tr>
<th>ZONE DISTRICT</th>
<th>ZONE LOT LINE DESIGNATION</th>
<th>DISPLAY CASES AND AUTOMATED TELLER MACHINES (MAX)</th>
<th>WALL DESIGN ELEMENTS (MAX)</th>
<th>PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)</th>
<th>PERMANENT ART (MAX)</th>
<th>COMBINATION OF ALTERNATIVES (MAX)</th>
</tr>
</thead>
<tbody>
<tr>
<td>U-MS</td>
<td>Primary Street</td>
<td>40%</td>
<td>50%</td>
<td>60%</td>
<td>40%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>Side Street</td>
<td>40%</td>
<td>50%</td>
<td>80%</td>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

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

5.3.6.3 Pedestrian Access (Entrance) Alternatives

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

B. Allowance
In U-MX and U-RX zones, for all building forms except the Row House building form, one of the following may be used as an alternative to a required, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. Courtyard or Plaza
2. Covered Walkway

SECTION 5.3.7 DESIGN STANDARD EXCEPTIONS

5.3.7.1 Height Exceptions

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

B. 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 5.3.7.1.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.
5.3.7.2 Required Build-To Exceptions

A. Civic, Public & Institutional Uses

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

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

B. Parkways

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

2. Standard
Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

5.3.7.3 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 U-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.

5.3.7.4 Setback Permitted Encroachments

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

B. Standard
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:

1. Architectural Elements
To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.
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**  
      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 those building forms for the applicable zone district.

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, driving aisle, 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 dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street;
      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 access is needed from the street.

**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
DIVISION 5.4 USES AND REQUIRED MINIMUM PARKING

SECTION 5.4.1 APPLICABILITY

5.4.1.1 This Division 5.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Urban Neighborhood Context zones.

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

5.4.1.3 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.

SECTION 5.4.2 ORGANIZATION

5.4.2.1 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.

5.4.2.2 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 5.4.3 EXPLANATION OF TABLE ABBREVIATIONS

5.4.3.1 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.
5.4.3.2 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.

5.4.3.3 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 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).

5.4.3.4 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 5.4.4 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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household Living</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling, Single Unit</td>
<td>• Vehicle: 1/unit; Bicycle: No requirement</td>
<td>P-ZP</td>
</tr>
<tr>
<td>Dwelling, Two Unit</td>
<td>• Vehicle: 1/unit; Bicycle: No requirement</td>
<td>L-ZP</td>
</tr>
<tr>
<td>Dwelling, Multi-Unit</td>
<td>• Vehicle: 1/4 units (80/20); Bicycle: No requirement</td>
<td>L-ZP</td>
</tr>
<tr>
<td>Dwelling, Live / Work</td>
<td>• Vehicle: 1/unit; Bicycle: 1/4 units (80/20); No requirement</td>
<td>NP</td>
</tr>
<tr>
<td>Group Living</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assisted Living Facility</td>
<td>• Vehicle: 0.75/unit; Bicycle: No requirement</td>
<td>NP</td>
</tr>
<tr>
<td>Community Corrections Facility</td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td>Nursing Home, Hospice</td>
<td>• Vehicle: 0.75/unit; Bicycle: No requirement</td>
<td>NP</td>
</tr>
<tr>
<td>Residence for Older Adults</td>
<td>• Vehicle: 0.75/unit; Bicycle: No requirement</td>
<td>L-ZP</td>
</tr>
<tr>
<td>Residential Care Use, Small or Large</td>
<td>• Vehicle: 0.25/unit; Bicycle: No requirement</td>
<td>L-ZPIN</td>
</tr>
<tr>
<td>Rooming and Boarding House</td>
<td>• Vehicle: 2/1,000 ft(^2) GFA; Bicycle: No requirement</td>
<td>NP</td>
</tr>
<tr>
<td>Shelter for the Homeless</td>
<td>• Vehicle: 0.5/1,000 ft(^2) GFA; Bicycle: No requirement</td>
<td>L</td>
</tr>
<tr>
<td>Student Housing</td>
<td>• Vehicle: 1/unit; Bicycle: 1/4 units (80/20); No requirement</td>
<td>NP</td>
</tr>
</tbody>
</table>
### Article 5. Urban Neighborhood Context
**Division 5.4 Uses and Required Minimum Parking**

#### KEY:
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- 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><strong>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Basic Utilities</strong></td>
<td>Utility, Major Impact*</td>
<td>§ 11.3.1</td>
</tr>
<tr>
<td></td>
<td>- Vehicle: 5/1,000 ft² GFA</td>
<td>L-ZPSE</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: No requirement</td>
<td>L-ZPSE</td>
</tr>
<tr>
<td></td>
<td>Utility, Minor Impact*</td>
<td>§ 11.3.2</td>
</tr>
<tr>
<td></td>
<td>- Vehicle: 5/1,000 ft² GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: No requirement</td>
<td>L-ZP</td>
</tr>
<tr>
<td><strong>Community Center</strong></td>
<td>- Vehicle: 0.5/1000 ft² GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 0.5/1000 ft² GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td><strong>Day Care Center</strong></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZPIN</td>
</tr>
<tr>
<td><strong>Postal Facility, Neighborhood</strong></td>
<td>- Vehicle: 2.5/1,000 ft² GFA</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- MS only: 2/1,000 ft² GFA</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td>P-ZP</td>
</tr>
<tr>
<td><strong>Postal Processing Center</strong></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td>NP</td>
</tr>
<tr>
<td><strong>Public Safety Facility</strong></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>L-ZP</td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td><strong>Correctional Institution</strong></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td><strong>Cultural/Special Purpose/Public Parks &amp; Open Space</strong></td>
<td>Cemetery*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZP</td>
</tr>
<tr>
<td><strong>Library</strong></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZP</td>
</tr>
<tr>
<td><strong>Museum</strong></td>
<td>- Vehicle: 1/1,000 ft² GFA</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZP</td>
</tr>
<tr>
<td><strong>City Park</strong></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td><strong>Open Space - Recreation</strong></td>
<td>- Vehicle: 5/1,000 ft² GFA</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>- Bicycle: No requirement</td>
<td>P-ZP</td>
</tr>
<tr>
<td><strong>Open Space - Conservation</strong></td>
<td>- No Parking Requirements</td>
<td>P-ZP</td>
</tr>
</tbody>
</table>
### Article 5. Urban Neighborhood Context

#### Division 5.4 Uses and Required Minimum Parking

**DENVER ZONING CODE**  
June 25, 2010 | Republished July 6, 2015

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| **Education** | Elementary or Secondary School  
  • Vehicle—High School: 2/1,000 ft² GFA  
  • Bicycle—High School: 1/10,000 ft² GFA (0/100)  
  • Vehicle—All Others: 1/1,000 ft² GFA  
  • Bicycle—All Others: 1/10,000 ft² GFA (0/100) | L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.8 |
| | University or College  
  • Vehicle: 1/1,000 ft² GFA  
  • Bicycle: 1/10,000 ft² GFA (0/100) | NP NP NP L-ZP NP L-ZP L-ZP L-ZP § 11.3.8; § 11.3.9 |
| | Vocational or Professional School  
  • Vehicle: 1/1,000 ft² GFA  
  • Bicycle: 1/10,000 ft² GFA (0/100) | NP NP NP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.8 |
| | Public and Religious Assembly  
  • Vehicle: .5/1,000 ft² GFA  
  • Bicycle: 1/10,000 ft² GFA (0/100) | L-ZP L-ZP L-ZP L-ZP L-ZP P-ZP P-ZP P-ZP § 11.3.10. |
| **COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION** | | |
| Adult Business | All Types | NP NP NP NP NP NP NP NP |

See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
### Article 5. Urban Neighborhood Context
#### Division 5.4 Uses and Required Minimum Parking

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>Arts, Recreation and Entertainment Services, Indoor</th>
<th>Arts, Recreation and Entertainment Services, Outdoor*</th>
<th>Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</th>
<th>Parking of Vehicles</th>
<th>Eating &amp; Drinking Establishments</th>
<th>Lodging Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>U-MX-3</td>
<td></td>
<td></td>
<td></td>
<td>U-MX-3</td>
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<tr>
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<td>U-MX-5</td>
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<td></td>
<td>U-MX-5</td>
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<td>U-MX-5</td>
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<table>
<thead>
<tr>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts, Recreation and Entertainment</td>
</tr>
<tr>
<td>• Vehicle - Artist Studio: 0.3/1000 ft² GFA</td>
</tr>
<tr>
<td>• Vehicle - All Others - MS only: 2/1,000 ft² GFA</td>
</tr>
<tr>
<td>• Vehicle - All Others: 2.5/1,000 ft² GFA</td>
</tr>
<tr>
<td>• Bicycle: 1/10,000 ft² GFA (20/80)</td>
</tr>
<tr>
<td>NP</td>
</tr>
</tbody>
</table>

| Arts, Recreation and Entertainment Services, Outdoor* |
| • Vehicle - MS only: 2/1,000 ft² GFA |
| • Vehicle: 2.5/1,000 ft² GFA |
| • Bicycle: 1/10,000 ft² GFA (20/80) |
| NP | NP | NP | L-ZPSE | NP | L-ZPSE | L-ZPSE | L-ZPSE | § 11.4.2 |

| Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use) |
| L-ZPIN | L-ZPIN | L-ZPIN | Not Applicable | §11.4.5 |

| Parking of Vehicles |
| No Parking Requirements | NP | NP | NP | P-ZP | NP | P-ZP | P-ZP | P-ZP | § 11.4.56 |

| Eating & Drinking Establishments |
| All Types |
| • Vehicle: 4.5/1,000 ft² GFA |
| • MS only: 2/1,000 ft² GFA |
| • Bicycle: 1/5,000 ft² GFA (0/100) |
| NP | NP | NP | P-ZP | L-ZPSE | L-ZP | P-ZP | P-ZP | § 11.4.8 |

| Lodging Accommodations |
| Bed and Breakfast Lodging |
| • Vehicle: 1/guest room or unit |
| • Bicycle: 1/10,000 ft² GFA (60/40) |
| NP | NP | NP | P-ZP | NP | P-ZP | P-ZP | P-ZP |

| Lodging Accommodations, All Others |
| • Vehicle: 1/guest room or unit |
| • Bicycle: 1/10,000 ft² GFA (60/40) |
| NP | NP | NP | P-ZP | NP | NP | P-ZP | P-ZP |
### Article 5. Urban Neighborhood Context
#### Division 5.4 Uses and Required Minimum Parking

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office</strong></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Dental / Medical Office or Clinic</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2/1,000 ft² GFA</td>
<td>L-ZP §11.4.9</td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/10,000 ft² GFA (60/40)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office, All Others</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2/1,000 ft² GFA</td>
<td>P-ZP §11.4.11; §11.4.10</td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/10,000 ft² GFA (60/40)</td>
<td></td>
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<tr>
<td><strong>Retail Sales, Service &amp; Repair (Not Including Vehicle or Equipment Sales, Service &amp; Repair)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Animal Sales and Services, Household Pets Only</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td>L-ZP §11.4.13; §11.4.10</td>
</tr>
<tr>
<td></td>
<td>• MS only: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Animal Sales and Services, All Others</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Body Art Establishment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td>L-ZP §11.4.14; §11.4.10</td>
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<tr>
<td></td>
<td>• MS only: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/10,000 ft² GFA (20/80)</td>
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<tr>
<td></td>
<td>Food Sales or Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
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</tr>
<tr>
<td></td>
<td>• MS only: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td></td>
</tr>
</tbody>
</table>

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

- **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)
### Article 5. Urban Neighborhood Context

#### Division 5.4 Uses and Required Minimum Parking

**KEY:**

- * = Need Not Be Enclosed
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<th>APPLICABLE USE LIMITATIONS</th>
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5.4-8 | DENVER ZONING CODE

June 25, 2010 | Republished July 6, 2015
### INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION

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5.4-10 | DENVER ZONING CODE
June 25, 2010 | Republished July 6, 2015
DIVISION 6.2 DISTRICTS (G-RH-, G-MU-, G-RO-, G-MX-, G-RX-, G-MS-)

SECTION 6.2.1 DISTRICTS ESTABLISHED
To carry out the provisions of this Article, the following zones have been established in the General Urban Neighborhood Context and are applied to property as set forth on the Official Map.

General Urban Neighborhood Context
G-RH-3 Row House 3
G-MU-3 Multi Unit 3
G-MU-5 Multi Unit 5
G-MU-8 Multi Unit 8
G-MU-12 Multi Unit 12
G-MU-20 Multi Unit 20
G-RO-3 Residential Office 3
G-RO-5 Residential Office 5
G-MX-3 Mixed Use 3
G-RX-5 Residential Mixed Use 5
G-MS-3 Main Street 3
G-MS-5 Main Street 5

SECTION 6.2.2 RESIDENTIAL DISTRICTS (G-RH-3, G-MU-3 TO -20, G-RO-3, G-RO-5)

6.2.2.1 General Purpose
A. The intent of the Residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms.
B. The building form standards, design standards, and uses work together to promote safe, active, pedestrian-scaled residential areas. The standards accommodate the pattern of urban house, duplex, row house, garden court, and apartment. Buildings orient to the street and access is from the alley. Lot coverage is typically high accommodating a consistent, shallow front yard.
C. These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale districts with a maximum height of three stories provide a transition to Urban and Urban Edge Neighborhood Contexts. The highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate. The Residential Office (RO) districts provide opportunities for residential and offices uses in low to moderate scale residential building forms.
D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations reinforce desired patterns in existing neighborhoods and create standards for new neighborhoods.

6.2.2.2 Specific Intent
A. Row House 3 (G-RH-3)
   G-RH-3 is a multi unit district allowing urban house, duplex, and row house building forms. Row houses are not taller than three stories.
B. **Multi-Unit 3 (G-MU-3)**
G-MU-3 is a multi unit district allowing urban house, duplex, row house, garden court, and apartment building forms. The tallest building form has a maximum height of three stories.

C. **Multi-Unit 5 (G-MU-5)**
G-MU-5 is a multi unit district allowing urban house, duplex, row house, garden court, and apartment building forms. The tallest building form has a maximum height of five stories.

D. **Multi-Unit 8 (G-MU-8)**
G-MU-8 is a multi unit district allowing urban house, duplex, row house, and apartment building forms. The tallest building form has a maximum height of eight stories.

E. **Multi-Unit 12 (G-MU-12)**
G-MU-12 is a multi unit district allowing and apartment building forms. The maximum height is twelve stories.

F. **Multi-Unit 20 (G-MU-20)**
G-MU-20 is a multi unit district allowing and apartment building forms. The maximum height is twenty stories.

G. **Residential Office 3 (G-RO-3)**
G-RO-3 is a multi unit and office district allowing urban house, duplex, rowhouse, and apartment building forms. The tallest building form has a maximum height of three stories.

H. **Residential Office - 5 (G-RO-5)**
G-RO-5 is a multi unit and office district allowing urban house, duplex, rowhouse, and apartment building forms. The tallest building form has a maximum height of five stories.

SECTION 6.2.3  MIXED USE DISTRICTS (G-MX-3)

6.2.3.1 General Purpose

   A. The Mixed Use **Z** zone **P** districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge.

   B. The Mixed Use **Z** zone **P** districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.

   C. The Mixed Use **Z** zone **P** district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

   D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.

   E. In the General Urban Neighborhood Context, the Mixed Use **Z** zone **P** districts promote a pedestrian-active street front. Buildings are pulled up to the street with parking tucked behind; however, the front setback range is slightly deeper than the front setback range for the Main Street districts. The required percentage of building facade that must be located in the front setback area is less) than the percentage for the Main Street districts. The maximum building coverage is the same as the maximum building coverage for the Main Street districts.
6.2.3.2 Specific Intent

A. **Mixed Use – 3 (G-MX-3)**

G-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

### SECTION 6.2.4 RESIDENTIAL MIXED USE DISTRICTS (G-RX-5)

6.2.4.1 General Purpose

A. The Residential Mixed Use **Z** zone **D** districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.

B. The Residential Mixed Use **Z** zone **D** districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s residential neighborhoods.

C. The Residential Mixed Use **Z** zone **D** district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have ground story retail uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

6.2.4.2 Specific Intent

A. **Residential Mixed Use 5 (G-RX-5)**

G-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired.

### SECTION 6.2.5 MAIN STREET DISTRICTS (G-MS-3, -5)

6.2.5.1 General Purpose

A. The Main Street **Z** zone **D** districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

B. The Main Street **Z** zone **D** districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city’s commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street **Z** zone **D** districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.
E. In all cases, the Main Street Zone D districts should be applied where a higher degree of washability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use Zone D district.

F. In the General Urban Neighborhood Context, the Main Street Zone D districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

G. The Main Street Zone D districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

6.2.5.2 Specific Intent

A. Main Street 3 (G-MS-3)
G-MS-3 applies primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.

B. Main Street 5 (G-MS-5)
G-MS-5 applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired.
DIVISION 6.3  DESIGN STANDARDS
The following Intent Statements are intended to provide further information regarding intent and performance expectations for the district, site and building design standards.

SECTION 6.3.1  GENERAL INTENT
The Intent of this Division 6.3 Design Standards are to:

6.3.1.1  Implement the Denver Comprehensive Plan.
6.3.1.2  Implement the Zonce Ddistrict’s Intent and Purpose
6.3.1.3  To continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
6.3.1.4  Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
6.3.1.5  Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
6.3.1.6  Give prominence to pedestrian realm as a defining element of neighborhood character.
6.3.1.7  Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
6.3.1.8  Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
6.3.1.9  Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
6.3.1.10  Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
6.3.1.11  Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
6.3.1.12  Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

SECTION 6.3.2  BUILDING FORM INTENT
The intent of the Building Form Design Standards are to:

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

6.3.2.2  Siting
A.  Required Build-To
   1.  Provide a consistent street edge to enhance character of the context.
   2.  Define streets to promote pedestrian activity and sense of place.
6.3.2.4 Specific Building Form Intent

A. Residential Zone Districts

1. **Urban House**
   Establish standards for development on small zone lots, typically Single Unit Dwellings, but may be other uses permitted within the zone district.

2. **Duplex**
   Establish standards for development on small zone lots, typically Two Unit Dwellings, but may be other uses permitted within the zone district.

3. **Garden Court**
   Establish standards for Multi Unit Dwelling development where dwelling entrances may be oriented around a common, central open space, rather than exclusively orienting toward the street, as Row House requires. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

4. **Row House**
   Establish standards for appropriately designed Multi-Unit Dwelling development within a Row House zone district, by requiring each unit to have a street-facing entrance. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

5. **Apartment**
   Establish standards for Multi Unit Dwelling development that allows a variety of layouts, but requires a minimum of one entrance at the street. Also accommodates, where permitted, appropriately scaled Group Living, Civic, and Nonresidential development.

B. Commercial Mixed Use Zone Districts

1. **Drive Thru Services**
   To allow more flexible design standards to accommodate unique circumstances of automobile service uses and primary uses with an accessory drive-thru lane. Specifically, allow a reduced build-to percentage and an increased build-to range, allow a canopy and garden wall combination to meet a portion of the build-to requirement, and require a garden wall along street frontages.

2. **Drive Thru Restaurant**
   Restricted to eating and drinking establishment with an accessory drive-thru lane.
   a. **MX:** Allow a reduced build-to percentage, an increased range, and a drive-thru lane to be located between the building and any street.
   b. **MS:** For corner lots only, allow a reduced build-to percentage along the Primary Street, when the build-to percentage is increased along the Side Street.

3. **General**
   Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

4. **Shopfront**
   Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.
SECTION 6.3.3 PRIMARY BUILDING FORM STANDARDS

6.3.3.1 Applicability
All development, except detached accessory structures, in all the General Urban Neighborhood Context Zone Districts.

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

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

<table>
<thead>
<tr>
<th>General Urban (G-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Suburban House</td>
<td>Urban House</td>
</tr>
<tr>
<td>RESIDENTIAL ZONE DISTRICTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Row House (RH)</td>
<td>G-RH-3</td>
<td>no max</td>
</tr>
<tr>
<td>Multi Unit (MU)</td>
<td>G-MU-3, -5</td>
<td>no max</td>
</tr>
<tr>
<td>G-MU-8, -12, -20</td>
<td>no max</td>
<td>■ ■ ■ ■ ■ ■ ■ ■ ■ ■</td>
</tr>
<tr>
<td>Residential Office (RO)</td>
<td>G-RO-3, -5</td>
<td>no max</td>
</tr>
<tr>
<td>COMMERCIAL MIXED USE ZONE DISTRICTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>G-RX-5</td>
<td>no max</td>
</tr>
<tr>
<td>Mixed Use (MX)</td>
<td>G-MX-3</td>
<td>no max</td>
</tr>
<tr>
<td>Main Street (MS)</td>
<td>G-MS-3, -5</td>
<td>no max</td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations
### URBAN HOUSE

#### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
<th>G-MU-8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>see below</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>see below</td>
<td>30&quot;</td>
<td>30&quot;</td>
<td>30&quot;</td>
</tr>
<tr>
<td>Stories, front 80% / rear 20% of zone lot depth (max)</td>
<td>3/1</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Feet, front 80% / rear 20% of zone lot depth (max)</td>
<td>30&quot;/19'</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>B Side Wall Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)</td>
<td>25'</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Upper Story Setback, for Flat Roof, Above 25', Side Interior and Side Street (min)</td>
<td>15'</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
</tbody>
</table>

*1' for every 5' increase in lot width over 50' up to a maximum height of 35'*

#### SITING

<table>
<thead>
<tr>
<th>Zone Lot Size (min)</th>
<th>3,000 ft²</th>
<th>3,000 ft²</th>
<th>3,000 ft²</th>
<th>3,000 ft²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Width (min)</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>na</td>
<td>na</td>
</tr>
</tbody>
</table>

#### SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH

<table>
<thead>
<tr>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>30' or Less</td>
</tr>
<tr>
<td>D Primary Street, where block sensitive setback does not apply (min)</td>
</tr>
<tr>
<td>E Side Street (min)</td>
</tr>
<tr>
<td>F Side Interior (min)</td>
</tr>
<tr>
<td>G Rear, alley/no alley</td>
</tr>
</tbody>
</table>

#### PARKING BY ZONE LOT WIDTH

<table>
<thead>
<tr>
<th></th>
<th>All G-RH-3</th>
<th>All G-MU-3</th>
<th>All G-MU-5</th>
<th>All G-MU-8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking and Drive Lot Coverage in Primary Street Setback/Overall (max)</td>
<td>2 Spaces and 320 ft²</td>
<td>2 Spaces and 320 ft²</td>
<td>33%</td>
<td>33%</td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### DETACHED ACCESSORY STRUCTURES

See Sec. 6.3.4

#### DESIGN ELEMENTS

##### BUILDING CONFIGURATION

- **Attached Garage Allowed**
  - (1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks

- **Primary Street Facing Attached Garage Door Width in first 50% of lot depth(max)**
  - 35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater

#### STREET LEVEL ACTIVATION

- **Pedestrian Access, Primary Street**
  - Entry Feature

#### USES

- **All G-RH, -MU, -RO**
  - All permitted Primary Uses shall be allowed within this building form
  - See Division 6.4 Uses and Parking

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
**DUPLEX**

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

- **Attached Garage Allowed**
  
  1. Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.  
  2. May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks

- **Primary Street Facing Attached Garage**

<table>
<thead>
<tr>
<th>Width in first 50% of lot depth (max)</th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
<th>G-MU-8, -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>35% of the entire width of the Primary Street facing facade of the primary structure or 16', whichever is greater</td>
<td>12'/20'</td>
<td>12'/20'</td>
<td>12'/20'</td>
<td>12'/20'</td>
</tr>
</tbody>
</table>

#### STREET LEVEL ACTIVATION

- **Pedestrian Access, Primary Street**

<table>
<thead>
<tr>
<th>Entry Feature</th>
<th>All G-RH, -MU, -RO Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>--------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form</td>
<td>See Division 6.4 Uses and Parking</td>
</tr>
</tbody>
</table>

*See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions*
# GARDEN COURT

## Height

<table>
<thead>
<tr>
<th></th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>see below</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Feet (max)</td>
<td>see below</td>
<td>30(^*)</td>
<td>30(^*)</td>
</tr>
<tr>
<td>Stories, front 80% / rear 20% of zone lot depth (max)</td>
<td>3/1</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Feet, front 80% / rear 20% of zone lot depth (max)</td>
<td>30(^*)/19’</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Side Wall Height, for Pitched Roof, within 15’ of Side Interior and Side Street (max)</td>
<td>25’</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Upper Story Setback, for flat roof, Above 25’: Side Street and Side Interior (min)</td>
<td>15’</td>
<td>na</td>
<td>na</td>
</tr>
</tbody>
</table>

\*1’ for every 5’ increase in lot width over 50’ up to a maximum height of 35’

## Siting

<table>
<thead>
<tr>
<th></th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft(^2)</td>
<td>6,000 ft(^2)</td>
<td>6,000 ft(^2)</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
</tr>
</tbody>
</table>

## Setbacks

<table>
<thead>
<tr>
<th></th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>yes</td>
<td>na</td>
</tr>
<tr>
<td>Primary Street, where block sensitive setback does not apply (min)</td>
<td>20’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>5’</td>
<td>7.5’</td>
<td>7.5’</td>
</tr>
<tr>
<td>Rear, alley/no alley (min)</td>
<td>12’/20’</td>
<td>10’/20’</td>
<td>10’/20’</td>
</tr>
<tr>
<td>Required Separation Between Primary Structures (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
</tbody>
</table>

## Parking

- Surface Parking between building and Primary Street/Side Street: Not Allowed/Allowed
- Vehicle Access: From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)

## Detached Accessory Structures

See Sec. 6.3.4

## Design Elements

### Building Configuration

<table>
<thead>
<tr>
<th></th>
<th>G-RH-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street-Facing Courtyard Width (min)</td>
<td>15’</td>
<td>15’</td>
<td>15’</td>
</tr>
<tr>
<td>Street-Facing Courtyard Depth (min)</td>
<td>30’</td>
<td>30’</td>
<td>30’</td>
</tr>
<tr>
<td>Garden Court Design Standards</td>
<td>See Sec. 6.3.5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Street Level Activation

- Each dwelling unit shall have a Street Level Entrance. A minimum of two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard.

## Uses

Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking

---

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
**ROW HOUSE**

### HEIGHT

<table>
<thead>
<tr>
<th>A</th>
<th>Stories (max)</th>
<th>see below</th>
<th>G-RH-3</th>
<th>G-MU-3; G-RO-3</th>
<th>G-MU-5</th>
<th>G-RO-5</th>
<th>G-MU-8; -12, -20</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40'</td>
<td>65'</td>
<td>65'</td>
<td>65'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30'*/19'</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25'</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15'</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

*1' for every 5’ increase in lot width over 50’ up to a maximum height of 35’

### SITING

<table>
<thead>
<tr>
<th>C</th>
<th>Zone Lot Size (min)</th>
<th>6,000 ft²</th>
<th>6,000 ft²</th>
<th>6,000 ft²</th>
<th>6,000 ft²</th>
<th>6,000 ft²</th>
</tr>
</thead>
<tbody>
<tr>
<td>50’</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### REQUIRED BUILD-TO SETBACKS

<table>
<thead>
<tr>
<th>D</th>
<th>Primary Street (min % within min/max)</th>
<th>na</th>
<th>60% 10'/20'</th>
<th>60% 10'/20'</th>
<th>60% 10'/20'</th>
<th>60% 10'/20'</th>
</tr>
</thead>
<tbody>
<tr>
<td>E</td>
<td>Side Street (min)</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>F</td>
<td>Side Interior (min)</td>
<td>5’</td>
<td>7.5’</td>
<td>7.5’</td>
<td>7.5’</td>
<td>7.5’</td>
</tr>
<tr>
<td>G</td>
<td>Rear, alley/no alley (min)</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
<td>10’</td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th>H</th>
<th>Surface Parking between building and Primary Street/Side Street</th>
<th>Not Allowed/Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present</td>
<td></td>
</tr>
</tbody>
</table>

### DETACHED ACCESSORY STRUCTURES

See Sec. 6.3.4

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th>I</th>
<th>Street-facing Garage Door Width per Primary Structure (max)</th>
<th>20’</th>
<th>20’</th>
<th>20’</th>
<th>20’</th>
<th>20’</th>
</tr>
</thead>
<tbody>
<tr>
<td>J</td>
<td>Upper Story Setback Above 40’, Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>15’</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>K</td>
<td>Upper Story Setback Above 27’, adjacent to Protected District: Side Interior (min)</td>
<td>na</td>
<td>25’</td>
<td>25’</td>
<td>25’</td>
<td>25’</td>
</tr>
<tr>
<td>L</td>
<td>Upper Story Setback Above 51’, adjacent to Protected District: Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>40’</td>
<td>40’</td>
<td>40’</td>
</tr>
<tr>
<td>M</td>
<td>transparency, primary street (min)</td>
<td>na</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>N</td>
<td>transparency, side street (min)</td>
<td>na</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>O</td>
<td>Pedestrian Access</td>
<td>Each unit shall have a street-facing Entrance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
<table>
<thead>
<tr>
<th>APARTMENT</th>
<th>G-RO-3</th>
<th>G-MU-3</th>
<th>G-MU-5</th>
<th>G-MU-8</th>
<th>G-MU-12</th>
<th>G-MU-20</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEIGHT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A Stories (max)</td>
<td>3</td>
<td>5</td>
<td>5</td>
<td>8</td>
<td>12</td>
<td>20</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>40'</td>
<td>65'</td>
<td>65'</td>
<td>100'</td>
<td>140'</td>
<td>230'</td>
</tr>
<tr>
<td>Feet, within 175' of Protected District (max)</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>75'</td>
<td>75'</td>
<td>75'</td>
</tr>
<tr>
<td><strong>SITING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ZONE LOT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
<td>6,000 ft²</td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td><strong>REQUIRED BUILD-TO</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B Primary Street (min % within min/max)</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
</tr>
<tr>
<td>C Primary Street, block sensitive setback required</td>
<td>yes</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>D Primary Street, where block sensitive does not apply (min)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>E Side Street (min)</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>F Rear, alley/no alley (min)</td>
<td>10'/20'</td>
<td>10'/20'</td>
<td>10'/20'</td>
<td>10'/20'</td>
<td>10'/20'</td>
<td>10'/20'</td>
</tr>
<tr>
<td><strong>PARKING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Allowed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure,</td>
<td>From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access, all other permitted uses</td>
<td>Shall be determined as part of Site Development Plan Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DESIGN ELEMENTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street-facing Garage Door Width per Primary Structure (max)</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
</tr>
<tr>
<td>Upper Story Setback Above 40', Side Interior (min)</td>
<td>na</td>
<td>15'</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>na</td>
</tr>
<tr>
<td>Upper Story Setback Above 51', Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Upper Story Setback Above 75', Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>20'/30'</td>
<td>20'/30'</td>
<td>20'/30'</td>
</tr>
<tr>
<td>Upper Story Setback Above 27', adjacent to Protected District: Side Interior (min)</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Upper Story Setback Above 51', adjacent to Protected District: Side Interior (min)</td>
<td>na</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
</tr>
<tr>
<td>Upper Story Setback Above 40', adjacent to Protected District: Rear, alley/Rear, no alley (min)</td>
<td>na</td>
<td>30'/40'</td>
<td>30'/40'</td>
<td>30'/40'</td>
<td>30'/40'</td>
<td>30'/40'</td>
</tr>
<tr>
<td><strong>STREET LEVEL ACTIVATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K Transparency, Primary Street (min)</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>L Transparency, Side Street (min)</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td><strong>USES</strong></td>
<td>G-RH-3; All G-MU and G-RO</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential uses. See Division 6.4 Uses and Parking</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## GENERAL

### HEIGHT

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>3</td>
</tr>
<tr>
<td>Feet (max)</td>
<td>45'</td>
</tr>
<tr>
<td>Height Exceptions</td>
<td>See Section 6.3.7.1</td>
</tr>
</tbody>
</table>

### SITING

#### REQUIRED BUILD-TO

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Primary Street (min build-to % within min/max range)</td>
<td>70% 0'/10'</td>
</tr>
<tr>
<td>Build-to Exceptions and Alternatives</td>
<td>See Sections 6.3.7.2 and 6.3.6.1</td>
</tr>
</tbody>
</table>

#### SETBACKS

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street (min)</td>
<td>0'</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>0'</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>0'</td>
</tr>
</tbody>
</table>

#### B Side Interior, adjacent to Protected District (min)

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear, alley and no alley (min)</td>
<td>10'</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>0'/10'</td>
</tr>
<tr>
<td>Setback Exceptions and Encroachments</td>
<td>See Sections 3.3.7.3 and 3.3.7.4</td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Allowed</td>
</tr>
</tbody>
</table>

#### D Surface Parking Screening

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure</td>
<td>From Alley; or Street access allowed when no Alley present (Sec. 6.3.7.6)</td>
</tr>
<tr>
<td>Vehicle Access, all other permitted uses</td>
<td>Shall be determined as part of Site Development Plan Review</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

#### BUILDING CONFIGURATION

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Story Setback Above 27’, adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>15'/25'</td>
</tr>
</tbody>
</table>

### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
<td>40%</td>
</tr>
<tr>
<td>Residential Only Buildings: 30%</td>
<td></td>
</tr>
</tbody>
</table>

#### F Transparency, Side Street (min)

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency Alternatives</td>
<td></td>
</tr>
<tr>
<td>Transparency Alternatives</td>
<td>See Section 6.3.6.2</td>
</tr>
</tbody>
</table>

#### H Pedestrian Access, Primary Street

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entrance Alternative</td>
<td></td>
</tr>
<tr>
<td>Alternative See Section 6.3.6.3</td>
<td></td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th>Description</th>
<th>G-MX-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) All permitted Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) 40% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 6.3.5.2.</td>
<td></td>
</tr>
</tbody>
</table>
### SHOPFRONT

#### HEIGHT

<table>
<thead>
<tr>
<th>A</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>5</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Feet (min/max)</td>
<td>na/70'</td>
<td>na/45'</td>
<td>24'/70'</td>
</tr>
</tbody>
</table>

#### SITING

<table>
<thead>
<tr>
<th>B</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>REQUIRED BUILD-TO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street (min build-to % within min/max range)</td>
<td>75% 0'/10'</td>
<td>0'/5' Residential Only Buildings: 0'/10'</td>
<td></td>
</tr>
<tr>
<td>Side Street (min build-to % within min/max range)</td>
<td>na</td>
<td>0'/5' Residential Only Buildings: 0'/10'</td>
<td></td>
</tr>
</tbody>
</table>

#### SETBACKS

<table>
<thead>
<tr>
<th>D</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side Interior, adjacent to Protected District (min)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Rear (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>0'/10'</td>
<td>0'/10'</td>
<td>0'/10'</td>
</tr>
</tbody>
</table>

#### PARKING

<table>
<thead>
<tr>
<th>E</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Not Allowed</td>
<td>Not Allowed/Not Allowed</td>
<td></td>
</tr>
</tbody>
</table>

#### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th>F</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>UPPER STORY SETBACK ABOVE 27', ADJACENT TO PROTECTED DISTRICT: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>20'/25'</td>
<td>15'/25'</td>
<td>20'/25'</td>
</tr>
</tbody>
</table>

#### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
<th>G</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
<th>G-MS-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
<td>60%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency, Side Street (min)</td>
<td>25%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency Alternatives</td>
<td>See Section 6.3.6.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrian Access, Primary Street</td>
<td>Entrance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### USES

<table>
<thead>
<tr>
<th>H</th>
<th>G-RX-5</th>
<th>G-MS-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max</td>
<td>(1) All permitted Primary Uses shall be allowed within this building form. See Division 6.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 6.3.5.2.</td>
<td></td>
</tr>
</tbody>
</table>
SECTION 6.3.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

6.3.4.1 Applicability
All detached accessory structures in all the General Urban Neighborhood Context Zone D districts

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

B. Detached Accessory Structures Specifically Allowed
The following detached accessory structures are specifically allowed:

1. Buildings:
   Sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses

2. Underground Structures:
   Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 6.3.4.

5. Accessory Structures Not Specifically Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 6.3.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the Zone D district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 6.3.4.
6.3.4.3 **Supplemental Standards**

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

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

2. **Building Coverage**
   
   All detached accessory structures on a zone lot, together with the primary structure(s) on such zone lot, shall not exceed any maximum building coverage standard (taking into account any permitted exemptions) applicable in the subject zone district for a particular primary building form (e.g., the suburban house, urban house, and duplex building forms are all subject to a maximum building coverage standard).

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

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

2. **Access and Contiguity**
   
   Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

6.3.4.4 **District Specific Standards Summary**

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

<table>
<thead>
<tr>
<th>General Urban (G-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Detached Accessory Dwelling Unit</td>
</tr>
<tr>
<td>Row House (RH)</td>
<td>G-RH-3</td>
<td>no max</td>
</tr>
<tr>
<td>Multi Unit (MU)</td>
<td>G-MU-3, -5</td>
<td>no max</td>
</tr>
<tr>
<td></td>
<td>G-MU-8, -12, -20</td>
<td>no max</td>
</tr>
<tr>
<td>Residential Office (RO)</td>
<td>G-RO-3, -5</td>
<td>no max</td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>G-RX-5</td>
<td>no max</td>
</tr>
<tr>
<td>Mixed Use (MX)</td>
<td>G-MX-3</td>
<td>no max</td>
</tr>
<tr>
<td>Main Street (MS)</td>
<td>G-MS-3, -5</td>
<td>no max</td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations  *One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5
# DETACHED ACCESSORY DWELLING UNIT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>G-RH-3</th>
<th>All G-MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1.5</td>
<td>2</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>24’</td>
<td>24’</td>
</tr>
<tr>
<td>B Side Wall Height (max)</td>
<td>15’</td>
<td>na</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>G-RH-3</th>
<th>All G-MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONE LOT</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Exemption from Maximum Building Coverage (Lesser of)

50%/500 ft²

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached ADU form. The exemption shall be the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft². To qualify, the ADU form shall comply with minimum 15’ building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.

**Zone Lot Size (min)**

3,000 ft²

3,000 ft²

**Additional Standards**

See Sections 6.3.4.3

**SETBACKS**

Location Located in the rear 35% of the zone lot depth

C Side Interior and Side Street (min) 5’ 5’

If exceeding 17’ in height must be located adjoining the southern most side setback line

D Rear (min) 5’ 5’

**PARKING**

Vehicle Access From Alley; or Street access allowed when no Alley present see Sec. 6.3.7.6 for exceptions

**DESIGN ELEMENTS**

<table>
<thead>
<tr>
<th><strong>BUILDING CONFIGURATION</strong></th>
<th>G-RH-3</th>
<th>All G-MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 ft²</td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>E Horizontal Dimension (max)</td>
<td>36’</td>
<td>36’</td>
</tr>
</tbody>
</table>

**USES**

Accessory Uses Only, including accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## DETACHED GARAGE

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>1</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>17’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td>Exemption from Maximum Building Coverage (Lesser of) 50% / 500 ft²sf. An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft²sf. To qualify, the detached garage form shall comply with minimum 15’ building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the garage form shall be used for vehicle parking.</td>
</tr>
</tbody>
</table>

| Additional Standards | See Sections 6.3.4.3 |

### SETBACKS

| B Setback from Primary Street Facing Facade of Primary Structure (min) | 0’ |
| C Side Street (min) | 5’ |
| C Side Interior (min), for structure entirely in rear 35% of zone lot depth** | 0’ |
| Side Interior (min), for structure not entirely in rear 35% of zone lot depth | 5’ |
| Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30’ or less | 3’ |
| D Rear, no alley (min) | 5’ |
| D Rear, alley, where garage doors face alley (min) | 5’ |
| D Rear, alley, where garage doors do not face alley** (min) | 0’ |

Vehicle Access From Alley; or Street access allowed when no Alley present. See Sec. 6.3.7.6 for exceptions.

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th>BUILDING CONFIGURATION</th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>E Building Footprint (max)</td>
<td>864 ft²sf per unit*</td>
</tr>
<tr>
<td>F Horizontal Dimension (max)</td>
<td>36’ per unit</td>
</tr>
<tr>
<td>F Allowed Number of Vehicular Access Doors (max)</td>
<td>3 per unit</td>
</tr>
<tr>
<td>F Cumulative Width of All Vehicular Access Doors (max)</td>
<td>28’ per unit</td>
</tr>
</tbody>
</table>

### USES

| Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 6.4 for permitted Accessory Uses |

See Sections 6.3.5 - 6.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

*When used with a Primary Single Unit Dwelling Use, the permitted building footprint for a detached garage may be increased to 1,000 ft²sf.

**Setbacks less than 5’ may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5’
## OTHER DETACHED ACCESSORY STRUCTURES

### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stories (max)</td>
</tr>
<tr>
<td>A</td>
<td>Feet (max)</td>
</tr>
</tbody>
</table>

### SITING

<table>
<thead>
<tr>
<th></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Additional Standards</td>
</tr>
</tbody>
</table>

### SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Setback from Primary Street Facing Facade of Primary Structure (min)</td>
</tr>
<tr>
<td>C</td>
<td>Side Street (min)</td>
</tr>
<tr>
<td>C</td>
<td>Side Interior (min), for structure entirely in rear 35% of zone lot depth</td>
</tr>
<tr>
<td>C</td>
<td>Side Interior (min), for structure not entirely in rear 35% of zone lot depth</td>
</tr>
<tr>
<td>C</td>
<td>Side Interior (min), for structure not entirely in rear 35% of zone lot, where Zone Lot Width is 30’ or less</td>
</tr>
<tr>
<td>D</td>
<td>Rear, no alley (min)</td>
</tr>
<tr>
<td>D</td>
<td>Rear, alley, where doors face alley (min)</td>
</tr>
<tr>
<td>D</td>
<td>Rear, alley, where doors do not face alley (min)*</td>
</tr>
</tbody>
</table>

### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>E</td>
<td>Building Footprint (max)</td>
</tr>
<tr>
<td>E</td>
<td>Horizontal Dimension (max)</td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th></th>
<th>All G-RH, -MU, -RO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, excluding accessory dwelling unit where permitted and parking of vehicles.</td>
<td>See Division 6.4 for permitted Accessory Uses</td>
</tr>
</tbody>
</table>

*Setbacks less than 5’ may be subject to more restrictive building and fire code review - Side facing gable roof ends are not permitted where setbacks are less than 5’
SECTION 6.3.6 DESIGN STANDARD ALTERNATIVES

6.3.6.1 Required Build-To Alternatives

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

B. Allowance
The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E:

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>G-RX</td>
</tr>
<tr>
<td>G-RH</td>
</tr>
</tbody>
</table>

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

6.3.6.2 Transparency Alternatives

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

B. Allowance
The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.6.2.A.4:

<table>
<thead>
<tr>
<th>TRANSPARENCY ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>G-MU</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>G-RO</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>G-RX</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
### TRANSPARENCY ALTERNATIVES

<table>
<thead>
<tr>
<th>ZONE DISTRICT</th>
<th>ZONE LOT LINE DESIGNATION</th>
<th>TRANSPARENCY ALTERNATIVES</th>
<th>WALL DESIGN ELEMENTS (MAX)</th>
<th>PERMANENT OUTDOOR EATING / SERVING AREAS (MAX)</th>
<th>PERMANENT ART (MAX)</th>
<th>COMBINATION OF ALTERNATIVES (MAX)</th>
</tr>
</thead>
<tbody>
<tr>
<td>G-MX</td>
<td>Primary Street</td>
<td>40%</td>
<td>50%</td>
<td>60%</td>
<td>40%</td>
<td>80%</td>
</tr>
<tr>
<td></td>
<td>Side Street</td>
<td>40%</td>
<td>100%, provided the wall design elements are applied to the entirety (100%) of the length of the Street Level wall.</td>
<td>80%</td>
<td>40%</td>
<td>80%*</td>
</tr>
<tr>
<td>G-MS</td>
<td>Primary Street</td>
<td>40%</td>
<td>50%</td>
<td>60%</td>
<td>40%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>Side Street</td>
<td>40%</td>
<td>50%</td>
<td>80%</td>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

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

### 6.3.6.3 Pedestrian Access (Entrance) Alternatives

**A. Intent**

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

**B. Allowance**

In the G-RO, G-MU, G-MX and G-RX zones, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. **Courtyard or Plaza**
2. **Covered Walkway**

### SECTION 6.3.7 DESIGN STANDARD EXCEPTIONS

#### 6.3.7.1 Height Exceptions

**A. Intent**

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

**B. 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 6.3.7.1.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.
6.3-38 |  
DENVER ZONING CODE  
June 25, 2010 | Republished July 6, 2015

6.3.7.2 Required Build-To Exceptions

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 Classifica 
      tion are not required to meet the Primary Street and Side Street Build-To standards.

B. Parkways
   1. Intent  
      To ensure structures contribute to the look and feel of a Parkway and great public space 
      along Parkways, when Parkway setbacks are more restrictive than this Code’s build-to 
      range.
   2. Standard  
      Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 
      49, if the parkway setback is greater than the outer range of the required build-to range, 
      the build-to shall follow the setback established by the Parkway. The minimum build-to 
      percentage shall still apply.

C. G-MU-3 and G-RO-3 Block Sensitive Setback
   1. Intent  
      To maintain an established context or pattern by ensuring the block sensitive setback 
      establishes the build-to range.
   2. Standard  
      In the G-MU-3 and G-RO-3 Zone Districts, when the Primary Street, block sensitive set 
      back is different than the Primary Street required build-to min/max range, the following 
      shall establish the min/max build-to range. In all cases, the minimum build-to percentage 
      shall apply:
      a. The minimum in the build-to min/max range shall follow:
         i. The Primary Street, block sensitive setback when greater than the min.
         ii. The build-to min in the min/max range, when the Primary Street, block sensitive 
             setback is less than the min.
      b. The maximum in the build-to min/max range shall follow:
         i. The Primary Street, block sensitive setback when greater than the max.
         ii. The build-to max in the min/max range, when the Primary Street, block sensitive 
             setback is less than the max.
6.3.7.3 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 G-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.

6.3.7.4 Setback Encroachments

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

B. Standard
Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:

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

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width</td>
<td>All G-Zone Districts</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 3’; if setback is less than 5’: 2’</td>
</tr>
</tbody>
</table>

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

Illustrative only
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.
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**  
   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 those building forms for the applicable zone district.

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, driving aisle, 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 dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street;
   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; or
   5. The Primary Use is within the Civic, Public, and Institutional Use Category and the Department of Public Works determines that access is needed from the street.

**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
DIVISION 6.4 USES AND REQUIRED MINIMUM PARKING

SECTION 6.4.1 APPLICABILITY

6.4.1.1 This Division 6.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the General Urban Neighborhood Context zone districts.

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

6.4.1.3 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.

SECTION 6.4.2 ORGANIZATION - SUMMARY USE AND PARKING TABLE

6.4.2.1 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.

6.4.2.2 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 6.4.3 EXPLANATION OF TABLE ABBREVIATIONS

6.4.3.1 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.
6.4.3.2 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.

6.4.3.3 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 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).

6.4.3.4 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 6.4.4 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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL PRIMARY USE CLASSIFICATION</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Household Living | Dwelling, Single Unit  
• No Parking Requirements | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Dwelling, Two Unit  
• Vehicle: 1/unit  
• Bicycle: No requirement | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Dwelling, Multi-Unit  
• Vehicle: 1/unit  
• Bicycle: 1/4 units (80/20) | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Dwelling, Live / Work  
• Vehicle: 1/unit  
• Bicycle: 1/4 units (80/20) | NP | NP | NP | L-ZP | L-ZP | L-ZP | L-ZP | § 11.2.4 |
| | Assisted Living Facility  
• Vehicle: .75/unit  
• Bicycle: No requirement | P-ZPIN | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Community Corrections Facility | NP | NP | NP | NP | NP | NP | NP |
| | Nursing Home, Hospice  
• Vehicle: .75/unit  
• Bicycle: No requirement | NP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Residence for Older Adults  
• Vehicle: .75/unit  
• Bicycle: No requirement | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Residential Care Use, Small or Large  
• Vehicle: .0.125/unit  
• Bicycle: No requirement | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | § 11.2.8 |
| | Rooming and Boarding House  
• Vehicle - M5 only: 2 / 1,000 ft² GFA  
• Vehicle: 3.75 / 1,000 ft² GFA  
• Bicycle: No requirement | NP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| | Shelter for the Homeless  
• Vehicle: .5 / 1,000 ft² GFA  
• Bicycle: No requirement | L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | § 11.2.9 |
| | Student Housing  
• Vehicle: 1/unit  
• Bicycle: 1/4 units (80/20) | NP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP | P-ZP |
| **CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION** | | |
| Basic Utilities | Utility, Major Impact*  
• Vehicle: .5 / 1,000 ft² GFA  
• Bicycle: No requirement | L-ZPSE | L-ZPSE | L-ZPSE | L-ZPSE | L-ZPSE | L-ZPSE | L-ZPSE | § 113.1 |
| | Utility, Minor Impact*  
• Vehicle: .5 / 1,000 ft² GFA  
• Bicycle: No requirement | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | L-ZP | § 113.2 |
### Article 6. General Urban Neighborhood Context

#### Division 6.4 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></td>
<td><strong>Vehicle Parking Reqmt:</strong> # spaces per unit of measurement <strong>Bicycle Parking Reqmt:</strong> # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)</td>
<td>G-RH-3 G-MU-3 G-MU-5 G-MU-12 G-MU-20 G-RO-3 G-RO-5 G-RX-5 G-MX-3 G-MS-3 G-MS-5</td>
</tr>
<tr>
<td><strong>Community/ Public Services</strong></td>
<td>Community Center  • Vehicle: .5 / 1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.3</td>
</tr>
<tr>
<td></td>
<td>Day Care Center  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Postal Facility, Neighborhood  • Vehicle: 1.875/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td>P-ZP NP NP NP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Postal Processing Center  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (20/80)</td>
<td>NP NP NP NP P-ZP P-ZP P-ZP P-ZP</td>
</tr>
<tr>
<td></td>
<td>Public Safety Facility  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.5</td>
</tr>
<tr>
<td></td>
<td>Hospital</td>
<td>NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Correctional Institution</td>
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</tr>
<tr>
<td><strong>Cultural/Special Purpose/Public Parks &amp; Open Space</strong></td>
<td>Cemetery*</td>
<td>NP NP NP NP NP NP NP</td>
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<tr>
<td></td>
<td>Library  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
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<tr>
<td></td>
<td>Museum  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
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<td></td>
<td>City Park*</td>
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<td>Open Space - Recreation*  • Vehicle: .375/1,000 ft² GFA  • Bicycle: No requirement</td>
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<td>Open Space - Conservation*  • No Parking Requirements</td>
<td>P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP P-ZP</td>
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<tr>
<td><strong>Education</strong></td>
<td>Elementary or Secondary School  • Vehicle: 1/1,000 ft² GFA  • Bicycle: 1/10,000 ft² GFA (0/100)</td>
<td>L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP L-ZP § 11.3.8</td>
</tr>
</tbody>
</table>
**Key:** * = Need Not be Enclosed  
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### Article 6. General Urban Neighborhood Context  
### Division 6.4 Uses and Required Minimum Parking

#### Denver Zoning Code

June 25, 2010 | Republished July 6, 2015

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
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<tr>
<td>Education</td>
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</tbody>
</table>
|              | University or College  
• Vehicle: 1/1,000 ft² GFA  
• Bicycle: 1/10,000 ft² GFA (0/100) | NP L-ZP L-ZP NP L-ZP L-ZP L-ZP | § 11.3.8 ; § 11.3.9 |
|              | Vocational or Professional School  
• Vehicle: 1/1,000 ft² GFA  
• Bicycle: 1/10,000 ft² GFA (0/100) | NP NP NP NP L-ZP L-ZP L-ZP | § 11.3.8 |
| Public and Religious Assembly | All Types  
• Vehicle: .5/1,000 ft² GFA  
• Bicycle: 1/10,000 ft² GFA (0/100) | L-ZP L-ZP L-ZP L-ZP L-ZP P-ZP P-ZP | § 11.3.10 |

#### Commercial Sales, Services, & Repair Primary Use Classification

| Adult Business | All Types | NP NP NP NP NP NP |
| Arts, Recreation and Entertainment | Indoor  
• Vehicle - Artist Studio: 0.3/1000 ft² GFA  
• Vehicle - All Others: 1.875/1,000 ft² GFA  
• Bicycle: 1/10,000 ft² GFA (20/80) | NP NP NP L-ZP P-ZP P-ZP P-ZP | § 11.4.2 |
| Arts, Recreation and Entertainment Services, Outdoor*  
• Vehicle: 1.875/1,000 ft² GFA  
• Bicycle: 1/10,000 ft² GFA (20/80) | NP NP NP NP L-ZPSE L-ZPSE L-ZPSE | § 11.4.3 |
| Sports and/or Entertainment Arena or Stadium* | NP NP NP NP NP NP |
| Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use) | L-ZPIN L-ZPIN L-ZPIN L-ZPIN | Not Applicable | § 11.4.5 |

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**DENVER ZONING CODE**

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**SUMMARY OF USE LIMITATIONS**

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
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<tbody>
<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage - No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
<td></td>
</tr>
<tr>
<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging - No Parking Requirements</td>
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</tr>
<tr>
<td>Office</td>
<td>Dental / Medical Office or Clinic - No Parking Requirements</td>
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<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 - No Parking Requirements</td>
<td></td>
</tr>
</tbody>
</table>

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<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage - No Parking Requirements</td>
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</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
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<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging - No Parking Requirements</td>
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<td>Office</td>
<td>Dental / Medical Office or Clinic - No Parking Requirements</td>
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<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 - No Parking Requirements</td>
<td></td>
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</tbody>
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## Article 6. General Urban Neighborhood Context

### Division 6.4 Uses and Required Minimum Parking

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<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
</table>
| **Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)** | Liquor Store, Including Drugstores Licensed to Sell Liquor  
- Vehicle: 1.875/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (20/80) | NP NP NP NP L-ZP L-ZP L-ZP § 11.4.15 |
| | Pawn Shop | NP NP NP NP NP NP NP |
| | Retail Sales, Service & Repair -- Outdoor* | NP NP NP NP NP NP NP |
| | Retail Sales, Service & Repair - Firearms Sales  
- Vehicle: 1.875/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (20/80) | NP NP NP NP NP NP P-ZP |
| | Retail Sales, Service & Repair, All Others  
- Vehicle: 1.875/1,000 ft² GFA  
- Bicycle: 1/10,000 ft² GFA (20/80) | NP NP NP NP P-ZP P-ZP P-ZP |
| **Vehicle / Equipment Sales, Rentals, Service & Repair** | Automobile Emissions Inspection Facility  
- Vehicle: .5/1,000 ft² GFA  
- Bicycle: No requirement | NP NP NP NP NP P-ZP P-ZP |
| | Automobile Services, Light  
- Vehicle: .5/1,000 ft² GFA  
- Bicycle: No requirement | NP NP NP NP NP L-ZP L-ZP § 11.4.19; § 11.4.20 |
| | Automobile Services, Heavy  
- Vehicle: .5/1,000 ft² GFA  
- Bicycle: No requirement | NP NP NP NP NP L-ZP/ZPSE § 11.4.19; § 11.4.21 |
| | Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*  
- Vehicle: .5/1,000 ft² GFA  
- Bicycle: No requirement | NP NP NP NP L-ZP L-ZP L-ZP § 11.4.22 |
| | Heavy Vehicle/Equipment Sales, Rentals & Service* | NP NP NP NP NP NP NP |
### Article 6. General Urban Neighborhood Context
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<td>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</td>
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<td>Communications and Information</td>
<td>Antennas Not Attached to a Tower*</td>
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<td>• No Parking Requirements</td>
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<tr>
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<td>Communication Services</td>
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<tr>
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<td>• Vehicle: .5 / 1,000 ft² GFA</td>
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<tr>
<td></td>
<td>• Bicycle: No requirement</td>
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<tr>
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<td>Telecommunications Towers*</td>
<td>L-ZP/ZPIN</td>
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<td>Telecommunication Facilities -- All Others*</td>
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<td>Contractors, Special Trade - General</td>
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<td>• Bicycle: No requirement</td>
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<td>Contractors, Special Trade - Heavy/ Contractor Yard*</td>
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<td>Food Preparation and Sales, Commercial</td>
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<td>• Vehicle: .5 / 1,000 ft² GFA</td>
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<td>• Bicycle: No requirement</td>
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<td>Laboratory, Research, Development and Technical Services</td>
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<td>Service/Repair, Commercial</td>
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<td>Manufacturing, Fabrication &amp; Assembly -- Custom</td>
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<td>• Vehicle: .5 / 1,000 ft² GFA</td>
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<tr>
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<td>• Bicycle: No requirement</td>
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<td>Manufacturing, Fabrication &amp; Assembly -- General</td>
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<td>Mining &amp; Extraction and Energy Producing Systems</td>
<td>Oil, Gas -- Production, Drilling*</td>
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<td>Sand or Gravel Quarry*</td>
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<td>Wind Energy Conversion Systems*</td>
<td>L-ZPIN/ZPSE</td>
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<tr>
<td></td>
<td>• No Parking Requirement</td>
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</tr>
</tbody>
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<td>Helipad, Helistop, Heliport* No Parking Requirements</td>
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<td>L-ZPIN</td>
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<td>Waste Related Services</td>
<td>Railway Right-of-Way* No Parking Requirements</td>
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<td>Terminal, Station or Service Facility for Passenger Transit System</td>
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<td>Terminal, Freight, Air Courier Services</td>
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<td>Wholesale, Storage, Warehouse &amp; Distribution</td>
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<td>Junkyard*</td>
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<td>• Vehicle: 0.1 / 1,000 ft² GFA</td>
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<td></td>
<td>• Bicycle: No requirement</td>
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<tr>
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</table>
DIVISION 7.2 DISTRICTS (C-MX, C-RX, C-MS, C-CCN)

SECTION 7.2.1 DISTRICTS ESTABLISHED
To carry out the provisions of this Article, the following districts have been established in the Urban Center Neighborhood Context and are applied to property as set forth on the Official Map.

Urban Center Neighborhood Context
C-MX-3 Mixed Use 3
C-MX-5 Mixed Use 5
C-MX-8 Mixed Use 8
C-MX-12 Mixed Use 12
C-MX-16 Mixed Use 16
C-MX-20 Mixed Use 20
C-RX-5 Residential Mixed Use 5
C-RX-8 Residential Mixed Use 8
C-RX-12 Residential Mixed Use 12
C-MS-5 Main Street 5
C-MS-8 Main Street 8
C-MS-12 Main Street 12
C-CCN-3 Cherry Creek North 3
C-CCN-4 Cherry Creek North 4
C-CCN-5 Cherry Creek North 5
C-CCN-7 Cherry Creek North 7
C-CCN-8 Cherry Creek North 8
C-CCN-12 Cherry Creek North 12

SECTION 7.2.2 MIXED USE DISTRICTS (C-MX-3, -5, -8, -12, -16, -20)

7.2.2.1 General Purpose
A. The Mixed Use districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge.

B. The Mixed Use districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.

C. The Mixed Use district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.

E. In the Urban Center Neighborhood Context, the Mixed Use districts require the same level of pedestrian enhancements as the Main Street districts. In the Urban Center Neighborhood Context, the primary difference between the Mixed Use districts and the Main Street districts is Main Street districts mandate shopfront buildings at the street edge.

F. Mixed use buildings have a shallow front setback range. The build-to requirements are high.
7.2.2.2 Specific Intent

A. Mixed Use – 3 (C-MX-3)
C-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.

B. Mixed Use – 5 (C-MX-5)
C-MX-5 applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired.

C. Mixed Use – 8 (C-MX-8)
C-MX-8 applies to areas or intersections served primarily by arterial streets where a building scale of 2 to 8 stories is desired.

D. Mixed Use – 12 (C-MX-12)
C-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 12 stories is desired.

E. Mixed Use – 16 (C-MX-16)
C-MX-16 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 16 stories is desired.

F. Mixed Use – 20 (C-MX-20)
C-MX-20 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 20 stories is desired.

SECTION 7.2.3 RESIDENTIAL MIXED USE DISTRICTS (C-RX-5, -8, -12)

7.2.3.1 General Purpose

A. The Residential Mixed Use districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm.

B. The Residential Mixed Use districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.

C. The Residential Mixed Use district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have Street Level retail uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.

7.2.3.2 Specific Intent

A. Residential Mixed Use 5 (C-RX-5)
C-RX-5 applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired.
B. **Residential Mixed Use 8 (C-RX-8)**  
C-RX-8 applies to residentially-dominated areas served primarily by collector or arterial streets where a building scale of 2 to 8 stories is desired.

C. **Residential Mixed Use 12 (C-RX-12)**  
C-RX-12 applies to residentially-dominated areas served primarily arterial streets where a building scale of 2 to 12 stories is desired.

**SECTION 7.2.4  MAIN STREET DISTRICTS (C-MS-5, -8 -12)**

7.2.4.1 **General Purpose**

A. The Main Street Z zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

B. The Main Street Z zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

D. Main Street Z zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

E. In the Urban Center Neighborhood Context, the Main Street Z zone districts should be applied where active Street Level retail is desired.

F. In the Urban Center Neighborhood Context, the Main Street Z zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote Street Level retail activity.

G. Main Street buildings have a shallow front setback range. The build-to requirements are high.

7.2.4.2 **Specific Intent**

A. **Main Street 5 (C-MS-5)**  
C-MS-5 applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired.

B. **Main Street 8 (C-MS-8)**  
C-MS-8 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 8 stories is desired.

C. **Main Street 12 (C-MS-12)**  
C-MS-12 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 12 stories is desired.
SECTION 7.2.5  CHERRY CREEK NORTH DISTRICTS (C-CCN-3, -4, -5, -7, -8, -12)

7.2.5.1 General Purpose

A. The C-CCN Z zone districts are specifically tailored Urban Center Z zone districts that promote development compatible with the character of the Cherry Creek North mixed use shopping district. The C-CCN Z zone districts encourage interesting and attractive architectural design solutions for new developments and promote pedestrian and shopping activities, particularly at Street Level.

B. Compared to the Mixed Use or Main Street Z zone districts, the C-CCN Z zone districts are better tailored to the unique character and scale of Cherry Creek North. The C-CCN Z zone districts promote an enhanced pedestrian-oriented environment through features such as larger primary street setbacks, open space incentives, and building forms that allow light and views between buildings. Where Main Street Z zone districts are applied to key corridors and retail streets, and the Mixed Use Z zone districts are intended for broader application at the neighborhood scale, the C-CCN Z zone districts are intended for specific application in the Cherry Creek North mixed use shopping district area.

C. The C-CCN Z zone districts promote the following goals:

1. Retain and enhance Cherry Creek North’s unique physical character;
2. Make reinvestment economically viable in the entire district;
3. Encourage small lot reinvestment;
4. Transition from higher buildings along 2nd Avenue to lower buildings along 3rd Avenue;
5. Create height transition from the business district to adjacent residential;
6. Retain sunlight on streets and views between buildings;
7. Prevent the creation of walled or monolithic streets; and
8. Encourage active storefronts and ground floor uses.

7.2.5.2 Specific Intent

A. Cherry Creek North – 3 (C-CCN-3)
C-CCN-3 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 3 stories is desired.

B. Cherry Creek North – 4 (C-CCN-4)
C-CCN-4 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 4 stories is desired.

C. Cherry Creek North – 5 (C-CCN-5)
C-CCN-5 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 5 stories is desired.

D. Cherry Creek North – 7 (C-CCN-7)
C-CCN-7 applies in the Cherry Creek North mixed use shopping district to areas or intersections served primarily by local, collector, or arterial streets where a building scale of 1 to 7 stories is desired.
DIVISION 7.3 DESIGN STANDARDS
The following Intent Statements are intended to provide further information regarding intent and performance expectations for the district, site and building design standards.

SECTION 7.3.1 GENERAL INTENT
The Intent of this Division 7.3 Design Standards are to:

7.3.1.1 Implement the Denver Comprehensive Plan.
7.3.1.2 Implement the Zone D district’s Intent and Purpose
7.3.1.3 To continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
7.3.1.4 Improve compatibility with and respect for the existing character and context of Denver and its neighborhoods.
7.3.1.5 Arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas.
7.3.1.6 Give prominence to pedestrian realm as a defining element of neighborhood character.
7.3.1.7 Spatially define public streets and their associated open space as positive, usable features around which to organize and orient buildings in a manner that promotes pedestrian activity, a sense of security and community.
7.3.1.8 Provide human scale in buildings through use of detail, contrast, form, window and door placement, color and materials.
7.3.1.9 Provide easily identifiable pedestrian connections between private development, public rights of way and multiple modes of transit.
7.3.1.10 Configure the site so that a clear, safe, and attractive pedestrian system, with the transit facility as a component, is the primary public element to which buildings are oriented.
7.3.1.11 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit.
7.3.1.12 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

SECTION 7.3.2 BUILDING FORM INTENT
7.3.2.1 Height
A. Encourage buildings whose forms are responsive to the surrounding context, including opportunities to reinforce existing and evolving nodes of mixed-use, pedestrian and transit activities.
B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.

7.3.2.2 Siting
A. Required Build-To
   1. Provide a consistent street edge to enhance character of the context.
   2. Define streets to promote pedestrian activity and sense of place.
   3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
2. **Drive Thru Restaurant**
   To allow more flexible design standards to accommodate unique circumstances of eating/drinking establishments with an accessory drive-thru lane. Specifically, allow corner lots a reduced build-to percentage on the Primary Street when the build-to percentage is increased along the Side Street.

3. **General**
   Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

4. **Shopfront**
   Establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

B. **Cherry Creek North Zone Districts**

1. **Cherry Creek General**
   To establish the base set of standards for the zone district from which all other building forms deviate for specific situations.

2. **Cherry Creek General - Small Lot on South Side of 3rd Ave**
   To allow more flexible design standards for zone lots sized 6,250 SF and less that are located on the south side of 3rd Avenue and that exist as of October 27, 2014, in order to encourage small lot reinvestment. Specifically, allow building forms that do not fully comply with the 3rd Avenue CCN Solar Access Bulk Plane.

3. **Cherry Creek Open Space**
   To establish a building form that encourages the provision of Private Open Space. In exchange for providing Private Open Space, buildings are exempt from the Mass Reduction that applies to the Cherry Creek General building form.

4. **Cherry Creek Open Space - Small Lot on the South Side of 3rd Ave**
   To establish a building form that encourages the provision of Private Open Space on 3rd Avenue and that allows for more flexible design standards for zone lots sized 9,375 SF and less that are located on the south side of 3rd Avenue and that exist as of October 27, 2014, in order to encourage small lot reinvestment. Specifically, allow building forms that do not comply with the 3rd Avenue CCN Bulk Plane in exchange for providing Private Open Space.
SECTION 7.3.3 PRIMARY BUILDING FORM STANDARDS

7.3.3.1 Applicability
All development, except detached accessory structures, in all the Urban Center Neighborhood Context Zone D districts

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

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

<table>
<thead>
<tr>
<th>Urban Center (C-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
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<tbody>
<tr>
<td></td>
<td>Building Forms</td>
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<td></td>
<td>Suburban House</td>
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<td>Urban House</td>
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<td></td>
<td>Detached Accessory Dwelling Unit</td>
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<td>Duplex</td>
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<td>Tandem House</td>
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<td>Town House</td>
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<td>Garden Court</td>
</tr>
<tr>
<td></td>
<td>Row House</td>
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<td></td>
<td>Apartment</td>
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<td>Drive Thru Services</td>
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<td>Drive Thru Restaurant</td>
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<td></td>
<td>General</td>
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<td>Cherry Creek Open Space - Small Lot on South Side of 3rd Ave</td>
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<td></td>
<td>Shopfront</td>
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<td>Residential Mixed Use (RX)</td>
<td>C-RX-5, -8, -12</td>
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<td>Main Street (MS)</td>
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<td>Cherry Creek North (CCN)</td>
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■ = Allowed  □ = Allowed subject to limitations
GENERAL

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<tr>
<th>HEIGHT</th>
<th>C-MX-3</th>
<th>C-RX-5</th>
<th>C-RX-8</th>
<th>C-RX-12</th>
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<td>Height Exceptions</td>
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SITING

REQUIRED BUILD-TO

A Primary Street (min build-to % within min/max range) 70% 0'/10’

Build-to Exceptions and Alternatives See Sections 7.3.7.2 and 7.3.6.1

SETBACKS

Primary Street (min) 0’
Side Street (min) 0’
Side Interior (min) 0’

B Side Interior, adjacent to Protected District (min) 10’
Rear, alley and no alley (min) 0’
Rear, adjacent to Protected District, alley/no alley (min) 0'/10’

Setback Exceptions and Encroachments See Sections 7.3.7.3 and 7.3.7.4

PARKING

Surface Parking between building and Primary Street/Side Street Not Allowed/Not Allowed

C Surface Parking Screening Required See Article 10, Division 10.5

Vehicle Access, 3 or more side-by-side dwelling units in one structure From Alley; or Street access allowed when no Alley present (Sec. 7.3.5.3)

Vehicle Access, all other permitted uses Shall be determined as part of Site Development Plan Review

DESIGN ELEMENTS

BUILDING CONFIGURATION

D Upper Story Setback Above 27; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min) 15'/25’ 20'/25’ 20'/25’ 20'/25’ 20'/25’

E Upper Story Setback Above 51; adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min) na 35'/40’ 35'/40’ 35'/40’ 35'/40’

STREET LEVEL ACTIVATION

F Transparency, Primary Street (min) 40% Residential Only Buildings: 30%

G Transparency, Side Street (min) 25%

Transparency Alternatives See Section 7.3.6.3

H Pedestrian Access, Primary Street Entrance

USES

All C-MX All C-RX

(1) All permitted Primary Uses shall be allowed within this building form, See Division 7.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 7.3.5.4.

(1) All permitted Primary Uses shall be allowed within this building form; however: (1)Second Story and Above: Residential or Lodging Accommodations uses only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max
**CHERRY CREEK GENERAL - SMALL LOT ON SOUTH SIDE OF 3RD AVE**

### HEIGHT

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<tbody>
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<td>3</td>
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<tr>
<td>Feet (max)</td>
<td>45’</td>
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<td>3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)</td>
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### SITING

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<tr>
<td>Zone Lot Size, as of October 27, 2014 (max)</td>
<td>6,250 ft²</td>
<td>6,250 ft²</td>
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<tr>
<td>Zone Lot Width on the south side of 3rd Avenue</td>
<td>At least 1’ but no more than 50’</td>
<td>More than 50’</td>
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### REQUIRED BUILD-TO

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<tr>
<td>Primary Street (% within min/max)</td>
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<td>70%</td>
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<tr>
<td>Primary Street (min)</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Side Interior (min)</td>
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<td>0’</td>
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<tr>
<td>Side Interior, adjacent to Protected District (min)</td>
<td>10’</td>
<td>10’</td>
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<tr>
<td>Rear, alley and no alley (min)</td>
<td>0’</td>
<td>0’</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>0’/10’</td>
<td>0’/10’</td>
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### SETBACKS

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<thead>
<tr>
<th></th>
<th>Option A</th>
<th>Option B</th>
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<tbody>
<tr>
<td>Upper Story Setback Above 27’, adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>20’/25’</td>
<td>20’/25’</td>
</tr>
<tr>
<td>Upper Story Setback Above 51’, adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
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<td>na</td>
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</table>

### STREET LEVEL ACTIVATION

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
<td>60%</td>
<td></td>
</tr>
<tr>
<td>Pedestrian Access, min 1 per building</td>
<td>Entrance</td>
<td></td>
</tr>
</tbody>
</table>

### USES

<table>
<thead>
<tr>
<th></th>
<th>Option A</th>
<th>Option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**DENVER ZONING CODE**

*June 25, 2010 | Republished July 6, 2015*
### DESIGN ELEMENTS

<table>
<thead>
<tr>
<th>Building Configuration</th>
<th>Option A</th>
<th>Option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Open Space (min)</td>
<td>15%</td>
<td>20%</td>
</tr>
<tr>
<td>Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>20'/25'</td>
<td>20'/25'</td>
</tr>
<tr>
<td>Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>35'/40'</td>
<td>na</td>
</tr>
<tr>
<td>Primary Street Upper Story Setback Above 45' and 3 Stories; where zone lot abuts southern right-of-way of 3rd Avenue (min)</td>
<td>57'</td>
<td>na</td>
</tr>
</tbody>
</table>

### STREET LEVEL ACTIVATION

| Transparency, Primary Street (min) | 60% |
| Pedestrian Access, min 1 per building | Entrance |

### USES

All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking
### SHOPFRONT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>5</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>Feet (min/max)</td>
<td>24'/70'</td>
<td>24'/110'</td>
<td>24'/150'</td>
</tr>
</tbody>
</table>

**Height Exceptions**

See Section 7.3.7.1

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>REQUIRED BUILD-TO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street (min build-to % within min/max range)</td>
<td>75%</td>
<td>0'/5'</td>
<td></td>
</tr>
<tr>
<td>Residential Only Buildings:</td>
<td>0'/10'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side Street (min build-to % within min/max range)</td>
<td>25%</td>
<td>0'/5'</td>
<td></td>
</tr>
<tr>
<td>Residential Only Buildings:</td>
<td>0'/10'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Build-to Exceptions and Alternatives</td>
<td>See Sections 7.3.7.2 and 7.3.6.1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Side Interior (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Side Interior, adjacent to Protected District (min)</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>Rear, alley and no alley (min)</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
<td>0'/10'</td>
<td>0'/10'</td>
<td>0'/10'</td>
</tr>
</tbody>
</table>

Setback Exceptions and Encroachments

See Sections 7.3.7.3 and 7.3.7.4

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking between building and Primary Street/Side Street</td>
<td>Not Allowed/Not Allowed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface Parking Screening Required</td>
<td>See Article 10, Division 10.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure</td>
<td>From Alley; or Street access allowed when no Alley present (Sec. 7.3.5.3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Access, all other permitted uses</td>
<td>Shall be determined as part of Site Development Plan Review</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street Upper Story Setback above 5 stories or 70' (min) See Section 7.3.6.2 for Alternative</td>
<td>na</td>
<td>20'</td>
<td>20'</td>
</tr>
<tr>
<td>Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>20'/25'</td>
<td>20'/25'</td>
<td>20'/25'</td>
</tr>
<tr>
<td>Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)</td>
<td>35'/40'</td>
<td>35'/40'</td>
<td>35'/40'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>STREET LEVEL ACTIVATION</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Only Buildings:</td>
<td>60%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency, Side Street (min)</td>
<td>25%</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>Transparency Alternatives</td>
<td>See Section 7.3.6.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>C-MS-5</th>
<th>C-MS-8</th>
<th>C-MS-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>All C-MS</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street and Side Street build-to requirements shall be occupied by Street Level active uses as described in Section 7.3.5.4.
SECTION 7.3.4  DETACHED ACCESSORY BUILDING FORM STANDARDS

7.3.4.1 Applicability
All detached accessory structures in all the Urban Center Neighborhood Context Zone D districts

7.3.4.2 General Standards

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

B. Detached Accessory Structures Specifically Allowed
The following detached accessory structures are specifically allowed:

1. Buildings:
   Sheds, utility buildings, playhouses, Patios, cabanas, pool houses, Porches, garages, and guard houses

2. Underground Structures:
   Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 7.3.4.

5. Accessory Structures Not Specifically Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 7.3.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the Zone D district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 7.3.4.
7.3.4.3 Supplemental Standards

A. Gross Floor Area for Detached Accessory Structures in All Zone Districts
If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

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

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

2. Access and Contiguity
Except when used for a permitted accessory dwelling unit, any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

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

<table>
<thead>
<tr>
<th>Urban Center (C-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Mixed Use (RX) C-RX-5, -8, -12 no max*</td>
<td>Detached Accessory Dwelling Unit</td>
<td>Detached Garage</td>
</tr>
<tr>
<td>Mixed Use (MX) C-MX-3, -5, -8, -12, -20 no max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Main Street (MS) C-MS-5, -8, -12 no max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cherry Creek North (CCN) C-CCN-3, -4, -5, -7, -8, -12 no max</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations  *One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5
SECTION 7.3.5 SUPPLEMENTAL DESIGN STANDARDS

7.3.5.1 Ground Stories of Parking Structures in the C-CCN Zone Districts

A. Intent
Improve the pedestrian experience along the Street Level in the Cherry Creek North mixed use shopping district by requiring ground-story, pedestrian-friendly active uses in all new or redeveloped buildings and structures containing parking spaces. Active ground-story uses best ensure a steady stream of customer and visitor interaction throughout the day and night, contributing substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. Street Level area set aside in buildings or structures for active uses is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly active uses.

B. Applicability
Section 7.3.5.1 design standards shall apply to any structure containing parking spaces in the C-CCN Zone Districts. The term “parking spaces” in this provision means both parking spaces accessory to a primary use and/or parking spaces that comprise the primary use of the structure.

C. Permitted Street Level Uses
1. The Street Level of a structure containing parking spaces shall be occupied by a use permitted in the applicable C-CCN Zone District for 100% of the structure’s primary street frontage(s), except the following uses are prohibited from occupying any portion of the structure’s street frontage(s):
   a. Parking, Garage,
   b. Parking accessory to a primary use otherwise permitted in the same building or structure,
   c. Household Living, and
   d. Automobile Services, Light or Heavy, except as otherwise allowed in Section 11.4.19.3.
2. Residential lobbies and other similar pedestrian access to and through the subject structure from the primary street side(s) of the building may be credited toward compliance with the 100% Street Level use frontage requirement in Section 7.3.5.1.C.1 above.
3. When vehicle access to on-site parking or loading spaces from a primary street is allowed under Section 7.3.5.2, the width of such vehicle access may be credited toward compliance with the 100% Street Level use frontage requirement in Section 7.3.5.1.C.1 above.

See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.5 of this Code, and C-CCN Zone District uses limitations related to ground-story Automobile Services, Light or Heavy uses in Section 11.4.19.3.

7.3.5.2 Vehicle Access in the C-CCN Zone Districts

A. Intent
Vehicle driveways that access zone lots in the C-CCN Zone Districts directly from a public street create conflict points with pedestrians and detract from the objective of encouraging active ground-story uses along public street frontages in Cherry Creek North. This section’s standards will improve the pedestrian experience along the Street Level in Cherry Creek North by requiring vehicle access to zone lots be taken from public alleys to the maximum extent feasible.
B. **Applicability**

This Section 7.3.5.2 applies to development in the C-CCN Z\_zone D\_districts that proposes either new vehicle access or a change in location of existing vehicle access to the subject zone lot. This Section shall apply to all proposed vehicle access points to the same zone lot.

C. **Location of Vehicle Access**

1. All vehicle access to a zone lot in the C-CCN Z\_zone D\_districts shall be from an alley, when alley access is present.

2. If alley access is not present or if alley access is not feasible due to lot configuration, an Applicant shall first give preference to vehicle access to the zone lot from a named street before proposing vehicle access from a numbered street.

3. Whenever street (not alley) vehicle access to the zone lot is allowed, the width of the vehicle ingress/egress ways from the street shall be minimized.

7.3.5.3 **Vehicle Access in all other Zone Districts**

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, driving aisle, 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 dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street;

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; or

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

7.3.5.4 **Street Level Active Uses in the C-MX and C-MS Zone Districts**

A. **Intent**

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

B. **Applicability**

This Section 7.3.5.4 applies to the General building form in the C-MX zone districts and the Shopfront building form in the C-MS zone districts.

C. **Street Level Active Uses**

1. Street Level active uses include all permitted primary uses except the following:
   a. Mini-storage Facility; or
   b. Wholesale Trade or Storage, Light.
Article 7. Urban Center Neighborhood Context
Division 7.3 Design Standards

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

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

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

5. The length of any build-to alternatives permitted by Section 7.3.6.1 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

SECTION 7.3.6  DESIGN STANDARD ALTERNATIVES

7.3.6.1 Required Build-To Alternatives

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

B. Allowance
   The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E:

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>C-RX</td>
</tr>
<tr>
<td>C-MX</td>
</tr>
<tr>
<td>C-MS</td>
</tr>
<tr>
<td>C-CCN</td>
</tr>
</tbody>
</table>

*Permitted increase in the maximum depth of the required build-to range.
**If used in combination with each other, the permanent outdoor patio seating and private open space alternatives may count toward 100% of required build-to, provided the outdoor patio seating complies with the private open space rule of measurement in Article 13.
***If used in combination with each other, the garden wall, garden wall with covered seating for pedestrians and pergola alternatives may count toward no more than 30% of required build-to.

7.3.6.2 Primary Street Upper Story Setback

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

B. Applicability
   C-MS-8, C-MS-12

C. Alternative
   When the building is placed at 0 feet on the Primary Street Zone Lot Line, then the Upper Story Setback above 5 stories or 70 feet may be reduced to 15 feet. This alternative only applies...
to portions of buildings placed at 0': feet on the Primary Street Zone Lot Line. Therefore, any portions of the building placed beyond 0': feet shall meet the Upper Story Setback stated in the building form table.

### 7.3.6.3 Transparency Alternatives

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

**B. Allowance**
The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.6.2.A.4:

<table>
<thead>
<tr>
<th>TRANSPARENCY ALTERNATIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE DISTRICT</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>C-RX</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>C-MX</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>C-MS</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

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

### 7.3.6.4 Pedestrian Access (Entrance) Alternatives

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

**B. Allowance**
In C-MX and C-RX districts, for all building forms except the Row House building form, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.3:

1. Courtyard or Plaza
2. Covered Walkway
2. **Standard**  
Where a zone lot has street frontage on a Parkway designated under D.R.M.C, Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

### 7.3.7.3 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 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:

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.

### 7.3.7.4 Setback Encroachments

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

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

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

### Table

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All C- Zone Districts</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 3’; if setback is less than 5’: 2’</td>
</tr>
<tr>
<td>Belt Courses, sills, lintels, pilasters, pediments, cornices; chimneys and fireplace insert vents not exceeding 6’ in width</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 3’</td>
<td>1.5’ Cornices only: 5’</td>
<td></td>
</tr>
</tbody>
</table>

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

---

*Illustrative only*
DIVISION 7.4 USES AND REQUIRED MINIMUM PARKING

SECTION 7.4.1 APPLICABILITY

7.4.1.1 This Division 7.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Urban Center Neighborhood Context zones.

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

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

SECTION 7.4.2 ORGANIZATION

7.4.2.1 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.

7.4.2.2 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 7.4.3 EXPLANATION OF TABLE ABBREVIATIONS

7.4.3.1 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.
7.4.3.2 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.

7.4.3.3 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 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).

7.4.3.4 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 7.4.4 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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>USE CATEGORY</strong></td>
<td><strong>SPECIFIC USE TYPE</strong></td>
<td><strong>APPLICABLE USE LIMITATIONS</strong></td>
</tr>
<tr>
<td><strong>RESIDENTIAL PRIMARY USE CLASSIFICATION</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Household Living | Dwelling, Single Unit  
• No Parking Requirements | P-ZP | P-ZP | P-ZP | L-ZP | §11.2.5 |
| | Dwelling, Two Unit  
• Vehicle - CCN districts only:1/unit  
• Vehicle: 0.75/unit  
• Bicycle: No requirement | P-ZP | P-ZP | P-ZP | L-ZP | §11.2.5 |
| | Dwelling, Multi-Unit  
• Vehicle - CCN districts only:1/unit  
• Vehicle: 0.75/unit  
• Bicycle: 1/2 units (80/20) | P-ZP | P-ZP | P-ZP | L-ZP | §11.2.5 |
| | Dwelling, Live / Work  
• Vehicle - CCN districts only:1/unit  
• Vehicle: 0.75/unit  
• Bicycle: 1/2 units (80/20) | P-ZP | P-ZP | P-ZP | L-ZP | §11.2.5 |
| | Assisted Living Facility  
• Vehicle: .75/unit  
• Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | NP |
| | Community Corrections Facility | NP | NP | NP | NP |
| | Nursing Home, Hospice  
• Vehicle - CCN districts only:1/unit  
• Vehicle: .75/unit  
• Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | L-ZPSE |
| | Residence for Older Adults  
• Vehicle - CCN districts only:1/unit  
• Vehicle: .75/unit  
• Bicycle: 1/10 units (50/50) | P-ZP | P-ZP | P-ZP | L-ZP |
| | Residential Care Use, Small or Large  
• Vehicle: No requirement  
• Bicycle: 1/10 units (50/50) | L-ZPIN | L-ZPIN | L-ZPIN | L-ZPIN | §11.2.8 |
| | Rooming and Boarding House  
• Vehicle - MS only: 2/1,000 ft² GFA  
• Vehicle: 2.5/1,000 ft² GFA  
• Bicycle: No requirement | P-ZP | P-ZP | P-ZP | NP |
| | Shelter for the Homeless  
• Vehicle: No requirement  
• Bicycle: No requirement | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | L-ZPIN/L | §11.2.9 |
| | Student Housing  
• Vehicle - CCN districts only:1/unit  
• Vehicle: 0.75/unit  
• Bicycle: 1/2 units (80/20) | P-ZP | P-ZP | P-ZP | L-ZPIN/L |
| **CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION** | | |
| Basic Utilities | Utility, Major Impact*  
• Vehicle: .5 / 1,000 ft² GFA  
• Bicycle: No requirement | L-ZPSE | L-ZPSE | L-ZPSE | L-ZPSE | §11.3.1 |
| | Utility, Minor Impact*  
• Vehicle: .5 / 1,000 ft² GFA  
• Bicycle: No requirement | L-ZP | L-ZP | L-ZP | L-ZP | §11.3.2 |
## Article 7. Urban Center Neighborhood Context
### Division 7.4 Uses and Required Minimum Parking

#### KEY:
* = Need Not be Enclosed  
P = Permitted Use without Limitations  
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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>C-MX-3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>L-ZP</td>
</tr>
<tr>
<td>Community/Public Services</td>
<td>Community Center</td>
<td>Vehicle: No requirement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
</tr>
<tr>
<td></td>
<td>Day Care Center</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>Postal Facility, Neighborhood</td>
<td>Vehicle - CCN districts only: 2.5/1,000 ft²sf GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vehicle: 1.25/1,000 ft²sf GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bicycle: 1/7,500 ft²sf GFA (20/80)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P-ZP</td>
</tr>
<tr>
<td>Cultural/Special Purpose/Public Parks &amp; Open Space</td>
<td>Postal Processing Center</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bicycle: 1/7,500 ft²sf GFA (20/80)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Public Safety Facility</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
</tr>
<tr>
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<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>Hospital</td>
<td>NP</td>
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<tr>
<td></td>
<td>Correctional Institution</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Cemetery*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Library</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
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<tr>
<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td></td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>Museum</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
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<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td></td>
<td>NP</td>
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<tr>
<td></td>
<td>City Park*</td>
<td>NP</td>
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<tr>
<td></td>
<td>Open Space - Recreation*</td>
<td>Vehicle: No requirement</td>
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<tr>
<td></td>
<td></td>
<td>Bicycle: No requirement</td>
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<td></td>
<td></td>
<td>P-ZP</td>
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<tr>
<td></td>
<td>Open Space - Conservation*</td>
<td>No Parking Requirements</td>
</tr>
<tr>
<td>Education</td>
<td>Elementary or Secondary School</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
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<tr>
<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td>University or College</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
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<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td>L-ZP</td>
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<tr>
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<td>Vocational or Professional School</td>
<td>Vehicle: 1/1,000 ft²sf GFA</td>
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<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<td></td>
<td></td>
<td>NP</td>
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<tr>
<td>Public and Religious Assembly</td>
<td>All Types</td>
<td>Vehicle: No requirement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bicycle: 1/10,000 ft²sf GFA (0/100)</td>
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<tbody>
<tr>
<td>Commercial Sales, Services, &amp; Repair Primary Use Classification</td>
<td></td>
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</tr>
<tr>
<td>Adult Business</td>
<td>All Types</td>
<td>NP</td>
</tr>
<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Indoor</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - Artist Studio: 0.3/1000 ft² GFA</td>
<td></td>
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<tr>
<td></td>
<td>• Vehicle - CCN districts only: 2.5/1,000 ft² GFA</td>
<td></td>
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<tr>
<td></td>
<td>• Vehicle - All Others: 1.25/1,000 ft² GFA</td>
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<tr>
<td></td>
<td>• Bicycle: 1/7,500 ft² GFA (20/80)</td>
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<tr>
<td></td>
<td>Arts, Recreation and Entertainment Services, Outdoor</td>
<td>L-ZPIN</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - CCN districts only: 2.5/1,000 ft² GFA</td>
<td></td>
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<tr>
<td></td>
<td>• Vehicle: 1.25/1,000 ft² GFA</td>
<td></td>
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<tr>
<td></td>
<td>• Bicycle: 1/7,500 ft² GFA (20/80)</td>
<td></td>
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<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</td>
<td></td>
<td></td>
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<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parking, Surface</td>
<td>NP</td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - MS only: 2/1,000 ft² GFA</td>
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<tr>
<td></td>
<td>• Vehicle: 2.5/1,000 ft² GFA</td>
<td></td>
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<tr>
<td></td>
<td>• Bicycle: 1/1,500 ft² GFA (0/100)</td>
<td></td>
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<tr>
<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 0.875/guest room or unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/7,500 ft² GFA (0/100)</td>
<td></td>
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<tr>
<td></td>
<td>Lodging Accommodations, All Others</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 0.5/guest room or unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle: 1/7,500 ft² GFA (0/100)</td>
<td></td>
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<tr>
<td>Office</td>
<td>Dental / Medical Office or Clinic</td>
<td>L-ZPIN</td>
</tr>
<tr>
<td></td>
<td>• Vehicle - CCN districts only: 2/1,000 ft² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicle: 1.25/1,000 ft² GFA</td>
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<td></td>
<td>• Bicycle: 1/7,500 ft² GFA (0/100)</td>
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</tr>
<tr>
<td></td>
<td>Office, All Others</td>
<td>P-ZP</td>
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</table>
| **Retail Sales, Service & Repair** (Not Including Vehicle or Equipment Sales, Service & Repair) | **Animal Sales and Services, Household Pets Only**  
- Vehicle - CCN districts only: 2.5/1,000 ft² GFA  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | L-ZP L-ZP L-ZP L-ZP §11.4.11 |
| | **Animal Sales and Services, All Others** | NP NP NP NP |
| | **Body Art Establishment**  
- Vehicle - CCN districts only: 2.5/1,000 ft² GFA  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | NP L-ZP L-ZP L-ZP §11.4.13 |
| | **Food Sales or Market**  
- Vehicle - CCN districts only: 2.5/1,000 ft² GFA  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | L-ZP P-ZP P-ZP P-ZP §11.4.14 |
| **Retail Sales, Service & Repair** (Not Including Vehicle or Equipment Sales, Service & Repair) | **Liquor Store, Including Drugstores Licensed to Sell Liquor**  
- Vehicle - CCN districts only: 2.5/1,000 ft² GFA  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | L-ZP L-ZP L-ZP L-ZP §11.4.15 |
| | **Pawn Shop** | NP NP NP NP |
| | **Retail Sales, Service & Repair -- Out-door** | NP NP NP NP |
| | **Retail Sales, Service & Repair - Firearms Sales**  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | NP NP P-ZP NP |
| | **Retail Sales, Service & Repair, All Others**  
- Vehicle - CCN districts only: 2.5/1,000 ft² GFA  
- Vehicle: 1.25/1,000 ft² GFA  
- Bicycle: 1/7,500 ft² GFA (20/80) | P-ZP P-ZP P-ZP P-ZP |
## Article 7. Urban Center Neighborhood Context
### Division 7.4 Uses and Required Minimum Parking

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</thead>
<tbody>
<tr>
<td>Vehicle / Equipment Sales, Rentals, Service &amp; Repair</td>
<td><strong>Automobile Emissions Inspection Facility</strong></td>
<td>NP NP NP NP</td>
</tr>
</tbody>
</table>
| | **Automobile Services, Light**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP L-ZP L-ZP L-ZP §11.4.19 §11.4.20 |
| | **Automobile Services, Heavy**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP NP L-ZP/ZPSE NP §11.4.19 §11.4.21 |
| | **Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | L-ZP L-ZP L-ZP L-ZP §11.4.22 |
| | **Heavy Vehicle/ Equipment Sales, Rentals & Service** | NP NP NP NP |
| INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION | **Antennas Not Attached to a Tower**  
| No Parking Requirements | L-ZP L-ZP L-ZP L-ZP §11.5.2 |
| | **Communication Services**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | P-ZP C-MX-3: L-ZP/ZPSE All Others: P-ZP P-ZP P-ZP §11.5.1 |
| | **Telecommunications Towers**  
| No Parking Requirements | L-ZP/ZPIN/ZPSE L-ZP/ZPIN/ZPSE L-ZP/ZPIN/ZPSE L-ZP/ZPIN/ZPSE §11.5.2 |
| | **Telecommunications Tower - Alternative Structure**  
| No Parking Requirements | L-ZP/ZPIN L-ZP/ZPIN L-ZP/ZPIN L-ZP/ZPIN §11.5.2 |
| | **Telecommunication Facilities -- All Others**  
| No Parking Requirements | L-ZPIN L-ZPIN L-ZPIN L-ZPIN §11.5.2 |
| Industrial Services | **Contractors, Special Trade - General**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP L-ZP L-ZP NP §11.5.3 |
| | **Contractors, Special Trade - Heavy/Contractor Yard** | NP NP NP NP |
| | **Food Preparation and Sales, Commercial**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP L-ZP L-ZP L-ZP §11.5.5 |
| | **Laboratory, Research, Development and Technological Services**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP L-ZP L-ZP NP §11.5.6 |
| | **Service/Repair, Commercial**  
| Vehicle: 5/1,000 $ft^2$ GFA  
| Bicycle: No requirement | NP L-ZP L-ZP NP §11.5.7 |
### USE CATEGORY

**MANUFACTURING AND PRODUCTION**
- Manufacturing, Fabrication & Assembly -- Custom
  - Vehicle: \(0.5/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement
- Manufacturing, Fabrication & Assembly -- General
- Manufacturing, Fabrication & Assembly -- Heavy

**MINING & EXTRACTION AND ENERGY PRODUCING SYSTEMS**
- Oil, Gas -- Production, Drilling*
- Sand or Gravel Quarry*
- Wind Energy Conversion Systems*
  - No Parking Requirements

**TRANSPORTATION FACILITIES**
- Airport*
- Helipad, Helistop, Heliport*
  - No Parking Requirements
- Railroad Facilities*
- Railway Right-of-Way*
  - No Parking Requirements
- Terminal, Station or Service Facility for Passenger Transit System
  - Vehicle: \(0.5/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement
- Terminal, Freight, Air Courier Services

**WASTE RELATED SERVICES**
- Automobile Parts Recycling Business*
- Junkyard*
- Recyling Center
- Recycling Collection Station
- Recycling Plant, Scrap Processor
- Solid Waste Facility

**WHOLESALE, STORAGE, WAREHOUSE & DISTRIBUTION**
- Automobile Towing Service Storage Yard*
- Mini-storage Facility
  - Vehicle: \(0.1/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement
- Vehicle Storage, Commercial*
- Wholesale Trade or Storage, General
- Wholesale Trade or Storage, Light
  - Vehicle: \(0.5/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement

**AGRICULTURE PRIMARY USE CLASSIFICATION**
- Aquaculture*
- Garden, Urban*
  - Vehicle: \(0.5/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement
- Husbandry, Animal*
- Husbandry, Plant*
- Plant Nursery
  - Vehicle: \(0.5/1,000\) \(\text{ft}^2\) GFA
  - Bicycle: No requirement

### SPECIFIC USE TYPE

**Vehicle Parking Reqmt:** #
- Space per unit of measurement
**Bicycle Parking Reqmt:** #
- Space per unit of measurement
- \((% \text{ Required Spaces in Enclosed Facility} / % \text{ Required Spaces in Fixed Facility})\)

### APPLICABLE USE LIMITATIONS

- \(\text{L-ZPIN}\)
- \(\text{L-ZP}\)
- \(\text{L-ZP}\)
- \(\text{L-ZP}\)

- \(\text{§11.5.8}\)
- \(\text{§11.5.13}\)
- \(\text{§11.5.14}\)
- \(\text{§11.5.23}\)
- \(\text{§11.5.26}\)

### KEY:
- * = Need Not be Enclosed
- \(\text{P}\) = Permitted Use without Limitations
- \(\text{L}\) = Permitted Use with Limitations
- \(\text{NP}\) = Not Permitted Use
- \(\text{ZP}\) = Zoning Permit Review
- \(\text{ZPIN}\) = Subject to Zoning Permit Review with Informational Notice
- \(\text{ZPSE}\) = Subject to Zoning Permit with Special Exception Review

When no \(\text{ZP}\), \(\text{ZPIN}\), \(\text{ZPSE}\) listed = No Zoning Permit required
SECTION 8.1.5 BUILDING HEIGHT
The Downtown Context contains the tallest buildings in the City with maximum heights ranging from unlimited in the core of Downtown to 55-85 feet in Lower Downtown and Larimer Square. Allowed heights transition from the core to lower intensity contexts.

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

SECTION 8.2.1 DISTRICTS ESTABLISHED

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

Downtown Neighborhood Context

D-C  Downtown Core District
D-TD  Downtown Theater District
D-LD  Lower Downtown (LoDo) District
D-CV  Downtown Civic District
D-GT  Downtown Golden Triangle District
D-AS  Downtown Arapahoe Square District
D-AS-12+  Downtown Arapahoe Square 12+ District
D-AS-20+  Downtown Arapahoe Square 20+ District

SECTION 8.2.2 DOWNTOWN DISTRICTS

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

8.2.2.2 Specific Intent

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

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

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

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

E. Downtown Golden Triangle District (D-GT)
The Golden Triangle (D-GT) is a neighborhood with a mixture of housing, office, commercial, and retail. It is a neighborhood of active pedestrian-oriented streets and mixed-use development. Historic buildings as well as contemporary structures designed with human scale and detail are a part of the district’s unique character.
b. **Additional sunlight premium**

Such structures or multiple structure projects may receive additional floor area premiums based on the amount of sunlight preserved at the test time. The amount of the additional sunlight premium shall be calculated for each project zone of influence based on the following formula:

\[ Y = 6 - (0.06 \times X) \]

where:
- \( Y \) is the amount of additional sunlight premium, measured as a fraction or multiple of the size of the project zone lot; and
- \( X = A/ (B \times C - D) \)

where:
- “A” is the area of additional shadow to be cast by the proposed structure or project within the project zone of influence;
- “B” is .70 where the project zone lot is more than 12,500 square feet; and .80 where the project zone lot is 12,500 square feet or less;
- “C” is the area of the project zone of influence; and
- “D” is the area of preexisting shadows in the project zone of influence.

c. **Exceptions**

Notwithstanding Subsections a. and b. above, no such floor area premiums shall be available for any proposed structure or project whose project zone of influence is an excluded zone of influence.

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

1. **Basic Maximum Gross Floor Area**

The sum total of the gross floor area of all structures on a zone lot shall not be greater than 10 times the area of the zone lot on which the structures are located (FAR = 10.0).

2. **Floor Area Premiums**

In addition to the basic maximum gross floor area permitted under paragraph D.1. above, a premium of additional floor area may be constructed under the following circumstances, provided, however, that: (i) no use of the premiums described in those Subsections c. through f. below, either alone or in combination with one another, shall cause the maximum gross floor area on any zone lot to be increased by more than 2 times the size of such zone lot; and (ii) any area for which a premium has been granted pursuant to Subsections a. or c. below shall continue to be occupied by the use which originally earned the premium, or by other uses that would earn at least an equal amount of premium space.

a. **Premium for Housing**

i. Two square feet for each square foot of housing constructed in a new building, or through conversion of all or a part of an existing building from other uses.

ii. In addition, applicants may receive floor area premiums in return for cash contributions to the housing special revenue fund (Fund/Org. No. 1150-6330) to be used to create additional housing units within the Downtown Core or Downtown Theater Districts. Such cash-in-lieu fee or fees shall be based on the standard that a floor area premium of 2 square feet shall be available in return for each contribution equal to the average cost of creating one additional square foot of downtown housing. Community Planning and Development is hereby granted authority:
iv. The original certificate of undeveloped floor area shall be recorded by the Zoning Administrator in the office of the clerk and recorder of the City and County of Denver and State of Colorado. When the certificate has been recorded, it shall be filed with the Zoning Administrator. A copy of the certificate shall be given to the applicant.

v. Upon the issuance of a certificate of undeveloped floor area by the Zoning Administrator, undeveloped floor area shall be created and shall be an independent right in the owner to whom the certificate is issued and may be transferred. Such transfer need not be made appurtenant to another zone lot until a permit is requested using the undeveloped floor area.

vi. If the structure is partially or completely destroyed after a certificate of undeveloped floor area has been issued, no new structure shall be built exceeding the floor area of the former structure unless undeveloped floor area is acquired or through a combining of zone lots or other transfer procedures.

vii. Until such time as undeveloped floor area is made appurtenant to another zone lot, and upon the payment of a $75.00 fee, the holder of one or more certificates of undeveloped floor area may surrender such certificate or certificates to the Zoning Administrator and request the issuance of one or more replacement certificates reflecting the division of such undeveloped floor area into smaller units for transfer or the combination of such undeveloped floor area into larger units for transfer, provided that the total amount of all undeveloped floor area represented by the applicant’s certificates does not exceed the total amount of undeveloped floor area represented by the surrendered certificates.

f. Transfer Requirements

Undeveloped floor area shall be transferred to and made appurtenant to another zone lot according to the following requirements:

i. The instrument of conveyance shall identify the undeveloped floor area transferred by amount, the zone lot creating the undeveloped floor area and certification date and be signed by both the transferrer and the transferees.

ii. The instrument of conveyance shall legally describe the receiving property which shall be in the Downtown Core or Downtown Theater Districts.

iii. No subsequent transfer of undeveloped floor area made appurtenant to another zone lot shall become effective until approved by the Zoning Administrator upon a finding that no construction using the undeveloped floor area has occurred, and any permit authorizing the use of undeveloped floor area has been canceled. Such approval shall be applied for by the owners of the receiving property by written application accompanied by a filing fee of $1,500.00 and supported by all information necessary to justify approval by the Zoning Administrator.

4. Final maximum gross floor area.

a. Limits for designated areas.

Notwithstanding Sections 8.3.1.4.D.1-3 above, the final maximum gross floor areas that may be constructed on zone lots shall be limited as described below and shown on Exhibit 8.2:

i. For structures located within the area bounded by 14th Street, Colfax Avenue, Broadway Street, 18th Street, and the Market Street-Larimer Street alley: (i) A floor area ratio of 17:1; or (ii) If structures contain over 50 percent of their gross floor area in housing uses, then a floor area ratio of 20:1.
ii. For structures located in other areas:
   a) A floor area ratio of 12:1; or
   b) If structures contain over 50 percent of their gross floor area in housing uses, then a floor area ratio of 17:1.

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**8.3.1.5 Off-Street Parking Requirements**

**A. Applicable Standards**

The general off-street parking standards in Division 10.4 of this Code shall apply in the D-C and D-TD and D-CV districts, except where the standards stated in this Section 8.3.1.5 conflict, in which case the standards in this Section 8.3.1.5 shall apply.
B. Amount of Parking Spaces Required

1. There shall be no minimum off-street parking requirement for any use in the D-C or D-TD or D-CV zone districts.

2. Parking spaces provided in a parking structure to serve office uses in the D-C or D-TD or D-CV zone districts shall comply with the use limitations applicable to a “parking garage” use stated in Section 11.4.4.1.

C. Accessible Parking

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

D. Bicycle Parking

The following standard shall apply instead of the general bicycle parking standards in Article 10, Division 10.4, Parking and Loading.

1. All new parking structures shall contain at least 1 designated bicycle parking space for each 20 automobile parking spaces, provided, however, that in no event shall any new parking structure be required to contain more than 50 bicycle parking spaces.

8.3.1.6 Design Requirements

A. Pedestrian-Active Street Frontages

1. New buildings or renovations of existing buildings in which the renovation includes all or part of the leasable ground floor areas of the building shall be designed and constructed to accommodate pedestrian active uses for at least 65 percent of the linear frontage along the following streets: 16th Street pedestrian and transit mall, Larimer Street, Curtis Street, Tremont Place, Cleveland Place, and any light rail line operating in a street or fixed-guideway transit line operating in a street.

2. Street-facing ground floors of new buildings on named or numbered streets not included in the paragraph above shall provide 60 to 90 percent transparency as measured from floor to floor for at least 65 percent of the linear frontage of the building.

3. In all cases, transparent glass shall possess a minimum .65 light transmission factor.

B. Minimum Build-to Requirements

1. Within the area bounded by the centerlines of 14th Street, 18th Street, Broadway and Colfax and the Larimer/Market Street alley: Buildings shall be built-to or within 10 feet of the property line adjoining the street for no less than 65% of each separately owned zone lot frontage, except along the Southwest side of the 16th Street Mall where the build-to zone shall be increased to 20 feet.

2. In the areas northeast and southwest of the area noted above in Subsection B.1, buildings shall be built to within 10 feet of the property line adjoining the street for no less than 50% of each separately owned zone lot frontage.

C. Exposure to the Sky

In order to allow reasonable levels of natural light to reach the street, while also promoting strong definition of the street space, all new structures located on zone lots containing more than 15,000 square feet shall provide at least 15 percent sky exposure as measured from each abutting public street on which the zone lot has greater than one hundred fifty (150) linear feet of frontage. All sky exposure measurements shall be calculated using a Waldram diagram.
DIVISION 8.4 LOWER DOWNTOWN DISTRICT (D-LD)

SECTION 8.4.1 LOWER DOWNTOWN DISTRICT

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

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

8.4.1.3 Uses Permitted
See Division 8.10, “Uses and Required Minimum Parking,” for uses permitted in the D-LD District.

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

B. Amount of Parking Spaces Required
1. There shall be no minimum off-street parking requirement for contributing buildings or residential additions to contributing buildings, as such buildings are designated in D.R.M.C., Article III, (Lower Downtown Historic District), of Chapter 30, (Landmark Preservation);
2. One off-street parking space shall be provided for each residential unit of a new residential building or a residential addition to a noncontributing building; provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted;
3. One off-street parking space shall be provided for each 750 square feet of gross floor area for any nonresidential addition to a contributing or noncontributing building, or a new nonresidential building;
4. For zone lots with a mix of residential and any other primary use, off-street parking spaces shall be provided based on the requirements in Subsections B.1 through B.3 above in proportion to the uses in the building provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (.8) and rounding up to the nearest whole number;
5. “Additional parking” is parking above the required minimums as set forth in Sections 8.4.1.4.B.1 through 8.4.1.4.B.4 above. All structures may provide up to an additional one-half parking space per residential unit and one space per 1,500 square feet of gross floor area of nonresidential uses;
6. “Excess parking” is any parking in excess of the required minimums and allowed additional parking. Excess parking may be granted only upon application to the Lower
Downtown Design Review Board in accordance with the provisions of D.R.M.C., Article III (Lower Downtown historic district) of Chapter 30 (landmark preservation);

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

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

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

SECTION 8.6.1  GOLDEN TRIANGLE DISTRICT

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

8.6.1.2  Uses Permitted
See Division 8.10 for uses permitted in the Golden Triangle District.

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

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

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

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

   D.  Maximum Gross Floor Area in Structures
   1.  Basic Maximum Gross Floor Area
      The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.
structures within the D-GT district may be transferred to other properties within the D-GT district pursuant to the procedures for transfer of undeveloped floor area from historic structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

8.6.1.4 Design Review in the D-GT District

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

1. All structures and all site improvements or alterations seeking the design review premium established in Section 8.6.1.3.D.3 above; and

2. The lower eighty (80) feet of a building constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials.

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

C. Criteria
Design review shall be based on the following criteria:

1. Design Review for Floor Area Premium
The project shall be designed to promote the following objectives:

   a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
   b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
   c. Spatially define the street space; and
   d. Respect the character of the neighborhood as defined by its civic buildings and its older, pre-World War II masonry buildings;
   e. Provide step-backs in the building form to:
      i. Create pedestrian scale along the street;
      ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
      iii. Increase sky and daylight exposure to the street; and
      iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
   f. Locate pedestrian active uses, wherever possible, along the street;
   g. Provide at Street Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;
   h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICT

SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT (D-AS)

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

8.7.1.2 Uses Permitted
See Division 8.10 for uses permitted in the D-AS District.

8.7.1.3 Permitted Structures

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

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

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

D. Floor Area in Structures

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

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

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

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

   c. Premium for Arts, Entertainment, or Cultural Facility
   One (1) square foot of floor area premium shall be awarded for each square foot of “arts, entertainment, or cultural facility”, defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.
d. **Premium for Rehabilitation of Historic Structure**
   One (1) square foot of floor area premium shall be awarded for each square foot of rehabilitation of a designated historic building defined as a structure designated for preservation or a structure located in a district for preservation, the rehabilitation of which has been approved by the Landmark Preservation Commission in accordance with D.R.M.C., Chapter 30 (Landmark Preservation).

e. **Premium for Public Art**
   A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:
   i. The public art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or $500,000.00, whichever is less; and
   ii. The public art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

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

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

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

8.7.1.4 **Design Review**

A. **Applicability**
   Design review criteria and procedures shall apply to the following:
   1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
   2. The lower 80 feet of a building: constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building.
DIVISION 8.8  DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

SECTION 8.8.1  GENERAL INTENT

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

8.8.1.1  Implement the Denver Comprehensive Plan.

8.8.1.2  Implement the General Purpose and Specific Intent for the Downtown Arapahoe Square 12+ and 20+ zone districts provided in Section 8.2.2.2.

8.8.1.3  Continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.

8.8.1.4  Give prominence to the pedestrian realm as a defining element of neighborhood character.

8.8.1.5  Promote development of a vibrant sense of place in Arapahoe Square.

8.8.1.6  Further establish a sense of human scale design in Arapahoe Square.

8.8.1.7  Encourage innovative and unique design solutions that help define a special character for Arapahoe Square.

8.8.1.8  Promote harmonious relationships within Arapahoe Square and with surrounding neighborhoods through the arrangement of building heights and scaling devices.

8.8.1.9  Promote environmental, social and economic sustainability.

8.8.1.10  Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other.

8.8.1.11  Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.
### SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

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

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

<table>
<thead>
<tr>
<th>Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
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<tr>
<td></td>
<td>Suburban House</td>
<td>Urban House</td>
</tr>
<tr>
<td>Downtown Arapahoe Square 12+ District (D-AS-12+)</td>
<td>no max</td>
<td></td>
</tr>
<tr>
<td>Downtown Arapahoe Square 20+ District (D-AS-20+)</td>
<td>no max</td>
<td></td>
</tr>
</tbody>
</table>

■ = Allowed  □ = Allowed subject to limitations
SECTION 8.8.4 DETACHED ACCESSORY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

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

B. Detached Accessory Structures Specifically Allowed
The following detached accessory structures are specifically allowed:

1. Buildings:
   Sheds, utility buildings, playhouses, Patios, cabanas, pool houses, Porches, garages, and guard houses

2. Underground Structures:
   Swimming pools, storm and fallout shelters

3. Unenclosed Structures:
   a. Carports
   b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
   c. Radio and Television Receiving Antennas and Support Structures
      Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
   d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 8.8.4.

5. Accessory Structures Not Specifically Listed
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.8.4.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.8.4.
8.8.4.3 Supplemental Standards

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

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

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

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

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

8.8.4.4 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts is summarized below:

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

■ = Allowed  □ = Allowed subject to limitations
SECTION 8.8.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

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

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

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

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

D. Exception for Pre-Existing Small Zone Lots
Zone lots equal to or smaller than 75 feet in Primary Street lot width or 9,400 square feet in area on June 27, 2016 shall be exempt from the required Street Level active use where the uses that do not meet the requirements of Section 8.8.5.1.C. are located in a Street Level area that:
1. Has a minimum floor-to-floor height of 12 feet to allow for future conversion to an active use;
2. Is fully enclosed with similar building materials to those used on the upper story facade, including transparent glass.

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

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

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

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

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

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

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

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

B. Allowance
The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it meets the requirements stated in Section 13.1.5.6.E)

<table>
<thead>
<tr>
<th>REQUIRED BUILD-TO ALTERNATIVE</th>
<th>ZONE DISTRICT</th>
<th>PRIVATE OPEN SPACE (MAX % OF BUILD-TO)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D-AS-12+</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>D-AS-20+</td>
<td>25%</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+ 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.
8.9.1.2 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 2-8" and 3 feet. Such screening device shall be located on private property.
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 Districts. It also provides minimum off-street vehicle parking requirements for the D-GT and D-AS Districts, as well as minimum bicycle parking requirements for the D-GT, D-AS, D-AS-12, and D-AS-20 Districts. The D-C, D-TD, D-CV, D-AS-12, and D-AS-20 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 Districts). Parking requirements for the D-LD are provided in Section 8.4.1.4.

8.10.1.1 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.

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

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

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

8.10.3.4 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.
### 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

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><strong>Vehicle Parking Reqmt:</strong> # spaces per unit of measurement  <strong>Bicycle Parking Reqmt:</strong> # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</td>
<td><strong>D-C</strong> <strong>D-TD</strong> <strong>D-LD</strong> <strong>D-GT</strong> <strong>D-AS</strong> <strong>D-AS-12+</strong> <strong>D-AS-20+</strong> <strong>D-CV</strong></td>
</tr>
<tr>
<td><strong>USE CATEGORY</strong></td>
<td><strong>SPECIFIC USE TYPE</strong></td>
<td><strong>APPLICABLE USE LIMITATIONS</strong></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>TEMPORARY USE CLASSIFICATION</strong></td>
<td><strong>Unlisted Temporary Uses</strong></td>
<td>L - Applicable to all Zone Districts</td>
</tr>
<tr>
<td><strong>Temporary Uses</strong></td>
<td><strong>Ambulance Service - Temporary</strong></td>
<td>Not Applicable - See Permitted Primary Uses</td>
</tr>
<tr>
<td><strong>(Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)</strong></td>
<td><strong>Amusement / Entertainment - Temporary</strong></td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td><strong>Bazaar, Carnival, Circus or Special Event</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Building or yard for construction materials</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Concrete, Asphalt, and Rock Crushing Facility</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Fence for Demolition or Construction Work</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Health Care Center</strong></td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Noncommercial Concrete Batching Plant</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Outdoor Retail Sales - Pedestrian / Transit Mall</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Outdoor Retail Sales</strong></td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td><strong>Outdoor Sales, Seasonal</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Parking Lot Designated for a Special Event</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Retail Food Establishment, Mobile</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Temporary Construction Office</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Temporary Office - Real Estate Sales</strong></td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td><strong>Tent for Religious Services</strong></td>
<td>NP</td>
</tr>
</tbody>
</table>

**SECTION 8.10.5 APPLICABLE USE LIMITATIONS**

**8.10.5.1 Community Corrections Facility**

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

**A. Community Corrections Subject to Large Residential Care Use Limitations**

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

**B. Moratorium on New Community Corrections Facilities**

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

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Amendment: 9
C. Permitted Location
Community corrections facilities (for purposes of this Subsection, hereinafter “facilities” or “facility”) shall be allowed only in the D-C, D-TD, and D-LD zone districts, and shall be located more than:

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

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

E. Government Supervision Required for Transition Programs in a Community Corrections Facility
Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

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

8.10.5.3 Terminal, Freight, Air Courier Service
In the Downtown zone districts, where permitted with limitations, this use shall comply with the following:

A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.

B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.
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SECTION 9.1.2 DISTRICTS ESTABLISHED

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

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

### 9.1.2.1 Purpose

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

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

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

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

3. Industrial Mixed Use 5 (I-MX-5)
   - I-MX-5 applies to industrially-dominated areas served primarily by collector streets with a maximum building height of 5 stories.

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

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

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

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

This district is intended to be an employment area containing industrial uses that are generally more intensive than uses permitted in the I-A district. The overall purpose of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B district in order to promote and continue a stable employment base for the city.
SECTION 9.1.3 DESIGN STANDARDS

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

9.1.3.2 Primary Building Form

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

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

<table>
<thead>
<tr>
<th>Industrial (I-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial Mixed Use I-MX -3, -5, -8</td>
<td>no max</td>
<td>■ ■</td>
</tr>
<tr>
<td>Light Industrial I-A</td>
<td>no max</td>
<td>■ ■</td>
</tr>
<tr>
<td>General Industrial I-B</td>
<td>no max</td>
<td>■ ■</td>
</tr>
</tbody>
</table>

■ = Allowed
C. Pedestrian Access (Entrance) Alternatives

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

2. Allowance
   In all I-MX Zone D districts for all building forms, one of the following may be used as an alternative to a required Entrance, provided that the alternative meets the design standards described in Section 13.1.6.2.B.4:
   a. Courtyard or Plaza
   b. Covered Walkway

9.1.3.6 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:

3. 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 9.1.3.6.

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

5. 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.

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

<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 I- 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 I- 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>
</tbody>
</table>
B. Required Build-To Exceptions

1. Civic, Public & Institutional Uses
   a. Intent
      To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.
   b. Standard
      Structures containing one or more uses in the Civic, Public & Institutional Uses Classification are not required to meet the Primary Street and Side Street Build-To standards.

2. Parkways
   a. Intent
      To ensure structures contribute to the look and feel of a Parkway and great public space along Parkways, when Parkway setbacks are more restrictive than this Code’s build-to range.
   b. Standard
      Where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, if the parkway setback is greater than the outer range of the required build-to range, the build-to shall follow the setback established by the Parkway. The minimum build-to percentage shall still apply.

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

D. Setback Permitted Encroachments

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

2. Standard
   Required minimum setbacks shall be open and unobstructed. The following setback encroachments, excluding required upper story setbacks, are allowed:
   a. Architectural Elements
      To allow for minor elements which add to the architectural character of buildings, while maintaining an open and unobstructed setback space.
SECTION 9.1.4 USES AND REQUIRED MINIMUM PARKING

9.1.4.1 Applicability

A. This Section 9.1.4 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Industrial Context zones.

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

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

9.1.4.2 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.

9.1.4.3 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 standards and limitations (the "L"), and, second, that the use is subject to zoning permit review with information notice (the "ZPIN") prior to its establishment.
B. Permitted, Limited, Not Permitted

1. **Permitted Use - No Use Limitations Apply ("P")**
   A "P" in a table cell indicates that the use is permitted in the respective Zone district, and is not subject to use limitations.

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

3. **Uses Not Permitted ("NP")**
   "NP" in a table cell indicates that the use is not permitted in the specific Zone district.

4. **Zoning Procedure Use Subject to Zoning Permit Review ("ZP")**
   "ZP" in a table cell indicates that the use is permitted in the respective Zone district only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

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

6. **Use Subject to Zoning Permit 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.

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

**9.1.4.4 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.
### Article 9. Special Contexts and Districts
#### Division 9.1 Industrial Context

<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>I-MX-3 I-MX-5 I-MX-8 I-A I-B</td>
</tr>
</tbody>
</table>

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

### 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>Adult Business</td>
<td>All Types</td>
<td>NP NP NP</td>
</tr>
</tbody>
</table>

Arts, Recreation and Entertainment Services, Indoor
- Vehicle - Artist Studio: 0.3/1000 sf GFA
- Vehicle - All Others - I-MX only: 1.875/1,000 sf GFA
- Vehicle - All Others: 2.5/1,000 sf GFA
- Bicycle: 1/20,000 sf GFA (20/80)
- P-ZP P-ZP P-ZP

Arts, Recreation and Entertainment Services, Outdoor
- Vehicle - I-MX only: 1.875/1,000 sf GFA
- Vehicle: 2.5/1,000 sf GFA
- Bicycle: 1/20,000 sf GFA (20/80)
- L-ZP L-ZP L-ZP §11.4.2

Sports and/or Entertainment Arena or Stadium
- Vehicle: 2.5/1,000 sf GFA
- Bicycle: 1/20,000 sf GFA (20/80)
- L-ZP L-ZP L-ZP §11.4.4

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

(All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)

Not Applicable

Parking of Vehicles
- Parking, Garage: No Parking Requirements
- Parking, Surface: No Parking Requirements
- P-ZP P-ZP P-ZP

Eating & Drinking Establishments
- All Types
  - Vehicle - I-MX only: 3.75/1,000 sf GFA
  - Vehicle: 5/1,000 sf GFA
  - Bicycle: 1/5,000 sf GFA (0/100)
  - P-ZP P-ZP P-ZP

Lodging Accommodations
- Bed and Breakfast Lodging
  - Vehicle - I-MX only: 1/guest room or unit
  - Vehicle: 1.25/guest room or unit
  - Bicycle: 1/20,000 sf GFA (60/40)
  - P-ZP NP NP

Dental / Medical Office or Clinic
- Vehicle - I-MX only: 1.875/1,000 sf GFA
- Vehicle: 2.5/1,000 sf GFA
- Bicycle: 1/20,000 sf GFA (60/40)
- L-ZP L-ZP L-ZP §11.4.9

Office, All Others
- Vehicle - I-MX only: 1.875/1,000 sf GFA
- Vehicle: 2/1,000 sf GFA
- Bicycle: 1/20,000 sf GFA (60/40)
- P-ZP P-ZP P-ZP
SECTION 9.2.2  DISTRICTS ESTABLISHED

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

<table>
<thead>
<tr>
<th>CAMPUS CONTEXT</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CMP-H</td>
<td>Campus - Healthcare</td>
</tr>
<tr>
<td>CMP-H2</td>
<td>Campus - Healthcare 2</td>
</tr>
<tr>
<td>CMP-EI</td>
<td>Campus - Education Institution</td>
</tr>
<tr>
<td>CMP-EI2</td>
<td>Campus - Education Institution 2</td>
</tr>
<tr>
<td>CMP-ENT</td>
<td>Campus - Entertainment</td>
</tr>
<tr>
<td>CMP-NWC</td>
<td>Campus - National Western Center</td>
</tr>
</tbody>
</table>

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

9.2.3.1 Intent

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

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

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

9.2.3.2 Design Standards

A. Applicability

All development in the CMP-H, CMP-H2 Zone Districts.

B. General Standards

1. Campus Design Standards

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

2. Zone Lot

The Zoning Administrator shall designate the campus zone lot boundaries including one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.5.2, Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, and MS, and Division 1.2, Zone Lots. The area shall include the primary use in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.
### GENERAL (1 OF 2)

**HEIGHT**

<table>
<thead>
<tr>
<th>CMP-H</th>
<th>Feet, (max)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>200'</td>
</tr>
<tr>
<td>A</td>
<td>Feet, within 125' of Protected District (max)</td>
</tr>
</tbody>
</table>

**SITING**

**SETBACKS**

<table>
<thead>
<tr>
<th>CMP-H</th>
<th>Primary Street (min)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>10’</td>
</tr>
<tr>
<td>C</td>
<td>Side Street (min)</td>
</tr>
<tr>
<td>D</td>
<td>7.5’</td>
</tr>
<tr>
<td></td>
<td>Side Interior (min)</td>
</tr>
<tr>
<td></td>
<td>7.5’</td>
</tr>
<tr>
<td></td>
<td>Side Interior, adjacent to Protected District (min)</td>
</tr>
<tr>
<td>E</td>
<td>Rear, alley/rear no alley, (min)</td>
</tr>
</tbody>
</table>

**PARKING**

<table>
<thead>
<tr>
<th>From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCESS DETERMINED AS PART OF SITE DEVELOPMENT PLAN REVIEW</td>
</tr>
</tbody>
</table>

**DESIGN ELEMENTS**

<table>
<thead>
<tr>
<th>CMP-H</th>
<th>Upper Story Setback Above 40’; Side Interior (min)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>15’</td>
</tr>
<tr>
<td>G</td>
<td>Upper Story Setback Above 65’; Rear, alley/rear, no alley and side interior (min)*</td>
</tr>
<tr>
<td></td>
<td>20’/30’</td>
</tr>
<tr>
<td>H</td>
<td>Upper Story Setback Above 27’ adjacent to Protected District, Side Interior (min)</td>
</tr>
<tr>
<td></td>
<td>25’</td>
</tr>
<tr>
<td>H</td>
<td>Upper Story Setback Above 40’ adjacent to Protected District, Rear, alley/ Rear, no alley (min)</td>
</tr>
<tr>
<td></td>
<td>30’/40’</td>
</tr>
<tr>
<td>I</td>
<td>Upper Story Setback Above 51’ adjacent to Protected District, Side Interior (min)</td>
</tr>
<tr>
<td></td>
<td>40’</td>
</tr>
</tbody>
</table>

**USES**

<table>
<thead>
<tr>
<th>CMP-H</th>
<th>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</th>
</tr>
</thead>
</table>

*When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared Zone District boundary are not applicable*
### GENERAL (2 OF 2)

#### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>CMP-H2</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Feet, (max)</td>
</tr>
<tr>
<td>A</td>
<td>Feet, within 125' of Protected District (max)</td>
</tr>
<tr>
<td>B</td>
<td>Bulk Plane Vertical Height at Centerline of Primary Street*</td>
</tr>
<tr>
<td>C</td>
<td>Bulk Plane Vertical Height at Centerline of Side Street*</td>
</tr>
<tr>
<td>D</td>
<td>Bulk Plane Vertical Height at Side Interior Property Line*</td>
</tr>
<tr>
<td>E</td>
<td>Bulk Plane Vertical Height at Rear Property Line, or Centerline of alley if present</td>
</tr>
<tr>
<td></td>
<td>Bulk Plane Slope*</td>
</tr>
</tbody>
</table>

#### SITING

**SETBACKS AND BUILDING COVERAGE**

<table>
<thead>
<tr>
<th></th>
<th>CMP-H2</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>Primary Street (min)</td>
</tr>
<tr>
<td>G</td>
<td>Side Street (min)</td>
</tr>
<tr>
<td>H</td>
<td>Side Interior (min)</td>
</tr>
<tr>
<td>I</td>
<td>Rear, alley/no alley (min)</td>
</tr>
<tr>
<td></td>
<td>Building Coverage, including all accessory structures (max)</td>
</tr>
</tbody>
</table>

**PARKING**

<table>
<thead>
<tr>
<th></th>
<th>From Alley; or Street access allowed when no Alley present (Sec. 9.2.6.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Access determined as part of Site Development Plan Review</td>
</tr>
</tbody>
</table>

**USES**

<table>
<thead>
<tr>
<th></th>
<th>CMP-H2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All permitted Primary Uses shall be allowed within this building form. See Section 9.2.7 Uses and Parking</td>
</tr>
</tbody>
</table>

* When CMP-H and CMP-H2 are abutting, the bulk plane and upper story setback required along that shared Zone D district boundary are not applicable
SECTION 9.2.4  CAMPUS-EDUCATION/INSTITUTION (CMP-EI, CMP-EI2)

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

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

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

9.2.4.2 Design Standards

A. Applicability
All development in the CMP-EI, CMP-EI2 zones.

B. General Standards

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

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

3. Reference to Article 10 Design Standards
Refer to the following Divisions for other applicable design standards
   a. Parking and Loading: Division 10.4
   b. Landscaping, Fences, Walls and Screening: Division 10.5
   c. Site Grading: Division 10.6
   d. Outdoor Lighting: Division 10.7
   e. Signs: Division 10.10
SECTION 9.2.5 CAMPUS-ENTERTAINMENT (CMP-ENT)

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

9.2.5.2 Design Standards
A. Applicability
   All development in the CMP-ENT zone district.

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

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

   3. Reference to Article 10 Design Standards
      Refer to the following Divisions for other applicable design standards
      a. Parking and Loading: Division 10.4
      b. Landscaping, Fences, Walls and Screening: Division 10.5
      c. Site Grading: Division 10.6
      d. Outdoor Lighting: Division 10.7
      e. Signs: Division 10.10
SECTION 9.2.6  CAMPUS - NATIONAL WESTERN CENTER (CMP-NWC)

9.2.6.1 Intent

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

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

9.2.6.2 Design Standards

A. Applicability

All development in the CMP-NWC Zone District.

B. General Standards

1. Campus Design Standards

Campus design review processes and standards (such as those outlined in City administered urban design standards and guidelines) that address campus building height transitions, architectural elements, parking plans, site landscaping and open spaces, and vehicular and pedestrian access shall be applied during Site Development Plan Review.

2. Zone Lot

Upon application by the owner or owners of the zone lot, the Zoning Administrator may designate the campus zone lot boundaries, which may include one or more primary streets, alleys, and rights-of-way. Designation of the zone lot boundaries shall be consistent with the zone lot standards stated in Section 13.1.5.2, Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, and C-CCN and Division 1.2, Zone Lots. The area within a designated zone lot within the CMP-NWC Zone District shall include one or more primary uses, in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.

3. Reference to Article 10 Design Standards

Refer to the following Divisions for other applicable design standards

a. Parking and Loading: Division 10.4
b. Landscaping, Fences, Walls and Screening: Division 10.5
c. Site Grading: Division 10.6
d. Outdoor Lighting: Division 10.7
e. Signs: Division 10.10
SECTION 9.2.7 DESIGN STANDARD EXCEPTIONS CMP-H, CMP-H2; CMP-EI, CMP-EI2; CMP-ENT; CMP-NWC [CORRECTED SECTION NUMBERING]

9.2.7.1 Height Exceptions

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

B. 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 9.2.6.1.
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.
### Article 9. Special Contexts and Districts

#### Division 9.2 Campus Context

<table>
<thead>
<tr>
<th>ZONE DISTRICTS</th>
<th>PRIMARY STREET</th>
<th>SIDE STREET</th>
<th>SIDE INTERIOR</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Canopies providing cover to an entrance:</strong> 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.</td>
<td>All CMP- Zone Districts</td>
<td>Any distance</td>
<td>Any distance</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.

### ZONE DISTRICTS

<table>
<thead>
<tr>
<th>Gutters and Roof Overhang</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>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.
SECTION 9.2.8 USES AND REQUIRED MINIMUM PARKING

9.2.8.1 Applicability

A. This Section 9.2.7 sets forth the land uses permitted, the required zoning procedures and the required minimum parking for all the Campus Context zones.

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

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

9.2.8.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

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

9.2.8.3 Explanation of Table Abbreviations

A. General Explanation of Table Cell Entries

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

B. Permitted, Limited, Not Permitted

1. Permitted Use - No Use Limitations Apply ("P")

A "P" in a table cell indicates that the use is permitted in the respective zone, and is not subject to use limitations.
2. **Permitted Use - Subject to Use Limitations ("L")**
   
   "L" in a table cell indicates the use is permitted in the Zone District subject to compliance with the use limitations referenced in the last column of the use table ("Applicable Use Limitations").

3. **Uses Not Permitted ("NP")**

   "NP" in a table cell indicates that the use is not permitted in the specific Zone District.

C. **Zoning Procedure**

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

   "ZP" in a table cell indicates that the use is permitted in the respective Zone District only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

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

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

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

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

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).

9.2.8.4 **Enclosure of Uses**

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

- **Vehicle Parking Requirement** - # of spaces per unit of measurement
- **Bicycle Parking Requirement** - # of spaces per unit of measurement (% required spaces in indoor facility/ required spaces in fixed facility)

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>CMP-H</th>
<th>CMP-H2</th>
<th>CMP-EI</th>
<th>CMP-EI2</th>
<th>CMP-ENT</th>
<th>CMP-NWC</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Business</td>
<td>All Types</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.</td>
<td></td>
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</tr>
<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Indoor</td>
<td>NP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle - Artist Studio: 0.3/1000 sf GFA&lt;/li&gt; • Vehicle - All Others: 1.25/1,000 s.f. GFA&lt;/li&gt; • Bicycle: 1/7,500 s.f. GFA (20/80)&lt;/ul&gt;</td>
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<tr>
<td></td>
<td>Arts, Recreation and Entertainment Services, Outdoor*</td>
<td>NP</td>
<td>NP</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>§11.4.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle: 1.25/1,000 s.f. GFA&lt;/li&gt; • Bicycle: 1/7,500 s.f. GFA (20/80)&lt;/ul&gt;</td>
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<tr>
<td></td>
<td>Sports and/or Entertainment Arena or Stadium*</td>
<td>NP</td>
<td>NP</td>
<td>P-ZP</td>
<td>P-ZP</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle: 1.25/1,000 s.f. GFA&lt;/li&gt; • Bicycle: 1/7,500 s.f. GFA (20/80)&lt;/ul&gt;</td>
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<tr>
<td>Nonresidential Uses in Existing Business Structures in Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use)</td>
<td></td>
<td>Not Applicable</td>
<td></td>
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<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>&lt;ul&gt; • No Parking Requirements&lt;/ul&gt;</td>
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<tr>
<td></td>
<td>Parking, Surface*</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
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<tr>
<td></td>
<td>&lt;ul&gt; • No Parking Requirements&lt;/ul&gt;</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
<td>NP</td>
<td>NP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle: 2.5/ 1,000 s.f. GFA&lt;/li&gt; • Bicycle: 1/1,500 s.f. GFA (0/100)&lt;/ul&gt;</td>
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<tr>
<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging</td>
<td>P-ZP</td>
<td>E1: P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle: 0.875/guest room or unit&lt;/li&gt; • Bicycle: 1/7,500 s.f. GFA (60/40)&lt;/ul&gt;</td>
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<tr>
<td></td>
<td>Lodging Accommodations, All Others</td>
<td>P-ZPIN</td>
<td>E1: P-ZPIN</td>
<td>E1: P-ZPIN</td>
<td>P-ZPIN</td>
<td>P-ZPIN</td>
<td>P-ZPIN</td>
<td>P-ZPIN</td>
</tr>
<tr>
<td></td>
<td>&lt;ul&gt; • Vehicle: 0.5/ guest room or unit&lt;/li&gt; • Bicycle: 1/7,500 s.f. GFA (60/40)&lt;/ul&gt;</td>
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</tr>
<tr>
<td>Office</td>
<td>Dental / Medical Office or Clinic</td>
<td>L-ZP</td>
<td>L-ZP/P-ZPIN</td>
<td>NP</td>
<td>L-ZP</td>
<td>§11.4.9</td>
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<td></td>
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<tr>
<td></td>
<td>Office, All Others</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Article 9. Special Contexts and Districts
### Division 9.2 Campus Context

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>APPLICABLE USE LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><em><strong>Industrial Services</strong></em></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>• Vehicle: .5/1,000 s.f. GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Bicycle: No requirement</td>
</tr>
<tr>
<td></td>
<td>Laboratory, Research, Development and Technological Services</td>
<td>• Vehicle: .5/1,000 s.f. GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Bicycle: No requirement</td>
</tr>
<tr>
<td></td>
<td>Service/Repair, Commercial</td>
<td>NP</td>
</tr>
<tr>
<td><em><strong>Manufacturing and Production</strong></em></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Custom</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Vehicle: .5/1,000 s.f. GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Bicycle: No requirement</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- General</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>• Bicycle: No requirement</td>
</tr>
<tr>
<td></td>
<td>Manufacturing, Fabrication &amp; Assembly -- Heavy</td>
<td>NP</td>
</tr>
<tr>
<td><em><strong>Mining &amp; Extraction and Energy Producing Systems</strong></em></td>
<td>Oil, Gas -- Production, Drilling*</td>
<td>NP</td>
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<tr>
<td></td>
<td>Sand or Gravel Quarry*</td>
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<tr>
<td></td>
<td>Wind Energy Conversion Systems*</td>
<td>• No Parking Requirements</td>
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<td></td>
<td></td>
<td>• No Parking Requirements</td>
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<tr>
<td><em><strong>Transportation Facilities</strong></em></td>
<td>Airport*</td>
<td>NP</td>
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<tr>
<td></td>
<td>Helipad, Helistop, Heliport*</td>
<td>L-ZP</td>
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<tr>
<td></td>
<td></td>
<td>• No Parking Requirements</td>
</tr>
<tr>
<td></td>
<td>Railroad Facilities*</td>
<td>NP</td>
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<tr>
<td></td>
<td></td>
<td>• Vehicle: .3/1,000 s.f. GFA</td>
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<tr>
<td></td>
<td></td>
<td>• Bicycle: No requirement</td>
</tr>
<tr>
<td></td>
<td>Railway Right-of-Way*</td>
<td>P-ZPIN</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• No Parking Requirements</td>
</tr>
<tr>
<td></td>
<td>Terminal, Station or 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>
<tr>
<td><em><strong>Waste Related Services</strong></em></td>
<td>Automobile Parts Recycling Business</td>
<td>NP</td>
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<tr>
<td></td>
<td>Junkyard*</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Recycling Center</td>
<td>NP</td>
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<td></td>
<td></td>
<td>• Vehicle: .3/1,000 s.f. GFA</td>
</tr>
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<td></td>
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<td>• Bicycle: No requirement</td>
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<tr>
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<td>Recycling Collection Station</td>
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<td></td>
<td>Recycling Plant, Scrap Processor</td>
<td>NP</td>
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<tr>
<td></td>
<td>Solid Waste Facility</td>
<td>NP</td>
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<tr>
<td><em><strong>Wholesale, Storage, Warehouse &amp; Distribution</strong></em></td>
<td>Automobile Towing Service Storage Yard*</td>
<td>NP</td>
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<tr>
<td></td>
<td>Mini-storage Facility</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Vehicle Storage, Commercial*</td>
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<tr>
<td></td>
<td>Wholesale Trade or Storage, General</td>
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</tr>
<tr>
<td></td>
<td>Wholesale Trade or Storage, Light</td>
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<td>• Vehicle: .3/1,000 s.f. GFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Bicycle: No requirement</td>
</tr>
</tbody>
</table>

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

Amendment: 4
SECTION 9.3.2 DISTRICTS ESTABLISHED

To carry out the provisions of this Code, the following Z\text{zone} D 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 Z\text{zone} D 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 Z\text{zone} D 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 Z\text{zone} D 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 Z\text{zone} D 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.
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 informational 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 Z zone D 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 Z zone D 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 Z zone D 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 Z zone D 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 Z zone D district only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table ("Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.
3. **Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)**

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

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.
<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>
<tr>
<td></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td>Adult Business</td>
<td>All Types</td>
<td>NP</td>
</tr>
<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Indoor</td>
<td>L-ZP</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Outdoor</td>
<td>L-ZPSE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones</td>
<td>Not Applicable</td>
<td></td>
</tr>
<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage</td>
<td>P-ZP</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>NP</td>
</tr>
<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
<td>NP</td>
</tr>
</tbody>
</table>
DIVISION 9.4 OVERLAY ZONE DISTRICTS

SECTION 9.4.1 GENERAL INTENT
Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable Z district standards with additional use or design limits, allowances, and prohibitions.

SECTION 9.4.2 OVERLAY ZONE DISTRICTS ESTABLISHED
To carry out the provisions of this Code, the following overlay Z districts have been established and are applied to property as set forth on the Official Map.

<table>
<thead>
<tr>
<th>OVERLAY ZONE DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CO-</td>
</tr>
<tr>
<td>Use Overlay District</td>
</tr>
<tr>
<td>DO-</td>
</tr>
</tbody>
</table>

9.4.2.1 Process to Establish Overlay Zone Districts - Text Amendment & Rezoning Required
Creation of an overlay Z district shall be by text amendment according to Section 12.4.11, Text Amendment, to codify the standards established within the overlay, and by an official map amendment (rezoning) according to Section 12.4.10. With the Manager’s approval, the map amendment may be filed and reviewed concurrent with the text amendment according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

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

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

SECTION 9.4.3 CONSERVATION OVERLAY DISTRICT (CO-)

9.4.3.1 Purpose
The Conservation Overlay District is intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of specific areas within Denver possessing distinctive features, identity, or character worthy of retention and enhancement. A Conservation Overlay District takes effect through adoption of area specific standards that will facilitate maintenance and protection of the area character and the development of vacant or under used lots. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of this Code for use during review of development within the overlay Z district.
9.4.3.2 Minimum Requirements for Establishment
In addition to the minimum criteria for official map amendment applications specified in Article 12, Section 12.4.10, an application for a rezoning to apply a Conservation Overlay District shall comply with the following provisions:

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

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

1. A statement of purpose and an explanation of how the zone D district criteria stated in this Section are met.

2. An ordinance and map indicating the boundaries of all lots in the proposed Conservation Overlay District and the underlying zone D districts contained within the proposed overlay zone D district.

3. A Conservation Overlay District map and such other textual and graphic material as may be necessary to indicate and govern building forms and features, site development requirements, circulation, off-street parking and modifications to underlying zone D district development and design standards.

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

1. The district contains distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material; and/or

2. The district contains distinctive site planning and natural features, such as lot platting, building lot coverage, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens.

9.4.3.3 Modification of Underlying Zone District Standards

A. Modification of Permitted Uses Not Allowed
Uses permitted in the underlying zone D district shall not be modified in any way.

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

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

2. Building Form Standards
   a. Building form standards otherwise applicable to new development in the underlying zone D district may be modified.
   b. A Conservation Overlay District may add new restrictions on building form and building or site design, including but not limited to restrictions on building materials and architectural style.
3. **All Other Design Standards**
All other development and design standards applicable to new development in the underlying Zone District may be modified.

### 9.4.3.4 Conservation Overlay Districts Established
The following conservation overlay Zone Districts are established:

<table>
<thead>
<tr>
<th>CONSERVATION OVERLAY DISTRICT NAME</th>
<th>ZONING MAP DESIGNATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hilltop Heritage Conservation Overlay District</td>
<td>CO-1</td>
</tr>
<tr>
<td>Curtis Park Conservation Overlay District</td>
<td>CO-2</td>
</tr>
<tr>
<td>Scottish Village Conservation Overlay District</td>
<td>CO-3</td>
</tr>
<tr>
<td>Potter Highlands Conservation Overlay District</td>
<td>CO-4</td>
</tr>
</tbody>
</table>

### 9.4.3.5 Effect of Approval

**A. Zoning Map Designator**
Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying Zone District designation.

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

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

**A. Creation**
There is hereby created a conservation overlay Zone District designated as Hilltop Heritage Conservation Overlay District CO-1.

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

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

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

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

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

**C. Applicability**
This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH Zone District.
2. **Zone Lot Standards**
   a. **Zone Lot Size**
      The minimum zone lot size shall be 5,500 square feet.
   b. **Zone Lot Width**
      The minimum zone lot width shall be 50 feet.

F. **Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit**
   Building Form Only
   1. **Side Interior Setbacks**
      a. The minimum side interior setback shall be 0 (zero) feet.
      b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

**SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)**

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

**9.4.4.2 Modification of Underlying Zone District Standards**
A. **Modification of Permitted Uses and Use Limitations Allowed**
   1. A Use Overlay District may be used to add to the specific permitted uses in the underlying Zone district, or prohibit specific permitted uses in the underlying district.
   2. Use limitations otherwise applicable to permitted uses in the underlying Zone district may be modified.

B. **Applicable Standards -- Modification Not Allowed**
   All of the provisions of the underlying Zone district shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay Zone district.

**9.4.4.3 Use Overlay Districts Established**
The following Use Overlay Districts are established:

<table>
<thead>
<tr>
<th>USE OVERLAY DISTRICT NAME</th>
<th>ZONING MAP DESIGNATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Use Overlay District</td>
<td>UO-1</td>
</tr>
<tr>
<td>Billboard Use Overlay District</td>
<td>UO-2</td>
</tr>
<tr>
<td>Historic Structure Use Overlay District</td>
<td>UO-3</td>
</tr>
</tbody>
</table>

**9.4.4.4 Limitation on Applicability of Use Overlay Zone Districts**
A. Except for the three use overlay Zone districts expressly established in Section 9.4.4.6, 9.4.4.7, and 9.4.4.8 below, no new use overlay Zone districts may be established after June 25, 2010.
B. As applied on the Official Zoning Map to properties retaining underlying Z\textsubscript{d} district designations pursuant to Former Chapter 59, a use overlay district’s standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying Z\textsubscript{d} district pursuant to this Code.

C. No properties may be rezoned to either the Adult Use Overlay District or to the Billboard Use Overlay District after June 25, 2010.

D. The Historic Structure Use Overlay District may be applied to properties through a rezoning application approved after June 25, 2010.

### 9.4.4.5 Effect of Approval

A. **Official Map Designator**
   
   Each Use Overlay District shall be shown on the official map by an “UO-” designator and an appropriate number placed after the underlying Z\textsubscript{d} district designation.

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

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

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

B. **Allowance for Adult Business Uses**
   
   Notwithstanding the limitations applicable in the underlying Z\textsubscript{d} district, adult business uses shall be permitted in this overlay Z\textsubscript{d} district. See Section 11.12.4.1.A for the definition of “adult business use.”

C. **Distance and Spacing Requirements**
   
   All Adult Business uses shall comply with the following distance and spacing requirements, shown in the table below. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.

<table>
<thead>
<tr>
<th>ADULT BUSINESS OR OTHER RESTRICTED USE</th>
<th>DISTANCE OR SPACING REQUIREMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Amusement or Entertainment</td>
<td>No adult business use listed in this table row shall be established within 500 feet of one or more of the following Z\textsubscript{d} districts or uses (see related definitions in subsection C below):</td>
</tr>
<tr>
<td>Adult Bookstore</td>
<td>• All Residential Zone Districts</td>
</tr>
<tr>
<td>Adult Photo Studio</td>
<td>• Dwelling Use, Single-Unit</td>
</tr>
<tr>
<td>Adult Theater</td>
<td>• Dwelling Use, Multi-Unit</td>
</tr>
<tr>
<td>Eating place with adult amusement or entertainment</td>
<td>• Dwelling Use, Two-Unit</td>
</tr>
<tr>
<td></td>
<td>• Religious Assembly</td>
</tr>
<tr>
<td></td>
<td>• Elementary or Secondary School</td>
</tr>
<tr>
<td></td>
<td>• Arts Education Center</td>
</tr>
<tr>
<td></td>
<td>• Learning Center</td>
</tr>
<tr>
<td></td>
<td>• Day Care Center</td>
</tr>
<tr>
<td></td>
<td>• Amusement or Special Interest Park</td>
</tr>
<tr>
<td></td>
<td>• Children’s Indoor Play Center</td>
</tr>
</tbody>
</table>

| Adult Amusement or Entertainment       | Not more than 2 of the uses listed in this table row shall be established within 1,000 feet of each other |
| Adult Bookstore                        |                                                  |
| Adult Photo Studio                     |                                                  |
| Adult Theater                         |                                                  |
| Amusement Center                       |                                                  |
| Body Art Establishment                 |                                                  |
| Eating place with adult amusement or entertainment |                                                  |
9.4.4.7 Billboard Use Overlay District (UO-2)

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

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

C. Applicable Use Limitations
All outdoor general advertising device uses in this Use Overlay District shall comply with the sign standards and limitations applicable to “outdoor general advertising devices” stated in Division 10, Signs, and Section 10.10.20, Outdoor General Advertising Devices in the Billboard Use Overlay District, including but not limited to minimum separation and distance requirements.

9.4.4.8 Historic Structure Use Overlay District (UO-3)

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

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

C. Allowance for Certain Commercial Uses
Notwithstanding the limitations applicable in the underlying zone district, the following commercial uses shall be permitted in this overlay zone district:

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

D. Applicable Use Limitations - Office and Art Studio Uses
Office (not including dental/medical office or clinic) or art studio uses in this overlay zone district are permitted only in a structure designated for preservation by the Landmark Preservation Commission according to Chapter 30 (Landmarks) of the D.R.M.C., and subject to compliance with the following conditions:

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

7. All uses permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x zone district.

E. Applicable Use Limitations - Bed and Breakfast Lodging

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

1. The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.

2. The subject structure contains no more than 10 guest rooms or suites and that the use of the dining room shall be restricted to use by overnight guests, employees, the owner’s family and/or nonpaying guests.

3. Off-street parking shall be provided at a ratio of 1 parking space for each of the following: Each guest room or suite, each nonresident employee and the owner. The Zoning Administrator may reduce this ratio by up to 20 percent of the requirement according to the Administrative Adjustment procedure in Section 12.4.5, Administrative Adjustment. The parking exemption for historic structures in Section 10.4.5.1.C of this Code shall not be applicable to bed and breakfast lodging uses permitted in an UO-3 overlay zone district.

4. No other such lodging is located within 500 feet of the proposed use as measured along the same face block from zone lot line to zone lot line.

5. The structure contains a minimum of 1,000 square feet of gross floor area and no guest room or suite contains less than 100 square feet of floor area.

6. The lodging shall provide breakfast as part of the room price.

7. The interior and exterior of the structure shall be maintained in a manner that reflects the original architectural character of the building, and the property shall be landscaped in a manner that protects the appearance and value of surrounding properties and neighborhoods and improves environmental conditions, thereby promoting the general welfare. The landscaping shall be continuously maintained which includes necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material. Replacement shall occur in the next planting season; but, in any event, replacement time shall not exceed one year.

8. The sign regulations of Division 10.10, Signs, shall apply; provided, however, the maximum sign area permitted on any one street front shall not exceed 10 square feet. The maximum height of any ground sign shall be 4 feet.

9. Related retail sales may be conducted within the structure; however, the floor area allocated to this retail use shall not exceed 10 percent of the gross floor area of the structure. Access to this retail area shall be limited to use by overnight guests only.

10. No social activities, such as weddings, receptions, private parties or similar events, will be permitted unless at least 90 percent of the participants are overnight guests.
SECTION 9.4.5 DESIGN OVERLAY DISTRICTS (DO-)

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

A. To implement land use and urban design recommendations and standards set forth in neighborhood or small area plans, which plans have been adopted as part of the Comprehensive Plan;

B. To provide uniformity in the design standards applicable to arterial streets or to river corridors having varied underlying zoning;

C. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses;

D. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics; and

E. To reinforce the desired character for newly developing areas.

9.4.5.2 Applicable Standards and Modifications Allowed

A. Applicable Standards - In General
A design overlay zone district includes standards that modify otherwise applicable standards in the underlying zone district. Modifications include but are not limited to reducing or increasing a quantitative zoning standard, such as building height or setback standards, and may include new zoning standards not otherwise applicable in the underlying zone district, but not including new limitations on a permitted use. Any changes or modifications to the standards in a design overlay zone district are considered zoning text amendments subject to the review procedures stated in Section 12.4.11, Text Amendments.

B. Modification of Underlying Zone District Standards

1. Modification of Permitted Uses and Use Limitations Not Allowed
A Design Overlay District shall not be used to add to the specific permitted uses in the underlying zone district, nor shall it be used to prohibit specific permitted uses in the underlying district, nor shall it be used to add, revise, or delete use limitations applicable to specific permitted uses in the underlying zone district.
2. **All Other Applicable Standards -- Modification Allowed**

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

### 9.4.5.3 Design Overlay Districts Established

The following Design Overlay Districts are established:

<table>
<thead>
<tr>
<th>DESIGN OVERLAY DISTRICT NAME</th>
<th>ZONING MAP DESIGNATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uptown</td>
<td>DO-1</td>
</tr>
<tr>
<td>Washington Street</td>
<td>DO-2</td>
</tr>
<tr>
<td>Lafayette Street</td>
<td>DO-3</td>
</tr>
<tr>
<td>Side Interior Setback</td>
<td>DO-4</td>
</tr>
<tr>
<td>South Sloan’s Lake</td>
<td>DO-5</td>
</tr>
<tr>
<td>Peña Station Next Design Overlay District</td>
<td>DO-6</td>
</tr>
</tbody>
</table>

### 9.4.5.4 Effect of Approval

**A. Official Map Designator**

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

**B. Limitation on Permit Issuance**

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

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

**A. Creation**

1. There is hereby created an design overlay district designated as the Uptown Design Overlay District.

2. As applied on the Official Zoning Map to properties retaining underlying Zone district designations pursuant to Former Chapter 59, DO-1 Uptown Design Overlay District’s standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying Zone district pursuant to this Code.

**B. Lower Floor Building Design**

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

1. **Lower Floor Design Standards**

All new structures and all renovated structures, where the renovation meets the requirements set forth in this Section 9.4.5.5.B, shall be subject to rules and regulations establishing design standards applicable to the lower eighty (80) feet of the building, unless the applicant elects to participate in the design review process set forth in Section 9.4.5.5.B.2 below. Rules and regulations establishing design standards shall be prepared by Community Planning and Development and adopted by the Planning Board.
C. **Height and Upper Story Setback Building Form Standard**

1. The maximum building height shall be 60 feet

2. There shall be an upper story building setback that shall prevent any portion of a building on the eastern 55 feet of lots 20 through 36, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high
   a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines
   b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines
   c. Flush mounted solar panels may encroach any distance into the upper story setback space.

3. There shall be an upper story building setback that shall prevent any portion of a building on lots 2 and 3, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high
   a. Terraces at the level of the upper story setback may extend no closer than 30 feet to the southern lot lines
   b. Unwalled balconies in the upper story building setback may extend no closer than 40 feet to the southern lot lines.
   c. Flush mounted solar panels may encroach any distance into the upper story setback space.

4. There shall be an upper story building setback that shall prevent any portion of a building on the southern 25 feet of the eastern 55 feet of lot 37, Block 27, Park Avenue Addition to Denver, to be in excess of 36 feet high.
   a. Terraces at the level of the upper story setback may extend no closer than 35 feet to the eastern lot lines
   b. Unwalled balconies in the upper story building setback may extend no closer than 45 feet to the eastern lot lines.
   c. Flush mounted solar panels may encroach any distance into the upper story setback space.

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

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

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

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

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

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

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

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

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

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

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

**C. Primary Buildings - Maximum Height**

1. **Stuart Street - West 17th Avenue to West 16th Avenue**
   a. **Applicability**
      This Section 9.4.5.9.C.1’s standards shall apply on the east side of Stuart Street, only for that portion of Stuart Street between West 17th Avenue and West 16th Avenue.
   b. **Maximum Primary Building Height**
      The maximum height of primary structures located within 80 feet of the Stuart Street zone lot line shall be 3 stories and 45 feet. See Figure 9.4-6.
   c. **Height Exceptions**
      The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a “C-MX-3 zone district” and “All C Zone districts”, shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:
      i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 3 stories and 45 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Stuart Street. Such projection shall be measured perpendicular to the zone lot line abutting Stuart Street. See Figure 9.4-11.
      ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.
c. **Height Exceptions**
   The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a "C-MX-3 zone District" and "All C-Zone Districts", shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:
   
   i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 4 stories and 60 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Stuart Street. Such projection shall be measured perpendicular to the zone lot line abutting Stuart Street. See Figure 9.4-11.
   
   ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.

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

b. **Maximum Primary Building Height**
   The maximum height of primary structures located within 43 feet of the West 17th Avenue zone lot line shall be 5 stories and 70 feet. See Figure 9.4-8.

![Figure 9.4-8](image_url)
Article 9. Special Contexts and Districts
Division 9.4 Overlay Zone Districts

[Image]

4. Quitman Street
   a. Applicability
      This Section 9.4.5.9.C.4’s standards shall apply on the west side of Quitman Street between West 17th Avenue and West Conejos Place.
   b. Maximum Primary Building Height
      The maximum height of primary structures located within 60 feet of the Quitman Street zone lot line shall be 5 stories and 70 feet. See Figure 9.4-9.

   c. Height Exceptions
      The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a “C-MX-5 Zone District” and “All C-Zone Districts”, shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:
      i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 5 stories and 70 feet, they shall be located a minimum of 52 feet from the zone lot line abutting Quitman Street. Such projection shall be measured perpendicular to the zone lot line abutting Quitman Street. See Figure 9.4-11.
      ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable base zone district.
5. Perry Street
   a. Applicability
      This Section 9.4.5.9.C.5’s standards shall apply on the west side of Perry Street between West 17th Avenue and West Conejos Place.
   b. Maximum Primary Building Height
      The maximum height of primary structures located within 80 feet of the Perry Street zone lot line shall be 3 stories and 45 feet. See Figure 9.4-10.

   c. Height Exceptions
      The height exceptions listed in Section 7.3.7.1 of this Code, as applicable to a "C-MX-3 Zone District" and "All C-Zone Districts", shall apply. In addition, Exterior Balconies are allowed as a height exception, subject to the following limitations:
      i. If Exterior Balconies (or any portion thereof) are provided that are located above the maximum allowed height of 3 stories and 45 feet, they shall be located a minimum of 72 feet from the zone lot line abutting Perry Street. Such projection shall be measured perpendicular to the zone lot line abutting Perry Street. See Figure 9.4-11.
      ii. No portion of the Exterior Balcony allowed under this height exception shall exceed the maximum height in feet otherwise allowed in an applicable underlying zone district.
2. The flexibility referenced in Section 9.4.5.10.B.1 is intended to facilitate development of a coordinated program of signage and illumination elements that enhances the aesthetic values of the city and ensures quality design; enhances the city’s attraction to and creates greater excitement and anticipation for residents, employees, and visitors; and promotes good urban design. Further, the processes to establish or amend a District Plan, and the review criteria in this Section 9.4.5.10, are intended to mitigate possible adverse impacts of signs and Special Lighting Elements, particularly on residential uses and on users of Peña Boulevard, thereby protecting property values.

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

C. Applicability

1. The provisions of this Section 9.4.5.10, shall apply only with respect to:
   a. Signs that are located within the DO-6 zone district and permitted by the District Plan, and
   b. Special Lighting Elements that are located within the DO-6 zone district and permitted by the District Plan.

2. Notwithstanding Section 9.4.5.10.C.1., except to the extent otherwise stated in the District Plan, the provisions of this Section 9.4.5.10 shall not apply to signs permitted in Division 10.10 Signs, except Section 9.4.5.10.F Minimum Pixel Pitch for Signs Using Digital Illumination shall apply to such signs, and

3. Notwithstanding Sections 9.4.5.10.C.1 and 9.4.5.10.C.2, the provisions of this Section 9.4.5.10 shall not apply to signs or Special Lighting Elements located on land retaining an underlying D zone district designation under Former Chapter 59 until such property is rezoned (through an Official Map Amendment) to an underlying D zone district under this Code.

4. A sign or Special Lighting Element that does not require a zoning permit or a building permit under the provisions of either the D.R.M.C. or this Code (other than this Section 9.4.5.10) shall not be deemed to require a zoning permit or a building permit, as appropriate, due to the provisions of this Section 9.4.5.10.

D. Conflicting Provisions

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

E. Glare

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

F. Minimum Pixel Pitch for Signs Using Digital Illumination

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

G. Maximum Height

1. Except as provided by Section 9.4.5.10.G.2 and 9.4.5.10.G.3 below, the District Plan shall not allow the height of any sign or equipment constituting any Special Lighting Element to exceed the maximum height specified in the allowed building form with the highest maximum height in feet, not including height exceptions, in the applicable underlying D zone district.
2. The District Plan may allow temporary portable signs of any maximum height, subject to any limitations on time, area, size, number, design, illumination, location or other standards specified in the District Plan. Such portable signs shall require a zoning permit.

3. Temporary portable signs and equipment for Special Lighting Elements may extend above the maximum allowable height for the Z zone D district within which the sign or such equipment is located for limited timeframes for special events approved by the City for a period not to exceed the duration of the permitted special event.

4. Roof signs, and equipment for Special Lighting Elements, may extend above the Roof Line of the building to which the sign or Special Lighting Element is attached to the extent allowed by the District Plan; however, the District Plan shall not allow any sign or equipment for Special Lighting Elements to extend above the maximum allowable building form height for the Z zone D district within which the sign is located.

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

I. Sign Types and Special Lighting Elements
1. All sign types allowed by or defined in this Code, including but not limited to off-premises signs and outdoor general advertising devices, are allowed in the DO-6 zone district. In addition, the District Plan may define and allow other sign types not otherwise allowed or defined in this Code. All such signs shall be subject only to the limits, conditions, and procedures specified in the District Plan, except that Division 12.9, Nonconforming Signs, shall apply to all signs permitted in the DO-6 according to an approved District Plan.

2. Special Lighting Elements are allowed in the DO-6 zone district. For purposes of this Section 9.4.5.10, “Special Lighting Elements” means, where both the lighting source and the illuminated surface or medium are located within the DO-6 District, the illumination of:
   a. The outside surface of any building, structure, part of any building or structure, or
   b. Any water, mist, fog, smoke, or other surface, material, medium or substrate located outdoors.

3. In the DO-6 zone district, Outdoor General Advertising Device Ground Signs shall not be supported only by a pole or poles unless sufficient architectural enhancements are included as approved in the District Plan.

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

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

L. Locations
1. There is no requirement that signage or equipment for any Special Lighting Element be setback from the zone lot line or any built feature, however, signs and equipment for Special Lighting Elements shall not violate the Denver Building Code and Denver Fire Code. Signs and equipment for any Special Lighting Elements may project into public rights-of-way if such signs and equipment comply with applicable provisions of the D.R.M.C. pertaining to encroachments within public rights-of-way.
DIVISION 9.5 DENVER INTERNATIONAL AIRPORT ZONE DISTRICTS AND O-1 ZONE DISTRICT

SECTION 9.5.1 DISTRICTS ESTABLISHED

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

<table>
<thead>
<tr>
<th>DIA</th>
<th>Denver International Airport Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIO</td>
<td>DIA Influence Area Overlay Zone</td>
</tr>
<tr>
<td>O-1</td>
<td>O-1 Zone District</td>
</tr>
</tbody>
</table>

9.5.1.1 Purpose

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

A. Denver International Airport Zone (DIA)

The Denver International Airport (DIA) encompasses 53 square miles of land. This large land area is designed to limit the impacts of airport activity on the airport’s neighbors and provides room for the airport to expand and grow. The enormous potential of DIA to serve a prominent role in the global aviation system is due primarily to the airport’s room to grow. With this ability to grow in a city that is otherwise landlocked, development within the DIA zone district provides a path to markets around the world and providing a stimulus for economic growth in the region. Accordingly, the intent of the DIA zone district is to:

1. Ensure public safety and security.
2. Reduce exposure of residential and other sensitive land uses to airport operations.
3. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area.
4. Maintain consistency with DIA’s vision, mission and goals.
5. Maintain consistent and coordinated development patterns that match City and regional development plans.
6. Minimize impacts to airport operations.
7. Optimize airport operational efficiency and flexibility.
8. Allow the airport to respond to the changing needs of a dynamic aviation industry.
9. Continue to support DIA’s role as the key economic engine for the region and the state.
10. Reserve and maintain land uses on and near the airport to permit logical, phased development that is both flexible and responsive to airport and public needs.

B. DIA Influence Area Overlay Zone (-AIO)

The Denver International Airport is the largest airport in North America. This large land area is designed to limit the impacts of airport activity on the airport’s neighbors and provides room for the airport to expand and grow. However, even at its extensive size, the influence of the airport extends beyond the property owned as part of the airport itself (see the Denver International Airport zone district). Accordingly, the intent of the DIA Influence Area Overlay Zone is to:

1. Reduce exposure of residential and other sensitive land uses to airport operations.
2. Minimize noise impacts of the airport on residential or sensitive land uses in the DIA Influence Area.
SECTION 9.5.2  DENVER INTERNATIONAL AIRPORT ZONE DISTRICT (DIA)

9.5.2.1  Building Forms
The Denver Manager of Aviation shall determine all applicable building form standards in the DIA zone district.

9.5.2.2  Design Standards
   A. Signage
   Design and development standards governing signage in the DIA zone district shall be determined by the Denver Manager of Aviation, except that in the Peña Station Next Design Overlay District (DO-6), Section 9.4.5.10 and Division 10.10 Signs shall apply.

   B. All Other Design Standards
   All other design and development standards governing uses and structures in the DIA zone district, including but not limited to landscaping and parking, shall be determined by the Denver Manager of Aviation.

9.5.2.3  Permitted Uses in the DIA Zone District
See Section 9.5.5, Uses and Required Minimum Parking.

SECTION 9.5.3  DIA INFLUENCE AREA OVERLAY ZONE (AIO-)

9.5.3.1  DIA Influence Area
The DIA Influence Area is defined as the land area located north of 56th Avenue in the City and County of Denver’s DIA statistical neighborhood, as shown in Figure 9.5-1, and on the Official Map.
SECTION 9.5.4 O-1 ZONE DISTRICT

9.5.4.1 Permitted Structures

A. Setbacks
All structures shall be set in a distance of not less than 20 feet from each front, rear and side line of the zone lot; provided, however, that no setback shall be required for electric substations, gas regulator stations and utility pumping stations except from such lines of the zone lot as abut public right-of-way. The space resulting from the foregoing setbacks shall be open and unobstructed; provided, however:

1. Fences or walls not exceeding 6 feet in height may be erected on any part of the zone lot. The height of such walls or fences shall be determined as stated in Section 13.1.7, Fence and Wall Height Measurement.
2. Any structure or part thereof which is below the grade of any setback space may project any distance into such setback space.
3. Canopies may project any distance into the front setback space.

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 O-1 Zone District, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:
   a. The street setback required by the applicable building form standards in this Code; or
   b. The required Parkway setback established under D.R.M.C., Chapter 49.

C. Residential Protection Standards

1. Maximum Height Within 175 feet of Protected District: 75 feet
2. When Adjacent to Protected District:
   a. Upper Story Setback Above 27 ft (at rear alley, rear no alley or side interior): 20ft/25ft
   b. Upper Story Setback Above 51 feet (at rear alley, no alley or side interior): 35’/40’

9.5.4.2 Other Applicable Regulations

A. Signs: Refer to Division 10.10 Signs for regulations pertaining to permitted signs.

B. Loading: Refer to Division 10.4 for regulations pertaining to loading.

SECTION 9.5.5 USES AND REQUIRED MINIMUM PARKING

9.5.5.1 Applicability

A. DIA Zone District
Permitted uses, required minimum parking, number of uses, and any applicable use limitations in the DIA Zone District, shall be determined by the Denver Manager of Aviation.
# 9.5.5 Denver International Airport Zone District and O-1 Zone District

## B. O-1 Zone District

1. This Section 9.5.5 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for the O-1 Zone District.

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

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

### 9.5.5.2 Organization

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

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

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

1. **Primary Use Classifications**

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

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

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

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

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

### 9.5.5.3 Explanation of Table Abbreviations

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

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

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

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

   A “P” in a table cell indicates that the use is permitted in the respective Zone District, and is not subject to use limitations.
2. **Permitted Use - Subject to Use Limitations ("L")**
   "L" in a table cell indicates the use is permitted in the Zone District subject to compliance with the use limitations referenced in the last column of the use table ("Applicable Use Limitations").

3. **Uses Not Permitted ("NP")**
   "NP" in a table cell indicates that the use is not permitted in the specific Zone District.

C. **Zoning Procedure**

1. **Use Subject to Zoning Permit Review ("ZP")**
   "ZP" in a table cell indicates that the use is permitted in the respective Zone District only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

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

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

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).

**9.5.5.4 Enclosure of Uses**

All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside 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.
### 9.5.5.5 District Specific Standards

**USE CATEGORY**: RESIDENTIAL PRIMARY USE CLASSIFICATION

<table>
<thead>
<tr>
<th>SPECIFIC USE TYPE</th>
<th>DIA</th>
<th>O-1</th>
<th>APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Household Living</strong></td>
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<tr>
<td>Dwelling, Single Unit</td>
<td>NP</td>
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<td>Dwelling, Two Unit</td>
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<tr>
<td>Dwelling, Multi-Unit</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling, Live / Work</td>
<td>NP</td>
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<td><strong>Group Living</strong></td>
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<td>Assisted Living Facility</td>
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<td>Community Corrections Facility</td>
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<td>Nursing Home, Hospice</td>
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<td>Residence for Older Adults</td>
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<tr>
<td>Residential Care Use, Small or Large</td>
<td>L-ZPIN § 11.2.8</td>
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<tr>
<td>• Vehicle: .25/unit</td>
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<tr>
<td>• Bicycle: No requirement</td>
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<tr>
<td>Rooming and Boarding House</td>
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<td>Shelter for the Homeless</td>
<td>L-ZPIN/L § 11.2.9</td>
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<td>• Vehicle: .5/ 1,000 ft² GFA</td>
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<tr>
<td>Student Housing</td>
<td>NP</td>
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</tbody>
</table>

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When no ZP, ZPIN, ZPSE listed = No Zoning Permit required
### Article 9. Special Contexts and Districts
#### Division 9.6 Planned Unit Development District

**USE CATEGORY** | **SPECIFIC USE TYPE** | **APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY** |
--- | --- | --- |
**CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION**

#### Basic Utilities
- **Schedule:** Utility, Major Impact*
  - Vehicle: 5/1,000 ft² GFA
  - Bicycle: No requirement
- **Schedule:** Utility, Minor Impact*
  - Vehicle: 5/1,000 ft² GFA
  - Bicycle: No requirement

#### Community/ Public Services
- **Community Center**
  - Vehicle: 5 / 10,000 sf GFA (0/100)
  - Bicycle: 1/10,000 sf GFA (0/100)
- **Day Care Center**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)
- **Postal Facility, Neighborhood**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)
- **Postal Processing Center**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)

#### Cultural/Special Purpose/ Public Parks & Open Space
- **Cemetery**
  - No Parking Requirements
- **Library**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)
- **Museum**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)
- **City Park**
  - Vehicle: 1/1,000 ft² GFA
  - Bicycle: 1/10,000 ft² GFA (0/100)
- **Open Space - Recreation**
  - Vehicle: .5/1,000 ft² GFA
  - Bicycle: No requirement
- **Open Space - Conservation**
  - No Parking Requirements

#### Education
- **Elementary or Secondary School**
  - Vehicle-High School: 2/1,000 ft² GFA
  - Bicycle-High School: 1/ 20,000 ft² GFA (0/100)
  - Vehicle-All Others: 1/1,000 ft² GFA
  - Bicycle-All Others: 1/10,000 ft² GFA (0/100)
- **University or College**
  - No Parking Requirements
- **Vocational or Professional School**
  - No Parking Requirements

#### Public and Religious Assembly
- **All Types**
  - No Parking Requirements

---

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**DENVER ZONING CODE**
June 25, 2010 | Republished July 6, 2015

| 9.5-9 |
### Article 9. Special Contexts and Districts

**Division 9.6 Planned Unit Development District**

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<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>DIA</th>
<th>O-1</th>
<th>APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</strong></td>
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<tr>
<td>Adult Business</td>
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<td>See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.</td>
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<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Indoor</td>
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<td></td>
<td>Arts, Recreation and Entertainment Services, Outdoor*</td>
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<td>$11.4.3</td>
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<td>• Vehicle: 2.5/1,000 ft² GFA</td>
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<td></td>
<td>• Bicycle: 1/20,000 ft² GFA (20/80)</td>
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<td></td>
<td>Sports and/or Entertainment Arena or Stadium*</td>
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<td>Nonresidential Uses in Existing Business Structures in Residential Zones</td>
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<td>Parking of Vehicles</td>
<td>Parking, Garage</td>
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<tr>
<td></td>
<td>• No Parking Requirements</td>
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<td>Parking, Surface*</td>
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<td>• No Parking Requirements</td>
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<td>Eating &amp; Drinking Establishments</td>
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<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging</td>
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<td>Lodging Accommodations, All Others</td>
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<td>Office</td>
<td>Dental / Medical Office or Clinic</td>
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<td>Office, All Others</td>
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<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>
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<td></td>
<td>Animal Sales and Services, All Others</td>
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<td></td>
<td>Body Art Establishment</td>
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<td>Food Sales or Market</td>
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<td>Liquor Store, Including Drugstores Licensed to Sell Liquor</td>
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<td></td>
<td>Pawn Shop</td>
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<td>Retail Sales, Service &amp; Repair -- Outdoor*</td>
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<td>Retail Sales, Service &amp; Repair - Firearms Sales</td>
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<td>Retail Sales, Service &amp; Repair, All Others</td>
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<td>Vehicle / Equipment Sales, Rentals, Service &amp; Repair</td>
<td>Automobile Emissions Inspection Facility</td>
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<td>Automobile Services, Light</td>
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<td></td>
<td>Automobile Services, Heavy</td>
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<td>Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*</td>
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<td>Heavy Vehicle/Equipment Sales, Rentals &amp; Service*</td>
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</tbody>
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### Article 9. Special Contexts and Districts
### Division 9.5 Denver International Airport Zone District and O-1 Zone District

#### USE CATEGORY SPECIFIC USE TYPE

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>SPECIFIC USE TYPE</th>
<th>DIA</th>
<th>O-1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transportation Facilities</strong></td>
<td>Airport*</td>
<td>P-ZP</td>
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<td>Helipad, Helistop, Heliport*</td>
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<tr>
<td></td>
<td>Railroad Facilities*</td>
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<tr>
<td></td>
<td>Railway Right-of-Way*</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• No Parking Requirements</td>
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<tr>
<td></td>
<td>Terminal, Station or Service Facility for Passenger Transit System</td>
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<td>Terminal, Freight, Air Courier Services</td>
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<tr>
<td><strong>Waste Related Services</strong></td>
<td>Automobile Parts Recycling Business</td>
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<td>Junkyard*</td>
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<td>Recycling Center</td>
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<td>Recycling Collection Station</td>
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<td></td>
<td>Recycling Plant, Scrap Processor</td>
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<td>Solid Waste Facility</td>
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<td>Mini-storage Facility</td>
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<td>Wholesale Trade or Storage, Light</td>
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<td>• Vehicle: .5 / 1,000 ft² GFA</td>
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<td><strong>Agriculture PRIMARY USE CLASSIFICATION</strong></td>
<td>Aquaculture*</td>
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<td><strong>Agriculture</strong></td>
<td>Garden, Urban*</td>
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<td>Husbandry, Animal*</td>
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<td></td>
<td>Husbandry, Plant*</td>
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<td></td>
<td>Plant Nursery*</td>
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<td>• Vehicle: .5 / 1,000 ft² GFA</td>
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</tbody>
</table>

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DIVISION 9.6  PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

SECTION 9.6.1  PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

9.6.1.1  General Purpose and Intent

A. The general purpose of a Planned Unit Development District ("PUD District") is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and substituting procedural protections for the more prescriptive requirements in this Code. The PUD District is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.

B. "Unique and extraordinary circumstances" that justify use of a PUD District include, but are not limited to, the following:

1. Where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practices;
2. Where a customized zoning approach is necessary to protect and preserve the character of a historic structure or historic district;
3. Where a development site is subject to an existing PUD and rezoning to a new PUD District will bring the site closer to conformance with current zoning regulations and adopted plans; or
4. Where the proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful, phased development.

C. A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.

D. In return for the flexibility in site design with respect to the arrangement, heights, and setbacks of buildings, densities, open space and circulation elements, development under a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.

9.6.1.2  Application Process

A. Rezoning Required

Creation of a PUD District shall be by an official map amendment (rezoning) according to the process and review criteria stated in Section 12.4.10, Official Map Amendment.

B. Concurrent Processing

At the applicant’s option, and with the Manager’s approval, a site development plan for one or more stages of a General PUD District Plan (see Section 9.6.1.3 below) may be submitted with the filing of a PUD District rezoning application, according to Section 12.3.3.9, Concurrent Applications.

C. Vested Rights

City Council approval of a PUD District confers vested property rights, as stated in Section 9.6.1.5, Vested Property Rights, below.
9.6.1.3 Requirement for PUD District Plan

All applications for rezoning to a PUD District shall contain the information and representations required by this Division 9.6 and by Section 12.4.10 (Official Map Amendment), and a PUD District Plan that complies with the following:

A. Choice of PUD District Plan Type

1. General PUD District Plan
   If development is to proceed in phases or over an extended period of time, or if more general zoning is desired prior to preparation of more detailed site development and pre-construction plans, the applicant may submit a “General PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a General PUD District Plan is approved, one or more site development plans shall be submitted for each phase of development and shall follow the general development concept established in the General PUD District Plan. See Section 12.4.3, Site Development Plan, for the procedure and review criteria applicable to site development plans.

2. Detailed PUD District Plan
   If development is not to be completed in phases or over an extended period of time, or if an applicant is prepared to submit more detailed site development plan or pre-construction plans, the applicant may submit a “Detailed PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a Detailed PUD District plan is approved, the Detailed PUD District Plan shall constitute a site development plan, enabling the applicant to proceed directly to final zoning / building permit approval (no intervening site development plan review step under Section 12.4.3).

B. PUD District Plan Contents -- Permitted Uses and Procedures

All PUD District Plans shall specify permitted primary, accessory and temporary uses, and may specify applicable use and development review procedures, in compliance with the following standards.

1. A PUD District Plan shall permit any use which is a permitted use in any Zone District when such use is provided for, enumerated, and approved in the PUD District Plan.

2. All use limitations in this Code shall apply to the uses in the PUD District unless expressly waived or modified in the PUD District Plan.

3. A PUD District Plan may subject the establishment of a permitted use or the development of an allowed building form to any procedure established in Article 12, Zoning Procedures and Enforcement, including Zoning Permit Review with Information Notice, Special Exception review, Site Development Plan review, or Administrative Adjustment. However, a PUD District Plan shall not establish or include any use or development review procedure different from a procedure established in Article 12, Zoning Procedures and Enforcement.

4. A PUD District Plan may provide for future amendment by subarea, platted lots, or metes and bounds parcels, as allowed in Section 9.6.1.4, Amendments to Approved PUD District Plans.

C. PUD District Plan Contents -- Applicable Design Standards

1. Required PUD District Plan Elements
   While the level of detail will vary between a General PUD District Plan and a Detailed PUD District Plan, all PUD District Plans shall include or address the following elements, through specific standards wherever possible. All design standards stated in Article 10, General Design Standards, shall apply in the PUD District Plan unless expressly waived or modified in the PUD District Plan.
Mobility: Equal priority is given to pedestrians, automobile and transit activity. This context will often have access to the multi-modal transit system in at least a portion of the context.

SECTION 9.7.2 DISTRICTS ESTABLISHED
To carry out the provisions of this Code, the following zones have been established in the Master Planned Context and are applied to property as set forth on the Official Map.

<table>
<thead>
<tr>
<th>Master Planned Context</th>
<th>Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-RH-3</td>
<td>Row House 3</td>
</tr>
<tr>
<td>M-RX-5</td>
<td>Residential Mixed Use 5</td>
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<td>M-RX-5A</td>
<td>Residential Mixed Use 5A</td>
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<td>M-CC-5</td>
<td>Commercial Corridor 5</td>
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<td>M-MX-5</td>
<td>Commercial Mixed Use 5</td>
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<td>M-IMX-5</td>
<td>Industrial Mixed Use 5</td>
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<td>M-IMX-8</td>
<td>Industrial Mixed Use 8</td>
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<td>M-IMX-12</td>
<td>Industrial Mixed Use 12</td>
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<tr>
<td>M-GMX</td>
<td>General Mixed Use</td>
</tr>
</tbody>
</table>

9.7.2.1 General Purpose
A. The intent of zoning districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The zoning district regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the permitted uses and building forms are further defined to provide clarity and predictable development outcomes.

B. The building form standards and use standards support medium to high density development and are organized into nine distinct zoning districts. Multiple building forms are allowed on a single zone lot.

9.7.2.2 Specific Intent
A. Row House 3 (M-RH-3)
M-RH-3 is a residential district intended to promote development of new neighborhoods up to 3 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. There is a consistent front yard setback with buildings oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

B. Residential Mixed Use 5 (M-RX-5)
M-RX-5 is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

C. Residential Mixed Use 5A (M-RX-5A)
M-RX-5A is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Distinguished from the M-RX-5 zoning district, the M-RX-5A zoning district allows the suburban house and town house building forms to allow development in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. Single and two unit building forms are
often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas.

D. **Commercial Corridor (M-CC-5)**

M-CC-5 is a mixed use district where a building scale of 1 to 5 stories is desired, and which is intended to allow predominantly commercial development along arterial or collector street corridors, or at major intersections with such streets, in a master planned community consistent with a more Suburban or Urban Edge neighborhood context as described elsewhere in this Code. The M-CC-5 district is intended to balance the need for safe, active, and pedestrian-scaled mixed use areas with the need for convenient automobile access. The M-CC-5 District standards have minimum setbacks to allow maximum flexibility in building placement, vehicle circulation and parking lot layout, while ensuring new development contributes positively to adjacent residential neighborhoods and ensures appropriate transitions between commercial development and such adjacent residential neighborhoods.

E. **Commercial Mixed Use 5 (M-MX-5)**

M-MX-5 is a mixed-use district intended to promote development of new town centers and mixed-use neighborhoods up to 5 stories in height. The district is intended to be primarily commercial. Complementary uses may be embedded within the district and primarily residential uses may be located near district boundaries. Buildings are often built to the sidewalk edge, but some commercial buildings may be set back with parking located between the building and the street.

F. **Industrial Mixed Use 5 (M-IMX-5)**

M-IMX-5 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 5 stories.

G. **Industrial Mixed Use 8 (M-IMX-8)**

M-IMX-8 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 8 stories.

H. **Industrial Mixed Use 12 (M-IMX-12)**

M-IMX-5 is an industrial mixed-use district intended to accommodate a variety of industrial, commercial, civic and residential uses with a maximum building height of 12 stories.

I. **General Mixed Use (M-GMX)**

M-GMX is a mixed use district that provides, in comparison to the other Master Planned Zone Districts, the widest range of allowed building forms and land uses. The M-GMX District is intended to allow maximum flexibility in certain master planned communities with an extended build-out period, in order to respond to changes and innovations in market demand over time. The M-GMX District may be applied to properties only when a more detailed Regulating Plan is approved prior to site development, or when a General Development Plan for the subject property contains the same level of detail as a Regulating Plan. A Regulating Plan assigns specific building forms, permitted building heights, and a more limited range of land uses to specific blocks and zone lots within the M-GMX District.

### 9.7.2.3 Minimum Requirements for Establishment

The following requirements shall apply in addition to the requirements set forth in Section 12.4.10, Official Map Amendment (Rezoning). Where a conflict exists, the requirements of this Section shall supersede those in Section 12.4.10.

A. **General Development Plan Required**

A General Development Plan that meets the minimum standards stated Section 12.4.12, General Development Plan, shall be completed and approved prior to the City Council’s approval of a rezoning to a Master Planned (M-) Zone District.
### 9.7.3.3 Primary Building Form Standards

**A. Applicability**  
All development, except detached accessory structures, in all the Master Planned Context Zone Districts.

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

**C. District Specific Standards Summary**  
The maximum number of structures per zone lot and building forms allowed by Zone District is summarized below:

<table>
<thead>
<tr>
<th>Master Planned (M-) Neighborhood Context Zone Districts</th>
<th>Max Number of Primary Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>No max</td>
<td>Suburban House</td>
</tr>
<tr>
<td>Row House (RH)</td>
<td>M-RH-3</td>
<td>No max</td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>M-RX-5</td>
<td>No max</td>
</tr>
<tr>
<td>Residential Mixed Use (RX)</td>
<td>M-RX-5A</td>
<td>No max</td>
</tr>
<tr>
<td>Commercial Corridor (CC)</td>
<td>M-CC-5</td>
<td>No max</td>
</tr>
<tr>
<td>Commercial Mixed Use (MX)</td>
<td>M-MX-5</td>
<td>No max</td>
</tr>
<tr>
<td>Industrial Mixed Use (IMX)</td>
<td>M-IMX-5, -8, -12</td>
<td>No max</td>
</tr>
<tr>
<td>General Mixed Use (GMX)</td>
<td>M-GMX</td>
<td>No max</td>
</tr>
</tbody>
</table>

- **Allowed**  
- **Allowed subject to limitations.**
### SUBURBAN HOUSE

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>M-RX-5A</th>
<th>M-GMX, M-CC-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>40’</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>M-RX-5A</th>
<th>M-GMX, M-CC-5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONE LOT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Size (min)</td>
<td>2,800 ft²</td>
<td></td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>25’</td>
<td></td>
</tr>
<tr>
<td><strong>SETBACKS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street (min)</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>Side, interior (min)</td>
<td>3’</td>
<td></td>
</tr>
<tr>
<td>Rear (min)</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>65%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th></th>
<th>From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>H DETACHED ACCESSORY STRUCTURES</strong></th>
<th>See Sec. 9.7.4</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>M-RX-5A</th>
<th>M-GMX, M-CC-5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING CONFIGURATION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>Shall not project forward of any part of a Primary Street facing facade of a primary structure, which for purposes of this form, may include a front porch.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>STREET LEVEL ACTIVATION</strong></th>
<th></th>
<th>Entry Feature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian Access, Primary Street</td>
<td>Design Criteria</td>
<td>See Section 9.7.5.1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>M-RX-5A</th>
<th>M-GMX, M-CC-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Uses shall be limited to Single Unit Dwelling. See Section 9.7.9 Uses and Parking</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HEIGHT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A Stories (max)</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>42’</td>
<td></td>
</tr>
<tr>
<td><strong>SITING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZONE LOT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Zone Lot Size (min)</td>
<td>3,000 ft²</td>
<td></td>
</tr>
<tr>
<td>C Zone Lot Width (min)</td>
<td>25’</td>
<td></td>
</tr>
<tr>
<td><strong>SETBACKS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Primary Street (min)</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>E Side Street (min)</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>F Side, interior (min)</td>
<td>3’</td>
<td></td>
</tr>
<tr>
<td>G Rear (min)</td>
<td>0’</td>
<td></td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>75%</td>
<td></td>
</tr>
<tr>
<td><strong>PARKING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking and Drive Lot Coverage in Primary Street Setback (max)</td>
<td>2 Spaces and 320 SF</td>
<td></td>
</tr>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6)</td>
<td></td>
</tr>
<tr>
<td><strong>H DETACHED ACCESSORY STRUCTURES</strong></td>
<td>See Sec. 9.7.4</td>
<td></td>
</tr>
<tr>
<td><strong>DESIGN ELEMENTS</strong></td>
<td>M-RH-3</td>
<td>M-RX-5, M-RX-5A, M-GMX, M-MX-5</td>
</tr>
<tr>
<td>BUILDING CONFIGURATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max)</td>
<td>35% of the entire width of the Primary Street facing facade of the primary structure or 16’, whichever is greater</td>
<td></td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) Shall be setback 20’ from back of sidewalk for building walls with garage doors that are facing a street</td>
<td></td>
</tr>
<tr>
<td><strong>STREET LEVEL ACTIVATION</strong></td>
<td>See Section 9.7.5.1</td>
<td></td>
</tr>
<tr>
<td>Pedestrian Access, Primary Street</td>
<td>Entry Feature</td>
<td></td>
</tr>
<tr>
<td><strong>USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form.</td>
<td>See Section 9.7.9 Uses and Parking</td>
<td></td>
</tr>
</tbody>
</table>

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
## DU PLEX

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stories (max)</td>
<td>2.5</td>
<td>2.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feet (max)</td>
<td>42’</td>
<td>42’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>4,000 ft²</td>
<td>4,000 ft²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Width (min)</td>
<td>45’</td>
<td>45’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## S E T B A C K S

| **A** | 10’ | 10’ |
| **D** | 10’ | 10’ |
| **E** | 3’ | 3’ |
| **F** | 0’ | 0’ |
| Building Coverage per Zone Lot, including all accessory structures (max) | 75% | na |

## PARK I NG

- Parking and Drive Lot Coverage in Primary Street Setback (max): 50%
- Vehicle Access: From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6)

## D E T A C H E D ACCESSORY STRUCTURES

- See Sec. 9.7.4

## D E S I G N E L E M E N T S

### BUILDING CONFIGURATION
- Primary Street Facing Attached Garage Door Width in first 50% of lot depth (max): 35% of the entire width of the Primary Street facing facade of the primary structure or 16’, whichever is greater
- Attached Garage Allowed: Shall not be located closer to the minimum Primary Street setback line than the Primary Street facing facade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.

### STREET LEVEL ACTIVATION
- Design Criteria: See Section 9.7.5.1
- Pedestrian Access, Primary Street: Entry Feature

## U S E S

- All permitted Primary Uses shall be allowed within this building form
- See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
# GARDEN COURT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>M-RH-3</th>
<th>M-RX-5A, M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>A  Stories (max)</td>
<td>2.5</td>
<td>2.5</td>
</tr>
<tr>
<td>A  Feet (max)</td>
<td>42'</td>
<td>42'</td>
</tr>
<tr>
<td>B  Side Wall Height (Max)</td>
<td>34'</td>
<td>34'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>M-RH-3</th>
<th>M-RX-5A, M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>na</td>
</tr>
<tr>
<td>SETBACKS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C  Primary Street (min)</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>D  Side Street (min)</td>
<td>10'</td>
<td>10'</td>
</tr>
<tr>
<td>E  Side, interior (min)</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>F  Rear alley/no alley (min)</td>
<td>5'/15'</td>
<td>0'/0'</td>
</tr>
<tr>
<td>Building Coverage per Zone Lot, including all accessory structures (max)</td>
<td>75%</td>
<td>na</td>
</tr>
</tbody>
</table>

| **PARKING**                 |        |                |
| Surface Parking Location    | No surface parking between building and Primary Street |
| Vehicle Access              | From Alley; or Street access allowed when no Alley present (See Sec. 9.7.7.6) |

| **ACCESSORY STRUCTURES**    |        |                |
| Detached Accessory Structures Allowed | See Sec. 9.7.4 |

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>M-RH-3</th>
<th>M-RX-5A, M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>H  Street-Facing Courtyard Width (min)</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>I  Street-Facing Courtyard Depth (min)</td>
<td>30'</td>
<td>30'</td>
</tr>
<tr>
<td>Garden Court Design Standards</td>
<td>See Sec. 9.7.5.2</td>
<td></td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
<td>May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks</td>
<td></td>
</tr>
</tbody>
</table>

| **STREET LEVEL ACTIVATION** |        |                |
| Pedestrian Access, Primary Street | Each dwelling unit shall have a Street Level Entrance. A minimum two dwelling units shall each have an Entrance facing the Primary Street and all other dwelling units shall have an Entrance that faces either the Primary Street or the interior courtyard. |

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>M-RH-3, M-RX-5A, M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted Primary Uses shall be allowed within this building form. See Section 9.7.9 Uses and Parking</td>
<td></td>
</tr>
</tbody>
</table>

*See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions*
## Article 9. Special Contexts and Districts

### Division 9.7 Master Planned Context

#### ROW HOUSE

<table>
<thead>
<tr>
<th>Height</th>
<th>M-RH-3</th>
<th>M-RX-5A</th>
<th>M-IMX-5</th>
<th>M-IMX-8</th>
<th>M-IMX-12</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>3</td>
<td>5</td>
<td>5</td>
<td>M-IMX-5</td>
<td>M-IMX-8</td>
<td>M-IMX-12</td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>55’</td>
<td>70’</td>
<td>70’</td>
<td>M-IMX-5</td>
<td>M-IMX-8</td>
<td>M-IMX-12</td>
</tr>
<tr>
<td>B Side Wall Height (max)</td>
<td>na</td>
<td>na</td>
<td>na</td>
<td>M-IMX-5</td>
<td>M-IMX-8</td>
<td>M-IMX-12</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sitting</th>
<th>M-RH-3</th>
<th>M-RX-5A</th>
<th>M-IMX-5</th>
<th>M-IMX-8</th>
<th>M-IMX-12</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone Lot Size (min)</td>
<td>6,000 ft²</td>
<td>na</td>
<td>na</td>
<td>M-IMX-5</td>
<td>M-IMX-8</td>
<td>M-IMX-12</td>
</tr>
<tr>
<td>Dwelling Units per Primary Residential Structure (min/max)</td>
<td>3/10</td>
<td>3/na</td>
<td>3/na</td>
<td>M-IMX-5</td>
<td>M-IMX-8</td>
<td>M-IMX-12</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Required Build-To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street (min % within min/max)</td>
</tr>
<tr>
<td>Side Street (min % within min/max)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Street (min)</td>
</tr>
<tr>
<td>Side Street (min)</td>
</tr>
<tr>
<td>Side, interior (min)</td>
</tr>
<tr>
<td>Side, interior, adjacent to Protected District (min)</td>
</tr>
<tr>
<td>Rear (min)</td>
</tr>
<tr>
<td>Rear, adjacent to Protected District, alley/no alley (min)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Parking Location</td>
</tr>
<tr>
<td>Vehicle Access, 3 or more side-by-side dwelling units in one structure, and/or M-RH-3</td>
</tr>
<tr>
<td>Vehicle Access, all other uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accessory Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached Accessory Structures Allowed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Story Setback Above 27’ adjacent to Protected District, Rear, alley/Rear, no alley/Side, interior (min)</td>
</tr>
<tr>
<td>Upper Story Setback Above 51’, adjacent to Protected District, Rear, alley/Rear, no alley/Side Interior (min)</td>
</tr>
<tr>
<td>Street facing garage door width per Primary Structure (max)</td>
</tr>
<tr>
<td>Attached Garage Allowed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Level Activation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transparency, Primary Street (min)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Primary Uses shall be limited to Multi Unit Dwelling (3+) and permitted Group Living and Nonresidential Uses. See Section 9.7.9 Uses and Parking</td>
</tr>
</tbody>
</table>

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
SECTION 9.7.4 DETACHED ACCESSORY BUILDING FORM STANDARDS

9.7.4.1 Applicability
All detached accessory structures in all the Master Planned Context districts

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

B. Detached Accessory Structures Specifically Allowed
   The following detached accessory structures are specifically allowed:
   
   1. **Buildings:**
      Sheds, utility buildings, playhouses, cabanas, pool houses, garages, and guard houses
   
   2. **Underground Structures:**
      Swimming pools, storm and fallout shelters
   
   3. **Unenclosed Structures:**
      a. Carports
      b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas
      c. Radio and Television Receiving Antennas and Support Structures
         Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.
      d. Solar and photo-voltaic energy systems
   
4. **Fences, Walls and Retaining Walls**
   All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 9.7.4, Detached Accessory Building Form Standards.

5. **Accessory Structures Not Specifically Listed**
   a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in Article 11 or this Section.
   b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
   
   c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
   
   d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.7.4.
9.7.4.3 Supplemental Standards

A. Additional Standards for Detached Accessory Structures in All Zone Districts
   1. Gross Floor Area
      If an accessory use is operated partially or entirely in one or more detached accessory
      structures, the gross floor area of such detached accessory structures shall not exceed 10
      percent of the area of the zone lot; provided, however, that this limitation shall not apply
      to detached accessory structures with vehicle access doors.

   2. Building Coverage
      All detached accessory structures on a zone lot, together with the primary structure(s) on
      such zone lot, shall not exceed any maximum building coverage standard (taking into ac-
      count any permitted exemptions) applicable in the subject Zone District for a particular
      primary building form (e.g., the suburban house, urban house, and duplex building forms
      are all subject to a maximum building coverage standard).

B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings
   1. Required Building Materials
      All detached structures accessory to primary single unit dwelling use shall be constructed
      of materials that are (1) compatible with the materials used on the primary building ,
      (2) durable, and (3) are not constructed from salvage doors, or other similar materials as
      designated by the Zoning Administrator.

   2. Access and Contiguity
      Except when used for a permitted accessory dwelling unit, any residential floor area
      contained within a second story located above an attached accessory structure shall be
      contiguous to and accessed only through other residential floor area contained within the
      principal residential structure.

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

<table>
<thead>
<tr>
<th>Master Planned (M-) Neighborhood Context Zone Districts</th>
<th>Max Number of Detached Accessory Structures per Zone Lot</th>
<th>Building Forms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rowhouse (RH) M-RH-3</td>
<td>no max*</td>
<td>■ ■ ■</td>
</tr>
<tr>
<td>Residential Mixed Use (RX) M-RX-5,-5a</td>
<td>no max*</td>
<td>■ ■ ■</td>
</tr>
<tr>
<td>Commercial Corridor (CC) M-CC-5</td>
<td>no max</td>
<td>■</td>
</tr>
<tr>
<td>Mixed Use (MX) M-MX-5</td>
<td>no max</td>
<td>■</td>
</tr>
<tr>
<td>Industrial Mixed Use (IMX) M-IMX-5,-8,-12</td>
<td>no max</td>
<td>■</td>
</tr>
<tr>
<td>General Mixed Use (GMX) M-GMX</td>
<td>no max</td>
<td>■ ■ ■</td>
</tr>
</tbody>
</table>

■ = Allowed   *One per dwelling unit for structures with vehicle access doors.  See Section 1.2.3.5
# DETACHED ACCESSORY DWELLING UNIT

<table>
<thead>
<tr>
<th><strong>HEIGHT</strong></th>
<th>M-RH-3</th>
<th>M-RX-5</th>
<th>M-RX-SA</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Stories (max)</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A Feet (max)</td>
<td>42'</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SITING</strong></th>
<th>M-RH-3</th>
<th>M-RX-5</th>
<th>M-RX-SA</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONE LOT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone Lot Size for ADU (min)</td>
<td>3,000 ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Coverage Credit (Lesser of)</td>
<td>50%/500 ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the Detached Accessory Dwelling Unit form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached ADU building, up to a maximum credit of 500 ft². To qualify, the ADU form shall comply with minimum 15’ building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the ADU form shall be used for vehicle parking.

<table>
<thead>
<tr>
<th>Detached Accessory Dwelling Unit Location</th>
<th>Located in the rear 35% of the zone lot depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Standards</td>
<td>See Section 9.7.4.3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SETBACKS</strong></th>
<th>M-RH-3</th>
<th>M-RX-5</th>
<th>M-RX-SA</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>C Side Interior (min)</td>
<td>3'</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side Street (min)</td>
<td>5'</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Rear (min)</td>
<td>0'</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PARKING</strong></th>
<th>M-RH-3</th>
<th>M-RX-5</th>
<th>M-RX-SA</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Access</td>
<td>From Alley; or Street access allowed when no Alley present (see Sec. 9.7.7.6 for exceptions)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENTS</strong></th>
<th>M-RH-3</th>
<th>M-RX-5</th>
<th>M-RX-SA</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONFIGURATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Footprint (max)</td>
<td>1,000 ft²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E Horizontal Dimension (max)</td>
<td>36'</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)</td>
<td>28'</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>USES</strong></th>
<th>M-RH-3</th>
<th>M-RX-5, -5A</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses Only, including accessory dwelling units, parking of vehicles, and home occupations. See Section 9.7.9 for permitted Accessory Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### DETACHED GARAGE

#### HEIGHT

| A | Stories (max) | 2 |
|   | Feet (max)    | 42’ |

#### SITING

| ZONE LOT |

| Building Coverage Credit (lesser of) | 50% / 500 ft² |

An exemption from the maximum building coverage shall be given for a portion of the zone lot area occupied by the detached garage form. The exemption shall be in the amount of 50% of the area of the zone lot occupied by the detached garage building, up to a maximum credit of 500 ft². To qualify, the detached garage form shall comply with minimum 15’ building separation, as measured according to Article 13, and at least 80% of the ground story GFA of the building form shall be used for vehicle parking.

| Allowed Number of Dwelling Units (min/max) | 0/0 |

| Additional Standards | See Section 9.7.4.3 |

#### SETBACKS

| C | Setback from Primary Street Facing Facade of Primary Structure (min) | 10’ |
|   | Side Street (min) | 5’ |
| D | Side Interior (min), for structure entirely in rear 35% of zone lot depth* | 0’ |
| D | Side Interior (min), for structure not entirely in rear 35% of zone lot depth * | 5’ |
| E | Rear (min) | 0’ |

**Vehicle Access**

From Alley; or Street access allowed when no Alley present

See 9.7.7.6 for exceptions

#### DESIGN ELEMENTS

| BUILDING CONFIGURATION |

| Building Footprint (max) | 864 ft² per unit** |

| F | Horizontal Dimension (max) | no max |

| Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max) | 3 |

| Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max) | 28’ |

#### USES

| M-RH-3; M-RX-5; -5A; M-GMX |

Accessory Uses Only, excluding accessory dwelling unit where permitted.

See Division 9.7.9 for permitted Accessory Uses

See Sections 9.7.5 - 9.7.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
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**  
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 those building forms for the applicable Z zone D district.

### 9.7.7.6 Vehicle Access From Alley Required - Exceptions

**A. No Alley**  
Where a building form specifies “street access allowed when no alley present”, vehicle or parking 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, driving aisle, 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 dwelling units on the same face block are served by driveways, driving aisles, or other parking facilities accessed directly from a primary street; or
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 access is needed from the street.

### SECTION 9.7.8 REFERENCE TO OTHER DESIGN STANDARDS

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

A. Parking and Loading: Division 10.4
B. Landscaping, Fences, Walls, and Screening: Division 10.5
C. Site Grading: Division 10.6
D. Outdoor Lighting: Division 10.7
E. Signs: Division 10.10
SECTION 9.7.9 USES AND REQUIRED MINIMUM PARKING

9.7.9.1 Applicability

A. This Section 9.7.9 sets forth the land uses permitted, the required zoning procedure and the required minimum parking for all the Master Planned Context zone D district.

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

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

9.7.9.2 Organization

A. Organized by Primary, Accessory and Temporary Uses

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

B. Primary Use Classifications, Categories & Specific Use Types

1. Primary Use Classifications

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

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

2. Primary Use Categories & Specific Use Types

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

3. Classifications & Categories Are Mutually Exclusive

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

9.7.9.3 Explanation of Table Abbreviations

A. General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry “L-ZPIN” means, first, the use is subject to use limitations (the “L”), and, second, that the use is subject to zoning permit review with information notice (the “ZPIN”) prior to its establishment.
B. Permitted, Limited, Not Permitted

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

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

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

C. Zoning Procedure

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

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

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

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).

9.7.9.4 Enclosure of Uses
All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside 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.
### Article 9. Special Contexts and Districts
#### Division 9.7 Master Planned 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>M-RH-3</th>
<th>M-RX-5</th>
<th>M-CC-5</th>
<th>M-MX-5</th>
<th>M-IMX-5</th>
<th>M-IMX-8</th>
<th>M-IMX-12</th>
<th>M-GMX</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</strong></td>
<td></td>
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<td>Adult Business</td>
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<td>NP</td>
<td>NP</td>
<td>NP</td>
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<tr>
<td>Arts, Recreation &amp; Entertainment</td>
<td>Arts, Recreation and Entertainment Services, Indoor: 0.3/1000 ft² GFA*</td>
<td>NP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>• Vehicle - Artist Studio: 0.3/1000 ft² GFA*</td>
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<tr>
<td></td>
<td>• Vehicle - All Others: 1.875/ 1,000 s.f. GFA</td>
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<td></td>
<td>• Bicycle: 1/10,000 s.f. GFA (60/40)</td>
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<tr>
<td>Arts, Recreation and Entertainment Services, Outdoor*:</td>
<td>Arts, Recreation and Entertainment Services, Outdoor*: 1.875/ 1,000 s.f. GFA</td>
<td>NP</td>
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<td>L-ZP</td>
<td>L-ZP</td>
<td>L-ZPIN</td>
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<tr>
<td>Sports and/or Entertainment Arena or Stadium*</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
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<td>L-ZP</td>
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<tr>
<td>Nonresidential Uses in Existing Business Structures In Residential Zones)</td>
<td>NP</td>
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<tr>
<td>Parking of Vehicles</td>
<td>Parking, Garage: No Parking Requirements</td>
<td>NP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
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<td></td>
<td>Parking, Surface*: No Parking Requirements</td>
<td>L-ZP</td>
<td>L-ZP</td>
<td>P-ZP</td>
<td>NP</td>
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<tr>
<td>Eating &amp; Drinking Establishments</td>
<td>All Types</td>
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<td>• Vehicle: 3.75/ 1,000 s.f. GFA</td>
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<td>Lodging Accommodations</td>
<td>Bed and Breakfast Lodging: Vehicle: 1/guest room or unit</td>
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<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
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<td>• Bicycle: 1/10,000 s.f. GFA (60/40)</td>
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<tr>
<td></td>
<td>Lodging Accommodations, All Others: Vehicle: 1/ guest room or unit</td>
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<td>P-ZP</td>
<td>P-ZP</td>
<td>P-ZP</td>
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<td>• Bicycle: 1/10,000 s.f. GFA (60/40)</td>
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<tr>
<td>Office</td>
<td>Dental / Medical Office or Clinic: Vehicle: 1.875/ 1,000 s.f. GFA</td>
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<td>L-ZP</td>
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<td>Office, All Others: Vehicle: 1.875/ 1,000 s.f. GFA</td>
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</tbody>
</table>

See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.

§ 9.7.10.1.A

§ 11.4.3

§ 11.4.7

§ 11.4.9
### Article 9. Special Contexts and Districts
#### Division 9.7 Master Planned 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>Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)</td>
</tr>
<tr>
<td>Child Care Home, Large</td>
</tr>
<tr>
<td>All Other Types</td>
</tr>
<tr>
<td>Unlisted Home Occupations</td>
</tr>
</tbody>
</table>
INTRODUCTION TO ARTICLE 10

A. Article 10, General Design Standards contains general design standards that apply throughout the city and are not unique to a Neighborhood Context or Special Context, including general standards for parking, landscaping, site grading, outdoor lighting, and signs.

B. Article 10, General Design Standards is comprised of separate Divisions that present all regulations related to a single subject matter. For example, Division 10.4, Parking and Loading includes all regulations related to the provision of off-street parking and loading, including exceptions and exemptions from minimum requirements and minimum design for the layout of Off-Street Parking Areas.

C. All development shall comply with this Article 10’s general design standards in addition to compliance with a Zone District’s more specific building form and design standards, and with applicable use limitations. Each Division in Article 10, General Design Standards includes an applicability provision as to what specific types of development activity trigger application of the Division’s standards.
DIVISION 10.2 GENERAL SITE DESIGN AND FACILITY STANDARDS

SECTION 10.2.1 INTENT

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

SECTION 10.2.2 APPLICABILITY

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

SECTION 10.2.3 GENERAL SITE DESIGN AND FACILITY STANDARDS

All development shall provide, as applicable:

10.2.3.1 Adequate design of grades, paving, gutters, drainage and treatment of turf to handle storm waters, prevent erosion and formation of dust;

10.2.3.2 Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space, facilities for waste disposal;

10.2.3.3 Arrangement of buildings and vehicular circulation open spaces so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic;

10.2.3.4 Adequate amount and proper location of pedestrian walks, malls and landscaped spaces to separate horizontally or vertically pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities;

10.2.3.5 Arrangement and orientation of buildings and location of Off-Street Parking Areas so as to minimize the impacts on adjacent properties;

10.2.3.6 Proper arrangement of signs and lighting devices with respect to traffic control devices and adjacent residential districts;

10.2.3.7 In development providing for family occupancy, adequate amount and safe location of play areas for children and other recreational areas according to the concentration of occupancy;

10.2.3.8 In development intended for nonresidential uses and located near or abutting Residential Zone Districts, provide fences, walls or year-round screen planting when necessary to shield adjacent residential districts from parking lot illumination, headlights, fumes, heat, blowing papers and dust and to reduce the visual encroachment of commercial architectural, signs and activity on residential privacy and residential neighborhood character;

10.2.3.9 Adequate consideration for the access needs of disabled or handicapped residents through the provision of special parking spaces, accessible routes between Off-Street Parking Areas and buildings, passenger loading zones and access to other facilities in order to give disabled residents an increased level of mobility;
DIVISION 10.3  MULTIPLE BUILDINGS ON A SINGLE ZONE LOT

SECTION 10.3.1  INTENT
This Division's standards are intended to provide design flexibility in the siting of multiple buildings on a single zone lot, while assuring the siting of such multiple buildings results in adequate air, light, and pedestrian access and circulation, and mitigates any potential adverse impact on adjacent properties.

SECTION 10.3.2  APPLICABILITY
This Section's design standards shall apply to all development on a single zone lot containing multiple primary buildings. Refer to Division 1.2, Zone Lots and Section 13.1.5, Siting Form Standards.

SECTION 10.3.3  EXCEPTION TO COMPLIANCE WITH BUILDING FORM STANDARDS

10.3.3.1 Exception for Required Build-To, Surface Parking Location and Street Level Activation

A. Applicability
This subsection 10.3.3.1 shall apply to all Zone Districts and building forms that have a Required Build-to and that allow multiple primary structures.

B. Exception
When Primary and Side Street Build-to are met for the entire zone lot, and the Surface Parking Location, and Street Level activation standards are met for those buildings being used to meet the Required Build-to, additional buildings on the site are not subject to the Build-to, Surface Parking Location, and Street Level activation standards.

a. For example, in Figure 10.3-1, if buildings “A” and “B” comply with the required Primary and Side Street Build-to and with the Street Level activation standards, then building “C” may be sited with more flexibility on the zone lot and need not comply with the build-to or Street Level activation standards.
10.3.3.2 Exception for Surface Parking Location in Main Street

In the Main Street (MS) zone districts only, when a Side Street build-to is met with a building (A), surface parking is allowed between additional buildings on the zone lot (B) and that Side Street. See Figure 10.3-2.

Figure 10.3-2

10.3.3.3 Exception for Phased Development

When multiple buildings on the zone lot will be developed in phases, and the first phase(s) of development would not meet applicable build-to, surface parking location, and ground-story activation standards as required above, an applicant shall reserve an area along the street frontage for future building phases that will comply with such standards, provided the following conditions are met:

A. The reserved area shall include the entire zone lot frontage abutting the Primary Street or Side Street for a depth of no less than 60 feet, measured from the zone lot line except for approved vehicular access lanes.

B. Parking of vehicles is not allowed within the reserved area.

C. Water quality and detention/retention facilities, or utilities, are not allowed within the reserved area.

D. The reserved area shall be improved with at least 50% live landscape material, following Section 10.5.4.6 Landscaping Material Standards.

E. Required pedestrian access and circulation shall be provided, following Section 10.3.4.

SECTION 10.3.4 PEDESTRIAN ACCESS & CIRCULATION

10.3.4.1 Intent

This Section's Pedestrian Access & Circulation standards are intended to:

A. Provide safe, convenient pedestrian access and circulation patterns within and between developments.

B. Create a continuous network of pedestrian walkways within and between developments, providing pedestrians the opportunity to walk (rather than drive) between destinations.
C. Create a friendlier, more inviting environment by providing a pedestrian network that offers clear circulation paths from the Off-Street Parking Areas to building entries.

10.3.4.2 Exemptions

Development in the following zones is exempt from compliance with this Section 10.3.4’s Pedestrian Access & Circulation standards except as specifically stated:

A. Exemption for All CMP Districts

Development in all Campus (CMP) zones is exempt. Pedestrian access and circulation shall be reviewed as part of Site Development Plan approval and shall meet the intent of this Section.

B. Exemption for I-A, -B-Zone Districts

Development in the I-A, -B-Zone Districts is exempt.

C. Partial Exemption for I-MX and M-IMX Zone Districts

Development in all I-MX and M-IMX zones shall comply with the standards requiring one or more pedestrian connections between the primary entrances to buildings on the site and the public sidewalk system along streets abutting the development (or to the curb of an abutting street where there are no public sidewalks). Compliance with all other standards in this Section 10.3.4 is encouraged, but not mandatory.

10.3.4.3 Required Pedestrian Connections

An on-site system of pedestrian walkways shall be designed to provide direct access and convenient connections to and between the following:

A. Primary entrances to each primary building, including pad site buildings;

B. All Off-Street Parking Areas or parking structures;

C. All site amenities or public gathering places;

D. The public sidewalk system along the perimeter streets abutting the development (or to the curb of an abutting street where there are no public sidewalks); and

E. Public and private sidewalks on adjacent properties that extend to adjoining land uses, developments, and public facilities such as parks, greenways, schools, recreational facilities and public office buildings.

10.3.4.4 Minimum Walkway Width

A. All on-site pedestrian walkways shall provide not less than 5 feet clear walking area.

B. Where walkways are included on parking islands and medians that include landscape requirements, the required walkway width must be clear of low branching trees, vegetation and similar impediments.

C. Where walkways occur along buildings walls, the required walkway width must be clear of door swings, exterior display, shopping cart storage, low branching trees and similar impediments.

D. See Section 10.4.6.4.C Protection of Landscaping & Pedestrian Access for additional standards.

10.3.4.5 Walkways Through Vehicle Areas

At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture, or height.
SECTION 10.4.2 GENERAL APPLICABILITY

10.4.2.1 Vehicle and Bicycle Parking Required

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

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

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

1. Exception for Expansions
If land area, structures, or primary uses are enlarged or expanded, parking (in addition to any existing spaces) shall be provided for the additional increment only.

2. Exception for Change of Use
This Section 10.4.2.1.C.2 shall apply only to required vehicle parking.

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

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

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

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

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

b. Exemption for Change in Use in Existing Buildings Built Prior to 1967
In all Mixed Use Commercial Zone Districts, buildings shall be exempt from providing additional parking in the event of a change of use, provided all of the following are met:

i. The building was built before 1967,

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

iii. The building meets the minimum height requirement of the subject property’s zone district.
SECTION 10.4.3  BICYCLE PARKING

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

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

10.4.3.2 Calculation

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

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

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

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

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

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

10.4.3.3 Bicycle Parking Exceptions

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

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

2. An adjustment in the number of bicycle parking spaces that must be provided in either an enclosed or fixed bicycle rack parking facility, up to a maximum 20% adjustment, provided any reduction in the number of spaces provided in one type of parking facility shall be providing in the other type of parking facility.
   a. For example: When a total of 20 bicycle parking spaces is required and 10 shall be provided in an enclosed storage facility and 10 shall be provided in a fixed bicycle rack parking facility, the Zoning Administrator may grant an adjustment to the amount that must be enclosed, resulting in a reduction from the original 10 enclosed spaces to 8 enclosed spaces. That would require a total of 12 spaces in a fixed bicycle rack parking facility.

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

1. This Section 10.4.4.4 shall apply to all uses located within 1/4 mile of the outer boundary of a rail transit station in all Zone D districts except the CMP Zone D districts; and
2. This Section 10.4.4.4 shall apply only to limit the amount of Surface Parking.
3. If a structure or use is exempt according to Section 10.4.5 Vehicle Parking Exceptions, from minimum parking requirements, this subsection’s maximum parking standard shall still apply, based on the minimum amount otherwise required for such use or structure absent any exemption.

C. Maximum Vehicle Surface Parking Permitted

For all applicable Zone D districts, Surface Parking spaces shall not exceed 110 percent of the minimum parking spaces required by the subject property’s zone district, except that up to 1 vehicle surface parking space per dwelling unit shall be allowed even if exceeding the 110 percent.

10.4.4.5 Location of Required Vehicle Parking

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

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

B. Off-Site Vehicle Parking

Required vehicle parking spaces may be located on a zone lot different than the primary use for which provided (“off-site vehicle parking”), subject to compliance with the following standards:

1. The subject property may locate required vehicle parking on an "off-site zone lot" provided it uses the off-site zone lot's excess parking, and not its required parking. (See Section 10.4.5.4 Shared Vehicle Parking for that scenario).
2. Parking requirements may be met off the zone lot by ownership or a current lease of parking spaces on another zone lot and dedicated to the primary use being served. Divesting ownership or terminating lease of the required parking spaces shall result in termination of the zoning permit until the parking deficiency is remedied.
3. Off-site parking shall be located within a “walking distance” of 1,500 feet from the use served by the remote parking. “Walking distance” shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
SECTION 10.4.5  VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

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

A. Pre-Existing Small Zone Lots

In all Mixed Use Commercial Zone Districts, buildings on zone lots which are equal to or smaller than 6,250 square feet in area on June 25, 2010, shall be exempt from providing parking otherwise required by this Division.

B. Ground-Floor Retail Uses in Mixed Use Projects

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

2. Exemption Allowed

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

C. Historic Structures

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

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

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

4. In the D-LD district, this subsection 10.4.5.1.C. shall have no force and effect, and Section 8.3.1.5, 8.4.1.4, Off-Street Parking Requirements, shall govern the parking of Historic Structures.
4. **Maximum Reduction Allowed**
   The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection’s permitted reductions, except as provided in Section 10.4.5.3.C, and except that reduced parking approved as part of a General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area. Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection’s permitted reductions.

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

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

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

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

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

<table>
<thead>
<tr>
<th>TYPE OF REDUCTION</th>
<th>APPLICABLE ZONE DISTRICTS</th>
<th>APPLICABLE USE</th>
<th>ADDITIONAL REQUIREMENTS</th>
<th>REDUCTION ALLOWED</th>
<th>SPECIAL REVIEW PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing</td>
<td>All Zone Districts, except Main Street Zone Districts</td>
<td>Primary Residential Uses</td>
<td>Compliance with the provisions of Article IV Affordable Housing, Chapter 27 Housing, of the Denver Revised Municipal Code</td>
<td>20% reduction in the total number of required vehicle parking spaces</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Assisted Living Facility</td>
<td>All Zone Districts</td>
<td>Assisted Living Primary Use</td>
<td>The reduction shall be allowed only upon finding that the assisted living facility generates less parking need or demand due to the specific nature and character of the facility, its occupants, and/or visitors; and if a reduction is permitted under this provision, no additional parking reduction otherwise available under this Code shall be granted</td>
<td>0.5 space per unit reduction in the total number of required vehicle parking spaces</td>
<td>Section 12.4.2, Zoning Permit with Informational Notice</td>
</tr>
<tr>
<td>Proximity to Multi-Modal Transportation</td>
<td>Suburban (S-), Urban Edge (E-), Urban (U-), or General Urban (G-), Industrial (I-), or Master Planned (M-) Zone District</td>
<td>Any Primary Use</td>
<td>Any Primary Use located within 1/4 mile of the outer boundary of a rail transit station or 1/4 mile of an enhanced transit corridor as defined in Blueprint Denver</td>
<td>25% reduction in the total number of required vehicle parking spaces</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>On-Site Car Sharing</td>
<td>All Zone Districts, except Campus Zone Districts</td>
<td>Any Residential Primary Use</td>
<td>Where an active car-sharing program is available in the same building or on the same zone lot as that Primary Use and is made available to the residents in the same building where the residential units are located</td>
<td>5 required vehicle parking spaces reduced for each 1 car share space provided</td>
<td>See Section 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Off-Site Car Sharing</td>
<td>All Zone Districts</td>
<td>Any Primary Use</td>
<td>The car sharing program shall be: (1) Located on a zone lot and not within public right-of-way; (2) Located within a walking distance no greater than 1,500 feet of the zone lot containing the subject primary use; (3) Either in existence or being developed concurrently with the proposed development; and (4) Has the capacity to meet a portion of the vehicle parking needs of the subject primary use</td>
<td>Determined by the Zoning Administrator</td>
<td>See Section 10.4.4.2.A.3 10.4.5.3.A.3</td>
</tr>
<tr>
<td>Bike Sharing</td>
<td>All Zone Districts, except Campus Zone Districts</td>
<td>Any Nonresidential Use</td>
<td>The bike share program shall be located in the same building, on the same zone lot, or in the public right-of-way abutting the subject zone lot.</td>
<td>1 required vehicle parking space reduced for each 5 bike share parking spaces provided</td>
<td>See Section 10.4.4.2.A.3 10.4.5.3.A.3</td>
</tr>
</tbody>
</table>
C. Vehicle Parking Reduction for Small Lots in the C-CCN Zone Districts

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

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

10.4.5.4 Shared Vehicle Parking

A. Applicability

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

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

B. Shared Amount Allowed

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

C. Process for Review and Approval

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

D. Shared Parking Analysis Required

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

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of the uses;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site.
6. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.
7. If the shared parking spaces are located on a different zone lot than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 1,500 feet from the use served.
a. “Walking distance” shall be measured from the primary entrance of the primary use served along a connection that meets ADA requirements.
b. The Zoning Administrator may increase the allowed distance or waive the standard entirely when there is a shared parking entity and support in the shared parking analysis.

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

SECTION 10.4.6 VEHICLE PARKING DESIGN

10.4.6.1 Vehicle Parking Layout - Single and Two Unit Development

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

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

C. Garage and Carport Setbacks

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

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

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Stall Length (A)</th>
<th>Stall Width (B)</th>
<th>Projection (C)</th>
<th>Parking Aisle One-Way / Two-Way (D)</th>
<th>Module One-Way / Two-Way (E)</th>
<th>Interlock Reduction (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Standard Parking Space</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>22 ft</td>
<td>8.5 ft</td>
<td>8.5 ft</td>
<td>13 ft / 20 ft</td>
<td>30/37 ft</td>
<td>--</td>
</tr>
<tr>
<td>30°</td>
<td>17.5 ft</td>
<td>8.5 ft</td>
<td>16.11 ft</td>
<td>13 ft / 20 ft</td>
<td>45.22/52.22 ft</td>
<td>2 ft</td>
</tr>
<tr>
<td>45°</td>
<td>17.5 ft</td>
<td>8.5 ft</td>
<td>18.38 ft</td>
<td>13 ft / 20 ft</td>
<td>49.77/56.77 ft</td>
<td>2 ft</td>
</tr>
<tr>
<td>60°</td>
<td>17.5 ft</td>
<td>8.5 ft</td>
<td>19.41 ft</td>
<td>16 ft / 20 ft</td>
<td>54.81/58.81 ft</td>
<td>1.5 ft</td>
</tr>
<tr>
<td>75°</td>
<td>17.5 ft</td>
<td>8.5 ft</td>
<td>19.1 ft</td>
<td>18 ft / 20 ft</td>
<td>56.21/58.21 ft</td>
<td>1 ft</td>
</tr>
<tr>
<td>90°</td>
<td>17.5 ft</td>
<td>8.5 ft</td>
<td>17.5 ft</td>
<td>23 ft / 23 ft</td>
<td>58/58 ft</td>
<td>--</td>
</tr>
<tr>
<td><strong>Compact Parking Space</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>18 ft</td>
<td>7.5 ft</td>
<td>7.5 ft</td>
<td>13 ft / 20 ft</td>
<td>28/35 ft</td>
<td>--</td>
</tr>
<tr>
<td>30°</td>
<td>15.5 ft</td>
<td>7.5 ft</td>
<td>15.11 ft</td>
<td>13 ft / 20 ft</td>
<td>43.22/50.22 ft</td>
<td>2 ft</td>
</tr>
<tr>
<td>45°</td>
<td>15.5 ft</td>
<td>7.5 ft</td>
<td>16.97 ft</td>
<td>13 ft / 20 ft</td>
<td>46.94/53.94 ft</td>
<td>2 ft</td>
</tr>
<tr>
<td>60°</td>
<td>15.5 ft</td>
<td>7.5 ft</td>
<td>17.67 ft</td>
<td>16 ft / 20 ft</td>
<td>51.35/55.35 ft</td>
<td>1.5 ft</td>
</tr>
<tr>
<td>75°</td>
<td>15.5 ft</td>
<td>7.5 ft</td>
<td>17.17 ft</td>
<td>18 ft / 20 ft</td>
<td>52.34/54.34 ft</td>
<td>1 ft</td>
</tr>
<tr>
<td>90°</td>
<td>15.5 ft</td>
<td>7.5 ft</td>
<td>15.5 ft</td>
<td>23 ft / 23 ft</td>
<td>54/54 ft</td>
<td>--</td>
</tr>
</tbody>
</table>

**Figure 10.4-4**

Not to Scale. Illustrative Only.
10.4.6.3 Vehicular Access and Circulation

A. Internal Drive Dimensions

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

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

2. **Minimum Internal Drive Dimensions**
   
   Internal drives shall be a minimum width of 10 feet for one-way traffic and shall be a minimum width of 20 feet for two-way traffic. The Zoning Administrator may reduce the minimum internal drive width standard when necessary to relieve hardship associated with providing safe vehicle access and circulation on unusually small or narrow zone lots. Any such request for reduction shall be reviewed according to Section 12.4.5, Administrative Adjustments.

B. Vehicular Access

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

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

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

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

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

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

10.4.6.4 Surface Parking Design Standards

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

A. Drainage and Surface Materials

All Surface Off-Street Parking Areas shall:

1. Be graded for proper drainage; and

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

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

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

C. Protection of Landscaping & Pedestrian Access

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

   Figure 10.4-5

   ![Landscaped Area](image)

   Cannot Exceed 2'

2. Protection of Sidewalks and Pedestrian Walks
   a. Surface Off-Street Parking Areas shall be provided with curbs or wheel stops located so that no part of a parked vehicle will reduce a sidewalk or pedestrian walkway to less than 5 feet in width (See Figure 10.4-6); or
   b. In all locations where the edge of the pedestrian walks are directly abutted by parking spaces, an additional 3 feet of walkway width must be provided to accommodate vehicle overhangs. (See Figure 10.4-7)
C. **Design Standards**

1. A maximum of 2 parking spaces may be provided in tandem.
2. Two parking spaces in tandem shall have a combined minimum dimension of 8.5 feet in width and 35 feet in length.
3. It must be possible to get any vehicle in or out of a tandem space by moving only 1 vehicle.

**10.4.6.7 Packed Parking**

Packed parking, where it can provide more efficient surface parking through the reduction of maneuvering area when an attendant is used to park vehicles, is allowed subject to compliance with the following standards:

A. An attendant shall be provided to park vehicles during all business hours of the primary use.
B. All maneuvering, stacking, parking and loading for packed parking must be accomplished on private property.
C. The area of each packed parking space shall be no less than 150 square feet.
D. An access lane of no less than 23 feet in width must be provided through the packed parking area.

**10.4.6.8 Attendant Shelters or Pay Stations**

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

A. Maximum Number of Attendant Shelters Permitted: 1 attendant shelter building.
B. Maximum Number of Pay Stations Permitted: 1 pay station for each 50 surface parking spaces.
C. Minimum Setback: An attendant shelter shall be setback a minimum of 20 feet from any boundary of the surface parking lot abutting a Protected zone district.

**10.4.6.9 Reference to Other Applicable Design Standards**

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

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

**SECTION 10.4.7 USE AND MAINTENANCE OF PARKING AREAS**

**10.4.7.1 General Use and Maintenance Standards**

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

A. Off-street parking space shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.
B. No cleaning or maintenance of parking lots in a Residential Zone District utilizing motorized equipment may be performed between 11:00 p.m. and 6:30 a.m. each day.
C. Loudspeaker or other amplified systems shall not be used in Off-Street Parking Areas.
D. For additional standards applicable to the parking of vehicles, see Division 10.9, Parking, Keeping and Storage of Vehicles.

10.4.7.2 Fee for Required Parking Allowed
Required parking may be available as free parking, contract parking, or on an hourly or daily fee basis.

10.4.7.3 Flexibility in Use of Accessory Parking Areas

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

B. Applicability
This Section 10.4.7.3 allowance shall apply only under the following conditions:
1. Shall be applied only to the use of existing Accessory Parking spaces, where the subject zone lot contains both a Primary Use and Accessory Parking serving that Primary Use.
2. Shall not apply to a zone lot containing a primary Surface Parking land use, regardless of the legal status of such Surface Parking use, and the BOA shall not have the authority to issue a variance to allow application of this Section 10.4.7.3 to such zone lots.
3. This allowance shall not be used to meet the minimum parking requirements of any primary use. (For that scenario, see Section 10.4.5.4, Shared Vehicle Parking, or Section 10.4.4.5.B, Off-Site Vehicle Parking.)

C. Flexible Use of Accessory Parking Spaces Allowed with Zoning Permit
1. At any time when Accessory Parking spaces are not needed to meet the parking demand of the subject Primary Use (e.g., when the Primary Use is closed for business), the property owner may make available any unused or under-utilized Accessory Parking spaces to serve the parking needs of one or more Primary Uses not located on the same zone lot.
2. At all times, regardless of the option for flexible use allowed under this Section 10.4.7.3, the property owner shall maintain adequate Accessory Parking during all operating hours to serve the Primary Use(s) for which the Accessory Parking spaces are provided.
3. Such unused or under-utilized Accessory Parking spaces may be made available for a fee, at the property owner’s option.
4. A Zoning Permit is required according to Section 12.4.1, Zoning Permit Review.

SECTION 10.4.8 LOADING

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

10.4.8.2 Applicability
A. All Zone D except SU, TU, TH, RH, MU, RO, or MS Zone D districts.
SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS

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

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

A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;
B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree’s root zone; and
C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree’s roots.

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

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

SECTION 10.5.4 LANDSCAPING STANDARDS

10.5.4.1 Applicability and Exceptions

A. Applicability
1. This Section 10.5.4 shall apply to development in all Zone D districts, except residential development in all SU or TU Zone D districts.
2. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 10.5.4.
3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS Zone D districts, Section 8.9.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
5. See the City of Denver Streetscape Design Manual for additional provisions.
B. Exceptions

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

2. **Exception for Physical Limitations**
   If the Zoning Administrator determines that, because of physical limitations imposed by the location and arrangement of existing buildings or by site dimensions, it is impossible or impractical to meet the requirements of this Section, the Zoning Administrator may:
   a. Allow part or all of the landscaped area required to be provided elsewhere on the zone lot; or
   b. Waive part or all of such requirements altogether, provided that the standards are implemented to the fullest extent possible, given the physical limitations.

3. **Exception for Excessive Improvement Costs**
   If the landscaping requirements of this Section are applicable because of either an addition to the gross floor area of an existing building or the change of use of an existing building, the Zoning Administrator may:
   a. Waive certain of landscape requirements on the basis that the cost of meeting such requirements exceeds 50 percent of the cost of either constructing the building addition or changing the use.
   b. This waiver may be granted only if the applicant provides the Zoning Administrator with an itemization of the landscape improvements and costs necessary to meet the requirements, together with an estimate prepared by a licensed contractor or other qualified professional, of the construction cost of the building addition or the construction and other tenant improvement costs related to the change of use.

4. **Exception for Preservation of Existing Trees**
   a. Preservation of existing trees may count toward landscape requirements of the Code.
   b. If, in order to comply with both (1) these standards for the landscaping of Off-Street Parking Areas, and (2) the off-street parking requirements, it would be necessary to remove mature, existing trees, the Zoning Administrator may allow reasonable reductions in either (1) the size of required landscaped areas (for the purpose of accommodating the required parking), or 2) the number of required parking spaces.

### 10.5.4.2 Site Landscaping Standards - Group 1

A. **Applicability**

1. **Zone Districts**
   Section 10.5.4.1, Applicability and Exceptions shall apply, except this Section 10.5.4.2 shall not apply in the I-A and, I-B \[z_{\text{zone}}\] districts, and in the I-MX \[z_{\text{zone}}\] districts for development using the Industrial Primary Building Form.

2. **Build-To Range**
   All "open areas" within a required build-to range along the entire applicable street frontage shall be landscaped (e.g., the area located within the 0 to 15 feet build-to range along the primary street).

3. **Required Setbacks**
   All "open areas" within a required minimum setback shall be landscaped.

4. **Open Area Defined**
   For purposes of this Section 10.5.4.2, "open area" shall mean areas not occupied by either:
Article 10. General Design Standards
Division 10.5 Landscaping, Fences, Walls and Screening

- Building(s);
- An allowed encroachment into a build-to or setback area;
- A required entrance and/or pedestrian connection;
- On-site pedestrian walkways no wider than 5 feet;
- Surface Off-Street Parking Areas;
- Area dedicated to permanent outdoor amenities related to the primary use, such as an outdoor eating and serving area; or
- Areas that other City laws require to be kept free of live planting material.

B. Minimum Landscaping Standards

1. A minimum of 50% of the applicable area shall be landscaped with live planting material and the remaining 50% shall be landscaped with either live or non-live landscaping material, according to Section 10.5.4.6 Landscaping Material Standards. See Figures 10.5-1 and 10.5-2.

2. Trees and shrubs in Urban Center (“C”) and Downtown (“D”) zone districts may be located in planters.

3. Existing trees and shrubs located in the required landscape areas shall be credited towards this requirement, provided they meet Section 10.5.4.6, Landscaping Material Standards.

10.5.4.3 Site Landscaping Standards - Group 2

A. Applicability

1. This subsection 10.5.4.3 shall apply in the I-A and I-B Zoned districts and in I-MX Zoned districts to development using the Industrial Primary Building Form.

2. Expansions of Existing Use

a. This Section 10.5.4.3 shall apply to the expansion of an existing use only if the site area or gross floor area of such use is enlarged more than 15 percent of that existing on June 25, 2010.
10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards

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

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

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

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

Figure 10.5-4

Figure 10.5-5

Figure 10.5-6
C. Perimeter Surface Parking Lot Landscaping Standards Adjacent to Residential Use or Zone District

1. Intent
   Protect ground-level and below-ground-level windows from headlight glare and the direct emission of vehicle exhaust.

2. Standards
   a. All Off-Street Parking Areas shall have a visual screen on each perimeter zone lot line abutting a Residential Use or Zone District, unless separated by an alley. See Figure 10.5-7.
   b. The requirements of this Section may be reduced or varied by the Zoning Administrator if conditions exist that meet the intent of the regulation or there is formal agreement from the adjacent residential property owner.
   c. Off-Street Parking Areas shall provide a visual screen as follows:

<table>
<thead>
<tr>
<th>MINIMUM WIDTH OF PLANTING STRIP</th>
<th>PLANTING REQUIRED</th>
<th>FENCE REQUIRED</th>
<th>FENCE OR WALL MATERIAL STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 feet</td>
<td>1 deciduous canopy tree for every 25 linear feet</td>
<td>Suburban Neighborhood Context: 6’ tall opaque fence or wall; or an earth berm and plantings</td>
<td>Fences or walls used to meet these screening requirements shall be of wood, composite materials, brick, masonry, metal/iron bars, textured or aggregate concrete.</td>
</tr>
</tbody>
</table>

- Chain link or wire mesh may be used only in combination with plant material of sufficient density to create an opaque screen.
- Corrugated or sheet metal, salvaged doors, tires, car doors, or other discarded materials are prohibited.
- Other materials of similar quality and durability but not listed herein may be used upon approval by the Zoning Administrator.

Figure 10.5-7
10.5.4.5 Interior Surface Parking Lot Landscaping Standards

A. Applicability

1. Section 10.5.4.1, Applicability and Exceptions shall apply.
2. This Section 10.5.4.5 shall not apply to surface parking lots with 20 or fewer parking spaces.

B. General Standards

Interior landscaping required by this Section for surface parking lots shall include, at a minimum, the following design and material elements:

1. Required landscaping and trees shall be sited to achieve maximum shading of parked vehicles.
2. Landscaping that abuts the length of a parking space shall provide a brick paver, mulched edges, or similar technique to provide a clear landing area for persons entering and exiting their parked vehicles.
3. On-site drainage required for a zone lot shall, to the maximum extent feasible, be incorporated into parking lot landscaped areas.

C. Specific Standards

<table>
<thead>
<tr>
<th>SURFACE PARKING LOTS WITH:</th>
<th>LANDSCAPED AREA REQUIRED</th>
<th>PLANTINGS REQUIRED WITHIN LANDSCAPED AREA</th>
<th>DESIGN REQUIREMENTS FOR LANDSCAPED AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 parking spaces or less</td>
<td>No requirement</td>
<td>Shall be landscaped with 50% live planting material and the remaining 50% with either live or non-live material following Section 10.5.4.6; and At least 1 deciduous canopy tree shall be provided at the ratio of one for every 50 linear feet of double loaded row of parking</td>
<td>Minimum Width: 6 feet</td>
</tr>
<tr>
<td>21-100 parking spaces</td>
<td>An area equal to at least 5% of the square footage of the area of surface parking stalls, exclusive of circulation and proposed landscaped areas, shall be provided.</td>
<td>Minimum Intervals: Areas where the required landscaping is located shall be provided at intervals no greater than every 15 contiguous parking stalls in a row; however, the Zoning Administrator may vary the maximum increment, provided the spacing and layout of the landscape islands meet the intent of the regulation.</td>
<td></td>
</tr>
<tr>
<td>(See Figures 10.5-8 and 10.5-9)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101 or more parking spaces</td>
<td>An area equal to at least 5% of the square footage of the area of surface parking stalls, exclusive of circulation and proposed landscaped areas, shall be provided.</td>
<td>Shall be landscaped with 50% live planting material and the remaining 50% with either live or non-live material following Section 10.5.4.6; and For each 200 sf or part thereof of landscaped area required, according to this Section 10.5.4.5.C, at least 1 deciduous canopy tree and 6 shrubs shall be included in the landscaped area.</td>
<td>Minimum Width: 6 feet</td>
</tr>
<tr>
<td>(See Figure 10.5-10)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Minimum Intervals:
Areas where the required landscaping is located shall be provided at intervals no greater than every 15 contiguous parking stalls in a row; however, the Zoning Administrator may vary the maximum increment, provided the spacing and layout of the landscape islands meet the intent of the regulation.
SECTION 10.5.5 FENCES AND WALLS

10.5.5.1 General Standards

All fences and walls shall comply with the following:

A. Corner Sight Triangle
   A shorter height may be required to assure corner sight triangles at intersecting streets and alleys (see Section 10.5.2.1, Corner Sight Triangles).

B. Schools, Parks and Open Space
   Elementary or Secondary schools, City Parks, or Open Space, Recreation or Conservation uses are allowed to have open-mesh fences with no maximum height on any part of the zone lot.

C. Exception to Maximum Height
   The Zoning Administrator may grant a permit for fences and walls that exceed the maximum height in Section 10.5.5.2 upon application in specific cases, according to Section 12.4.2 Zoning Permit Review with Informational Notice and subject to compliance with the following standards:
   1. The proposed fence or wall shall not adversely affect traffic safety or appropriate use of adjacent property.
   2. Any 4-feet linear section of an over-height fence or wall in the Primary Street setback shall be less than 50 percent solid over its entire area.
   3. The fence or wall is necessary to provide security, privacy, or protection from traffic impacts such as noise or lights.
   4. The fence is not out of scale with other fencing on the block.
   5. The fence shall not detract from the safety or pedestrian character of the right-of-way.
   6. The fence shall not be located in any Primary Street setback area adjacent to a designated Parkway.

D. Setback Encroachment Allowed
   Fences and walls may encroach into any setback area any distance, unless within a Parkway Setback established in D.R.M.C. Chapter 49.

E. Material Standards
   All fences and walls shall be constructed of one or more of the following materials (corrugated or sheet metal, salvaged doors, tires, car doors, or other discarded materials are prohibited):
   1. Wood; Composite materials; Brick; Masonry; Metal/iron bars (ornamental fence); Textured or aggregate concrete; Chain link or wire mesh.
   2. In the I-A, I-B and I-MX Zone Districts only: Barbed wire or razor wire, if approved by the Fire Department.
   3. Fences located on top of retaining walls in the Primary Street setback must be 50 percent or more open for any portion of the fence that is more than 4 feet above the lowest grade at the base of the retaining wall.
   4. Other materials of similar quality and durability but not listed herein may be used upon approval by the Zoning Administrator.
5. **Nonconforming Fence and Wall Materials - All Zone Districts**

In all Zone districts, notwithstanding the Nonconforming Structure provisions in Article 12, Zoning Procedures and Enforcement, existing fences and walls that have been constructed of prohibited materials or other materials not approved by the Zoning Administrator may not be maintained, and any such fences and walls shall be immediately reconstructed of approved materials or removed; provided, however, if such fence or wall is required by some other provision of the Revised Municipal Code, such fence or wall shall be reconstructed with approved materials.

### 10.5.5.2 Specific Maximum Heights

The following shall apply except where greater height is allowed in Section 10.5.5.1 above or when this Code expressly requires such fence or wall for landscaping, screening, or other purposes. See Article 13, Rules of Measurement and Definitions for fence and wall height measurement.

A. **Residential Zone Districts and Single Unit and Two Unit Development**

1. **Intent**

   Maintain the intent of required setback areas and building coverage maximums by regulating the height of fences and the openness of fences where appropriate.

2. **Applicability**

   This Section 10.5.5.2 applies in all Residential Zone District and to any single-unit or two-unit dwelling development.

3. **Maximum Height**

   a. The maximum height when forward of any Primary street facing Primary Structure Facade shall be 4 feet and when located at or behind any Primary street facing Primary Structure Facade shall be 6 feet. See Figure 10.5-11.

![Figure 10.5-11](image-url)
b. In the Master Planned Context, for Primary Structures “facing” a publicly accessible open space rather than the Primary Street, the maximum height when forward of a Primary street facing Primary Structure Facade shall be 6 feet; however when forward of the Primary Structure Facade “facing” the open space, the maximum height shall be 4 feet. See Figure 10.5-12.

Figure 10.5-12

B. Mixed Use Commercial Zone Districts, OS-B and OS-C

1. Applicability
   All Mixed Use Commercial Zone Districts, OS-B and OS-C Zon districts, but not including the I-MX Zon district.

2. Maximum Height
   The maximum height when forward of any street facing Primary Structure Facade shall be 4 feet and when located at or behind any street facing Primary Structure Facade shall be 6 feet. See Figure 10.5-13.

Figure 10.5-13

C. I-A, I-B and I-MX Zone Districts

1. Applicability
   I-A, I-B, or I-MX Zon districts.
2. **Maximum Height**
   a. **Within the Setback Area**
      The maximum height shall be 7 feet and shall only be open wall or fences, chain link, or wire mesh.
   b. **Outside the Setback Area**
      The maximum height shall be 10 feet.

**SECTION 10.5.6  RETAINING WALL REQUIREMENTS**

10.5.6.1 *Applicability*
This Section 10.5.6’s retaining wall requirements shall apply to all new development, except in the I-A or I-B Zone districts.

10.5.6.2 *Retaining Wall Standards*
   
   A. When provided, retaining walls in the Primary Street Setback area shall be built to a maximum height of 4 feet and successive walls shall be built provided that they are separated by at least 4 feet. However, this standard shall not apply to limit the height or require terracing when one or more retaining walls are used as an integral part of a below-grade window well or other basement egress area that is allowed by this Code to encroach into the Primary Street Setback area.
   
   B. In any area of the zone lot other than the Primary Street Setback, retaining walls may be built to any height.
   
   C. Fences located on top of retaining walls in the Primary Street Setback must be 50 percent or more open for any portion of the fence that is more than 4 feet above the lowest grade at the base of the retaining wall.
   
   D. See Section 13.1.7, Fence and Wall Height Measurement.

**SECTION 10.5.7  SCREENING REQUIREMENTS**

10.5.7.1 *Applicability*
Development in all Zone districts, except in the I-A and I-B Zone districts and except for residential development in a SU or TU Zone district, shall comply with this Section 10.5.7’s screening standards.
10.5.7.2 Screening Required by Specific Use Limitations

A. Wherever this Code requires screening as a condition or limitation on an allowed use, such screening shall be comprised of landscaping, fences, or walls of a design and density adequate to screen the use or activity from adjacent residences, rights-of-way, city parks, and open spaces.

B. Fence and wall materials required for screening shall comply with the material requirements of the Zone District in which it is located.

10.5.7.3 Screening of Rooftop Equipment

A. Rooftop mechanical equipment, shall be screened from ground level view, as viewed from an abutting Primary Street.

B. Screening shall be of a material similar in quality and appearance to other areas of the building façade. For example, a parapet wall may be used to screen rooftop equipment.

C. Development in a Campus (CMP) Zone District is exempt but shall be reviewed as part of Site Development Plan approval and shall meet the intent of this Division.

10.5.7.4 Screening of Outdoor Trash Storage Areas - Multi-Unit and Nonresidential Development

A. Siting

1. In all Zone Districts except the MS Zone Districts, outdoor trash and recycling collection and storage areas accessory to a multi-unit dwelling or nonresidential development shall be placed either flush or behind any street facing facade of the Primary Structure.
2. In a MS zone district, all outdoor trash and recycling collection and storage areas shall be setback at least 20 feet from the zone lot line abutting a named or numbered street, or from the zone lot line abutting a Residential Zone District.

![Figure 10.5-16]

**B. Screening**

1. All outdoor trash and recycling collection and storage areas accessory to a multi-unit dwelling or nonresidential development shall be fully enclosed by screening comprised of a solid fence or wall a minimum of 6 feet tall. The side of the screening from which collection is made may remain open or may be enclosed with a fence or wall containing an opening (e.g., gate) for access.

2. Fence and wall materials for the required screening shall comply with the material requirements of the MS zone district in which it is located. (See Section 10.5.5, Fences and Walls.)
B. Additional Fixture Requirements for Free-Standing Outdoor Lighting Fixtures

Free-standing lighting fixtures shall not exceed the following maximum heights:

<table>
<thead>
<tr>
<th>OUTDOOR LIGHTING LOCATION</th>
<th>FIXTURE HEIGHT (MAXIMUM AS MEASURED TO THE TOP OF THE FIXTURE FROM GRADE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within 50 feet of a Residential Zone District</td>
<td>16 feet (See Figure 10.7-1)</td>
</tr>
<tr>
<td>Surface Parking Area</td>
<td></td>
</tr>
<tr>
<td>-MU, -RH, -RO, -RX, -TH Districts</td>
<td>24 feet</td>
</tr>
<tr>
<td>-CC, I-A, I-B, -I-MX, M-IMX Districts</td>
<td>35 feet</td>
</tr>
<tr>
<td>All other districts</td>
<td>30 feet (See Figure 10.7-1)</td>
</tr>
</tbody>
</table>

Figure 10.7-1

10.7.4.3 Glare Prohibited

All outdoor lighting fixtures shall be oriented to avoid glare onto rights-of-way in a manner that may distract or interfere with the vision of drivers, bicyclists or pedestrians, and shall be oriented to avoid glare onto adjacent Residential Zone Districts.

10.7.4.4 Limit Lighting to Periods of Activity

The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses. Lower lighting levels at off-peak times are encouraged as a safety measure.
10.9.3.2 **Number of Trailers Permitted on a Zone Lot Containing a Single Unit Dwelling**
Trailers shall be limited by the following:

A. Permitted number: 2;
B. Maximum length: 22 feet; and
C. Each trailer shall be designed to have and be used for a substantially different purpose.

10.9.3.3 **Number of Motorcycles Accessory to a Dwelling Unit**
On any zone lot occupied by a dwelling unit, there shall be parked and/or stored no more than one
motorcycle per driver licensed to operate a motorcycle residing in such dwelling unit plus one ad-
ditional motorcycle per dwelling unit. Such motorcycles shall be in addition to the total number of
motor vehicles allowed above.

10.9.3.4 **Motor Vehicle Repair and Maintenance Accessory to a Dwelling Unit**

A. Occupants of a dwelling unit may perform engine, transmission and other similar repairs of
their personally owned motor vehicles from 8:00 a.m. to 9:00 p.m. inside a completely enclosed
garage structure located on the same zone lot as the dwelling unit, excluding, however, any auto
body and fender work, or the painting of motor vehicles;
B. Occupants of a dwelling unit shall not repair motor vehicles belonging to another person or
persons that do not reside in the same dwelling unit;
C. Occupants of a dwelling unit may perform customary maintenance on their personally owned
motor vehicles from 8:00 a.m. to 9:00 p.m. outdoors on a driveway or Off-Street Parking Area
located on the same lot as the dwelling unit. For the purpose of this Section “customary main-
tenance” is defined as: washing; polishing; fluid changes; greasing; tire changing; brake repair;
muffler replacement; engine tune-up; flushing of radiators; and other activities of minor repair
and servicing;
D. Occupants of a dwelling unit performing vehicle maintenance and repair shall not permit ve-
hicle fluids to be discharged onto any land, driveway or Off-Street Parking Area; and
E. Occupants of a dwelling unit shall immediately remove all external evidence of vehicle repair
and maintenance activities.

10.9.3.5 **Parking or Storage of Inoperable Vehicles in Residential Zone Districts**
The parking or storage of inoperable motor vehicles in any residential Z\_D\_ district shall be lim-
ited by all of the following:

A. Occupants of a dwelling unit may store their personally owned inoperable motor vehicle and/
or auto parts on the same zone lot as the dwelling unit, provided, however, that said vehicle
and/or auto parts shall be stored inside a completely enclosed garage structure;
B. Parked or stored inoperable motor vehicles shall not occupy off-street parking spaces required
by this Division;
C. Parked or stored inoperable motor vehicles are limited to one such vehicle per dwelling unit;
and
D. Parked or stored inoperable motor vehicles shall be included in the calculation of the total
maximum number of vehicles permitted for a dwelling unit.

10.9.3.6 **Parking / Storage of Trailers, Trucks, RVs On Private Property in Certain Residen-
tial Districts**
The following regulations shall apply to properties located in a Protected District Z\_D\_ district
and to residential uses located in the Master Planned (M-) Z\_D\_ districts:
DIVISION 10.10 SIGNS

SECTION 10.10.1 INTENT

The intent of this Division 10.10 is to:

10.10.1.1 Enhance the appearance and economic value of the visual environment by regulating and controlling the type, location, and physical dimensions of signs and sign structures;

10.10.1.2 Preserve locally recognized values of community appearance, and safeguard and enhance property values;

10.10.1.3 Reduce hazards that result from signs that obscure or distract the vision of motorists, bicyclists, and pedestrians;

10.10.1.4 Recognize that signs are a useful means of visual display for the convenience of the public and for the efficient communications of commercial and noncommercial speech; and

10.10.1.5 Allow flexibility in the size, type and location of signs identifying the use and location of large facilities.

SECTION 10.10.2 APPLICABILITY & SUBSTITUTION OF MESSAGES

10.10.2.1 Applicability

This Division 10.10 shall govern and control the erection, remodeling, enlarging, moving, operation and maintenance of all signs within all zoning districts established by this Code. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances and/or applicable regulations shall comply with all such ordinances and regulations.

10.10.2.2 Substitution of Messages Allowed

A protected noncommercial message of any type may be substituted, in whole or in part, for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of message content. This provision applies to all signs, including outdoor general advertising devices (billboards), allowed under this Division 10.10. Such substitution of message may be made without any additional approval, permitting, registration or notice to the City.

SECTION 10.10.3 SIGNS PERMITTED IN ALL DISTRICTS

10.10.3.1 Signs Not Subject to a Permit

The following signs may be erected in all districts without a permit:

A. Signs required or specifically authorized for a public purpose by any law, statute or ordinance; may be of any type, number, area, height above grade, location, illumination or animation, authorized by the law, statute or ordinance under which the signs are required or authorized.

B. Signs limited in content to name of occupant and address of premises; signs of danger or a cautionary nature which are limited to: wall and ground signs; not more than 2 per street front for each use by right, or 2 for each dwelling unit; not more than 4 square feet per sign in area; not more than 10 feet in height above grade; may be illuminated only from a concealed light source; flashing signs are prohibited; and animated signs are prohibited.

C. Signs in the nature of cornerstones, commemorative tables and historical signs which are limited to: ground signs; not more than 2 per zone lot; not more than 6 square feet per sign in area; not more than 6 feet in height above grade; may be illuminated only from a concealed light source; flashing signs are prohibited; and animated signs are prohibited.
D. Signs which identify by name or number individual buildings within institutional or residential building group complexes and which are limited to: wall and ground signs; not more than 4 signs per building; not more than 20 square feet per sign in area; not more than 12 feet in height above grade; may be illuminated from a light source and if directly illuminated does not exceed 25 watts per bulb; flashing signs are prohibited; and animated signs are prohibited.

E. Flags on nonresidential zone lots. The flags listed herein are allowed on nonresidential zone lots without limitation as to type; number; area; height; or location. The listed flags may be externally illuminated; however, the illumination shall not flash, blink or fluctuate. For purposes of this Division 10.10, “nonresidential zone lot” means a zone lot used entirely or in part for a use other than a primary residential use listed within the “Residential Primary Use Classification” in the Use & Parking Tables found in Articles 3-9 of this Code.

1. Flags of nations, or an organization of nations;
2. Flags of states and cities;
3. Flags of fraternal, religious and civic organizations; and
4. Any other flag containing no commercial advertising copy or trademark.

F. Temporary commercial signs which identify, advertise or promote a temporary activity and/or sale of merchandise or service of a business use located on the same zone lot.

1. Shall be limited to:
   a. Window signs;
   b. Banners with commercial advertising copy;
   c. Wall signs or posters which have been treated so as to be shielded from the elements (water, wind, sun, etc.);
   d. Streamers which are attached to vehicles located in the front row only of retail car lots when said vehicular sales lot is located on an arterial street and is not across from a residential zone district; and
   e. Window graphics consisting of paint or decals applied directly to glazing; and
2. Shall meet the following conditions:
   a. Shall be maintained in a clean, orderly and sightly condition;
   b. Shall be placed in/on ground level windows/walls only (except for streamers);
   c. Shall be limited in placement to 45 days for sign or copy;
   d. May be illuminated only from a concealed light source;
   e. Shall not be a flashing sign;
   f. Shall not be an animated sign;
   g. Shall be placed only on the business structure (except for streamers);
   h. Shall not exceed 50 percent of the maximum use by right permitted sign area for the permitted use on the zone lot, plus either 65 percent of the unused permitted permanent sign area or 60 percent of the ground level window area, whichever is greater, neither of which is to exceed 75 square feet.
3. The Zoning Administrator may allow additional temporary signage area up to 100 square feet upon application in specific cases providing that the procedure outlined in Section 12.4.2, Zoning Permit Review With Informational Notice, is satisfied.
4. All portable signs regardless of location are specifically not allowed.
ther 65 percent of the unused permitted permanent sign area or 60 percent of the ground level window area, whichever is greater, neither of which is to exceed 75 square feet; and

8. Noncommercial streamers and banners shall not exceed 15 square feet in area.

See also Section 10.10.3.1.E regarding allowance for and limitations on noncommercial flags on nonresidential zone lots.

K. Signs that identify a business which was a permitted use on a zone lot but that, under threat of a government entity exercising its powers of eminent domain, has relocated.

The sign shall be limited:

1. To 32 square feet and shall not be more than 6 feet above grade;

2. In content to the name of the business, the business logo, the new location of the business and when the business will re-open, or that it has re-opened, at the new location;

3. To wall or ground signs set back a minimum of 5 feet from the front line of the zone lot, provided, however, that a wall sign attached to structural wall of a building need not meet setback requirement; and

4. To being posted for 180 days or 60 days after the business has re-opened at its new location, whichever is shorter.

5. Flashing signs are prohibited; and

6. Animated signs are prohibited.

10.10.3.2 Signs Subject to a Zoning Permit

Upon application to and issuance of a zoning permit, the following signs may be erected and maintained in all zoning districts:

A. Signs which are not visible from any public right-of-way or from any level whatsoever of any other zone lot; may be illuminated but such illumination shall not be visible beyond the boundaries of the zone lot on which the sign is located; animated signs are prohibited.

B. Signs identifying home occupations. Signs identifying home occupations shall comply with the home occupation use limitations in Article 11, Division 11.9, Home Occupations Accessory to Primary Residential Uses - All zoning districts.

C. Signs displaying only the name and address of a subdivision or of a planned building group of at least 8 buildings each containing a use or uses by right and limited to: wall and ground signs; 1 per street front; not more than 20 square feet per face in area; not more than 6 feet in height above grade; may be illuminated only from a concealed light source; flashing signs are prohibited; and animated signs are prohibited.

D. Signs consisting of illuminated buildings or parts of buildings which do not display letters, numbers, symbols or designs and limited to: illumination from a concealed light source which may not flash or blink, but may fluctuate by a change of color or intensity of light, provided that each change of color or dark to light to dark cycle shall have a duration of 1.5 minutes or longer; animated signs are prohibited.

E. Signs giving parking or traffic directions and other directional information commonly associated with and related to the permitted use on the zone lot on which the sign is located; provided that such signs are limited to: wall and ground signs; 1 sign for every 1,000 square feet of land area up to 10,000 square feet, thereafter only 1 additional sign for every 5,000 square feet; not more than 4 square feet per face in area, not more than 6 feet in height above grade; may be illuminated from a concealed light source; flashing signs are prohibited; and animated signs are prohibited.

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June 25, 2010 | Republished July 6, 2015
F. Signs on canopies or awnings located over public rights-of-way or into any required front setback space; limited in content to name of building, business and/or address of premises; no sign shall exceed 10 square feet per face in area. All such canopies and awnings over public rights-of-way are subject to approval by the department of public works.

G. Off-premise signs identifying new residential developments within the city as regulated by the following provisions. Notwithstanding the provisions of Section 10.10.20 (outdoor general advertising devices), off-premise signs identifying new residential developments in the city shall:

1. Be limited in area to 32 square feet per face and shall not be more than 6 feet in height above grade,
2. Be limited in content to the name of the project, the name of the developer or construction company and/or directional information or symbols,
3. Be limited to wall signs or ground signs which set back a minimum of 5 feet from every street right-of-way line,
4. Be limited to 2 signs on each side of a public street for each 600-foot length of right-of-way with a minimum spacing of 100 feet between signs,
5. Be limited to no more than 6 signs per project,
6. Utilize a concealed light source if illuminated;
7. Not be a flashing sign;
8. Not be an animated sign;
9. Be valid for a period not to exceed 1 year during the construction, development, original rent-up or sales period; and
10. Not be renewed for more than 3 successive periods for the same project.

H. Signs which identify a structure containing any use by right other than a single unit dwelling. Such signs shall be:

1. Limited in content to the identification by letter, numeral, symbol or design of the use by right and/or its address;
2. Attached to a fence or wall located on the front line of the zone lot or within the front setback area;
3. Limited in number to 1 sign per street front for each structure;
4. Regulated by the sign provisions for the \textit{zone} \textbf{Pd} district in which the zone lot is located except that the requirements of this Section will take priority in case of a conflict;
5. Counted as a part of the total sign area permitted on the zone lot;
6. Limited in height to 6 feet above grade; and
7. Attached to a fence or wall so that the display surface is parallel to and extends frontward no further than 6 inches beyond the front plane of the wall or fence.
8. If illuminated at all, illuminated only from a concealed light source.
9. Shall not be a flashing sign; and
10. Shall not be an animated sign.

I. Inflatables, balloons and/or streamers/pennants shall be allowed as a promotion of a special event only. Advertising of a product or service in this manner shall not be allowed except as a
part of the promotion of the special event. The Zoning Administrator shall issue a summons and complaint for inflatables, balloons, streamers / or pennants emplaced without a permit and shall not issue a permit for said location for the next event application. Inflatable and balloons may be shaped/formed as a product and may have commercial copy; streamers/pennants shall not have any commercial logos or copy; and shall meet the following conditions:

1. Shall be limited in placement to 5 days;
2. Shall be placed on the zone lot as determined by the Zoning Administrator;
3. Shall be limited to no more than 1 permit per quarter per zone lot; and
4. Streamers and/or pennants shall not exceed in measurement 2 times the zone lot front line measured in linear feet (the property address front line shall be used for this calculation); and shall be counted as part of the maximum allowed temporary sign area at a ratio of 1 linear foot to 1 square foot of temporary signage allowed.

J. Signs which are works of art as defined by Section 20-86 of the Denver Revised Municipal Code. Such signs shall be primarily artistic in nature, but up to 5 percent of the sign may be the name or logo of a sponsoring organization. The percentage of the sign devoted to the sponsoring organization may be increased up to 10 percent of the sign if the Zoning Administrator, with input from the director of the mayor’s office of art, culture and film, determines the portion of the sign devoted to the sponsor does not detract from the artistic quality of the sign.

K. Off-premises identification sign. A sign identifying a public facility which is located on a different zone lot than that containing the sign. The number, location, height, size and illumination of such signs shall be approved by the director of planning and the Zoning Administrator or their designated representatives; however, in no case shall such sign exceed 10 feet in height or 40 square feet in area. A decision to approve such signs must be based on a favorable evaluation of their compatibility with nearby structures and signs. The installation of such identification signs shall not reduce the size or number of other signs permitted on a specific site by other provisions of Division 10.10.

10.10.3.3 Signs Subject to a Comprehensive Sign Plan

Notwithstanding more restrictive provisions of Division 10.10, signs, large facilities may have signs according to an approved comprehensive sign plan for the facility.

A. Intent

The intent of these provisions is to allow flexibility in the size, type and location of signs identifying the use and location of large facilities. Flexibility is generally offered because these facilities often have a need for additional or different types of signage due to the complexity of the issues and varied physical layout of the facility. This flexibility is offered in exchange for a coordinated program of signage ensuring a higher standard of design quality for such signs. This process should mitigate any possible adverse impacts of large facility signs on surrounding uses. The flexibility in size, type and location of signs identifying the use and location of certain large facilities is not a matter of right, and a proposed comprehensive sign plan for a large facility must be reviewed pursuant to the provisions of this Section 10.10.3.3.

B. Description of Qualifying Uses

These provisions shall apply to large facilities located on a zone lot in a Mixed Use Commercial Zone District or in a nonresidential Zone District. Such facilities must have a minimum ground floor area of 50,000 square feet, or a minimum zone lot area of 100,000 square feet. They may consist of 1 or more buildings but the site must consist of contiguous zone lots. Street or alleys do not destroy the contiguity of adjacent zone lots for the purpose of this Section 10.10.3.3.
G. **Projecting Signs**

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, D-AS, D-AS-12+ and D-AS-20+ zone districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

H. **Animation**

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

I. **Rules and Regulations**

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

J. **Fee**

The fee for review of a comprehensive sign plan for large facilities is $500.00 per facility.

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**SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT**

**10.10.4.1 General**

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

**10.10.4.2 Sign With Backing**

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

**10.10.4.3 Signs Without Backing**

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

**10.10.4.4 Projecting Signs**

**A. Sign Volume - Relationship to Maximum Sign Area Allowed**

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

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

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

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

C. Allocation of Allowable Projecting Sign Volume

1. Applicability
   This Section 10.10.4.4.C shall govern the allocation of allowable projecting sign volume among multiple tenants/uses in a single structure in the following zone districts only:
   a. All RX and RO Z
   b. All -CC Z
   c. All - MX Z
   d. All - MS Z
   e. All - CMP Z
   f. I-MX Z
   g. All Master Planned (“M”) Z

2. Allocation of Allowable Projecting Sign Volume
   (a) For uses that are located at the ground story and have entries with direct access to a public sidewalk, court or plaza, or (b) uses located in the basement or on the second floor that have entries at the ground story with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:
      a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
      b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
      c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
      d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.

10.10.4.5 All Other Signs or Combinations Thereof

The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations: the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support for parts of the sign that have backing and each word, written representation (including any series of letters), emblems or figures of a similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support for parts of the sign having no backing.
SECTION 10.10.5  SINGLE UNIT ZONE DISTRICTS SIGN STANDARDS

10.10.5.1  General

A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.

B. The sign standards contained within this Section apply to the following zones:

<table>
<thead>
<tr>
<th>SUBURBAN NEIGHBORHOOD CONTEXT</th>
<th>URBAN EDGE NEIGHBORHOOD CONTEXT</th>
<th>URBAN NEIGHBORHOOD CONTEXT</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-SU-A</td>
<td>E-SU-A</td>
<td>U-SU-A</td>
</tr>
<tr>
<td>S-SU-D</td>
<td>E-SU-B</td>
<td>U-SU-A1</td>
</tr>
<tr>
<td>S-SU-Fx</td>
<td>E-SU-D</td>
<td>U-SU-A2</td>
</tr>
<tr>
<td>S-SU-F</td>
<td>E-SU-Dx</td>
<td>U-SU-B</td>
</tr>
<tr>
<td>S-SU-F1</td>
<td>E-SU-D1</td>
<td>U-SU-B1</td>
</tr>
<tr>
<td>S-SU-Ix</td>
<td>E-SU-D1x</td>
<td>U-SU-B2</td>
</tr>
<tr>
<td>S-SU-I</td>
<td>E-SU-G</td>
<td>U-SU-C</td>
</tr>
<tr>
<td></td>
<td>E-SU-G1</td>
<td>U-SU-C1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-SU-C2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-SU-E</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-SU-E1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-SU-H</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U-SU-H1</td>
</tr>
</tbody>
</table>

10.10.5.2  Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Types</td>
<td>Wall, window and ground.</td>
</tr>
<tr>
<td>Maximum Number</td>
<td>2 signs for each front line of the zone lot on which the use by right is located.</td>
</tr>
<tr>
<td>Maximum Sign Area</td>
<td>Public and Religious Assembly or Elementary or Secondary School: 20 square feet or 2 square feet of sign area for each 1,000 square feet of zone lot area not, however, to exceed 80 square feet of total sign area for each zone lot.</td>
</tr>
<tr>
<td>All Others:</td>
<td>20 square feet or 2 square feet of sign area for each 1,000 square feet of zone lot area not, however, to exceed 60 square feet of total sign area for each zone lot and provided that no one sign shall exceed 20 square feet.</td>
</tr>
<tr>
<td>Maximum Height Above Grade</td>
<td>Wall and window signs: 20 feet; Ground signs: 6 feet.</td>
</tr>
<tr>
<td>Location</td>
<td>Wall and window signs shall be set back from the boundary lines of the zone lot on which they are located the same distance as a building containing a use by right provided, however, wall signs may project into the required setback space the permitted depth of the sign.</td>
</tr>
<tr>
<td></td>
<td>Ground signs shall be set in at least 10 feet from every boundary line of the zone lot.</td>
</tr>
<tr>
<td>Illumination</td>
<td>May be illuminated but only from a concealed light source, and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.. Flashing signs are prohibited.</td>
</tr>
<tr>
<td>Animation</td>
<td>Animated signs are prohibited.</td>
</tr>
</tbody>
</table>
10.10.5.3 **Temporary Signs**
Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than one successive period at the same location.

A. Permitted sign types: Wall and ground.
B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
C. Permitted sign area: 12 square feet plus 1 square foot per acre not to exceed 50 square feet for each zone lot or designated land area.
D. Permitted maximum height above grade: 12 feet.
E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.
F. Permitted illumination: May be illuminated but only from a concealed light source, and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.
G. Prohibited: Flashing signs are prohibited; and animated signs are prohibited.

**SECTION 10.10.6 MULTI-UNIT ZONE DISTRICTS SIGN STANDARDS**

10.10.6.1 **General**

A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.

B. The sign standards contained within this Section apply to the following zone districts:

<table>
<thead>
<tr>
<th>SUBURBAN NEIGHBORHOOD CONTEXT</th>
<th>URBAN EDGE NEIGHBORHOOD CONTEXT</th>
<th>URBAN NEIGHBORHOOD CONTEXT</th>
<th>GENERAL URBAN NEIGHBORHOOD CONTEXT</th>
<th>MASTER PLANNED CONTEXT</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-MU-5</td>
<td>E-TH-2.5</td>
<td>U-TU-C</td>
<td>G-MU-5</td>
<td></td>
</tr>
<tr>
<td>S-MU-8</td>
<td>E-MU-2.5</td>
<td>U-RH-2.5</td>
<td>G-MU-8</td>
<td></td>
</tr>
<tr>
<td>S-MU-12</td>
<td></td>
<td>U-RH-3A</td>
<td>G-MU-12</td>
<td></td>
</tr>
<tr>
<td>S-MU-20</td>
<td></td>
<td></td>
<td>G-MU-20</td>
<td></td>
</tr>
</tbody>
</table>
10.10.6.2 Permanent Signs
Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sign Types</th>
<th>Wall, window and ground.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Maximum Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 signs for each front line of the zone lot on which the use by right is located.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Sign Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</td>
</tr>
<tr>
<td>University or College: The following regulations shall apply to the contiguous Campus only: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</td>
</tr>
<tr>
<td>All Others: 20 square feet or two square feet of sign area for each 1,000 square feet of zone lot area; however, not to exceed 96 square feet of total sign area for each zone lot and provided that no 1 sign shall exceed 32 square feet.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Height Above Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall and window signs: 25 feet</td>
</tr>
<tr>
<td>Ground signs: 12 feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall and window signs: Shall be set in from the boundary lines of the zone lot on which it is located, the same distance as a building containing a use by right; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</td>
</tr>
<tr>
<td>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Illumination</th>
</tr>
</thead>
<tbody>
<tr>
<td>May be illuminated but only from a concealed light source. Flashing signs are prohibited.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Animation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animated signs are prohibited.</td>
</tr>
</tbody>
</table>

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

A. Permitted sign types: Wall and ground.

B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.

C. Permitted sign area: 15 square feet plus 1 square foot per acre not to exceed 100 square feet for each zone lot or designated land area.

D. Permitted maximum height above grade: 12 feet.

E. Permitted location of temporary signs: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area.

F. Permitted illumination of temporary signs: May be illuminated but only from a concealed light source, and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.

G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.
### Section 10.10.7 Campus Zone Districts Sign Standards

#### 10.10.7.1 General

A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.

B. The sign standards contained within this Section apply to the following zones districts: CMP-H, CMP-H2, CMP-EI, CMP-EI2, CMP-ENT, and CMP-NWC.

#### 10.10.7.2 Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>CMP-H</th>
<th>CMP-H2</th>
<th>CMP-ENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.</td>
<td>Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.</td>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sign Types</th>
<th>CMP-EI</th>
<th>CMP-EI2</th>
<th>CMP-NWC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall, window, ground and projecting, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Number</th>
<th>CMP-H</th>
<th>CMP-H2</th>
<th>CMP-ENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</td>
<td></td>
</tr>
<tr>
<td>All Other Signs, including a Mix of Projecting and Other Sign Types: 2 signs for each front line of the zone lot on which the use by right is located.</td>
<td>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.</td>
<td>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.</td>
<td></td>
</tr>
</tbody>
</table>
### Maximum Sign Area

| University or College: The following regulations shall apply to the contiguous Campus only: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.  

| Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot nor, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.  

| Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign area for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.  

| All Others: 20 square feet or two square feet of sign area for each 1,000 square feet of zone lot area; however, not to exceed 96 square feet of total sign area for each zone lot and provided that no 1 sign shall exceed 32 square feet.  

|  

| CMP-H2  

| CMP-EI2  

| CMP-ENT  

| CMP-NWC  

| Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.  

| University or College: The following regulations shall apply to the contiguous Campus only. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.  

| Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.  

| Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign area for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.  

| All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:  

- For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right; for the first 100 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.
<table>
<thead>
<tr>
<th>Maximum Height Above Grade</th>
<th>Wall and window signs: 25 feet. Ground signs: 12 feet.</th>
<th>Wall, window and arcade signs:</th>
<th>Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32 feet.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall and window signs:</td>
<td>The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</td>
<td>Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25 feet. Lodging accommodations, office and bank: The roof line of the building to which the sign is attached. Ground signs: 25 feet.</td>
<td>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</td>
</tr>
<tr>
<td>Projecting signs:</td>
<td>Projecting signs may use a variety of illuminated colors.</td>
<td>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors.</td>
<td>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors.</td>
</tr>
<tr>
<td>Location</td>
<td>Shall be set in from the boundary lines of the zone lot on which it is located, the same distance as a building containing a use by right; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</td>
<td>Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</td>
<td>Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with Section 49-436. In no case shall there be more than 5 signs applied to any street front.</td>
</tr>
<tr>
<td>Ground signs:</td>
<td>Shall be set in at least 5 feet from every boundary line of the zone lot.</td>
<td>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</td>
<td>Projecting Signs: Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart.</td>
</tr>
<tr>
<td>Projecting Signs:</td>
<td>Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart.</td>
<td>Projecting Signs: Projecting graphics may project no more than 5 feet out from a building. Projecting signs shall not exceed the height of the parapet of the building on which mounted. Projecting signs shall not be placed less than 8 feet apart.</td>
<td></td>
</tr>
<tr>
<td>Illumination</td>
<td>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</td>
<td>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</td>
<td>All Sign Types: May be illuminated. All direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</td>
</tr>
<tr>
<td>Additional Standards for Projecting Signs:</td>
<td>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors.</td>
<td>Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. Projecting signs may use a variety of illuminated colors.</td>
<td></td>
</tr>
<tr>
<td>Animation</td>
<td>Animated signs are prohibited.</td>
<td>Animated signs are prohibited.</td>
<td>Animated signs are prohibited.</td>
</tr>
</tbody>
</table>
E. Permitted location: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a front setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a front setback for structures, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.

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

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

SECTION 10.10.8 RESIDENTIAL MIXED USE ZONE DISTRICTS SIGN STANDARDS

10.10.8.1 General

A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I and signs identifying home occupations as regulated by Section 11.9.2.4.

B. The sign standards contained within this Section apply to the following zone districts:

<table>
<thead>
<tr>
<th>URBAN EDGE NEIGHBORHOOD CONTEXT</th>
<th>GENERAL URBAN NEIGHBORHOOD CONTEXT</th>
<th>URBAN CENTER NEIGHBORHOOD CONTEXT</th>
<th>MASTER PLANNED CONTEXT</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-RX-5</td>
<td>U-RX-5</td>
<td>G-RO-3</td>
<td>C-RX-5</td>
</tr>
<tr>
<td>G-RO-5</td>
<td>C-RX-8</td>
<td>G-RX-5</td>
<td>M-RX-5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>M-RX-5A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>G-RX-5</td>
</tr>
</tbody>
</table>

10.10.8.2 Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Types</td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
</tr>
<tr>
<td>Maximum Number</td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</td>
</tr>
<tr>
<td></td>
<td>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</td>
</tr>
</tbody>
</table>
### Maximum Sign Area

<table>
<thead>
<tr>
<th>Maximum Sign Area</th>
<th>Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size.</td>
</tr>
<tr>
<td></td>
<td>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</td>
</tr>
<tr>
<td></td>
<td>All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front:</td>
</tr>
<tr>
<td></td>
<td>• For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used.</td>
</tr>
<tr>
<td></td>
<td>• For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.</td>
</tr>
</tbody>
</table>

### Maximum Height Above Grade

<table>
<thead>
<tr>
<th>Maximum Height Above Grade</th>
<th>Wall, window and arcade signs:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25 feet.</td>
</tr>
<tr>
<td></td>
<td>• Lodging accommodations, office and bank: The roof line of the building to which the sign is attached.</td>
</tr>
<tr>
<td></td>
<td>Ground signs: 25 feet.</td>
</tr>
<tr>
<td></td>
<td>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</td>
</tr>
</tbody>
</table>

### Location

<table>
<thead>
<tr>
<th>Location</th>
<th>Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</td>
</tr>
<tr>
<td></td>
<td>Projecting Signs:</td>
</tr>
<tr>
<td></td>
<td>• Projecting graphics may project no more than 5 feet out from a building.</td>
</tr>
<tr>
<td></td>
<td>• Projecting signs shall not exceed the height of the parapet of the building on which mounted.</td>
</tr>
<tr>
<td></td>
<td>• Projecting signs shall not be placed less than 8 feet apart.</td>
</tr>
</tbody>
</table>

### Illumination

<table>
<thead>
<tr>
<th>Illumination</th>
<th>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Additional Standards for Projecting Signs:</td>
</tr>
<tr>
<td></td>
<td>• Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.</td>
</tr>
<tr>
<td></td>
<td>• Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</td>
</tr>
<tr>
<td></td>
<td>• Projecting signs may use a variety of illuminated colors.</td>
</tr>
</tbody>
</table>

### Animation

| Animation                  | Animated signs are prohibited. |
SECTION 10.10.9  MIXED USE 2X, SUBURBAN NEIGHBORHOOD CONTEXT
MIXED USE 2A, AND MAIN STREET 2X ZONE DISTRICTS SIGN STANDARDS

10.10.9.1  General

A. Signs may be erected, altered and maintained only for and by a use by right or conditional use in the district in which the signs are located; shall be located on the same zone lot as the use by right or conditional use and shall be clearly incidental, customary and commonly associated with the operation of the use by right or conditional use; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs permitted according to Sections 10.10.3.1.A, 10.10.3.1.B, 10.10.3.1.E, 10.10.3.1.G, 10.10.3.1.I, and signs identifying home occupations according to Section 11.9.2.4.

B. The sign standards contained within this Section apply to the following zones districts: S-MX-2x; S-MX-2A; E-MX-2x; E-MS-2x; U-MX-2x; U-MS-2x

10.10.9.2  Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>Identification by letter, numeral, symbol or design of the use by right or conditional use by name, use, hours of operation, services offered and events.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Types</td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
</tr>
<tr>
<td>Maximum Number</td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code. All Other Signs, including a Mix of Projecting and Other Sign Types: Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located.</td>
</tr>
<tr>
<td>Maximum Sign Area</td>
<td>Dwelling, Multiple Unit: 20 square feet or 1 square foot of sign area for each dwelling unit in a multiple unit dwelling not, however, to exceed 96 square feet of total sign area for any use and not more than 32 square feet of sign area to be applied to any 1 street front. Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street frontage separately and, provided further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front. No sign shall exceed 300 square feet in size. University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary. All Others: 20 square feet or the total permitted sign area for each use shall be determined by one of the following provisions; not, however, to exceed 192 square feet of total sign area for any 1 use and not more than 96 square feet of sign area to be applied to any 1 street front: • For a zone lot having but 1 use by right or conditional use. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that in computing the area of such signs not more than 2 street fronts, 1 contiguous with the other shall be used. • For a zone lot having 2 or more uses by right or conditional uses. 20 square feet plus 1 square foot of sign area for each 2 horizontal linear feet of that portion of the building frontage occupied by the use by right or conditional use.</td>
</tr>
</tbody>
</table>
### Maximum Height Above Grade

<table>
<thead>
<tr>
<th>Wall, window and arcade signs:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25 feet.</td>
</tr>
<tr>
<td>• Lodging accommodations, office and bank: The roof line of the building to which the sign is attached.</td>
</tr>
<tr>
<td>Ground signs: 25 feet.</td>
</tr>
<tr>
<td>Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</td>
</tr>
</tbody>
</table>

### Location

| Wall, window and arcade signs: Shall be set back from the boundary lines of the zone lot on which located the same distance as a building containing a use by right or conditional use; provided, however, wall signs may project into the required setback space the permitted depth of the sign. |
| Ground signs: Shall be set in at least 5 feet from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front. |
| Projecting Signs: |
| • Projecting graphics may project no more than 5 feet out from a building. |
| • Projecting signs shall not exceed the height of the parapet of the building on which mounted. |
| • Projecting signs shall not be placed less than 8 feet apart. |

### Illumination

| All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited. |
| Additional Standards for Projecting Signs: |
| • Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. |
| • Fully internally-illuminated plastic sign boxes with internal light sources are prohibited. |
| • Projecting signs may use a variety of illuminated colors. |

### Animation

| Animated signs are prohibited. |

### 10.10.9.3 Temporary Signs

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

A. Permitted sign types: Wall and ground.

B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.

C. Permitted sign area: 20 square feet or 2 square feet of sign area for each acre of zone lot or designated land area not to exceed 150 square feet.

D. Permitted maximum height above grade: 12 feet.

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

F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.

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

### 10.10.9.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right or conditional uses on the same zone lot as the signs, excluding parking. The following joint identification signs are in addition to all other signs:
### Maximum Number

**Projecting Signs Only:** Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.

**All Other Signs, including a Mix of Projecting and Other Sign Types:** Each use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use is located. Each use by right or conditional use may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.

### Maximum Sign Area

**Lodging Accommodations:** On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front and no sign shall exceed 300 square feet in size.

**University or College:** The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, the total area of all signs along any 1 street front shall not exceed 150 square feet of sign area, and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.

**All Others:** 50 square feet, or, the total permitted sign area of each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:

- For a zone lot having but 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other shall be used.
- For a zone lot having 2 or more uses by right. For each use by right, 1.5 square feet of sign area for each linear foot of that portion of building frontage occupied by the use by right, for the first 200 feet of building frontage, then 1 square foot of sign area for each linear foot of building frontage thereafter.

### Maximum Height Above Grade

<table>
<thead>
<tr>
<th>Type</th>
<th>Height Above Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arcade signs</td>
<td>20 feet</td>
</tr>
<tr>
<td>Ground signs</td>
<td>32 feet</td>
</tr>
<tr>
<td>Wall or window signs</td>
<td>The roof line of the building to which the sign is attached.</td>
</tr>
</tbody>
</table>

**Projecting signs:** The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.

### Location

**Projecting Signs:**
- Projecting graphics may project no more than 5 feet out from a building.
- Projecting signs shall not exceed the height of the parapet of the building on which mounted.

**All Other Signs:** Shall be set in at least 5 feet from every boundary line of the zone lot in zone districts requiring structural setbacks; provided, however, wall signs may project into the required setback space the permitted depth of the sign. In no case shall there be more than 5 signs applied to any street front.

### Illumination

All Sign Types: May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.

**Additional Standards for Projecting Signs:**
- Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.
- Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.
- Projecting signs may use a variety of illuminated colors.

### Animation

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

A. Permitted sign types: Wall, window and ground.
B. Permitted maximum number: 1 sign for each front line of the zone lot or designated land area on which the sign is located.
C. Permitted sign area: 32 square feet for each front line of the zone lot or designated land area on which the sign is located. Computations shall be made and sign area shall be applied to each front line separately.
D. Permitted maximum height above grade: 20 feet.
E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot or designated land area in \(Z_D\) districts requiring structural setbacks.
F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m.
G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

10.10.4  **Joint Identification Signs**  
Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for 3 or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

A. Permitted sign types: Wall and ground.
B. Permitted maximum number: 1 sign for each front line of the zone lot.
C. Permitted area: The greater number of the following:
   1. 100 square feet; or
   2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot, provided however, that the total area of all signs on each front line of the zone lot shall not exceed 200 square feet.
D. Permitted maximum height above grade: 25 feet.
E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot in \(Z_D\) districts requiring structural setbacks.
F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.
SECTION 10.10.11 MIXED USE COMMERCIAL ZONE DISTRICTS-TIER 2 SIGN STANDARDS

10.10.11.1 General

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

B. The sign standards contained within this Section apply to the following zone districts:

<table>
<thead>
<tr>
<th>SUBURBAN NEIGHBORHOOD CONTEXT</th>
<th>URBAN EDGE NEIGHBORHOOD CONTEXT</th>
<th>URBAN NEIGHBORHOOD CONTEXT</th>
<th>GENERAL URBAN NEIGHBORHOOD CONTEXT</th>
<th>URBAN CENTER NEIGHBORHOOD CONTEXT</th>
<th>MASTER PLANNED CONTEXT</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-CC-3</td>
<td>E-CC-3</td>
<td>U-MS-3</td>
<td>G-MS-3</td>
<td>C-MS-5</td>
<td>M-CC-5</td>
</tr>
<tr>
<td>S-CC-5</td>
<td>E-MS-3</td>
<td></td>
<td>G-MS-5</td>
<td>C-MS-5</td>
<td></td>
</tr>
<tr>
<td>S-MS-3</td>
<td>E-MS-5</td>
<td></td>
<td>C-MS-5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S-MS-5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10.10.11.2 Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Types</td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
</tr>
<tr>
<td>Maximum Number</td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.</td>
</tr>
<tr>
<td></td>
<td>All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right or conditional use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.</td>
</tr>
<tr>
<td>Maximum Sign Area</td>
<td>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</td>
</tr>
<tr>
<td></td>
<td>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</td>
</tr>
<tr>
<td></td>
<td>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet: For a zone lot having 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100 feet of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used. For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</td>
</tr>
</tbody>
</table>

DENVER ZONING CODE
June 25, 2010 | Republished July 6, 2015
### Maximum Height Above Grade

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Height Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall and window signs</td>
<td>The roof line of the building to which the sign is attached.</td>
</tr>
<tr>
<td>Ground and arcade signs</td>
<td>32 feet</td>
</tr>
<tr>
<td>Projecting signs</td>
<td>The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher.</td>
</tr>
</tbody>
</table>

### Location

<table>
<thead>
<tr>
<th>Type</th>
<th>Requirements</th>
</tr>
</thead>
</table>
| Projecting Signs | - Projecting graphics may project no more than 5 feet out from a building.  
- Projecting signs shall not exceed the height of the parapet of the building on which mounted.  
- Projecting signs shall not be placed less than 8 feet apart. |
| All Other Signs | Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front. |

### Illumination

<table>
<thead>
<tr>
<th>Type</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Sign Types</td>
<td>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</td>
</tr>
</tbody>
</table>
| Additional Standards for Projecting Signs | - Illumination of projecting signs shall be permitted by direct, indirect, neon tube, light emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only.  
- Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.  
- Projecting signs may use a variety of illuminated colors. |

### Animation

<table>
<thead>
<tr>
<th>Type</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animated signs</td>
<td>Prohibited.</td>
</tr>
</tbody>
</table>

### 10.10.11.3 Temporary Signs

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

- **Permitted sign types:** Wall, window and ground.
- **Permitted maximum number:** 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- **Permitted sign area:** 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- **Permitted maximum height above grade:** 25 feet.
- **Permitted location:** No limitations.
- **Permitted illumination:** May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.
- **Prohibited:** Flashing signs are prohibited and animated signs are prohibited.

### 10.10.11.4 Joint Identification Signs

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

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

D. Permitted maximum height above grade: 25 feet.
E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

SECTION 10.10.12 INDUSTRIAL ZONE DISTRICTS SIGN STANDARDS

10.10.12.1 General

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

B. The sign standards contained within this Section apply to the I-MX-3, -5, -8; I-A, -B Zone Districts.

10.10.12.2 Permanent Signs

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>I-MX-3, -5, -8</th>
<th>I-A AND I-B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contents</strong></td>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services.</td>
</tr>
<tr>
<td><strong>Sign Types</strong></td>
<td>Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the ground story.</td>
</tr>
<tr>
<td><strong>Maximum Number</strong></td>
<td>Projecting Signs Only: Each user may display 1 projecting sign adjacent to every street upon which the user has frontage and an entry, or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code. All Other Signs, including a Mix of Projecting and Other Sign Types: Each use by right may have the greater number of the following: 5 signs; or 2 signs for each front line of the zone lot on which the use by right or conditional use is located.</td>
</tr>
</tbody>
</table>
### Article 10. General Design Standards
#### Division 10.10 Signs

| Maximum Sign Area | Lodging Accommodations: On zone lots having a linear street frontage of 100 feet or less, 100 square feet; on zone lots having a linear street frontage of more than 100 feet, 1 square foot of sign for each linear foot of street front; provided, however, computations shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than 300 square feet of sign area be applied to any 1 street front and no sign shall exceed 300 square feet in size. |

University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that:

* The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.

* All others: 50 square feet, or, the total permitted sign area of each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:
  - For a zone lot having but 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other shall be used.
  - For a zone lot having 2 or more uses by right. For each use by right, 1.5 square feet of sign area for each linear foot of that portion of building frontage occupied by the use by right, for the first 200 feet of building frontage, then 1 square foot of sign area for each linear foot of building frontage thereafter.

| Maximum Height Above Grade | Arcade signs: 20 feet. Ground signs: 32 feet. Wall or window signs: The roof line of the building to which the sign is attached. Projecting signs: The bottom of any projecting sign must be at least 8 feet above the sidewalk or ground story finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15 feet above the sidewalk or ground story finished floor level, whichever is higher. |

| Location | Projecting Signs:
- Projecting graphics may project no more than 5 feet out from a building.
- Projecting signs shall not exceed the height of the parapet of the building on which mounted.
- Projecting signs shall not be placed less than 8 feet apart.

All Other Signs: Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front. |

| I-MX-3, -5, -8 | I-A AND I-B |

Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.

University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that:

* The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.

All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:

- For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100 feet of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.
- For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.

Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32 feet.
### 10.10.12.3 Temporary Signs

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

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

B. Permitted maximum number:

1. I-MX Z
   - districts: 1 signs for each front line of the zone lot or designated land area on which the sign is located.

2. I-A, -B Z
   - districts: 2 signs for each front line of the zone lot or designated land area on which the signs are located.

C. Permitted sign area:

1. I-MX Z
   - districts: 32 square feet for each front line of the zone lot or designated land area on which located. Computations shall be made and sign area shall be applied to each front lot line separately.

2. I-A, -B Z
   - districts: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.

D. Permitted maximum height above grade:

1. I-MX Z
   - districts: 20 feet

2. I-A, -B Z
   - districts: 25 feet

E. Permitted location:

1. I-MX Z
   - districts: Shall be set at least 5 feet from every boundary line of the zone lot or designated land area in zone districts requiring structural setbacks.

2. I-A, -B Z
   - districts: No limitations

F. Permitted illumination: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.

G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.
**10.10.12.4 Joint Identification Signs**

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

A. Permitted sign types: Wall and ground.

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

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

D. Permitted maximum height above grade: 25 feet.

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

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

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

**SECTION 10.10.13 DOWNTOWN ZONE DISTRICTS SIGN STANDARDS**

**10.10.13.1 General**

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

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

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

**10.10.13.2 Permanent Signs**

Permanent signs shall comply with the following standards:

<table>
<thead>
<tr>
<th>Contents</th>
<th>D-LD; D-CV; D-GT; D-AS, D-AS-12+, D-AS-20+</th>
<th>D-C; D-TD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.</td>
<td>Identification by letter, numeral, symbol or design of the use by right by name and use, hours of operation, services and products offered, events and prices of products and services.</td>
<td></td>
</tr>
<tr>
<td>Sign Types</td>
<td>Wall, window, ground and arcade.</td>
<td>Wall, window, ground and arcade.</td>
</tr>
<tr>
<td>Maximum Number</td>
<td>Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.</td>
<td>Ground level uses by right with street frontage for each separate building: Each use by right may have 3 for each street front of the use by right plus 1 additional sign for each 100 feet of street frontage in excess of 200 feet. All other uses by right combined for each separate building: 1 sign plus 1 sign for each front line of the zone lot on which the building is located.</td>
</tr>
</tbody>
</table>
### Article 10. General Design Standards

#### Division 10.10 Signs

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

<table>
<thead>
<tr>
<th>Maximum Height Above Grade</th>
<th>Wall and window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32 feet.</th>
<th>Wall or window signs: The roof line of the building to which the sign is attached. Ground and arcade signs: 32 feet.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location</strong></td>
<td>Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</td>
<td>No setback is required from any boundary line of the zone lot. Wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.</td>
</tr>
</tbody>
</table>

| Illumination               | May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited. | May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited. |

| Animation                  | Animated signs are prohibited. | Animated signs are prohibited. |
10.10.15.4 Permitted Maximum Sign Area
The other Sections of this Division 10.10 pertaining to the D-GT district are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. For these purposes, a cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

10.10.15.5 Projecting Graphics Permitted
For the purposes of this Section, a projecting graphic is a sign or street graphic attached to and projecting from the wall of a building at 90 degrees, or the corner of a building at 45 degrees. The projecting graphic may be two- or three-dimensional, and regular or irregular in form.

A. The following limitations apply to projecting graphics:
   1. Each user may display 1 projecting graphic adjacent to every street upon which the user has frontage and an entry or 1 projecting sign at the corner of a building where the user has 2 frontages, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
   2. Projecting graphics may project no more than 5 feet out from a building.
   3. The bottom of any projecting graphic must be at least 8 feet above the sidewalk or ground floor finished floor level, whichever is higher while the top of any projecting graphics may be no higher than 15 feet above the sidewalk or ground level finished floor level, whichever is higher.
   4. Allocation of allowable sign volume. For uses that are located at the ground story and have entries with direct access to a public sidewalk, court or plaza, or uses located in the basement or on the second floor, that have entries at the ground story with direct access to a public sidewalk, court or plaza, the allowable projecting sign volume will be allocated on the following basis:
      a. Uses that occupy at least 8 feet but no more than 20 feet of linear building frontage may have up to 12 cubic feet of projecting sign volume.
      b. Uses that occupy more than 20 but no more than 50 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume.
      c. Uses that occupy over 50 linear feet of building frontage may have up to 50 cubic feet of projecting sign volume.
      d. Uses that occupy over 50 linear feet of building frontage, that are located in the D-GT zone district on either Broadway or Lincoln Streets and are south of 13th Avenue, may have up to 70 cubic feet of projecting sign volume.
      e. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the actual building frontage on which the sign is placed, or on the length of either frontage if a corner location is chosen.

B. Calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form constructed to enclose the primary form of the sign.

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

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

E. Projecting signs are prohibited for uses without direct street access on the ground story.
E. Of high quality, durable materials appropriate to an urban setting.

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

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

A. The following limitations apply to projecting graphics:

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

2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.

3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.

4. Allocation of allowable sign volume. For uses that are located at the ground story and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:
   a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.
   b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.
   c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.
   d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.

5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1\text{ feet-0\text{ inches}} for the purposes of calculating sign volume.

6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:
   a. Multiple signs significantly enhance the creative impact of the signage concept.
   b. Multiple signs are not detrimental to the building, the surrounding context or the signage opportunities of adjoining uses.
b. Signs shall not extend more than 1 story above the building floor on which the use is located unless they are found by the review committee to meet the criteria in item d, below.

c. Signs for uses located below the ground story shall not be located or extend beyond the uppermost part of the second story without the approval of the review committee.

d. The following conditions will be taken into account when considering exceptions to items a. and b. above:
   i. The additional height is found to be a factor in the success of the sign’s design.
   ii. The additional height is not a detriment to overall design of the building facade or its immediate context.
   iii. The additional height will not overshadow or create glare in adjoining properties.

e. Signs shall not be placed less than 25 feet apart unless they are determined to meet the following criteria:
   i. The signs work together to make a unified and compatible design that is stronger as a group than it would be as a single sign or multiple signs widely separated.
   ii. The sign group is compatible with the building architecture, reinforcing the design intent of a significant building feature such as a primary entry.

B. Auxiliary Graphics

Auxiliary graphics are elements which are complementary but subsidiary to principal graphics. The following auxiliary graphics are permitted, subject to the limitations set forth herein:

1. Awnings. Signage on fabric or vinyl type non-illuminated awnings that is located on a surface of that awning which is perpendicular to the face of the building will not be considered a projecting sign under this ordinance, but will be allowed, subject to staff review, provided that the total area of typography and graphics does not exceed 2 square feet.

2. Banners.
   a. Short term banners and flags, which provide information related to a specific, temporary event (not more than 60 days in any 365-day period) are permitted provided that they are no more than 64 square feet. Projection shall not exceed 7'-0" inches.
   b. Permanent banners and flags which are graphic in nature, providing color and design interest only and do not directly represent actual goods, services, brands or business names are permitted provided that they are no more than 32 square feet. These banners are not subtracted from the allowable sign area. Projection shall not exceed 7'-0" inches.

C. Illumination

Illumination of graphics as defined herein shall be permitted by direct, indirect, and neon tube illumination. The following additional provisions also apply to the illumination of street graphics:

1. Color of light. Graphics as defined herein may use a variety of illuminated colors, provided they do not conflict with traffic signals.

2. Flashing signs and animated signs are expressly limited to those properties which are contiguous to the 16th Street pedestrian and transit mall. All such signs must be readable from the 16th Street Mall. Bare bulb illumination is expressly discouraged.
a. The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.

b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.

3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

10.10.16.5 Design Review Committee

There is hereby created a separate Design Review Committee (DRC) for each of the D-C, D-TD, D-LD, D-AS, D-AS-12+ and D-AS-20+ districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

A. Within the D-C, D-TD, D-AS, D-AS-12+ and D-AS-20+ zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the Design Review Committee.

B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the Design Review Committee shall be comprised of 7 members as follows:

1. 1 property owner, who owns property in the D-C or D-TD district;
2. 2 business operators, who operate businesses in the D-C or D-TD district;
3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
4. 2 design professionals;
5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
6. The Manager, or his designee, who shall serve as an ex-officio member.

Members of the D-C and D-TD Design Review Committee shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the Design Review Committee is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

C. Within the D-LD district, the lower downtown design review board shall comprise the Design Review Committee.

D. Within the D-AS, D-AS-12+ and D-AS-20+ districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the Design Review Committee.

E. Each Design Review Committee shall meet monthly or within 14 calendar days of a special request.

F. Authority is hereby expressly granted to the applicable Design Review Committee to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

10.10.16.6 Design Review

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable Design Review Committee by the department of zoning administration. The applicable Design Review Committee shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable Design Review Committee, the Zoning Administrator shall approve or deny the per-
mit, except that the Zoning Administrator may not approve a permit if the lower downtown design review board has recommended denial.

**10.10.16.7 Review Provisions**

A. The applicable Design Review CommitteeDRC may recommend approval of a sign permit for single or multiple uses if the sign(s) is compatible with the theme and overall character to be achieved in the area, and the committee shall base its compatibility determination on the following criteria:

1. The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.
2. The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.
3. The similarity or dissimilarity of the sign's size and shape to the size and shape of other street graphics in the area.
4. The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.
5. The compatibility of the type of illumination, if any, with the type of illumination in the area.
6. The compatibility of the materials used in the construction of the sign with the material used in the construction of other street graphics in the area.
7. The aesthetic and architectural compatibility of the proposed sign to the building upon which the sign is suspended and the surrounding buildings.
8. The proposed signs shall be of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.

B. Submission of a single sign or multiple sign application:

1. The application for sign permit shall be forwarded to the applicable Design Review CommitteeDRC at least 2 weeks prior to the regularly scheduled Design Review CommitteeDRC meeting.
2. Recommendations to the Zoning Administrator will be made in writing with reasons for acceptance, rejection, or acceptance with changes within 15 days of each committee meeting; in the event a written recommendation is not made within said 15 days, the application shall be deemed to have a recommendation for rejection.
3. A graphics plan shall be submitted which shall contain visual representations of the lettering, illumination, color, area and height of graphics and may also indicate the areas and building where they may be placed and located.
4. Submitted photographic or drawn elevations of a minimum of 266 feet of frontage (context of individual sign) photographic or drawn perspective with the individual sign superimposed and a drawing of the sign at 0.5-inch to 1-inch scale shall be submitted.
5. Additionally, proof of consent or attempt to get consent, with reasons for failure, of the managers of all properties within the face block must be provided.
6. The application may also contain such special requirements as approved by the applicable Design Review CommitteeDRC.
C. Adoption of rules and regulations. Each Design Review Committee (DRC) shall have the authority to adopt rules and regulations concerning its administrative procedures provided that the provisions of Sections 10.10.16.7 A and B shall be adhered to.

**10.10.16.8 Review of Permit for Flashing Signs**

Every permit for a Flashing Sign issued pursuant to the provisions of this Section 10.10.16.8 shall be reviewed 10 years from the date the permit is issued by the department of zoning administration to determine if the Flashing Sign must be removed or not. In making such review, the review provision set forth in Section 10.10.16.7 A shall be followed, and the applicable design review committee shall prepare a recommendation and submit it to the zoning administration. After taking into consideration the recommendation of the applicable design review committee, the Zoning Administrator shall determine if the Flashing Sign must be removed or not.

**SECTION 10.10.17 OPEN SPACE, DENVER INTERNATIONAL AIRPORT AND O-1 ZONE DISTRICTS SIGN STANDARDS**

**10.10.17.1 General**

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

B. The sign standards contained within this Section apply to OS-A, OS-B, OS-C, DIA and O-1 Zone Districts.

**10.10.17.2 Permanent Signs**

Permanent signs shall comply with the following standards:

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| Maximum Sign Area                                                       | Each use by right shall be permitted a sign area of 20 square feet or the total permitted sign area for any use by right may be determined by 1 or the other of the following provisions provided, however, that the total sign area of any use by right shall not exceed 600 square feet, and no single sign area shall exceed 300 square feet in area:  
  1 square foot of sign area for each foot of street frontage of the zone lot on which the use by right is located. 
  1 square foot of sign area for each acre of the zone lot on which the use by right is located. |
| Maximum Height Above Grade                                              | Wall and window signs: The roof line of the building to which the sign is attached. Ground signs: 25 feet.                                                                                     |
| Location                                                                | Wall and window signs: Shall be set back from the boundary lines of the zone lot on which it is located the same distance as a structure containing a use by right provided, however, wall signs may project into the required setback space the permitted depth of the sign. 
  Ground signs: Any location provided that the sign is at least 10 feet from any boundary line of the zone lot on which the use by right is located. |
| Illumination                                                            | May be illuminated but only from a concealed light source. Flashing signs are prohibited.                                                                                                      |
| Animation                                                               | Animated signs are prohibited.                                                                                                                                                                   |
10.10.17.3 **Temporary Signs**
Subject to the conditions herein after set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than 12 calendar months and shall not be renewed for more than 1 successive period at the same location.

A. Permitted sign types: Wall and ground.
B. Permitted maximum number: 1 sign for each front line of the zone lot or designated land area on which the signs are located.
C. Permitted sign area: 32 square feet of sign area for a land area up to 5 acres and 64 square feet of sign area for a land area of 5 acres or more, provided that no sign shall exceed 100 square feet.
D. Permitted maximum height above grade: 25 feet.
E. Permitted location: Shall be set back at least 25 feet from all boundary lines of the zone lot or designated land area on which the signs are located.
F. Permitted illumination: May be illuminated but only from a concealed light source.
G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

SECTION 10.10.18 **CHERRY CREEK NORTH ZONE DISTRICTS SIGN STANDARDS**

10.10.18.1 **Purpose**
The purpose of this Section is to create a comprehensive and balanced system of signs and street graphics, to facilitate the enhancement and improvement of the Cherry Creek North zone districts (C-CCN) through the encouragement of innovative signs and graphics which will aid in the creation of a unique mixed-use neighborhood, facilitate an easy and pleasant communication between people and their environment and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and community appearance.

10.10.18.2 **General**
Signs may be erected, altered and maintained only for and by a use by right in the C-CCN zone districts; shall be located on the same zone lot as the use by right; and shall be clearly incidental, customary and commonly associated with the operation of the use by right.

10.10.18.3 **Comprehensive Sign Plan**
Projecting signs shall be permitted only after a comprehensive sign plan for the entire building containing a use or uses by right has been approved. Such plan shall indicate how signs are allocated among all the individual uses, approximate designated sign locations, and allowable types of sign construction and illumination.

10.10.18.4 **Design Review**
In adopting the rules and regulations governing signage, the following criteria shall be utilized. These criteria shall also be the basis of all findings and recommendations regarding signage that the design advisory board shall forward to the Zoning Administrator. Signage shall be:

A. Compatible with the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels, and adjoining uses;
B. Compatible with the architectural characteristics of the buildings on which the signs are placed when considered in terms of scale, proportion, color, materials and lighting levels;
C. Expressive of the business or activity for which they are displayed;
D. Creative in the use of two- and three-dimensional forms, iconographic representations, lighting and graphic design, including the use of color, pattern, typography and materials; and

E. Constructed utilizing high quality, durable materials that meet the physical demands of an urban setting.

10.10.18.5 Signs Subject to a Permit
Section 10.10.3.2 (signs subject to a permit) shall be in full force and effect in the C-CCN zone districts. All signs shall be subject to any additional requirements or standards contained within this Section and shall be subject to review by the Cherry Creek North (CCN) Design Advisory Board.

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

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

10.10.18.8 Permitted Maximum Number
Each use by right may have the greater number of the following:

A. 5 signs; or

B. 2 signs for each front line of the zone lot on which the use by right is located.

10.10.18.9 Permitted Maximum Sign Area
The permitted maximum sign area for each individual use by right is 50 square feet or the total permitted sign area determined by one of the following provisions, whichever is the greater; provided, however, that no sign shall exceed 200 square feet in area nor shall the total permitted sign area of any single use by right exceed 600 square feet:

A. For a zone lot containing only 1 use by right. 1 square foot of sign area for each linear foot of street front of the zone lot; provided, however, that in computing the area of such signs, the measurement of not more than 2 front lines, 1 contiguous with the other, shall be used (See Figure 10.10-1).
10.10.18.19  Signs Not Subject to a Permit

A. Section 10.10.3.1 (signs not subject to a permit), Sections A through E and G through J shall be
in full force and effect in the C-CCN zone districts.

B. Temporary commercial signs which identify, advertise or promote a temporary activity and/or
sale of merchandise or service of a business use located on the same zone lot provided how-
ever that nothing in this Section 10.10.18.19.B shall allow the use of portable signs or the use
of parked motor vehicles and/or trailers as advertising devices. Temporary commercial signs
shall be limited as follows:

1. Limited to placement for 45 days;
2. Placed behind or are attached to the inside face of a window;
3. 1 per building frontage for each use facing a public street, walk, plaza or court;
4. Not more than 5 square feet in sign area;
5. Not more than 6 feet in height above grade;
6. Not animated; and
7. Illuminated only from a concealed light source.

C. Signs that identify or advertise the sale, lease or rental of a particular structure or land area and
limited to:

1. Wall, window, and ground signs;
2. No more than 1 sign per zone lot;
3. No more than 5 square feet in area per face;
4. No more than 6 feet above grade;
5. Not illuminated or animated; and
6. Placed within the zone lot and not in the public right-of-way.

SECTION 10.10.19  SPECIAL PROVISIONS FOR SIGNS IN CIVIC CENTER AREA

10.10.19.1  Civic Center Area

Notwithstanding the other provisions of this Division 10.10, the provisions of this Section 10.10.19
shall apply to the Civic Center Area which is described as follows:

Lots 20--32, Block 206, East Denver, including Out Lot 5;
All of Block 233, East Denver, including Out Lot 4;
All of Block 232, East Denver, including Out Lot 3;
All of vacated Cleveland Place abutting Block 232, a.k.a. "Kenneth M. MacIntosh Park";
Lots 17--23, Block 231, East Denver;
Lots 7--26, Block 244, East Denver, and Side Lot 2 except the N 125 feet of Side Lot 2;
All of Block 267, East Denver, including Out Lot 1;
Lots 9--32, Block 5, Cheesman & Kasslers Addition, together with vacated alley abutting such lots;
Lots 6--40, Block 28, H.C. Browns Addition;
Lots 10--31, Block 37, H.C. Browns Addition;
Lots 10--21, Block 68, H.C. Browns Addition;
Lots 1--20, Block 67, H.C. Browns Addition;
Lots 1--11, Block 66, H.C. Browns Addition;
Lots 1--20 and Lots 31--40, Block 39, H.C. Browns Second Addition;
All of Block 25; Lots 1--8 and 30--40, Block 26, all in H.C. Browns Second Addition;
Lots 1--4 and 37--40, Block 42, H.C. Browns Second Addition; All of Blocks 21, 22, 23 and 24, Evans Addition, Subdivision of Blocks 43, 44, 45, 57, 58, 59 and 60 Evans Addition; Lots 1--4 and 37--40, Block 43, Lots 1--4 and 37--40, Block 44, Lots 1--4 and 37--40, Block 45, Lots 1--4, Block 46, all in Evans Addition, Subdivision of Blocks 43, 44, 45, 57, 58, 59 and 60, Evans Addition; Lots 1--4, Block 22, Lots 37--40, Block 23, Lots 1--20, Block 21, all in Witters First Addition; Lots 21--32, Block 20, Evans Subdivision of part of Block 20, Witters First Addition; The E 125 feet of N 200 feet of Block 20, E 125 feet of Block 11, all in Witters First Addition; Block 10, Evans and Eberts Subdivision of Block 10, Evans Addition and Block 10 in Witters First Addition; all of Block 9, Evans Subdivision; Civic Center Park, bounded on the north by West Colfax Avenue, on the east by Broadway Street, on the south by West 14th Avenue and on the west by Bannock Street; The State Capitol and grounds bounded by East Colfax Avenue on the north, Grant Street on the east, East 14th Avenue on the south and Broadway Street on the west.

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

10.10.19.3 Purpose
The purpose of this Section is to provide for a required design review of all signs in the Civic Center Area, excluding window signs and temporary signs, and to provide design guidelines and recommended sign limitations. The intent of this design review for signs in the Civic Center Area is to prevent major visual intrusions into the Civic Center Area, to keep signage subordinate to the architecture and to provide information which will assist visitors.

10.10.19.4 Permitted Sign Types and Recommended Limitations on Each
A. Ground sign. 30 square feet per face, double face is permitted; 15 feet maximum height; if the zone lot has 125 feet or more, excluding parking lots, of street frontage, 1 ground sign is recommended and 2 are permitted; if there are 2 or more uses on the zone lot, no ground sign is permitted; and a ground sign must be set in a distance of not less than 5 feet from each front line. The proliferation of ground signs is intended to be avoided in the Civic Center Area.

B. Wall sign. If non internally illuminated, 100 square feet of sign area is permitted for each sign with 2 signs per building frontage permitted; and if internally illuminated, 50 square feet of sign area is permitted for each sign with 1 sign per building frontage permitted. A wall sign may be larger if integrated into the architecture.

C. Projecting graphics. Projecting graphics are permitted on land in the Civic Center Area which is located within the D-CV zone D district, and the provisions of Section 10.10.16.4.A of this chapter shall be in full force and effect with respect to these projecting graphics.

D. Window sign. 1 sign per use by right and no more than 5 square feet of sign area.

E. Temporary signs. The provisions of Section 10.10.3.1.F shall be in full force and effect except that streamers are allowed for special events only, and the sign area must be less than 25 percent of maximum allowed sign area plus 30 percent of unused sign area allowed or 30 percent of the ground level window area with neither to exceed 50 square feet.

10.10.19.5 Additional Limitations on Signs
Backlit awnings are not permitted on the Civic Center Area. The total sign area of all ground signs, wall signs and projecting graphics should not exceed 400 square feet.
SECTION 10.10.20 OUTDOOR GENERAL ADVERTISING DEVICES IN THE BILLBOARD USE OVERLAY ZONE DISTRICT

10.10.20.1 Purpose and Applicability

A. Purpose

Upon consideration of a recommendation that an ordinance be enacted for the purpose of preserving and protecting the health, safety and general welfare of the people of the city and their property therein situate, the council finds:

1. That the regulation of outdoor general advertising devices within the city is required in the interests of the economic prosperity, civic pride, quality of life and general welfare of the people;

2. That it is desirable to preserve and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of the community and visitors hereto;

3. That the regulation of outdoor general advertising devices will foster civic pride in the beauty of the city, will enhance the aesthetic values of the city and its economic vitality, will protect property values, will protect and enhance the city’s attraction to tourists and visitors and promote good urban design;

4. That the regulation of outdoor general advertising devices will strengthen and preserve the municipality’s unique environmental heritage and enhance the quality of life of its citizens; and

5. That the regulation of outdoor general advertising devices within the city is necessary for the promotion of safety upon the streets and highways in the City and County of Denver.

B. Applicability

1. This Division shall govern and control the erection, remodeling, enlargement, moving, operation and maintenance of all outdoor general advertising devices, also known as “billboards”, as they are permitted in the Billboard Use Overlay District (UO-2) in accordance with Section 9.4.4.7 and may be erected or maintained on a zone lot occupied by a structure containing a use by right; provided, however, it shall be unlawful to erect or remodel within 660 feet of the edge of the right-of-way of a freeway any outdoor general advertising device the face of which is visible from the main-traveled way of the freeway.

2. Outdoor advertising devices may be erected and maintained in the D-TD Zone District but only as permitted by a district sign plan authorized pursuant to Section 10.10.14. For such outdoor advertising devices in the D-TD Zone District, the provisions of this Section 10.10.20 shall not apply.

3. Outdoor advertising devices may be erected and maintained in the DO-6 Zone District but only as permitted by a district plan authorized under Section 9.4.5.10. For such outdoor advertising devices in the DO-6 Zone District, the provisions of this Section 10.10.20 shall not apply.

4. Except in the DO-6 Overlay District, outdoor advertising devices may be erected and maintained in the DIA Zone District as permitted by the Manager of Aviation pursuant to Section 9.5.2.2. For such outdoor advertising devices in the DIA Zone District, the provisions of this Section 10.10.20 shall not apply. Except in the DO-6 Overlay District, outdoor advertising devices may be erected and maintained in the DIA Zone District as permitted by the Manager of Aviation pursuant to Section 9.5.2.2. For such outdoor advertising devices in the DIA Zone District, the provisions of this Section 10.10.20 shall not apply.
faces are not separated from the larger surface by more than 4 feet and no part of either of the smaller surfaces extends beyond the outer edge of the larger surface by more than 3 feet.

C. Four outdoor general advertising message surfaces may be placed in 1 location in an I-A or I-B zone district, provided the location is in the Billboard Overlay Use District and provided they are placed on 1 structure, consist of two 300 square foot message surfaces placed side-by-side with two 300 square foot message surfaces placed immediately to the back of the first surfaces, facing the opposite direction, and none of the message surfaces are separated by more than 4 feet.

10.10.20.5 Permitted Maximum Area Per Message Surface

No outdoor general advertising device shall have any single message surface more than 672 square feet in area plus up to an additional 80 square feet for extensions.

10.10.20.6 Permitted Maximum Height

A. Except as permitted in Section 10.10.20.6.B, no outdoor general advertising device shall exceed a height of 45 feet above grade.

B. Outdoor general advertising devices which are located within 200 feet of an elevated street or viaduct and whose messages are oriented to that elevated street or viaduct may have a maximum height not to exceed 25 feet above the roadway of such elevated street or viaduct. This measurement shall be made at the point nearest on the elevated street or viaduct from the outdoor general advertising device. Any outdoor general advertising device having a height in excess of 45 feet above grade which device is located within 200 feet of an elevated street or viaduct and whose message is oriented to that elevated street or viaduct shall be lowered or reconstructed to comply with the 45 feet height limitation as set forth in Section 10.10.20.6.A above or shall be lowered or reconstructed to a height not to exceed 25 feet above the roadway of the elevated street or viaduct if the street or viaduct is still elevated within 1 year after such elevated street or viaduct is lowered or removed.

10.10.20.7 Permitted Location

A. No outdoor general advertising device with a message surface in excess of 79 square feet shall be located less than 500 feet from any other outdoor general advertising device which has a message surface in excess of 79 square feet on the same or opposite side of the street to which the message is oriented.

B. No outdoor general advertising device with a message surface less than 80 square feet shall be located less than 300 feet from any other outdoor general advertising device which has a message surface less than 80 square feet on the same or opposite side of the street to which the message is oriented nor less than 200 feet from any other outdoor general advertising device which has a message surface in excess of 79 square feet on the same or opposite side of the street to which the message is oriented.

C. In addition to the provisions of Subsections 10.10.20.7.A and 10.10.20.7.B, no outdoor general advertising device whose message is oriented to an elevated street or viaduct shall be located less than 500 feet from any other outdoor general advertising device on the same or opposite side of the elevated street or viaduct to which the message is oriented.

D. No outdoor general advertising device shall be erected within a distance of 400 feet of any public park measured from the inner curb line of the street which bounds the park or from the property line of the park, whichever is closer to the outdoor general advertising device.

E. No outdoor general advertising device shall be erected within 400 feet of any historic structure.

F. No outdoor general advertising device shall be located less than 125 feet from a residential district or a single or multiple unit dwelling.
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DIVISION 11.1 GENERAL PROVISIONS

SECTION 11.1.1 INTENT

11.1.1.1 Article 11 sets forth the limitations specific to primary, accessory and temporary uses permitted under this Code. Limitations in this Article 11 are generally intended to:

A. Promote continued economic development while mitigating the potential for adverse impacts on surrounding properties, surrounding residential uses and neighborhoods, and the physical environment;

B. Implement Comprehensive Plan and Blueprint Denver objectives to promote walkable, pedestrian environments in appropriate neighborhood contexts and Zone D districts;

C. Encourage and facilitate the reuse of existing structures;

D. Accommodate the special housing needs of segments of the resident population, while balancing those needs with a neighborhood’s interest in notification and public input; and

E. Encourage and facilitate implementation of sustainable activities or uses that promote long-term energy efficiency and reduce vehicle trips, such as urban agriculture, wind and solar energy facilities, and live-work and Home Occupation opportunities.

11.1.1.2 The hierarchy and structure of the use classifications, categories, and definitions in this Article 11 are intended to aid the City and code users in the interpretation of this Code over time.

SECTION 11.1.2 APPLICABILITY

All primary, accessory, and temporary uses subject to this Article’s limitations shall be established, operated, and maintained only in compliance with such limitations.

SECTION 11.1.3 ORGANIZATION

Article 11 is organized into divisions and sections that track the organization of the Use and Parking Tables found in Articles 3 through 9, as follows:

11.1.3.1 Divisions in Article 11 correspond to the same order of the use classifications (e.g., residential primary uses) found in the Use and Parking Tables.

11.1.3.2 Sections in Article 11 correspond to the specific use types (e.g., multi-unit dwelling) found within each use classification (e.g., residential primary uses), organized within the sections first by use category (e.g., household living uses) and then by listing in alphabetical order.

SECTION 11.1.4 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.
DIVISION 11.2 RESIDENTIAL PRIMARY USE LIMITATIONS

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

HOUSEHOLD LIVING USE CATEGORY

SECTION 11.2.1 DWELLING, SINGLE UNIT

11.2.1.1 I-A, I-B Zone Districts

In the I-A, I-B zone districts, where permitted with limitations, single unit dwellings uses are permitted subject to compliance with the following limitations:

A. There is an existing structure that was erected for single unit dwelling use prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.

B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the single unit dwelling shall comply with the provisions of the Denver Zoning Code as it applies to the urban house form in the U-SU-C zone districts.

C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by the Denver Zoning Code as it applies to a single unit dwelling use in the U-SU-C zone districts.

D. The external effects of such uses shall be regulated by Division 10.10, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.

E. The zone lot containing a single unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

SECTION 11.2.2 DWELLING, TWO UNIT

11.2.2.1 All SU Zone Districts

In all SU zone districts, where permitted with limitations:

A. Two Unit Dwelling uses that were legally established and maintained on a zone lot shall be considered conforming uses in these districts.

B. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards allowed in the subject SU zone districts without regard to the building form’s use restrictions, or alternately in conformity with the duplex building form standards applicable in the U-TU-C zone districts, provided:

1. The zone lot shall not be reduced, expanded or enlarged, and
2. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.

C. Variances may be granted according to Section 12.4.7, Variance.

11.2.2.2 U-SU-A2, -B2, -C2 Zone Districts

In U-SU-A2, -B2, -C2 zone districts, where permitted with limitations, new Two Unit Dwelling uses may be established only on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.
11.2.2.3 I-A, I-B Zone Districts

In the I-A, I-B Zone Districts, where permitted with limitations, Two Unit Dwelling uses are permitted subject to compliance with the following limitations:

A. There is an existing structure that was erected for two unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.

B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the two unit dwelling use shall comply with the provisions of this Code as it applies to the duplex or tandem house building forms in the U-TU-C Zone Districts.

C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a two unit dwelling use in the U-TU-C Zone Districts.

D. A two unit dwelling use in an I-A or I-B Zone Districts shall be subject to the same limitations as a two unit dwelling use located in any Residential Zone District.

E. The external effects of such uses shall be regulated by Division 10.11, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.

F. The zone lot containing a two unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

SECTION 11.2.3 DWELLING, MULTI-UNIT

11.2.3.1 All SU and TU Zone Districts

In all SU and TU Zone Districts, where permitted with limitations:

A. Multi-Unit Dwelling uses that were legally established and maintained on a zone lot shall be considered conforming uses in these districts.

B. A structure containing such a Multi-Unit Dwelling use may be modified or demolished and rebuilt according to the following limitations:

1. In a SU Zone Districts, the rebuilt structure shall comply with either the building form standards in the subject SU Zone Districts without regard to the building form's use restrictions, or with the duplex building form standards in the U-TU-C Zone Districts without regard to the building form's use restrictions.

2. In a TU Zone Districts, the rebuilt structure shall comply with the building form standards allowed in the subject TU Zone Districts without regard to the building form's use restrictions.

3. The zone lot shall not be reduced, expanded or enlarged.

4. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.

C. Variances may be granted according to Section 12.4.7, Variances, except the number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.

11.2.3.2 I-A, I-B Zone Districts

In the I-A, I-B Zone Districts, where permitted with limitations, Multi-Unit Dwelling uses are permitted subject to compliance with the following limitations:
A. There is an existing structure that was erected as a multiple unit dwelling prior to July 1, 2004, has not had its nonconforming use terminated, and is not a neglected or derelict building under the provisions of Article IX (neglected and derelict buildings), Chapter 10 (buildings and building regulations) of the Denver Revised Municipal Code.

B. Future rebuilds, physical modifications, alterations, and/or additions to the structure containing the multiple unit dwelling use shall comply with the provisions of this Code as it applies to a building form allowed in the G-MU-3 zone districts.

C. Accessory uses, accessory structures, home occupations, parking of vehicles and permitted signs shall be regulated by this Code as it applies to a multi-unit dwelling use in the G-MU-3 zone districts.

D. A multi-unit dwelling use in an I-A or I-B zone districts shall be subject to the same limitations as a multi-unit dwelling use located in any Residential Zone District.

E. The external effects of such uses shall be regulated by Division 10.11, Limitations on External Effects of Uses and shall not be exempt from these provisions due to the industrial zoning.

F. The zone lot containing a multi-unit dwelling use shall be used and operated in its entirety as a residential use. Such zone lots shall not be amended.

11.2.3.3 U-TU-B2 Zone District
In the U-TU-B2 zone districts, where permitted with limitations, new Multi-Unit Dwelling uses may be established only on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by the Public Works Department.

SECTION 11.2.4 DWELLING, LIVE/WORK

11.2.4.1 All Zone Districts (Except I-A, I-B Zone Districts)
In all zone districts, except the I-A, I-B zone districts, where permitted with limitations, a Live/Work Dwelling’s commercial activity may be any nonresidential primary use permitted in the same zone districts that the Live/Work Dwelling is established, subject to compliance with this subsection’s limitations. In addition, the following commercial activities, when not otherwise specifically listed as permitted in the applicable zone districts, are permitted in a Live/Work Dwelling use:

A. Art gallery;
B. Artist studio;
C. Professional studio;
D. Office, not including dental/medical office and clinic; and
E. Other similar activities as determined by the Zoning Administrator according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

11.2.4.2 I-A, I-B Zone Districts
In the I-A, I-B zone districts, where permitted with limitations:

A. A Live/Work Dwelling’s commercial activity shall be limited to an Artist Studio use only.
B. The dwelling portion of a Live/Work Dwelling use shall be occupied by no more than 4 unrelated persons, or by any number of persons related by blood, marriage, or adoption.
C. A Live/Work Dwelling use shall not be considered a “Residential Use” or “Residential Zone District” or “Protected District,” nor in any other way be accorded residential protection (e.g.,
11.2.4.3 All Zone Districts (Except I-MX, I-A, I-B; M-IMX Zone Districts)
In all Zone Districts where permitted with limitations, except in the I-MX, I-A, I-B; M-IMX Zone Districts, any repair, assembly, or fabrication of goods is limited to the use of hand tools or domestic mechanical equipment.

11.2.4.4 G-RO Zone District; All RX Zone Districts
In the G-RO Zone Districts and all RX Zone Districts, where permitted with limitations:
A. The commercial or nonresidential activity shall not exceed 50 percent of the gross floor area of the use.
B. The commercial activity shall not have more than 2 employees or regular assistants on the premises at one time (such employees or regular assistants may be in addition to residents of the Live/Work Dwelling employed or working in the commercial activity portion of the use).
C. Signs are limited to not more than 2 non-animated, non-illuminated wall or window signs not exceeding 20 square feet in total area.
D. Outside storage of any flammable and combustible liquids and flammable gases is prohibited.
E. Nonresidential storage in the Live/Work Dwelling shall be limited to no more than 10% of the space dedicated to the commercial or nonresidential activity.

SECTION 11.2.5 ALL HOUSEHOLD LIVING USES IN C-CCN ZONE DISTRICTS
In all C-CCN Zone Districts, where permitted with limitations, Household Living uses shall comply with the following limitations:

11.2.5.1 Intent
Improve the pedestrian experience along the Street Level in the Cherry Creek North mixed use shopping district by requiring ground-story, pedestrian-friendly uses in all development. Retain ground stories for nonresidential uses permitted in the C-CCN Zone Districts that are more likely to invite high-intensity customer, visitor, and resident interactions and that contribute substantially to the activation, economic vitality, and safety of this important mixed-use neighborhood. Street Level area set aside in buildings for uses other than household living according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for pedestrian-friendly active uses.

11.2.5.2 Limitation on Location of Household Living Uses
A. In a building that does not abut a named or numbered public street, household living uses may be located on any story of such building.
B. In a building that abuts one or more named or numbered public streets, household living uses may be located:
1. On any building story above or below the Street Level; and/or
2. On the Street Level, but not along the building’s street frontage. All of the building’s street frontage(s) shall be occupied by one or more primary uses other than a household living use. However, residential lobbies or other similar internal access to the household living use are permitted along street frontages.

See also C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces.
GROUP LIVING USE CATEGORY

SECTION 11.2.6 COMMUNITY CORRECTIONS FACILITY

11.2.6.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, community corrections facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations

Community corrections facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.8 below, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.8, the more specific limitations in this subsection shall apply.

B. Moratorium on New Community Corrections Facilities

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

C. Permitted Location

Community corrections facilities (for purposes of this subsection, hereinafter “facilities” or “facility”) shall be located more than:

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

D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed the following limits:
   a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents.
   b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

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

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

SECTION 11.2.7 RESIDENCE FOR OLDER ADULTS

11.2.7.1 All SU Zone Districts

In all SU Zone Districts, where permitted with limitations, a Residence for Older Adults use shall include no more than 1 dwelling unit per zone lot.
Section 11.2.8.1.D.5, Limitations on external effects.

4. No conditions on the number of staff may be placed on the permit for transitional housing except for a condition requiring at least one staff person on-site.

F. Compliance with Denver Building and Fire Code
All Residential Care uses shall comply with applicable provisions of the Denver Building and Fire Code.

G. Approvals Personal to Applicant/Operator
The permit for an approved Residential Care use shall automatically expire at such time as the operator specified in the permit no longer operates the Residential Care use at the subject property.

SECTION 11.2.9  COMMUNITY CORRECTIONS FACILITY

11.2.9.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, community corrections facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations
Community corrections facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.8 below, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.8, the more specific limitations in this subsection shall apply.

B. Moratorium on New Community Corrections Facilities
After April 30, 2008, no new community corrections facility shall begin operation until May 1, 2018.

C. Permitted Location
Community corrections facilities (for purposes of this subsection, hereinafter “facilities” or “facility”) shall be located more than:

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

D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed the following limits:
   a. In the I-MX zone district, not to exceed 1 person per 50 square feet of gross floor area in sleeping areas with a maximum of 40 residents.
   b. In the I-A and I-B zone districts, a maximum of 60 residents, provided, however, that if such facility is operated by the Denver Manager of Safety, or under contract to the Manager of Safety, such facility may have up to 120 residents, except that the existing facility located at 570 West 44th Avenue may have up to 90 residents.

2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

E. Government Supervision Required for Transition Programs in a Community Corrections
Facility
Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

SECTION 11.2.10 SHELTER FOR THE HOMELESS

11.2.10.1 Types of Shelters for the Homeless, Permitted Location, and Applicable Limitations

A. Types of Shelters for the Homeless
This Section 11.2.9 establishes the following 3 types of shelters for the homeless:

1. Shelter for the Homeless as a permanent, primary use.
2. Shelter for the Homeless as a primary or accessory use when operated by a place of religious assembly (as “religious assembly” use is defined in Article 11).
3. Shelter for the Homeless when operated in a building owned by a nonprofit corporation or by a governmental entity.

B. Permitted Locations and Applicable Use Limitations
The 3 types of shelters for the homeless identified in subsection 11.2.9.1.A above are permitted in the following zone districts, subject to compliance with the applicable use limitations:

<table>
<thead>
<tr>
<th>Type of Shelter</th>
<th>Permitted/Prohibited Locations</th>
<th>Applicable Use Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelter for the homeless as a permanent, primary use</td>
<td>Permitted in all zone districts, except the SU, TU, TH, RH, E-MU-2.5, MS/MX-2x, MS/MX-2, MX-2A, CMP-H, CMP-H2, CMP-ENT, OS-B, and OS-C zone districts.</td>
<td>Section 11.2.9.1 Section 11.2.9.2 Section 11.2.9.5</td>
</tr>
<tr>
<td>Shelter for the homeless when operated by a religious assembly use</td>
<td>Permitted in all zone districts.</td>
<td>Section 11.2.9.1 Section 11.2.9.3 Section 11.2.9.5</td>
</tr>
<tr>
<td>Shelter for the homeless when operated in a building owned by a nonprofit corporation or by a governmental entity</td>
<td>Permitted in all zone districts.</td>
<td>Section 11.2.9.1 Section 11.2.9.4 Section 11.2.9.5</td>
</tr>
</tbody>
</table>

11.2.10.2 Shelters for the Homeless as a Permanent, Primary Use
Shelters for the homeless that are permanent, primary uses, where permitted according to Section 11.2.9.1, Types of Shelters for the Homeless, Permitted Location, and Applicable Limitations, shall comply with all of the following limitations:

A. Limitations for Large Residential Care Use Apply
A homeless shelter that is a permanent, primary use is a specific type of Large Residential Care use, and is therefore subject to all of the requirements of Section 11.2.8.1.D, Limitations for Large Residential Care Use. In addition, such homeless shelters shall comply with the special requirements in this Section 11.2.9.2. In case of conflict with the requirements of Section 11.2.8.1.D, Limitations for Large Residential Care Use, the provisions of this Section 11.2.9.2 shall apply.
DIVISION 11.3 CIVIC, PUBLIC AND INSTITUTIONAL PRIMARY 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 uses within the primary Civic, Public and Institutional Primary Use Classification across multiple Zone Districts and neighborhood contexts.

**BASIC UTILITIES USE CATEGORY**

**SECTION 11.3.1 UTILITY, MAJOR IMPACT**

11.3.1.1 All Residential Zone Districts; All Mixed Use Commercial Zone Districts

In all Residential Zone Districts and in all Mixed Use Commercial Zone Districts, except CMP-NWC Zone District, where permitted with limitations, Major Impact Utility uses are limited to water reservoir which need not be enclosed.

11.3.1.2 All Open Space Context Zone Districts and O-1 Zone District

In all Open Space Context Zones and the O-1 Zone District, where permitted with limitations, Major Impact Utility uses are limited to water reservoir or in the OS-B and O-1 Zone District only, water filtration plant is also permitted.

11.3.1.3 I-A, I-B Zone Districts; All Downtown Neighborhood Context Zone Districts; CMP-NWC Zone District

In the I-A, I-B Zone Districts, all Downtown Neighborhood Context Zones, and the CMP-NWC Zone District where permitted with limitations:

A. Sanitary Service

All sanitary service utilities shall be located a minimum 500 feet from any Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant can prove by a preponderance of evidence that a smaller separation will have no significant effect on the nearby Residential Zone District.

B. Solid Waste Facility

All solid waste facilities must be located in a completely enclosed structure and must be located a minimum of 500 feet from any Residential Zone District.

C. Above-Ground Power, Gas, and Other Facilities

The expansion of transmission line capacity shall not require a zoning permit provided such expansion may be accomplished within an existing right-of-way or with existing structures or poles.

11.3.1.4 I-A, I-B Zone Districts; CMP-NWC Zone District

In the I-A, I-B, and CMP-NWC Zone Districts, where permitted with limitations

A. Spacing Required

The following major impact utilities shall be located a minimum of 500 feet from any Residential Zone District:

1. Sewage disposal plant.
2. Incinerator, publicly operated.
3. Electric generation plant, excluding nuclear powered plants.
SECTION 11.3.2  UTILITY, MINOR IMPACT

11.3.2.1 All Zone Districts
In all Z Zone Districts, where permitted with limitations:

A. Electric substations are prohibited in a Residential Zone District; All MS Z Zone Districts; All Open Space Context Z Zone Districts; and all Downtown Neighborhood Context Z Zone Districts.

B. In all Z Zone Districts except a Residential Zone District; MS Zone District; Open Space Context Zone District; or Downtown Neighborhood Context Zone District, if electric substation transformers are exposed, there shall be provided an enclosing fence or wall at least 6 feet high and adequate to obstruct view, noise, and passage of persons or materials.

11.3.2.2 All Residential Zone Districts
In all Residential Zone Districts, where permitted with limitations:

A. A minor impact utility use shall be located not less than 50 feet from the nearest boundary of any zone lot containing a single- or two-unit dwelling use existing at the time of application for the utility use unless such utility has been sited and designed to assure its compatibility with adjacent dwelling units.

B. The adequacy of the siting and design for the purpose of achieving compatibility shall be determined by the Zoning Administrator as part of the zoning permit review.

11.3.2.3 C-CCN Zone Districts
In the C-CCN Z Zone Districts, where permitted with limitations, utility pumping stations are prohibited.

COMMUNITY/PUBLIC SERVICES USE CATEGORY

SECTION 11.3.3  COMMUNITY CENTER

11.3.3.1 All Zone Districts
In all Z Zone Districts, where permitted with limitations:

A. A Community Center shall have no outdoor public address system or any type of amplified music or sound device.

B. Overnight accommodations are prohibited.

C. A Community Center use may include accessory outdoor recreation or entertainment services facilities, subject to the following limitations:

1. If in a Residential Zone District, the accessory outdoor facility shall comply with the limitations in Section 11.3.3.3;

2. If in a Residential Zone District or on a zone lot that abuts a Residential Zone District, the accessory outdoor facility shall comply with the outdoor lighting limitations in Section 11.3.3.4; and

3. In all zone districts other than a SU or TU Z Zone District, no portion of the accessory outdoor facility shall be located nearer than 50 feet from the boundary of a SU or TU Z Zone District.
11.3.3.2 All SU and TU Zone Districts
In all SU and TU Zone Districts, where permitted with limitations, a Community Center use shall be established and/or operated only in an existing, nonresidential structure originally designed for a nonresidential use and not for residential occupancy.

11.3.3.3 All Residential Zone Districts
In all Residential Zone Districts, where permitted with limitations, a Community Center use may include accessory outdoor recreation or entertainment services facilities subject to compliance with the following conditions:

A. Establishment of proposed facility, and any expansion of such facility, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

B. The proposed facility shall be located on the same zone lot and operated by the same owner and/or operator of the Community Center and the applicant must be either the owner of record or has the permission of the owner of record to operate the proposed outdoor recreational or entertainment services facility.

C. The facility occupies no more than 10 percent of the zone lot on which it is located.

D. Adequate off-street parking is provided by the Community Center to support the needs of the outdoor recreational or entertainment services facility.

E. No other such outdoor recreational or entertainment services facility on a different zone lot is located within 500 feet of the proposed use.

F. The hours of operation shall be 8:00 a.m. to one-half hour after sunset.

G. The facility shall be operated and controlled in such a manner to prevent unauthorized use of the facility outside of the permitted hours of operation.

H. Signs visible from the public rights-of-way are limited to no more than 3 signs providing directional or cautionary information not exceeding 4 square feet per sign in area and not more than 6 feet in height above grade.

11.3.3.4 All Residential Zone Districts and on Zone Lots Abutting Residential Zone Districts
In all Residential Zone Districts, where a Community Center is permitted with limitations, and where the subject zone lot abuts a Residential Zone District, all outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier.

SECTION 11.3.4    DAY CARE CENTER

11.3.4.1 All SU and TU Zone Districts
In all SU and TU Zone Districts, where permitted with limitations:

A. The Day Care Center shall be located either:
   1. In an existing structure originally designed for a nonresidential use and not for residential occupancy and operated by and used as a place for religious assembly; or
   2. Within an existing nonresidential structure originally designed for a nonresidential use and not for residential occupancy; or
   3. Within a structure used or formerly used as an elementary and/or secondary school meeting all the requirements of the compulsory education laws of the state.

B. Daily operations of the center shall terminate by no later than 10:00 p.m.
SECTION 11.3.5  PUBLIC SAFETY FACILITY

11.3.5.1 All Residential Zone Districts
In all Residential Zone Districts, where permitted with limitations, an ambulance service use may be established only if located in the same building with a police or fire station.

CULTURAL/SPECIAL PURPOSE/PUBLIC PARK & OPEN SPACE USE CATEGORY

SECTION 11.3.6  CEMETERY

11.3.6.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, cemeteries are allowed subject to compliance with the following limitations:

A. A cemetery may include a crematorium. Any such crematorium shall be a minimum of 500 feet from a Residential Zone District.

B. Cemetery use shall be limited to columbariums only.

11.3.6.2 OS Zone Districts
In the OS-B Zone District, where permitted with limitations, a cemetery may include a crematorium. Any such crematorium shall be a minimum of 500 feet from a Residential Zone District.

SECTION 11.3.7  CULTURAL/SPECIAL PURPOSE/PUBLIC PARKS & OPEN SPACE USES

11.3.7.1 OS-B Zone District
In the OS-B Zone District, where permitted with limitations, all permitted cultural/special purpose/public parks and open space uses shall comply with the following limitations:

A. Permitted accessory uses and structures are limited to:

1. Swimming pools and customary associated buildings;
2. Tennis, basketball, or other similar playing courts;
3. Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;
4. Playground or picnic shelters/areas; and
5. Water features and public art.

B. All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10:00 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.

C. No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District.

D. Any other type of accessory structure or use may be allowed only if the Zoning Administrator finds the proposed structure or use meets the general criteria for Accessory Uses stated in Section 11.7, Accessory Use Limitations and finds that the proposed structure or use will not adversely affect properties adjoining the OS-B Zone District. See Section 12.4.6, Code Interpretations and Determination of Uses, for the applicable procedure to determine unlisted uses.
**EDUCATION USE CATEGORY**

**SECTION 11.3.8 ELEMENTARY OR SECONDARY SCHOOL, UNIVERSITY OR COLLEGE, VOCATIONAL OR PROFESSIONAL SCHOOL**

**11.3.8.1 All Zone Districts**
In all Zone Districts, where permitted with limitations:

A. An Elementary or Secondary School, University or College, or Vocational or Professional School shall comply with the following limitations:

1. Permanent outdoor storage is prohibited.
2. Residential accommodations or student housing as an accessory use is prohibited in all Zone Districts except in a MU Zone District or a Mixed Use Commercial Zone District.

**11.3.8.2 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts**
In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts, where permitted with limitations:

A. Classes or other school activities in a Vocational or Professional School shall terminate by no later than 11:00 p.m.

B. Repair as a commercial service or the commercial sale of repaired machinery or appliances is prohibited as part of a Vocational or Professional School use.

**SECTION 11.3.9 UNIVERSITY OR COLLEGE**

**11.3.9.1 All Residential Zone Districts**
In all Residential Zone Districts, where permitted with limitations, a University or College use shall be limited to those that include residential accommodations for at least 20 percent of its student body or 50 students, whichever is less.

**PUBLIC AND RELIGIOUS ASSEMBLY USE CATEGORY**

**SECTION 11.3.10 PUBLIC OR RELIGIOUS ASSEMBLY, ALL TYPES**

**11.3.10.1 All Residential Zone Districts; All MX-2x, MS-2x Zone Districts**
In all Residential Zone Districts and in all MX-2x, MS-2x Zone Districts, where Public or Religious Assembly uses are permitted with limitations, the following operations shall be terminated by 11:00 p.m.:

A. Daily operations of uses and activities accessory to a primary Public or Religious Assembly use, including but not limited to accessory recreation uses or activities; and

B. Daily operations of other primary uses located on the same zone lot as the Public or Religious Assembly use, including but not limited to Day Care Centers or Elementary or Secondary Schools, but not including a primary household living use located on the same zone lot.

**11.3.10.2 All SU, TU, TH, RH Zone Districts**
In all SU, TU, TH, RH Zone Districts, where permitted with limitations, Club or Lodge use is prohibited.

**11.3.10.3 All SU, TU, TH, RH, MU, RO Zone Districts**
In all SU, TU, TH, RH, MU, RO Zone Districts, where permitted with limitations, Conference Center use is prohibited.
DIVISION 11.4  COMMERCIAL SALES, SERVICE AND REPAIR
PRIMARY 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 uses within the Commercial Sales, Service, and Repair Primary Use Classification across multiple Zone Districts and neighborhood contexts.

ARTS, ENTERTAINMENT AND RECREATION USE CATEGORY

SECTION 11.4.1  ARTS, ENTERTAINMENT AND RECREATION USES

11.4.1.1 OS-B Zone District
In the OS-B Zone District, where permitted with limitations, all permitted arts, entertainment and recreation uses shall comply with the following limitations:

A. Permitted accessory uses and structures are limited to:
   1. Swimming pools and customary associated buildings;
   2. Tennis, basketball, or other similar playing court;
   3. Buildings or structures intended to house management or maintenance offices, or maintenance or other equipment and supplies related to permitted open space and recreational use;
   4. Playground or picnic shelters/areas; and
   5. Water features and public art.

B. All outdoor lighting shall be extinguished when outdoor facilities are not in use or by 10 p.m. on Sundays through Thursdays or 11 p.m. on Fridays and Saturdays, whichever is earlier.

C. No portion of any recreation facility that is not in a completely enclosed structure (e.g., basketball or racquet sport courts) shall be located nearer than 50 feet from the boundary of a Single Unit (SU) or Two Unit (TU) Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.

SECTION 11.4.2  ARTS, RECREATION AND ENTERTAINMENT SERVICES, IN-DOOR

11.4.2.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts
In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts, where permitted with limitations, seating capacity in a permitted Arts, Entertainment and Recreation, Indoor use shall be limited to no more than 100 persons.

11.4.2.2 G-RO Zone District
In the G-RO Zone District, where permitted with limitations, Arts, Recreation and Entertainment Services, Indoor, uses are limited to the following specific use types (as defined in Section 11.1.2.4.2.B, Specific Arts, Entertainment & Recreation Use Types and Definitions):

A. Art Gallery;
B. Artist Studio;
C. Professional Studio; and
D. Personal Instruction Studios.
SECTION 11.4.3 ARTS, RECREATION AND ENTERTAINMENT SERVICES, OUTDOOR

11.4.3.1 All Zone Districts
   In all Zone Districts, where permitted with limitations:
   
   A. If the Arts, Recreation and Entertainment Services, Outdoor use is located within 200 feet of a Residential Zone District, outdoor public address systems and all types of amplified music or sound devices are prohibited.
   B. A racquet/swim club type of outdoor recreation service use shall comply with the following additional standards:
      1. All outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier; and
      2. No portion of any court or swimming pool that is not in a completely enclosed structure shall be located nearer than 50 feet from the boundary of a SU or TU Zone District.
      3. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.

SECTION 11.4.4 SPORTS AND/or ENTERTAINMENT ARENA OR STADIUM

11.4.4.1 I-MX, I-A, I-B, and All OS Zone Districts
   In the I-MX, I-A, I-B, and all OS Zone Districts, where permitted with limitations, sports and/or Entertainment Arena or Stadium uses shall comply with the following limitations:
   
   A. All sports and/or entertainment arena or stadium uses shall be a minimum of 500 feet from a Residential Zone District. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9.
   B. The minimum spacing requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONE DISTRICTS USE CATEGORY

SECTION 11.4.5 NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONES

11.4.5.1 Limited Nonresidential Uses Permitted
   In all Residential Zone Districts, where permitted with limitations:
   
   A. Primary nonresidential and accessory uses permitted in the MS-2x Zone District in the same neighborhood context as the subject property (e.g., U-MS-2x) may be operated in an existing business structure. If there is no MS-2x Zone District in the same neighborhood context, the primary and accessory uses established by the U-MS-2x Zone District shall apply.
   B. Any use established according to this Section shall comply with the limitations and use review procedure applicable to such use indicated in the Use and Parking Table for the subject MS-2x Zone District.
11.4.5.2 Existing Business Structures Only
The primary nonresidential uses permitted under this Section shall be permitted only within an existing structure meeting all of the following conditions:

A. The applicant is the owner of the subject structure.
B. The subject structure was legally erected.
C. The applicant proves by a preponderance of evidence that the subject structure is a “business structure.” For purposes of this Section, “business structure” shall mean the subject structure was originally designed and constructed for a primary business use and occupancy, and not for residential occupancy. “Primary business use and occupancy” means any use permitted in the U-MS-2x zone district that falls within one of the following primary use classifications as defined in this Code:
   1. Commercial sales, service and repair primary use classification;
   2. Industrial, manufacturing and wholesale primary use classification; or
   3. Agricultural primary use classification.

11.4.5.3 Limitations
A nonresidential use proposed under this Section shall comply with the following limitations:

A. All uses in the structure involved shall comply with the limitations on external effects applicable to uses in the zone district in which the structure is located.
B. All uses operated in the structure involved shall comply with Division 10.4, Parking and Loading, for each such use in the MS-2x zone district; provided, however, that upon proof that full compliance could not be achieved, the Zoning Administrator may waive so much of those requirements as are impossible of fulfillment according Section 12.4.5, Administrative Adjustment.
C. All uses permitted in the structure shall comply with limitations on permitted signs applicable to uses in the MS-2x district.

11.4.5.4 Modifications to the Business Structure
The business structure in which a nonresidential use is permitted under this Section shall be occupied, operated, and maintained in a state of good repair. Modifications, alterations, and expansions of the subject business structure shall comply with the following limitations:

A. Modifications and alterations are permitted that do not change, alter, move, or remove an exterior load-bearing portion of the structure, except for minor alterations of exterior walls to replace or add new windows or doors. Modifications, alterations, or expansions that increase the gross floor area of the existing business structure are prohibited.

For example: (1) Permitted Modifications: Replacement of windows, repairs to an existing roof, or non-structural facade improvements. (2) Prohibited Modifications: Removal of an exterior, load-bearing wall, partial or complete demolition of the structure’s roof framing, adding a new floor or adding additional ground-story floor area, or raising or modifying the existing roof line.

B. For any modifications to the structure that require landmark approval, the modification shall be reviewed and approved by the Landmark Preservation Commission before submittal for zoning approval.
11.4.5.5 Effect of Approval

A. The permit for a nonresidential use approved according to this Section 11.4.35 shall automatically expire at such time as the applicant specified in the permit no longer owns or operates the nonresidential use at the subject property.

B. A zoning permit allowing a nonresidential use under this Section 11.4.35 may be rescinded according to Section 12.11.6, Enforcement Powers, Penalties and Remedies, upon a finding that the structure involved is obsolete or substandard under any applicable ordinance of the City to the extent that the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date of such finding.

PARKING OF VEHICLES USE CATEGORY

SECTION 11.4.6 PARKING, GARAGE

11.4.6.1 D-C and D-TD Zone Districts
In the D-C and D-TD Zone Districts, where permitted with limitations, Garage Parking use is permitted provided it meets at least one of the following conditions:

A. The use was operated in a structure before October 10, 1994; or

B. The use is operated in a structure constructed or converted from other uses after October 10, 1994, that:
   1. Was constructed or converted by or on behalf of a public entity to serve the general public; or
   2. Serves only buildings that do not contain office uses; or
   3. Serves 1 or more buildings that contain office uses and does not contain more than 2 parking space per 1,000 gross square feet of office space in the building or buildings served by the structure. Parking spaces restricted for use by non-office uses within the building or buildings served by the parking structure shall be exempt from such parking ratio restriction.

11.4.6.2 D-GT and D-AS Zone Districts
In the D-GT and D-AS Zone Districts, where permitted with limitations:

A. Garage Parking is limited to enclosed structures, or structures that are enclosed except for portions of the parking structure over 45 feet above grade, provided that any unenclosed parking deck must have screening walls at least 4 feet in height, and further provided that all lighting on the unenclosed parking deck shall be provided with fully shielded fixtures, none of which exceed 6,500 lumens per fixture and which are designed and installed so that they do not project glare off of the zone lot.

B. Zoning permit review is required according to Section 12.4.2, Zoning Permit Review with Informational Notice, if the parking use is unenclosed and does not meet the criteria of Paragraph A above.

SECTION 11.4.7 PARKING, SURFACE

11.4.7.1 All TU, TH, RH, MU, RO Residential Zone Districts
In all TU, TH, RH, MU, RO Residential Zone Districts, where permitted with limitations, Surface Parking of vehicles as a primary use of land is permitted only to serve a permitted Civic, Public and Institutional Use in the Zone District. Commercial Surface Parking lots are prohibited.
11.4.7.2 D-C and D-TD Zone Districts
In the D-C and D-TD Zone Districts, where permitted with limitations:

A. Surface Parking lots are permitted only if such use was in existence before May 25, 1990, and has been in continuous use as a parking lot since that date, provided, however, that a temporary use properly permitted under the provisions of this Article 11 shall not destroy the continuity of use; or

B. The Surface Parking lot received a use permit between May 25, 1990, and October 10, 1994, and has been in continuous use as a parking lot since the date of such permit, provided, however, that a temporary use properly permitted under the provisions of Article 11 shall not destroy the continuity of use, and complies with all specifications for use and maintenance contained in Ordinance 140, series of 1986 and Ordinance 270, series of 1990; or

C. Began operation after October 10, 1994, and meets the following conditions:
   1. Such use shall not be located within the area bounded by 14th Street, Colfax Avenue, Broadway Street, 18th Street, and the Larimer Street-Market Street alley; and
   2. Such use shall not be located where necessary curb cuts will interfere with pedestrian activity on Larimer Street, Curtis Street, Cleveland Place, or on any street frontage facing a light rail line.

11.4.7.3 D-GT Zone District
In the D-GT Zone District, where permitted with limitations, Surface Parking lots constructed after July 1, 1994, and not required to meet the requirements of this Subsection's requirements shall be permitted according to Section 12.4.2, Zoning Permit Review with Informational Notice, and shall only be approved provided that the following limitations are met:

A. Such parking lot shall serve a specific, identified business or residential facility that is a permitted use then permitted and operating in the D-GT district.

B. Any parking lot that is not located on the same zone lot as the use it serves, and that provides amounts of parking beyond those required to meet the minimum parking requirements for such use according to this Article 11 and Division 10.4, Parking and Loading:
   1. Shall have some portion of such parking lot located within 200 feet of the zone lot containing the use it serves; and
   2. Shall not offer parking to the public in return for a fee; and
   3. Shall include signage stating that parking is available only for the specific, identified business or residential facility that it serves and that public parking is not permitted.

11.4.7.4 CMP-H and CMP-EI Zone Districts
In the Campus Hospital CMP-H and CMP-EI Zone Districts, where permitted with limitations:

A. Surface parking of vehicles is permitted only to serve a use permitted in the district.

B. Commercial Surface Parking lots are prohibited.

Eating and Drinking Establishments Use Category

SECTION 11.4.8 EATING AND DRINKING ESTABLISHMENTS, ALL TYPES

11.4.8.1 All MX-2x, -2A, -2; MS-2x, -2 Districts
In all MX-2x, -2A, -2; MS-2x, -2 Zone Districts abutting a SU or TU Zone District, where permitted with limitations:
A. Lighted signage for an Eating and Drinking Establishment shall be turned off during non-operating hours.

B. All outdoor lighting for an Eating and Drinking Establishment shall be provided with full cut-off fixtures.

11.4.8.2 All MX-2x, MS-2x Zone Districts
In all MX-2x, MS-2x Zd districts, where permitted with limitations, in addition to compliance with the use limitations in this Section 11.4.6, if the eating and drinking establishment is less than 100 feet from the boundary of any Protected District, all business activities open to the public shall cease by 10:00 p.m., except on Friday and Saturday nights when all business activities open to the public shall cease by 11:00 p.m.

**Office Use Category**

**SECTION 11.4.9 Dental/Medical Office or Clinic**

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

11.4.9.2 All Zone Districts (Except RO, RX, MX-2x, MS-2x, I-B Zone Districts)
In all Zd districts, where permitted with limitations:

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

B. In the RO, RX, MX-2x, MS-2x and I-B Zd districts, overnight patient or client stays are prohibited.

**Retail Sales, Service and Repair Use Category**

**SECTION 11.4.10 Retail Sales, Service and Repair, All Specific Use Types**

11.4.10.1 All MX-2x, -2A, -2; MS-2x, -2 Zone Districts
In all MX-2x, -2A, -2; and MS-2x, -2 Zd districts, where permitted with limitations:

A. Lighted signage shall be turned off during non-operating hours.

B. All outdoor lighting shall be provided with full cut-off fixtures.

11.4.10.2 I-B Industrial Zone District
In the I-B Industrial Zd district, where permitted with limitations

A. Retail Sales are permitted only if:

1. The commodity sold is manufactured, processed, or fabricated on the site; or

2. The commodity sold is not manufactured, processed, or fabricated on the site, but is warehoused on the site. Such retail sales use is limited to a maximum of 20 percent of the gross floor area of the warehouse; or
3. The Retail Sales use or uses is a minimum of 20,000 square feet GFA in any single primary structure on a zone lot and complies with the following limitations:
   a. The primary structure(s) containing the proposed Retail Sales use shall be located a minimum of 500 feet from any Residential Zone District, and vehicle traffic generated by the proposed Retail Sales use shall not create adverse impacts on nearby residential access streets.
   b. The Retail Sales use shall comply with the following parking standard instead of the minimum parking required in the Use and Parking Table in Article 9:
      i. The use shall provide a minimum of 1 parking space for each 600 square feet of Gross Floor Area.
      ii. The Zoning Administrator may reduce the required parking to 1 space per 1,200 square feet upon finding that characteristics of the proposed Retail Sales use justify a reduction in the parking requirement.
   c. No Liquor Store, including drugstores licensed to sell liquor, not existing or operating on August 31, 1997, shall be established, operated, or maintained within 1,000 feet of another Liquor Store or drugstore licensed to sell package liquors.
   d. No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on July 31, 2000, shall be established, operated, or maintained within 1,000 feet of a Community Corrections Facility.

B. Retail Repair Services are limited to the following:
   1. Repair of any commodity manufactured, processed, fabricated, stored or sold in the I-B Zone District;
   2. Vehicle body shop;
   3. Upholstery or top shop;
   4. Paint shop;
   5. Refrigeration and air conditioning service and repair; or
   6. Disinfecting and pest control service.

SECTION 11.4.11 ANIMAL SERVICES AND SALES, HOUSEHOLD PETS ONLY

11.4.11.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. All sales and services shall be for household pets only. Wild or dangerous animal services and sales are prohibited.

B. Overnight boarding is permitted within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales, shall have no more than 15 percent of their gross floor area devoted to overnight boarding.

C. The use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter “outdoor run”) are permitted subject to compliance with the following conditions:
   1. Outdoor runs, including the addition, expansion, or relocation of an existing outdoor run, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
2. Outdoor runs shall not be permitted within 20 feet of a habitable residential structure on a zone lot in a SU, TU, TH, or RH zone D district.

3. The outdoor run may operate only between the hours of 6:30 a.m. and 9:00 p.m.

4. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.

D. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other zone lots provided, however, that existing facilities may continue to be maintained and operated as previously permitted.

SECTION 11.4.12 ANIMAL SERVICES AND SALES, ALL OTHERS

11.4.12.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B zone D districts, where permitted with limitations:

A. Wild or dangerous animal boarding and breeding services are prohibited.

B. No more than 25 non-neutered or non-spayed dogs over the age of 6 months may be kept on the premises at any time.

C. Overnight accommodations are allowed.

D. Where located abutting a Residential Zone District, a minimum 50 foot wide landscaped buffer shall be provided, as approved by the Zoning Administrator. Such buffer is intended to substantially mitigate potential adverse effects from the animal service use, including but not limited to noise and odor.

SECTION 11.4.13 BODY ART ESTABLISHMENT

11.4.13.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. No more than 2 Body Art Establishments shall be established, operated, or maintained within 1,000 feet of each other.

B. Body art establishments shall not be established, operated, or maintained within 1,000 feet of any of the following uses:

1. Adult Amusement or Entertainment on payment of a fee or admission charge;
2. Adult Bookstore;
3. Adult Photo Studio;
4. Adult theater.
5. Amusement Center; or
6. Eating & Drinking Establishment with adult amusement or entertainment.

SECTION 11.4.14 FOOD SALES OR MARKET

11.4.14.1 All RX Zone Districts
In all RX zone D districts, where permitted with limitations:

A. Accessory outdoor sales and displays, including outdoor sales of fruits or vegetables, shall occupy no greater than ¼ the gross floor area of the structure containing the Food Sales or Market primary use.
B. Outdoor storage is prohibited, unless enclosed by a fence or wall adequate to conceal such storage from adjacent residential property or public right-of-way.

SECTION 11.4.15 LIQUOR STORE, INCLUDING DRUGSTORES LICENSED TO SELL LIQUOR

11.4.15.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on August 31, 1997, shall be established, operated, or maintained within 1,000 feet of another Liquor Store or drugstore licensed to sell package liquors.

B. No Liquor Store or drugstore licensed to sell package liquors, not existing or operating on July 31, 2000, shall be established, operated, or maintained within 1,000 feet of a community corrections facility.

C. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.

SECTION 11.4.16 PAWN SHOP

11.4.16.1 All Zone Districts
In all Zone Districts where permitted with limitations:

A. No Pawn Shop establishment shall be established, operated, or maintained within 1,000 feet of another Pawn Shop establishment.

B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.

SECTION 11.4.17 RETAIL SALES, SERVICES AND REPAIR, OUTDOOR

11.4.17.1 All Mixed Use Commercial Zone Districts
In all Mixed Use Commercial Zone Districts where permitted with limitations; Outdoor Retail Sales only are permitted, and Outdoor Retail Repair or Service uses are prohibited.

11.4.17.2 Industrial Zone Districts
In the Industrial Zone Districts, where permitted with limitations:

A. All Outdoor Retail Repair and Service uses located within 500 feet of a Residential Zone District or Mixed Use Commercial Zone District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.9, Measurement of Separation or Distance.

VEHICLE / EQUIPMENT SALES, RENTALS, SERVICE AND REPAIR USE CATEGORY

SECTION 11.4.18 AUTOMOBILE EMISSIONS INSPECTION FACILITY

11.4.18.1 All MX-2A, -2; MS-2; Downtown Neighborhood Context Zone Districts
In all MX-2A, -2; MS-2; and Downtown Neighborhood Context Zone Districts, where permitted with limitations, all Automobile Emissions Inspection Facility uses shall be totally enclosed with no outdoor displays, sales, or storage.
SECTION 11.4.19 AUTOMOBILE SERVICES, LIGHT OR HEAVY

11.4.19.1 All RX Zone Districts
In all RX zone districts, where permitted with limitations,
A. All Automobile Services uses, including the sale of automotive fuel and associated fuel pumps, shall be completely enclosed.

11.4.19.2 All MX-2A, -2; MS-2 Zone Districts
In all MX-2, -2A; MS-2 zone districts, where permitted with limitations, automobile wash, laundry, detail or polishing shops (a specific type of Automobile Services, Light use) are prohibited.

11.4.19.3 All C-CCN Zone Districts and D-AS-12+ and D-AS-20+ Districts
In all C-CCN and D-AS-12+ and D-AS-20+ zone districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.19.4:

A. Intent
Improve the pedestrian experience in important mixed-use districts through Street Level active uses. While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that substantially contribute to the activation, economic vitality, and safety of vibrant mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for Street Level active uses

B. Limitations
1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.

2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

See also C-CCN zone district use limitations related to ground-story Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces and Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.

4. Accessory trailer rental is prohibited.

5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.

6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
   a. On any story above or below the Street Level, and/or
b. On the Street Level, but only if 100% of the building’s street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

11.4.19.4 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. Outdoor public address or loudspeaker systems are prohibited.

B. Rental or sale of motor vehicles is prohibited, unless otherwise permitted as a primary use in the subject Zone District.

C. Fuel pumps and permitted accessory trailer storage need not be enclosed, except in a RX Zone District.

D. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.

E. Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks or public park strips.

F. The use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles; outdoor lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic.

G. All outdoor lighting shall be provided with full cut-off fixtures. The use shall extinguish all outdoor lighting that is not fully shielded at close of business or 11:00 p.m., whichever is earlier.

H. Trailer rentals are permitted as an accessory use subject to the following limitations:
   1. One trailer is permitted on the zone lot for each 4,000 square feet of land area in the zone lot, not, however, exceeding 5 trailers at any one time; and
   2. Each trailer shall not exceed 8 feet in height, length and width.

I. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the accessory use standards in Division 11.7, Accessory Use Limitations, and in Division 11.10, Uses Accessory to Nonresidential Uses - Limitations.

J. An automobile services use may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles as regulated by the Denver Fire Code. Any above-ground fuel tanks shall be located a minimum of 1,000 feet from a protected use, as “protected use” is defined by the Denver Fire Code.

SECTION 11.4.20 AUTOMOBILE SERVICES, LIGHT

11.4.20.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. Automobile wash, laundry, detail or polishing shops are permitted as a type of Automobile Service, Light, use, subject to compliance with the following standards:
   1. An automobile wash, laundry, detail or polishing shop shall be sited on a zone lot and constructed, operated, and maintained in compliance with the building form standards stated in the applicable Zone District.
2. The structure housing the primary use shall be setback a minimum 8 feet from any abutting Residential Zone District.

3. Adequate landscaping and solid fencing shall be installed to control the effects of noise where such bay is located adjacent to a residential use or a Residential Zone District.

4. If the zone lot containing the use abuts a SU or TU Z zone D district, the hours of operation shall be limited to the time period between 7:00 a.m. and 10:00 p.m.

5. The use shall provide, in addition to any other required off-street parking, sufficient hard-surfaced and dust-free space on the same zone lot to accommodate at least 3 vehicles waiting to be washed for each washing stall.

SECTION 11.4.21 AUTOMOBILE SERVICES, HEAVY

11.4.21.1 All Zone Districts
In all Z zone D districts, where permitted with limitations, review is required according to Section 12.4.9, Zoning Permit with Special Exception Review, for facilities that involve an environmental hazard as determined by the Denver Fire Code, including but not limited to the following:

A. Vehicle body shop,
B. Upholstery or top shop, and
C. Paint shop.

11.4.21.2 All CC, MS; I-MX, I-A; M-IMX Zone Districts
In all CC, MS; I-MX, I-A; and M-IMX Z zone D districts, where permitted with limitations:

A. The zone lot for all automobile services, heavy, uses shall be enclosed with a solid fence or wall except for the following excluded areas:
   1. The Primary Street frontage of the zone lot directly in front of the Primary Street facing building wall or a Primary Street facing entrance of the primary structure, and in no case shall such fence or wall be required along more than 40 percent of the length of the Primary Street frontage of the zone lot described in this Section 11.4.21.2;
   2. The Primary Street frontage of the zone lot directly in front of an automobile retail display area; or
   3. Any portion of a zone lot line containing a building wall.

B. Such fence or wall shall be constructed to a height adequate to conceal any vehicles, equipment, or parts located on the zone lot; provided, the height and location of such wall or fence shall not interfere with clear sight at the intersection with a right-of-way and complies with the Denver Building and Fire Code.

C. Permitted fence or wall materials shall consist of wood, brick, masonry or other similar durable materials as approved by the Zoning Administrator

D. Prohibited fence or wall materials include salvaged doors and corrugated or sheet metal.

SECTION 11.4.22 AUTOMOBILE / MOTORCYCLE, LIGHT TRUCK SALES, RENTAL AND/OR LEASING; PAWN LOT OR VEHICLE AUCTIONEER

11.4.22.1 All Downtown Neighborhood Context Zone Districts and All C-CCN Zone Districts
In all Downtown Neighborhood Context Z zone D districts and in all C-CCN Z zone D districts, where permitted with limitations:
A. The use shall be operated in a Completely Enclosed Structure with no outdoor displays, sales, or storage.

B. Automobile pawn lots are prohibited.

11.4.22.2 All RX and MS Zone Districts
In all RX and MS _zone_D districts, where permitted by limitations, all Automobile / Motorcycle, Light Truck Sales, Rental and/or Leasing uses and all Pawn Lot or Vehicle Auctioneer uses shall be operated in a Completely Enclosed Structure, with no outdoor displays, sales, or storage.

11.4.22.3 All Zone Districts
In all _zone_D districts, where permitted with limitations:

A. Outdoor public address or loudspeaker systems are prohibited.

B. Accessory uses and activities may include the retail sale of vehicle accessories, oil, grease, antifreeze, tires and batteries, and other similar products; and provision of services to the extent of installing the foregoing items, making minor mechanical adjustment, washing and polishing vehicles.

C. The facility shall not include Heavy Automobile Service uses, either as an accessory or primary use, unless otherwise permitted as a primary use in the subject _zone_D district.

D. Adjoining Residential Zone Districts shall be protected from the external effects of permitted outdoor vehicle or equipment display or storage areas by the establishment of landscaped buffers or an opaque fence or wall at least 5 feet high, by the location of landscaped employee or public parking areas, or by other means to achieve the same protection purpose.

E. Vehicles being displayed, serviced or stored shall not be parked on streets, alleys, public sidewalks or public park strips.

F. As permitted, vehicles displayed outside a Completely Enclosed Structure may have individual signs and, when provided, such signs shall be located only inside such vehicles.

G. For facilities engaged only in the rental of automobiles, the land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space.

SECTION 11.4.23 HEAVY VEHICLE / EQUIPMENT SALES, RENTALS, AND SERVICES

11.4.23.1 All I-MX, I-A; M-IMX Zone Districts
In all I-MX, I-A; and M-IMX, _zone_D districts, where permitted with limitations:

A. Heavy Vehicle / Equipment Sales, Rentals and Services uses shall be located 500 feet or more from the nearest boundary of any Residential Zone District existing at the time of application for the use.

B. This 500 foot spacing requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

11.4.23.2 I-B Zone District
In the I-B _zone_D district, aircraft maintenance and repair shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design,
DIVISION 11.5 INDUSTRIAL, MANUFACTURING AND WHOLESALE PRIMARY 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 uses within the Industrial, Manufacturing and Whole Primary Use Classification across multiple Zone Districts and neighborhood contexts.

COMMUNICATIONS AND INFORMATION USE CATEGORY

SECTION 11.5.1 COMMUNICATION SERVICES

11.5.1.1 All RX, CC, MX, MS Zone Districts

In all RX, CC, MX, MS Zone Districts, where permitted with limitations, where the permitted maximum building height in the Zone District is 3 stories or less, a transmitter shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

11.5.1.2 All Downtown Neighborhood Context Zone Districts

In all Downtown Neighborhood Context Zone Districts, where permitted with limitations, this use is limited to radio and television broadcasting, including transmitter.

SECTION 11.5.2 TELECOMMUNICATIONS TOWERS; TELECOMMUNICATIONS TOWER - ALTERNATIVE STRUCTURE; TELECOMMUNICATION FACILITIES - ALL OTHERS

11.5.2.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

A. Intent

The intent of this Section 11.5.2 is to establish regulations for telecommunications facilities to achieve the following goals:

1. To protect residential areas and lands by minimizing adverse impacts of towers;
2. To encourage the location of towers in nonresidential Zone Districts;
3. To minimize the total number of towers in the community;
4. To encourage the joint use of new and existing tower locations;
5. To ensure that towers are located in areas that minimize adverse impacts;
6. To ensure towers and antennas are configured in a way that minimizes adverse visual impacts by careful design, appropriate siting, landscape screening, and innovative camouflaging techniques;
7. To enhance the ability to provide telecommunications services to the community quickly, effectively and efficiently;
8. To consider public health and safety of telecommunications facilities;
9. To avoid damage to adjacent properties from tower failure through careful engineering and locating of tower structures;
10. To encourage the attachment of antennas to existing structures; and
11. To facilitate the provision of telecommunications services throughout the city.
B. Applicability and Exceptions
These regulations shall apply to all towers and antennas as defined, except:

1. Any tower, or antenna, not more than 70 feet in height, owned and operated by a federally licensed amateur radio station operator or used exclusively as a receive only facility.

2. High tension electric transmission or distribution line support towers used as mounts for antennas not more than 12 feet in height above the highest point of the said tower shall be permitted in all Zone D districts and are exempt from the separation requirements contained in this section. However, the requirements in Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities, shall apply.

3. Alternative Tower Structure Exception
Alternative tower structures not more than 50 feet in height shall be permitted in all Zone D districts subject to:
   a. Section 11.5.2.1.A, Intent;
   b. Section 11.5.2.1.C.7, Design Review;
   c. The setback requirements for like structures in the Zone D district; and
   d. Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities.
   e. If such an alternative tower structure is in, or, as measured from the base of the tower to the nearest part of the Zone D district, within 200 feet of a Residential Zone District, MX-2x, 2A, 2; or MS-2x, 2 Zone D district, the provisions of Section 12.4.2, Zoning Permit Review with Informational Notice, shall apply.

4. The provisions of this Section 11.5.2.1 shall be of no force and effect in the Open Space Context Zone D districts.

C. General Requirements

1. Not Utilities
Towers, antennas and telecommunications support facilities shall be regulated and permitted pursuant to this Section and shall not be considered utilities.

2. Permitted Uses
Towers, antennas and telecommunication support facilities shall be considered permitted uses and the existence of another structure or use on the same zone lot shall not preclude the installation of towers, antennas and telecommunications support facilities.

3. Towers in Nonresidential Zone Districts
Towers are permitted in nonresidential Zone D districts and shall:
   a. Comply with the regulations contained herein and the Zone D district regulations for permitted structures in the Zone D district in which it is located. The dimensions of the entire zone lot shall apply and not the dimensions of the leased parcel; and
   b. Have a diameter of not more than 48 inches measured at the base of the tower.

4. Antennas
Antennas not attached to a tower and their associated telecommunications support facilities may be located in any Zone D district on:
   a. Any nonresidential structure; or
   b. A multi-unit dwelling structure containing 8 or more dwelling units that is at least 35 feet in height; or
c. A residential structure other than as provided in 4.b. above, provided any antenna is camouflaged or obscured so as to resemble architectural or natural features commonly associated with the site and district where located.

5. **Telecommunications Support Facilities**

Telecommunications support facilities shall comply with Section 11.5.2.1.G, Specific Requirements -- Telecommunications Support Facilities.

6. **Abandonment**

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or towers shall remove the same and the accompanying telecommunications support facilities within 90 days of the issue date of the notice to remove the tower or antenna.

7. **Design Review**

a. Antennas, towers, and alternative tower structures, their associated antennas and arrays and telecommunications support facilities shall be subject to design review and approval. Applicants may submit their designs for pre-approval subject to the same procedures outlined herein.

b. Designs for antennas, towers, alternative tower structures, their associated antennas and arrays and telecommunications support facilities shall be submitted to the Zoning Administrator for design review.

c. Upon submission of a complete application for design review, the Zoning Administrator shall establish a schedule for processing the application. Design review shall be completed within 30 days of the date designated in the schedule, except that the review period may be extended by an amount of time equal to any delay caused by the applicant or agreed to by the applicant.

d. In reviewing the design of towers, the goals and requirements set forth in this Section 11.5.2.1 shall be considered. Within 7 days after completion of the design review, the Zoning Administrator shall approve, approve with conditions or deny the application.

e. A reasonable design review fee shall be assessed at the time of submittal.

D. **Specific Requirements -- All Towers, Antennas and Telecommunications Support Facilities**

The following standards shall apply to all towers, antennas, and telecommunications support facilities, excluding alternative tower structures not more than 50 feet in height:

1. The design of towers, antennas, and telecommunications support facilities shall use materials, colors, textures, screening, and landscaping that create compatibility with the natural setting and surrounding structures;

2. Signs shall be limited to those signs required for cautionary or advisory purposes only;

3. The mass of antennas or an antenna on a tower shall not exceed 450 cubic feet per user, with no one dimension exceeding 14 feet per user. The mass shall be determined by the appropriate volumetric calculations using the smallest regular rectilinear, cuboidal, conical, cylindrical or pyramidal geometric shapes encompassing the entire perimeters of the array.

E. **Specific Requirements -- Towers**

The following standards shall apply to all towers, excluding alternative tower structures not more than 50 feet in height (see Section 11.5.2.1.B.3, Applicability).

1. **Setbacks**

The minimum district setback requirements shall apply to all towers.
2. **Height**
The height and bulk of the tower shall be controlled by the district regulations of the zone in which the tower is located but in no case shall it exceed the following maximum heights, measured from the lowest grade within 10 feet of the base of the tower to the highest point of the tower or any antenna attached thereto:

a. Single users: Not more than 75 feet in height;

b. Two or more users: Not more than 90 feet in height.

3. **Color**
Towers shall be finished in a neutral color to reduce visual obtrusiveness, subject to any applicable standards of the FAA.

4. **Screening and Landscaping**
If the tower is within 200 feet of a Residential Zone District or Mixed Use Commercial Zone District, the installation shall provide screening and landscaping in accordance with the following:

a. Unless the Zoning Administrator finds that alternative screening is appropriate to the character of the zone district and/or landscaping, including existing vegetation, topography or structures, screening shall be provided in one of the following two ways:
   i. Solid view-obscuring landscaping not less than 6 feet in height and landscaped in accordance with the landscaping requirement of Section 11.5.2.1.E.4.b, Screening and Landscaping; or
   ii. A finished masonry wall of similar material and/or finish to the primary structures on the site or adjacent properties, in which case landscaping shall not be required.

b. Except as provided in Section 11.5.2.1.E.4.a. above, landscaping shall be provided in accordance with the following requirements:
   i. The area around the tower shall be landscaped with a buffer of plant materials that effectively screens the view of the tower base from property used for residences. The standard buffer shall consist of a landscaped strip at least 5 feet wide outside the perimeter of the fence described in Section 11.5.2.1.E.4.a.ii, Screening and Landscaping, and shall be composed of at least 50 percent coniferous or broadleaf evergreens that will reach at least 5 feet in height at maturity, and shall provide for and maintain minimal landscaping on the remainder of the zone lot.
   ii. In locations where the visual impact of the tower would be minimal, or where landscaping would not reduce or alleviate the visual impact of the tower, the landscaping requirement may be reduced or waived.
   iii. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. For towers located on large, wooded lots, natural growth around the property perimeter may be considered a sufficient buffer.

5. **Lighting**
Towers shall not be artificially illuminated unless required by the FAA, other governmental regulation, or as specified in the next two sentences. Towers that are used as flagpoles may be lit at night if they are flying the national flag. Ground level security lighting not more than 20 feet in height may be permitted if it does not project glare onto other properties and is designed to minimize impacts on adjacent properties.

6. **Separation Requirements**
The following separation requirements shall apply to all towers:
a. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 1, except as otherwise provided in Table 1. If the requested separation distance is greater than or equal to the distance in Table 1, the Zoning Administrator can proceed to process the application hereunder. If the requested separation distance is less than the separation distances provided in Table 1, but more than or equal to 100 feet, the provisions of Section 11.5.2.5, Separation Allowances, shall apply.

**TABLE 1. TOWER SEPARATION FROM CERTAIN USES AND ZONES.**

<table>
<thead>
<tr>
<th>Off-Site Use/Designated Area</th>
<th>Separation Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-unit or two-unit dwellings</td>
<td>500 feet; or 3 times the height whichever is greater</td>
</tr>
<tr>
<td>Vacant platted or unplatted residentially zoned land</td>
<td>500 feet; or 3 times the height whichever is greater</td>
</tr>
<tr>
<td>Existing multi-unit residential units</td>
<td>500 feet; or the height of tower whichever is greater</td>
</tr>
<tr>
<td>City park and open space uses</td>
<td>1,000 feet.</td>
</tr>
<tr>
<td>Nonresidentially zoned lands with nonresidential uses</td>
<td>None; only setbacks apply</td>
</tr>
</tbody>
</table>

b. Separation distances between towers shall be maintained and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the base of the proposed tower, pursuant to a site development plan of the proposed tower. If the requested tower separation distance is greater than or equal to the distance in Table 2, the Zoning Administrator can proceed to process the application hereunder. If the requested tower separation is less than the separation distance as provided in Table 2, but more than or equal to 500 feet, the provisions of Section 11.5.2.5, Separation Allowances, shall apply.

**TABLE 2. MINIMUM SEPARATION BETWEEN TOWERS (IN FEET)**

<table>
<thead>
<tr>
<th>Existing Towers–Types</th>
<th>Lattice</th>
<th>Guyed</th>
<th>Monopole 75 feet in height or greater</th>
<th>Monopole not more than 75 feet in height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lattice</td>
<td>2,500'</td>
<td>2,500'</td>
<td>1,500'</td>
<td>1,000'</td>
</tr>
<tr>
<td>Guyed</td>
<td>2,500'</td>
<td>2,500'</td>
<td>1,500'</td>
<td>1,000'</td>
</tr>
<tr>
<td>Monopole 75 feet in height or greater</td>
<td>1,500'</td>
<td>1,500'</td>
<td>1,500'</td>
<td>1,000'</td>
</tr>
<tr>
<td>Monopole not more than 75 feet in height</td>
<td>1,000'</td>
<td>1,000'</td>
<td>1,000'</td>
<td>1,000'</td>
</tr>
</tbody>
</table>

F. Specific Requirements - Antennas Installed On Structures Other than Towers

The following height and bulk plane standards shall apply to antennas installed on a structure other than a tower:

1. The height and bulk plane of the antenna shall be controlled by the district regulations of the zone district in which it is located, provided that antennas, together with any support structure built to hold, camouflage or conceal them, may extend up to 14 feet beyond the highest point of the building or structure to which attached, provided further that antennas for emergency telecommunication services may extend up to 20 feet beyond the highest point of the building or structure to which attached.

G. Specific Requirements - Telecommunications Support Facilities

1. Telecommunications support facilities may be located on the roof of a building.
G. Every applicant for an antenna shall provide the Zoning Administrator with the information required in Section 11.5.2.2.E, where applicable.

H. The Zoning Administrator may share information, except for the confidential proposed system design, with other applicants applying for administrative approvals or use exceptions under this section or other organizations seeking to locate towers/antennas in the city, except that the Zoning Administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

11.5.2.3 Inventory and Tracking
The Zoning Administrator shall compile a list of towers and maintain and update the same from information furnished by all service providers. The Zoning Administrator shall issue a registration number to be affixed to and displayed on each tower. Reasonable fee as determined by the Zoning Administrator shall be assessed for an initial registration and annual inspections.

11.5.2.4 Collocation
A. Antennas may be attached to an existing tower that is in compliance with all requirements of Section 11.5.2.1, [Limitations Applicable in] All Zone D districts, and the requirements of Section 11.5.2.1.E.6.b, Separation Requirements, and Table 2 therein shall not apply as long as the height of the tower is not increased. The new antenna and any telecommunications support facilities must comply with all applicable regulations in Section 11.5.2.1.D., Specific Requirements - All Towers, Antennas and Telecommunication Support Facilities, and Section 11.5.2.1.E., Specific Requirements - Towers. A tower may be modified or reconstructed to accommodate the collocation of additional antennas under the following conditions:

1. The tower shall be the same type as the existing tower, unless the tower is replaced by a monopole not more than 48 inches in diameter, provided, however that an existing alternative tower structure not over 50 feet in height may only be replaced by another alternative tower structure not over 50 feet in height;

2. An existing tower, to accommodate the collocation of an additional antenna, may be modified or rebuilt only once to a taller height, not to exceed 30 feet more than the tower’s existing height, provided, however that this Section 11.5.2.4.A.2. shall not apply to alternative tower structures not over 50 feet in height;

3. The additional height referred to in this Section 11.5.2.4. shall not require an additional distance separation as set forth in Table 2 of Section 11.5.2.1.E.6.b, Separation Requirements. The tower’s pre-modification height shall be used to calculate distance separations;

4. The existing tower shall comply with the separations from certain uses and zones in Table 1 of Section 11.5.2.1.E.6.a, Separation Requirements.

5. If a tower is replaced to accommodate collocation, only 1 tower may remain on the zone lot; and

6. If a tower is relocated on-site in compliance with all setback requirements, and within a 25 feet radius of its existing location, under the terms and conditions of this section, it shall not be deemed a violation of the separation requirements of Section 11.5.2.1.E.6, Separation Requirements.

B. Antennas may be attached to an existing tower that is not in compliance with all the requirements of Section 11.5.2.1, [Limitations Applicable in] All Zone D districts, and said tower may be rebuilt, reconstructed or modified, provided:

1. The tower as rebuilt, reconstructed or modified is no taller than the existing tower;
6. Such other information as is deemed by the Zoning Administrator to be necessary to render a determination.

D. Notification and Certification Requirements

1. Written Notice Required
   a. Using a notice form supplied by the Zoning Administrator, the applicant shall promptly notify all property owners within 500 feet of the proposed tower and registered neighborhood organizations whose boundaries contain or are within 200 feet of the proposed tower as required in D.R.M.C., Section 12-96.
   b. Such notice shall indicate the boundaries of the property included in the application, shall explain the character and dimensions of the proposed telecommunication tower, the nature and applicable separation distances and shall give directions for submitting written comments. The said notice shall also include notice of a date not less than 30 days after the delivery of the notice which has been set by the Zoning Administrator for consideration of the application and any written comments related thereto and that a public meeting may be requested.
   c. The applicant shall also file a statement with the Zoning Administrator stating how and on what date the applicant has so notified said adjoining property owners and registered neighborhood organizations. The Zoning Administrator may solicit comments from appropriate city agencies.

2. Posting Requirements
   a. In addition to the written notice required above, the applicant shall post the property in a conspicuous location or locations determined by the Zoning Administrator with a sign provided by the Zoning Administrator.
   b. The posted notices shall contain the same information as the written notices and shall be in number, size and location as required by the Zoning Administrator. The property shall remain posted for 20 days.
   c. Such posted notices shall be removed by the applicant within 45 days after their posting, failure to remove such notices in a timely manner shall constitute a violation of this Code.
   d. If the tower is approved by the Zoning Administrator the property shall be posted for a period of 15 days after approval, indicating that the tower has been approved.

E. If No Public Meeting is Requested

If no timely request for a public meeting in accordance with this Section 11.5.2.5 is received, the Zoning Administrator shall consider the written comments of all interested parties and the factors contained in this subsection.

1. Findings Required

The Zoning Administrator may approve or approve with conditions the application providing findings are made that the proposed telecommunication towers will:
   a. Not substantially or permanently injure the appropriate use of adjacent property;
   b. Maintain the separation distances between towers and certain uses contained in Table 1 of Section 11.5.2.1.E.6, Separation Requirements, of at least 100 feet and a distance of at least 500 feet from any other tower if the tower has a diameter or width of less the 48 inches;
   c. Maintain a setback distance of 500 feet from a Residential Zone District or residential structure if the tower has a diameter or width of more than 48 inches; and
   d. Meet all zone district regulations.
Article 11. Use Limitations

Division 11.5 Industrial, Manufacturing and Wholesale Primary Use Limitations

4. **Zoning Administrator’s Decision**
   Within a reasonable time of receiving the recommendation of the committee, the Zoning Administrator shall make a decision according to Section 11.5.2.5.C. If no Public Meeting is Requested, above.

11.5.2.6 Telecommunications Towers In and Adjacent to Residential Zone Districts or within 500 Feet of Another Tower

Subject to Section 12.4.9, Zoning Permit with Special Exception Review, telecommunication towers that are either in or within 100 feet of a Residential Zone District or within 500 feet of another tower, but not including alternative tower structures not more than 50 feet in height, may be permitted subject to compliance with the following standards:

A. The placement of towers and their associated telecommunications support facilities in Residential Zone Districts, within 100 feet of a Residential Zone District, or within 500 feet of another tower, shall be permitted only if the Board of Adjustment finds that the proposed tower is necessary and essential to providing the applicant’s telecommunication service.

B. The Board of Adjustment may place such conditions on the use as will advance the goals contained in Section 11.5.2.1.A, Intent, including but not limited to:
   1. Moving the location of the tower or antenna to a more appropriate available site;
   2. Using a different technology that will lessen the impact of the tower or antenna;
   3. Requiring an appropriate alternative tower structure; or
   4. Other actions that will disguise or otherwise lessen the impact of the tower or antenna.

**INDUSTRIAL SERVICES USE CATEGORY**

SECTION 11.5.3 CONTRACTORS, SPECIAL TRADE, GENERAL

11.5.3.1 All Mixed Use Commercial Zone Districts

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

A. Trucks having a manufacturer’s capacity of more than 2 tons shall not remain on the premises except as necessary to load and discharge contents.

B. Any unenclosed areas permitted shall be provided with:
   1. A fence or wall constructed to a height adequate to conceal any vehicles, equipment or supplies located on the zone lot;
   2. Proper grading for drainage; and
   3. Asphalt, oil or any other dust-free surfacing. These areas shall be maintained in good condition, free of weeds, dust, trash and debris.

11.5.3.2 All Downtown Neighborhood Context Zone Districts

In all Downtown Neighborhood Context Zone Districts, where permitted with limitations, this use shall be operated within a completely enclosed structure.

11.5.3.3 All Industrial Context Zone Districts

In all Industrial Context Zone Districts, where permitted with limitations:

A. The use shall be located at least 500 feet from any Residential Zone District.
B. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

SECTION 11.5.4 CONTRACTOR, SPECIAL TRADE-HEAVY/CONTRACTOR YARD

11.5.4.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, a contractor, special trade/heavy use shall be located at least 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.

SECTION 11.5.5 FOOD PREPARATION AND SALES, COMMERCIAL

A. All Zone Districts
In all zone districts, where permitted with limitations, a Food Preparation and Sales, Commercial use engaged in the production of marijuana-infused products shall be allowed to produce marijuana concentrate through the use of the following extraction processes, provided all of the marijuana concentrate produced shall be incorporated into food products made on site:

1. Water-based extraction;
2. Food-based extraction; or
3. Alcohol- or ethanol-based extraction, but only if the production of marijuana concentrate is done without the application of any heat from a fuel-fired or electrified source and uses no more than 16 ounces of alcohol or ethanol during each extraction process.

SECTION 11.5.6 LABORATORY, RESEARCH, DEVELOPMENT, TECHNOLOGICAL SERVICE

A. All Zone Districts
In all Zone districts, where permitted with limitations, a Laboratory, Research, Development, Technological Service use may include sales facilities limited to non-retail sales and sales activities, which shall occupy no more than 20 percent of the gross floor area of the structure. Such use may include indoor storage space for parts and supplies.

SECTION 11.5.7 SERVICE/REPAIR, COMMERCIAL

11.5.7.1 All CC, MX, MS Zone Districts
In all CC, MX, MS Zone Districts, except in the M-IMX Zone Districts, where permitted with limitations, Commercial Service/Repair uses are limited to building maintenance service uses only. All other Commercial Service/Repair uses are prohibited.

11.5.7.2 All Downtown Context Zone Districts
In all Downtown Context Zone Districts, where permitted with limitations, Service/Repair, Commercial uses are limited to: diaper service, linen supply, laundry, metal sharpening, and mirror silvering.

11.5.7.3 All I-A, I-B; M-IMX Zone Districts
In all I-A, I-B, and M-IMX Zone Districts, where permitted with limitations:

A. Commercial Service/Repair uses are limited only to the following specific types:
1. Repair, rental and servicing of any commodity that is manufactured, processed, fabricated, stored or sold in the zone, and which may involve an environmental hazard as determined by the Denver Fire Code, including but not limited to the following:
   a. Vehicle body shop,
   b. Upholstery or top shop,
   c. Paint shop,
   d. Refrigeration and air conditioning service and repair,
   e. Disinfecting and pest control service.

2. Autoclave;
3. Laundry, dry cleaning, commercial, industrial.

B. All Commercial Service/Repair uses shall be located at least 500 feet from any Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

**Manufacturing and Production Use Category**

**SECTION 11.5.8 MANUFACTURING, FABRICATION, AND ASSEMBLY - CUSTOM**

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

A. On-site manufacturing of malted barley is prohibited.
B. Unenclosed outdoor storage is prohibited.
C. Outdoor tasting, serving, and seating areas are permitted as common and customary accessory uses, provided in all zone districts, except in the I-A Zone district, such areas shall comply with the limitations stated in Section 11.10.12, for Outdoor Eating and Serving Areas Accessory to Eating/Drinking Establishment Use.

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

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

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

A. If the use is less than 100 feet from the boundary of any Protected District, all business activities open to the public shall cease by 10:00 p.m., except on Friday and Saturday nights when all business activities open to the public shall cease by 11:00 p.m.
SECTION 11.5.9 MANUFACTURING, FABRICATION, AND ASSEMBLY - GENERAL

11.5.9.1 All Zone Districts
In all Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - General uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator, if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District.

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

1. A Manufacturing, Fabrication and Assembly - General use on a zone lot greater than 60,000 square feet or operating between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
2. A Manufacturing, Fabrication and Assembly - General use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
3. A Manufacturing, Fabrication, and Assembly - General use involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors shall comply with the following additional limitations:
   a. On-site manufacturing of malted barley is prohibited.
   b. Unenclosed outdoor storage is prohibited.
   c. Outdoor tasting, serving, and seating areas are permitted as common and customary accessory uses, provided such areas shall comply with the limitations stated in Section 11.10.12 for Outdoor Eating and Serving Areas Accessory to Eating/Drinking Establishment Use.

SECTION 11.5.10 MANUFACTURING, FABRICATION, AND ASSEMBLY - HEAVY

11.5.10.1 All Zone Districts
A. In all Zone Districts, where permitted with limitations, Manufacturing, Fabrication, and Assembly - Heavy uses shall be located 500 feet or more from the nearest boundary of a Residential Zone District existing at the time of application. This 500-foot spacing requirement may be reduced or eliminated by the Zoning Administrator, if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District.

B. Special Exception review is required for the manufacturing, fabrication, and assembly of:

   1. (SIC 3631) Household cooking equipment;
   2. (SIC 3632) Household refrigerators and freezers;
   3. (SIC 3633) Household laundry equipment; or
   4. (SIC 3639) Household appliances.
C. Petroleum refining is prohibited except for the following activities, which are permitted only in the I-B zone district:
   1. (SIC 295) Asphalt paving and roofing materials; or
   2. (SIC 299) Miscellaneous products of petroleum and coal.

D. Outdoor tasting, serving, and seating areas are permitted as common and customary accessory uses to a Manufacturing, Fabrication, and Assembly - Heavy use involving the manufacture of malted beverages, wine, brandy or brandy spirits, or distilled and blended liquors.

**MINING & EXTRACTION AND ENERGY PRODUCTION SYSTEMS USE CATEGORY**

**SECTION 11.5.11 OIL, GAS, PRODUCTION, DRILLING**

11.5.11.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B zone districts, where permitted with limitations, oil gas, production, drilling uses are limited to geophysical services only. As part of the Site Development Plan review process, the Zoning Administrator shall determine the separation between the proposed use and any adjacent Residential Zone District based on the external effects of the proposed use.

11.5.11.2 O-1 and DIA Zone Districts
In the O-1 and DIA zone districts, where permitted with limitations:
A. All site plan applications for oil and gas uses shall be reviewed according to Section 12.4.3, Site Development Plan Review, with the addition of a representative from the building inspection division of Community Planning and Development, designated by the Manager, and a representative from the Department of Aviation, designated by the Manager of Aviation.

B. As part of the Site Development Plan Review, the Manager may recommend conditions on the approval of any oil and gas permit application to ensure the following public health, safety, and welfare objectives:
   1. There shall be adequate financial assurances to insure the city against any claims which may arise due to the applicant’s operation under any and all permits issued by the city;
   2. The applicant shall provide appropriate protection of the natural environment and adjacent land uses; and
   3. The applicant shall assure avoidance of any adverse impact on other permitted uses in the subject zone district.

**SECTION 11.5.12 SAND OR GRAVEL QUARRY**

11.5.12.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B zone districts, where permitted with limitations, a sand or gravel quarry use shall be located at least 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 an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

**SECTION 11.5.13 WIND ENERGY CONVERSION SYSTEM ("WECS")**

11.5.13.1 All Zone Districts
In all zone districts, where permitted with limitations:
A. Zone Lots Containing or Adjacent to Single-Unit or Two-Unit Dwelling Uses or Town
**House or Row House Building Forms**

 Establishment of a wind conversion energy system use on a zone lot, or adjacent to a zone lot, that contains a single unit dwelling use or two-unit dwelling use, or that contains a Townhouse or Row House Building Form, is permitted according to Section 12.4.9, Zoning Permit with Special Exception Review. The Board of Adjustment may approve such use only upon findings that the proposed wind energy conversion system complies with the following standards:

1. The applicant is the owner of the property and has submitted a site plan of the property that shows the location of the proposed system;

2. The proposed system, including guy wires, will not encroach into any setback space and will be no closer than 10 feet to any property line; provided, however, that for any zone lot not containing a single unit or two-unit dwelling use, or a Townhouse or Row House Building Form, the 10 foot setback only applies to zone lot lines abutting such residential zone lots; other setbacks shall be as per the applicable #zoneD district and building form regulations.

3. The proposed system will extend no further than 30 feet above the highest point of existing buildings on the zone lot, unless the zone lot does not have a single unit or two unit dwelling use or townhouse or row House building form, in which case the proposed system will extend no further than 35 feet above the highest point of existing buildings on the zone lot, or 60 feet above the ground, whichever is higher;

4. All power transmission lines shall be located underground or inside a structure and that the proposed system, will consist of a tubular pole tower if the proposed system is to be a horizontal axis system;

5. Climbing access to the structure shall be limited by means of a fence 6 feet high around the tower base with a locking gate or by limiting tower climbing apparatus to no lower than 13 feet from the ground, and that at least one sign shall be posted at the base of the tower with the following warning: “WARNING: Wind Energy Electrical Generating System”;

6. Any system with a capacity in excess of 100 kilowatts shall not be installed in a Residential Zone District and shall not be located along the major axis of an existing microwave communications link where the operation of the system is likely to produce an unacceptable level of electromagnetic interference;

7. The proposed system will not create a detrimental effect on nearby properties through electromagnetic interference, physical appearances or noise, either by loudness or frequency; and

8. The proposed system will not substantially or permanently injure the appropriate use of adjacent conforming property.
B. All Other Zone Lots - Systems Not Subject to Special Exception Review

A wind energy conversion system may operate on any zone lot that is not adjacent to and does not have a single-unit dwelling or two-unit dwelling use. A wind energy conversion system may be permitted according to Section 12.4.2, Zoning Permit Review with Informational Notice, and subject to compliance with the following conditions:

1. The applicant is the owner of the property and has submitted a site plan of the property which shows the location of the proposed system.

2. The proposed system, including guy wires and blades, shall not encroach into any setback space, and in no event shall be within 10 feet of the front zone lot line.

3. The proposed system, including blades, shall extend no further than 35 feet above the highest point of existing buildings on the zone lot or any building within 100 feet of the zone lot or 60 feet above the ground, whichever is higher, provided, however that in no event may the system extend more than 75 feet above the building on which it is mounted.

4. All power transmission lines shall be located underground or inside a structure.

5. Climbing access to the structure shall be limited by means of a fence six feet high around the tower base with a locking gate or by limiting tower climbing apparatus to no lower than 13 feet from the ground, and that at least one sign shall be posted at the base of the tower with the following warning: “WARNING Wind Energy Electrical Generating System”.

6. Any system with a capacity in excess of 100 kilowatts shall not be located along the major axis of an existing microwave communications link where the operation of the system is likely to produce an unacceptable level of electromagnetic interference.

7. The proposed system shall not create a detrimental effect on nearby properties through electromagnetic interference, physical appearances or noise, either by loudness or frequency.

8. The proposed system shall not substantially or permanently injure the appropriate use of adjacent conforming property.

TRANSPORTATION FACILITIES USE CATEGORY

SECTION 11.5.14 HELIPAD, HELISTOP, HELIPORT

11.5.14.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations, the use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.

11.5.14.2 All Mixed Use Commercial Zone Districts

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

A. The use shall be limited to landing and take-off area for police and/or emergency rotor craft, not including maintenance, repair, fueling, or hangar facilities.

B. The Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses; except that helipads or helistops in the CMP-H and CMP-H2 Zzone Ddistricts and in the D-GT Zzone Ddistrict located south of 8th Avenue shall not be subject to this 1,000 feet distance requirement.
11.5.14.3 I-A, I-B Zone Districts
In the I-A, I-B Zoning Districts, where permitted with limitations, the Helipad or Helistop shall be a minimum of 1,000 feet from a Residential Zone District or a PUD District that allows residential uses.

SECTION 11.5.15 RAILROAD FACILITIES

11.5.15.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zoning Districts, where permitted with limitations:

A. A railway facility proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

B. All mass transit railroad facilities located within 200 feet of a conforming residential structure shall be reviewed according to Section 12.4.3, Site Development Plan Review.

SECTION 11.5.16 TERMINAL, STATION OR SERVICE FACILITY FOR PASSENGER TRANSIT SYSTEM

11.5.16.1 All Residential Zone Districts
In all Residential Zoning Districts, where permitted with limitations, the use shall be limited to a stop or station for the mass passenger transit system only; and parking provided for the use of passengers or employees of the passenger transit provider.

SECTION 11.5.17 TERMINAL FREIGHT, AIR COURIER SERVICE

11.5.17.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zoning Districts, where permitted with limitations:

A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.

B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

WASTE RELATED SERVICES

SECTION 11.5.18 AUTOMOBILE PARTS RECYCLING BUSINESS

11.5.18.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zoning Districts, where permitted with limitations:

A. The use shall be located no less than 500 feet from a Residential Zone District. This requirement may be reduced by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, its traffic generation and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.
B. The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

C. Vehicle parts and bodies shall be arranged and/or stacked in an orderly manner. Outdoor aisles shall be graveled or covered with a dust-free surface material, and the site along with abutting street right-of-way areas shall be kept free of weeds and litter. The dismantling area shall not be visible from the street or from abutting residential or business zoned properties. Outdoor storage areas shall be enclosed by a solid wall or fence, except where such business adjoins a similar use along a side or rear lot line. Provision shall be made to control, contain and collect for proper disposal oil, antifreeze and other liquids generated by the dismantling or storage of motor vehicles or parts. Disposal of CFC’s (chlorofluorocarbons) from vehicle air conditioners shall be done in accordance with chapter 4 of the Revised Municipal Code and applicable rules and regulations.

SECTION 11.5.19 JUNKYARD

11.5.19.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B Zone Districts, where permitted with limitations:

A. Separation

The use shall be a minimum of 1,000 feet from any Residential Zone District, Mixed Use Commercial Zone District, or Downtown Neighborhood Context Zone District.

B. Screening

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure. The height of such fence or wall shall screen the view from an abutting Primary Street of the stored material and shall not exceed a height of 10 feet. Existing solid walls or fences consisting of prohibited materials shall be replaced with approved materials no later than June 15, 1993.

SECTION 11.5.20 RECYCLING CENTER

11.5.20.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B Zone Districts, where permitted with limitations:

A. Separation

The recycling center facility shall be located at least 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.

B. Screening

The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

SECTION 11.5.21 RECYCLING PLANT, SCRAP PROCESSOR

11.5.21.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B Zone Districts, where permitted with limitations:

A. Separation

The recycling plant shall be located at least 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 an analysis of the proposed use, its traffic generation,
and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

B. Screening
The use shall comply with the screening and enclosure requirements of Section 9.1.3.7, Required Screening and Enclosure.

**WHOLESALE, STORAGE, WAREHOUSE AND DISTRIBUTION USE CATEGORY**

**SECTION 11.5.22 AUTOMOBILE TOWING SERVICE STORAGE YARD**

11.5.22.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, an automobile towing service storage yard plant shall be located at least 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 District.

**SECTION 11.5.23 MINI-STORAGE FACILITY**

11.5.23.1 All MX, MS Zone Districts
In all MX and MS Zone Districts, where permitted with limitations, a Mini-Storage Facility use shall not have individual entrances to storage units from the exterior of the structure.

**SECTION 11.5.24 VEHICLE STORAGE, COMMERCIAL**

11.5.24.1 All Downtown Neighborhood Context Districts
In all Downtown Neighborhood Context Zone Districts, where permitted with limitations:
A. Vehicle Storage is limited to enclosed garage storage for commercial and public utility vehicles only.
B. Commercial storage of automobiles and light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

11.5.24.2 I-A, I-B Zone Districts
In I-A, I-B Zone Districts, where permitted with limitations:
A. The Vehicle Storage use shall be located at least 500 feet from a Residential Zone District.
B. This requirement may be reduced or eliminated by the Zoning Administrator if the applicant proves by a preponderance of the evidence that the proposed use, site design, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby Residential Zone District.

11.5.24.3 All CC Zone Districts
In all CC Zone Districts, where permitted with limitations, Vehicle Storage, Commercial shall be limited to the assembling or standing of operable vehicles having a capacity of not more than one and one-half tons.

**SECTION 11.5.25 WHOLESALE TRADE OR STORAGE, GENERAL**

11.5.25.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, all Wholesale Trade or Storage, General uses shall be located a minimum of 500 feet from a Residential Zone District.
SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT

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

In all CC, MX, MS, CMP, and D-AS-12+ and D-AS-20+ Zone Districts, where permitted with limitations:

A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.
DIVISION 11.6 AGRICULTURAL PRIMARY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations and standards applicable to permitted primary, accessory, or temporary uses. This Division contains limitations and standards applicable to specific uses within the Agricultural Primary Use Classification across multiple Zone Districts and neighborhood contexts.

SECTION 11.6.1 AQUACULTURE
In all Zone Districts, where permitted with limitations, the outdoor storage of waste material from fish processing is prohibited.

SECTION 11.6.2 GARDEN, URBAN

11.6.2.1 All Zone Districts
In all Zone Districts, where permitted with limitations, bee keeping is permitted as accessory to the Urban Garden use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.5, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District, Open Space Context Zone District, or CMP-NWC Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

SECTION 11.6.3 HUSBANDRY, ANIMAL

11.6.3.1 I-MX, I-A, I-B Zone Districts
In the I-MX, I-A, I-B Zone Districts, where permitted with limitations, a Husbandry, Animal use shall be located at least 500 feet from a Residential Zone District.

11.6.3.2 OS-B Zone Districts
In the OS-B Zone District, where permitted with limitations, a Husbandry, Animal use is limited to the raising and/or grazing of livestock animals and any confinements for such animals, provided such use is located at least 500 feet from a Residential Zone District.

SECTION 11.6.4 HUSBANDRY, PLANT

11.6.4.1 All Zone Districts
In all Zone Districts, where permitted with limitations, growing of marijuana is permitted only as a "husbandry, plant" use, and shall occur only within a completely enclosed structure.

11.6.4.2 I-A Zone District
In the I-A Zone District, where permitted with limitations, when not operated inside a completely enclosed structure, the Plant Husbandry use shall be located at least 500 feet from a Residential Zone District.

SECTION 11.6.5 PLANT NURSERY

11.6.5.1 In All Zone Districts
In all Zone Districts, where permitted with limitations:

A. The outdoor storage of waste material from accessory fish processing (Aquaculture) is prohibited.

B. Bee keeping is permitted as accessory to a Plant Nursery use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.5, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District, Open Space Context Zone District, or
CMP-NWC Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

C. When not operated inside a completely enclosed structure, the Plant Nursery use shall be located at least 500 feet from a Residential Zone District.

11.6.5.2 I-MX Zone Districts
In the I-MX Zone District, where permitted with limitations, a Plant Nursery use shall be operated within a completely enclosed structure.

11.6.5.3 I-A, I-B, OS-B, O-1, and DIA Zone Districts
In the I-A, I-B, OS-B, O-1, and DIA Zone Districts, where permitted with limitations, an unenclosed Plant Nursery use shall be located at least 500 feet from a Residential Zone District.
DIVISION 11.7 ACCESSORY USE LIMITATIONS

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

SECTION 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES

11.7.1.1 General Allowance for Accessory Uses

A. Accessory uses shall be clearly incidental, subordinate, customary to, and commonly associated with operation of a primary use. Accessory uses may be incidental to a primary use permitted without limitations, or a permitted use with limitations.

B. The Use and Parking Tables in Articles 3 through 9 list specific accessory uses permitted in each zone district; applicable limitations may further restrict the type or operations of an accessory use.

11.7.1.2 Limitations Applicable to All Accessory Uses

A. General Limitations

All accessory uses, except accessory dwelling unit uses and Short-term Rental accessory uses, shall comply with all of the following general limitations. Accessory dwelling units, where permitted, shall comply with the specific limitations stated in Section 11.8.2, Accessory Dwelling Units, instead of these general limitations. Short-term Rental accessory uses, where permitted, shall comply with the specific limitations stated in 11.8.9, Short-term Rental, instead of these general limitations.

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

2. Such accessory use shall be operated and maintained under the same ownership and on the same zone lot as the primary use; provided, however, that in all Mixed Use Commercial Zone Districts, lessees or concessionaires may operate the accessory use; and provided further that in nonresidential structures owned and operated by a place for religious assembly in a Residential Zone District, non-profit lessees or concessionaires may operate the accessory use.

3. Such use shall not include residential occupancy in a detached accessory structure offered for rent or for other commercial gain. Residential occupancy in a detached accessory structure is permitted by members of a household occupying the primary structure, or domestic employees and the immediate families of such employees.

4. The area of specific accessory uses shall be calculated as follows:

   a. Pool tables. The area occupied shall be calculated by adding 3 feet to each dimension of such pool table to include the area of play.

   b. Pinball, video games and other similar Amusement Devices. The area occupied shall be calculated by adding three feet to the area directly in front of the device.

   c. Dance floors. The area shall be the sum total of all of the areas of the dance floor and any stage or area used for the playing or performance of recorded or live music.
B. Limitations in the Primary Structure

1. Applicability
   This Section 11.7.1.2.B’s limitations on accessory uses in the primary structure shall apply to all accessory uses. A limitation in this Section 11.7.1.2.B shall not apply when it conflicts with a limitation specific to an accessory use found in Divisions 11.8, Uses Accessory To Primary Residential Uses - Limitations, 11.9, Home Occupations Accessory to a Primary Residential Use - All Zone D districts, or 11.10, Uses Accessory to Primary Nonresidential Uses - Limitations.

2. Limitations on Size of Accessory Use in the Primary Structure
   If an accessory use is operated partially or entirely within the structure containing the primary use, the gross floor area within such structure utilized by the accessory use (except loading docks, and dining rooms for the exclusive use of occupants or persons employed in the structure) shall not be greater than:
   a. In a Residential Zone District, 20 percent of the gross floor area, but not to exceed 300 square feet, of a single unit dwelling use, two-unit dwelling use, or multi-unit dwelling use in a structure containing 8 or less dwelling units.
   b. In a Residential Zone District, 10 percent of the gross floor area occupied by a primary use other than a single unit dwelling use, two-unit dwelling use, or a multi-unit dwelling use in a structure containing 8 or less dwelling units.
   c. In a Mixed Use Commercial Zone District or Industrial Context Zone D districts, 20 percent of the gross floor area of the structure containing the primary use.

   When more than one accessory use is associated with a single primary use, the above limitations shall apply to the cumulative total gross floor area of all the accessory uses in the same primary structure.

11.7.1.3 Prohibited Accessory Uses in Residential Zone Districts
   A. In a Residential Zone District, the sale, lease, trade or other transfer of firearms or ammunition by a firearms dealer is prohibited.

   B. The accessory parking/storage of vehicles, trailers, commercial vehicles, and RVs are governed by Division 10.9, Parking, Keeping and Storage of Vehicles.

   C. The growing of marijuana is prohibited as accessory to a primary nonresidential use established in a Residential Zone District.
DIVISION 11.8 USES ACCESSORY TO PRIMARY RESIDENTIAL USES - 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 uses accessory to primary residential uses across multiple Zone Districts and neighborhood contexts. In addition to meeting the general conditions and standards applicable to all accessory uses in Division 11.7 above, the following specific accessory uses shall comply with this Division’s use-specific standards.

SECTION 11.8.1 [RESERVED]

SECTION 11.8.2 ACCESSORY DWELLING UNIT (“ADUS”)

11.8.2.1 All Zone Districts

In all Zone Districts where permitted with limitations:

A. Accessory to Primary Single Unit Dwelling Uses Only

1. An Accessory Dwelling Unit is permitted as accessory only to a primary Single Unit Dwelling use according to the following requirements, except that an Accessory Dwelling Unit use is not permitted as accessory to a Single Unit Dwelling use in a Tandem House building form.

2. In case of conflict between the requirements for Accessory Dwelling Units stated in this Section 11.8.2.1 and the general conditions stated in Division 11.7, Accessory Use Limitations, the requirements in this subsection shall apply.

B. General Building Requirements

1. Mobile homes, recreational vehicles, and travel trailers shall not be used as Accessory Dwelling Units.

2. All Accessory Dwelling Units shall comply with the Denver Building and Fire Code.

3. ADUs established in a detached accessory structure shall comply with the Detached ADU Building form standards in the applicable Zone District.

C. Structural and Location Requirements

All Accessory Dwelling Unit uses shall meet the following requirements:

1. The primary Single Unit Dwelling use shall not be altered in any way so as to appear from a public street to be a multiple-unit dwelling use.

2. The structure housing an Accessory Dwelling Unit shall not be served by a driveway separate from that serving the primary Single Unit Dwelling except to utilize a new access from an alley.

3. The Accessory Dwelling Unit may be accessed by a separate outside stairway located in conformance with all building and zoning requirements, except outside access stairways shall not be located on the front facade of the building housing the primary Single Unit Dwelling use.

4. Roof and exterior wall materials and finishes for a detached structure housing the Accessory Dwelling Unit use shall be comparable in composition and appearance to that of the primary single unit dwelling structure on the zone lot.
5. Wherever feasible, water and sewer shall be supplied to both the primary Single Unit Dwelling use and the Accessory Dwelling Unit use through single taps, and electric and/or gas utilities shall be supplied through a single meter.

D. Special Allowance for ADUs on Existing Carriage Lots

Accessory Dwelling Unit uses may be established on a carriage lot, even in the absence of a primary Single Unit Dwelling use on such carriage lot, provided the Accessory Dwelling Unit use complies with the standards in this Section 11.8.2 and with all applicable standards in Section 12.10.4, Development on Carriage Lots.

11.8.2.2 All SU Zone Districts

In all SU Zone Districts, where permitted with limitations:

1. The Accessory Dwelling Unit use shall be operated and maintained under the same ownership as the primary Single Unit Dwelling use.

2. No more than one Accessory Dwelling Unit shall be established on the same zone lot as the primary Single Unit Dwelling use.

3. Accessory Dwelling Units shall not be sold apart from the primary dwelling unit.

4. The owner of the zone lot on which an Accessory Dwelling Unit use is maintained shall occupy either the primary dwelling unit or the ADU as the owner’s legal and permanent residence. For purposes of this provision, “the owner’s legal and permanent residence” shall mean a property owner who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means.

5. An Accessory Dwelling Unit use, whether detached or attached, shall not exceed a maximum size as stated in the following table, unless otherwise specifically permitted by this Code.

<table>
<thead>
<tr>
<th>ZONE LOT OR CARRIAGE LOT SIZE</th>
<th>MAXIMUM FLOOR AREA OF ACCESSORY DWELLING UNIT USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,000 ft² or less</td>
<td>650 ft²</td>
</tr>
<tr>
<td>Greater than 6,000 ft² and up to 7,000 ft²</td>
<td>864 ft²</td>
</tr>
<tr>
<td>Greater than 7,000 ft²</td>
<td>1,000 ft²</td>
</tr>
</tbody>
</table>

6. In order to avoid overcrowding of the accessory dwelling unit, the Accessory Dwelling Unit use shall contain a minimum of 200 square feet of gross floor area per occupant.

SECTION 11.8.3 DOMESTIC EMPLOYEES

In all Zone Districts, where permitted with limitations, housing of one or more domestic employee(s) is permitted as accessory to all primary residential household living uses.

SECTION 11.8.4 GARDEN

11.8.4.1 All Zone Districts

In all Zone Districts, where permitted with limitations, the growing of marijuana shall comply with the following:

A. No more than 6 plants may be grown for each registry identification card holder or for each adult 21 years or older residing in a dwelling unit, not to exceed 12 plants per dwelling unit.

B. Growing and/or storage of marijuana shall occur within a completely enclosed structure.

C. Growing and/or storage of marijuana shall not occur in a common area associated with the dwelling unit.
D. Growing shall be for personal use only by persons residing in the dwelling unit; retail or wholesale sales of goods or products derived from the growing of marijuana and any off-site distribution of such plants or derived products are prohibited.

### 11.8.4.2 All Residential Zone Districts

In a Residential Zone District, where permitted with limitations, retail or wholesale sales of goods or products derived from a Garden accessory to a primary residential use are prohibited in a Residential Zone District unless permitted as a Fresh Produce and Cottage Foods Sales Home Occupation.

### SECTION 11.8.5  KEEPING OF HOUSEHOLD ANIMALS

#### 11.8.5.1 All Zone Districts

In all Zone Districts, where permitted with limitations:

**A. Animals Permitted Without a Zoning Permit**

The keeping of domestic or household animals is permitted as accessory to a primary dwelling unit use, subject to compliance with the following standards regarding number and kinds of animals:

<table>
<thead>
<tr>
<th>KIND OF ANIMAL PERMITTED</th>
<th>PERMITTED NUMBER OF ANIMALS ALLOWED / STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dogs</td>
<td>3 maximum</td>
</tr>
<tr>
<td>Cats</td>
<td>5 maximum</td>
</tr>
<tr>
<td>Combination of dogs and cats</td>
<td>No more than 5 dogs and cats combined provided there are no more than 3 dogs as part of the total.</td>
</tr>
<tr>
<td>Rabbits</td>
<td>2 maximum</td>
</tr>
<tr>
<td>Pigeons or doves</td>
<td>25 maximum</td>
</tr>
<tr>
<td>Horses</td>
<td>No more than 1 horse for each 1/2 acre of zone lot area</td>
</tr>
<tr>
<td>Small rodents--Rats, mice, guinea pigs, hamsters and other similar animals</td>
<td>No numerical limit, however, the raising or breeding of these animals for resale is prohibited.</td>
</tr>
<tr>
<td>Fish</td>
<td>No numerical limit, however, the raising or breeding of these animals for resale is prohibited.</td>
</tr>
<tr>
<td>Small reptiles and amphibians. The types of these animals is regulated by chapter 8 of the Revised Municipal Code</td>
<td>No numerical limit, however, the raising or breeding of these animals for resale is prohibited.</td>
</tr>
<tr>
<td>Domestic Honey Bees</td>
<td>• 2 hives per zone lot;</td>
</tr>
<tr>
<td></td>
<td>• Hives must be in rear 1/3 of zone lot with a 5 foot setback from side and rear zone lot lines;</td>
</tr>
<tr>
<td></td>
<td>• Hives must be screened so that the bees must surmount a 6 foot barrier, which may be vegetative, before leaving the property;</td>
</tr>
<tr>
<td></td>
<td>• No outdoor storage of any bee paraphernalia or hive materials not being used as a part of a hive.</td>
</tr>
<tr>
<td>Chickens and Ducks</td>
<td>• No more than 8 chickens and ducks combined per zone lot.</td>
</tr>
<tr>
<td></td>
<td>• No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.</td>
</tr>
<tr>
<td></td>
<td>• On any residential zone lot, the animals shall be maintained in the rear 50% of the Zone Lot Depth.</td>
</tr>
<tr>
<td></td>
<td>• Slaughtering of the animals as part of keeping such animals is prohibited.</td>
</tr>
<tr>
<td>Dwarf Goats</td>
<td>• No more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, may be kept per zone lot.</td>
</tr>
<tr>
<td></td>
<td>• No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.</td>
</tr>
<tr>
<td></td>
<td>• On any residential Zone Lot, the goats shall be maintained in the rear 50% of the Zone Lot Depth.</td>
</tr>
<tr>
<td></td>
<td>• Slaughtering of the animals as part of keeping such animals is prohibited.</td>
</tr>
</tbody>
</table>
B. **Animals Permitted With a Zoning Permit**

The Zoning Administrator may allow the accessory keeping of animals of a type or number other than permitted in Section 11.8.5.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following limitations:

1. Section 12.4.2, Zoning Permit Review with Informational Notice, is required.
2. The Zoning Administrator may not approve the keeping of animals otherwise prohibited by federal, state, or other city law.
3. The animal shall be kept solely as a pet; a hobby; for educational, research, rehabilitation or propagation purposes; or for the production of food products for personal consumption by the resident.
4. Slaughtering of the animals as part of keeping such animals is prohibited.
5. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot.

### 11.8.5.2 Related Animal-Keeping Provisions

Related provisions governing the keeping of animals are found in D.R.M.C., Chapter 8 (Animals).

### SECTION 11.8.6 KENNEL OR EXERCISE RUN

#### 11.8.6.1 All Zone Districts

In all zone districts, where permitted with limitations:

A. Outdoor kennels and exercise runs shall not exceed 200 square feet in area;
B. The use shall be located not less than 20 feet from any habitable building on an adjacent zone lot;
C. The use shall be located in the rear one-half of the zone lot;
D. The use shall be visually screened from adjacent residential property by a solid fence or wall; and
E. The number of animals permitted on-site shall comply with the limit on the number and kinds of animals stated in Section 11.8.5, Keeping of Household Animals, of this Code.

### SECTION 11.8.7 LIMITED COMMERCIAL SALES, SERVICE ACCESSORY TO MULTI-UNIT DWELLING USE

#### 11.8.7.1 All Zone Districts

In all zone districts, where permitted with limitations:

A. **Specific Accessory Uses Permitted**

One or more of the following Commercial Sales or Service uses may be operated as accessory to a primary Multi-Unit Dwelling use in a single structure containing 50,000 square feet or more gross floor area, provided a zoning permit is obtained according to Section 12.4.1, Zoning Permit Review, before the establishment of such accessory use or activity:

2. Retail Sales, Repair; Service uses, provided such use contains no greater than 10,000 square feet of gross floor area.
3. Eating and Drinking Establishments, completely enclosed, provided no live entertainment or accessory Amusement Devices are permitted; and
4. Office, but not including Dental/Medical Office and/or Clinic.

B. Applicable Limitations
   The specific accessory uses listed above may be permitted, provided such uses:
   
   1. Are provided principally for the convenience of the owner or owners of the zone lot and the tenants thereof;
   2. Do not have outdoor signs of any type;
   3. Do not have separate outside entrances to the accessory use facing any street;
   4. Are not evident from any street; and
   5. Are incidental to the primary use.

SECTION 11.8.8 SECOND KITCHEN ACCESSORY TO SINGLE UNIT DWELLING USE

11.8.8.1 Intent
   The allowance for a second kitchen accessory to a single-unit dwelling use is intended to accommodate additional indoor cooking and food preparation areas to supplement a home’s primary kitchen.

11.8.8.2 All Zone Districts
   In all Zone Districts, where permitted with limitations:
   
   A. A second kitchen in a primary single unit dwelling building, not otherwise permitted as part of a permitted attached Accessory Dwelling Unit use, is permitted as an accessory use provided a zoning permit is procured according to Section 12.4.1, Zoning Permit Review, prior to establishment of the accessory kitchen and subject to compliance with the following limitations:
   
   1. The applicant is the owner of the subject structure and uses the structure as his/her primary residence;
   2. The second kitchen shall be used only by the residents or domestic servants; and
   3. The applicant complies with all provisions of the Denver Building and Fire Code in the construction of the kitchen.

   B. An approved zoning permit for a second kitchen shall not be valid until the applicant has executed an agreement listing the terms and conditions fixed by the Zoning Administrator and the conditions set forth above. Such agreement shall be recorded with the Denver City Clerk and Recorder.

   C. The permit for an approved exception shall automatically expire at such time as the applicant no longer resides at the subject property.
SECTION 11.8.9  SHORT-TERM RENTAL

11.8.9.1 All Zone Districts

In all Zone Districts, where permitted with limitations, a Short-term Rental:

A. Shall be clearly incidental and customary to and commonly associated with the operation of the primary residential household living use.

B. Shall be operated by the person or persons maintaining the dwelling unit use as their primary residence. For purposes of this provision, “person or persons” shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity. For purposes of this section 11.8.9, the term “primary residence” shall have the meaning prescribed thereto in D.R.M.C. Chapter 33.

C. Shall not include rentals where the length of stay per guest visit is 30 or more days.

D. Shall not be located in mobile homes, recreational vehicles, or travel trailers.

E. Shall not display or create any external evidence of the Short-term Rental, except one non-animated, non-illuminated flat wall or window sign having an area of not more than 100 square inches.

F. Shall not have any employees or regular assistants not residing in the primary or accessory dwelling unit located on the subject zone lot.

G. Shall not include simultaneous rental to more than one party under separate contracts.

H. Shall not be subject to a maximum number of guests per night.

11.8.9.2 Related Provisions

Related provisions governing licensing requirements for a Short-term Rental are found in D.R.M.C. Chapter 33.

SECTION 11.8.10  YARD AND/OR GARAGE SALES

11.8.10.1 All Zone Districts

In all Zone Districts, where permitted with limitations, yard and/or garage sales:

A. Shall not exceed 72 hours of total duration;

B. Shall not have more than one such sale in the period from January 1st to June 30th and no more than one such sale in the period from July 1st to December 31st;

C. Items offered for sale shall not have been bought for resale or received on consignment for the purpose of resale; and

D. All external evidence of the sale shall be removed immediately upon the conclusion of the sale.
DIVISION 11.9 HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES - ALL ZONE DISTRICTS

SECTION 11.9.1 INTENT

11.9.1.1 Home Occupations are a type of accessory use that accommodates limited business activities conducted incidental to a primary residential use. This Division's allowance for Home Occupations is intended to achieve multiple city goals and objectives, including reducing the number of home-to-work vehicle trips with related improvements in air quality; facilitating small business ventures that contribute to the city's overall economic health; and accommodating demand for certain business services convenient to where prospective clients or customers live. The standards and review procedures applicable to Home Occupations are generally intended to minimize the impact such uses may have on the character and enjoyment of the surrounding residential neighborhood, while furthering the goals and objectives stated herein.

11.9.1.2 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 Home Occupation uses accessory to primary residential uses across multiple Zone Districts and neighborhood contexts.

SECTION 11.9.2 LIMITATIONS APPLICABLE TO ALL HOME OCCUPATIONS - ALL ZONE DISTRICTS

In addition to any use-specific limitations in this Division 11.9, all Home Occupations in all Zone Districts shall comply with the following general limitations. In case of any conflict between the general limitations in this Section and a more specific use limitation, the more specific use limitation shall apply to the Home Occupation.

11.9.2.1 Residential Use

A Home Occupation legally operated in a dwelling unit according to this Section shall be considered, in combination with the primary dwelling unit use, a residential use for all purposes of this Code.

11.9.2.2 Location

A. All Home Occupations shall operate in a completely enclosed structure, except that:

1. A child care home (small or large) may include outdoor play and/or seating areas.
2. For Fresh Produce and Cottage Foods Sales, retail sales may operate unenclosed.

B. Home Occupations may operate in the primary dwelling unit structure, or in a detached accessory structure, allowed under this Code.

11.9.2.3 Personal to Applicant

A. Only the person or persons maintaining the dwelling unit as their primary place of residence shall operate the Home Occupation. For purposes of this provision only, “person” shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity.

B. A zoning permit for an approved Home Occupation shall automatically expire at such time as the applicant no longer resides at the subject property.

11.9.2.4 External Evidence and Signage

A. If operated inside the primary dwelling unit structure, the Home Occupation shall not have a separate external entrance serving the Home Occupation.
B. The Home Occupation shall not display or create outside the building any external evidence of the operation of the Home Occupation, except for the following:

1. A child care home (small or large) may include outdoor play and/or seating areas.
2. For Fresh Produce and Cottage Foods Sales, retail sales may operate unenclosed and utilize temporary, portable furniture such as tables, chairs, and umbrellas during permitted operating hours only.
3. One non-animated, non-illuminated flat wall or window sign having an area of not more than 100 square inches is permitted for each street frontage of the subject zone lot.

11.9.2.5 Size

One or more Home Occupation(s), whether located within a primary dwelling unit or a detached accessory structure, shall not in the aggregate utilize more than 20 percent of the gross floor area of the dwelling unit primary use, but in no case shall exceed 300 square feet. However, this limitation shall not apply to Foster Family Care, Adult Care Home, Child Care Home, Small or Large, Craft Work, or Artist Studio, or to portions of a Home Occupation permitted to operate unenclosed.

11.9.2.6 Other Limitations

A. The Home Occupation shall not have any employees or regular assistants not residing in the primary or accessory dwelling unit located on the subject zone lot, unless specifically permitted or required by the terms of a state or city license necessary to operate the permitted Home Occupation.

B. The use of hand tools is permitted without limitation.

C. The use of mechanical equipment is limited to the use of electric motors for power, with a total limitation of not greater than 3 horsepower.

SECTION 11.9.3 CHILD CARE HOME – LARGE

Large Child Care Home, where permitted with limitations, is permitted as a Home Occupation subject to compliance with the following limitations:

11.9.3.1 The applicant shall be the owner or the applicant has written permission of the owner of the subject property.

11.9.3.2 The proposed Large Child Care Home is the applicant’s primary place of residence.

11.9.3.3 The applicant has obtained or will obtain upon granting of the zoning permit all licenses and certifications required by the state and the city.

11.9.3.4 The proposed Large Child Care Home complies with the building and fire codes and all regulations established by the City.

11.9.3.5 No other Large Child Care Home is located within 400 feet of the proposed Large Child Care Home.

11.9.3.6 The proposed Large Child Care Home complies with all the requirements of the Zone District in which it is located, excepting for any legally nonconforming structure.

11.9.3.7 The applicant shall implement and maintain an ongoing traffic management program that ensures that the operation of the proposed Home Occupation will not create traffic or parking problems in the neighborhood as a result of either the additional traffic introduced or the drop-off and pick-up of children, and that off-street parking shall be provided for each member of the staff on duty unless it is clearly proven that such off-street parking provisions should be modified by the Zoning Administrator.
11.9.3.8 The Zoning Administrator may fix such reasonable terms and conditions to the granting of a zoning permit found necessary to mitigate adverse impacts on adjacent properties. In addition, each zoning permit approved for a Large Child Care Home shall include the following conditions and requirements:

A. The proposed home shall provide full-time supervision of the children in the home during hours of operation; and

B. The proposed home shall comply with the limitations on external effects as established for primary uses in the district in which it is located.

SECTION 11.9.4 ALL OTHER TYPES

In all Zone D districts, where permitted with limitations, the following types of Home Occupations are permitted subject to compliance with the use-specific limitations listed below.

11.9.4.1 Adult Care Home

In Zone D districts where Home Occupations of Foster Family Care, rooming and/or boarding and adult care home are permitted, only one such Home Occupation will be permitted in any single-unit dwelling or dwelling unit.

11.9.4.2 Animal Care Services

Animal Care Services, including grooming, care, or boarding of domestic or household animals (but not including retail sales), are permitted as a Home Occupation provided the total number of animals in the dwelling unit is no greater than the maximum number of animals permitted as accessory uses in Section 11.8.5, Keeping of Household Animals, above.

11.9.4.3 Artist Studio

A. An Artist Studio is permitted as a Home Occupation only to create individual works of art, except that Art Galleries, Retail Sales, and other commercial retail or wholesale sales activities are not permitted as part of the permitted Artist Studio Home Occupation.

B. In all MU Zone D districts, the restoration of individual works of art is permitted as part of the Artist Studio Home Occupation, provided the use of hazardous or toxic materials within the dwelling unit shall be subject to review and approval by the Fire Department for compliance with the Denver Fire Code.

11.9.4.4 Beauty Shop or Salon

Retail sales of related beauty and grooming supplies and products are prohibited as part of the Home Occupation.

11.9.4.5 Child Care Home, Small

11.9.4.6 Clock and Watch Repair

Retail sales are prohibited as part of the Home Occupation.

11.9.4.7 Craft Work

Retail sales of such craft work are prohibited as part of the Home Occupation.

11.9.4.8 Custom Dressmaking, Millinery, Tailoring, Sewing

Custom dressmaking, millinery, tailoring, or sewing of fabric for custom apparel and custom home furnishings is permitted as a Home Occupation.

11.9.4.9 Food Preparation

On-premises retail sales direct to consumers are not permitted as part of this Home Occupation. (For retail sales see Fresh Produce and Cottage Foods Sales Home Occupation).
11.9.4.10 **Foster Family Care**

Foster Family Care is permitted as a Home Occupation subject to compliance with the following standards:

A. The dwelling unit in which the Foster Family Care is proposed is located in a Residential Zone District or Mixed Use Commercial Zone District.

B. In Zone Districts where Home Occupations of Foster Family Care, rooming and/or boarding, and adult care home are permitted, only one such Home Occupation will be permitted in any one dwelling unit.

C. The permit is necessary and desirable to provide a service or a facility that would contribute to the general wellbeing of the community.

11.9.4.11 **Fresh Produce and Cottage Foods Sales**

Fresh Produce and Cottage Foods Sales is permitted as a Home Occupation subject to compliance with the following standards:

A. Items for sale are limited to the products defined in Subsection 11.12.8.2.9 Fresh Produce and Cottage Food Sales;

B. Sales are permitted only from 8:00 a.m. until dusk daily; and

C. The home occupation permittee must have grown, cultivated, and/or prepared all items for sale.

11.9.4.12 **Laundering and Pressing**

11.9.4.13 **Office, Non-Medical, Non-Dental**

Office, not including Dental/Medical Office and/or Clinic, is permitted as a Home Occupation subject to compliance with the following standards:

A. No goods, wares or merchandise shall be commercially created, displayed, exchanged, stored or sold as part of a permitted office Home Occupation.

B. Professional and personal services provided shall be by appointment only. Walk-in appointments are prohibited.

11.9.4.14 **Professional Studio**

A. Retail sales are prohibited as part of a Professional Studio Home Occupation use.

B. Instructional or other services provided shall be by appointment only. Walk-in appointments are prohibited.

11.9.4.15 **Rooming and/or Boarding**

Rooming and/or Boarding is permitted as a Home Occupation subject to compliance with the following standards:

A. The dwelling unit shall contain not more than one kitchen.

B. Number of roomers/boarders permitted - see table below:

<table>
<thead>
<tr>
<th>PRIMARY RESIDENTIAL USE - ZONE DISTRICT</th>
<th>MAXIMUM NUMBER OF ROOMERS/BOARDERS PERMITTED AS HOME OCCUPATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Unit Dwelling Use - All SU Zone Districts</td>
<td>1</td>
</tr>
<tr>
<td>Single Unit Dwelling Use - All Other Zone Districts</td>
<td>2</td>
</tr>
<tr>
<td>Two-Unit Dwelling Use - All Zone Districts</td>
<td>2</td>
</tr>
<tr>
<td>Multi-Unit Dwelling Use - All Zone Districts</td>
<td>2</td>
</tr>
</tbody>
</table>
C. The number of roomers/boarders permitted under this subsection shall not affect the number of Domestic Employees permitted to reside in the same dwelling unit. See Section 11.8.3, Domestic Employees, for provisions allowing domestic employees as an accessory use to all primary residential use.

D. In Zone D districts where Home Occupations of Foster Family Care, rooming and/or boarding and adult care home are permitted, only one such Home Occupation will be permitted in any single-unit dwelling or dwelling unit.

11.9.4.16 Tutoring Services

Tutoring services are permitted as a Home Occupation, provided no more than 4 students shall be tutored simultaneously.

SECTION 11.9.5 UNLISTED HOME OCCUPATIONS

Generally, an accessory home occupation use not listed as specifically permitted in this Division 11.9 is prohibited. However, the Zoning Administrator may approve Home Occupation uses not specifically listed in this Division 11.9 according to the general provisions stated in Section 11.810, Unlisted Accessory Uses, except that all determinations shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice. The Zoning Administrator shall not allow any of the following uses as Home Occupations:

11.9.5.1 Adult business uses.

11.9.5.2 Animal services and sales, except as specifically permitted in Section 11.9.4, Home Occupations - All Other Types.

11.9.5.3 Commercial parking.

11.9.5.4 Commercial warehousing or storage uses.

11.9.5.5 Industrial, manufacturing and wholesale uses, except as specifically permitted in Section 11.9.4, Home Occupations - All Other Types.

11.9.5.6 Retail or wholesale sales.

11.9.5.7 Vehicle or equipment sales, rentals, and services, including repairs.
DIVISION 11.10 USES ACCESSORY TO PRIMARY NONRESIDENTIAL USES - 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 uses accessory to primary nonresidential uses across multiple zone districts and neighborhood contexts. In addition to meeting the general conditions and standards applicable to all accessory uses in Division 11.7 above, the following specific accessory uses shall comply with this Division’s general and specific standards.

SECTION 11.10.1 UNLISTED ACCESSORY USES

11.10.1.1 All Zone Districts

A. The Zoning Administrator shall determine and impose limitations on accessory uses not otherwise listed as permitted in an applicable Use and Parking Table in Articles 3 through 9, or not otherwise covered by the standards in this Article 11.

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. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory use is common and customary to a specific use by right, and if the use or structure is incidental to the specific use by right.

C. The Zoning Administrator may impose limitations on the proposed accessory use, which shall be uniform throughout the zone district, and taking into consideration the intensity of the accessory use, the numbers of accessory uses, the space required by the accessory use, and the effect on adjacent property.

D. Matters that may be regulated according to this Section 11.10.1 shall include, but shall not be limited to the types and intensity of repairs accessory to a use by right.

SECTION 11.10.2 AMUSEMENT DEVICES ACCESSORY TO EATING/DRINKING ESTABLISHMENTS, COLLEGE/UNIVERSITY AND THEATER USES

11.10.2.1 All Zone Districts

In all zone districts, where permitted with limitations:

A. Notwithstanding more restrictive provisions of this Code, any establishment holding a beer and wine license, a hotel and restaurant license, or a club or tavern license, as issued by the State Department of Revenue, may maintain as an accessory use a number of Amusement Devices as follows:

1. 10 devices or that number which occupies no more than 10 percent of the gross floor area of the Eating and Drinking Establishment, whichever is more restrictive. This allowance excludes adult amusement or entertainment.

B. No Amusement Device serving as an accessory use to a primary use located within 1,000 feet of a school meeting the compulsory education laws of the state shall be operated by children under the age of 18 years old during the following described periods: between 8:00 a.m. and 4:00 p.m., Monday through Friday, from September 1 to June 15, excluding holiday vacations observed by such schools.

C. Amusement devices may be operated and maintained as a part of a primary Theater and/or Performance Space use under the following limitations:
1. Shall be operated within the same structure and under the same management as the theater;
2. Shall occupy a floor area not exceeding ten percent of the lobby area or shall contain no more than ten Amusement Devices, whichever is more restrictive;
3. Shall be used by theater customers who have purchased a ticket and shall not be made available to the general public; and
4. Shall be operated in compliance with all other applicable ordinances of the city.

D. Amusement devices may be maintained and operated as a part of a permitted College or University use, provided such devices are located in the student center, lounge or residential dormitories and do not occupy an area more than 10 percent of the ground level floor area of the structure.

SECTION 11.10.3 AUTOMOBILE RENTAL SERVICES ACCESSORY TO CERTAIN RETAIL USES

11.10.3.1 S-CC-3x, -5x; E-CC-3x Zone Districts
In S-CC-3x, -5x; E-CC-3x Zone Districts, where permitted with limitations:

A. The automobile rental services shall be accessory to a primary Retail Sales, Service, & Repair, All Other use containing 20,000 or more square feet of Gross Floor Area, or to a primary Automobile/Motorcycle/Light Truck Sales, Rentals, Leasing use;

B. Storage of all rental automobiles shall be located on the same zone lot as the office for the automobile rental service;

C. Not more than 15 rental automobiles shall be stored at any one location;

D. Servicing and maintenance work on automobiles is permitted only as limited to Automobile Services, Light, uses permitted in the zone district;

E. The land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space; and

F. Truck rental is not permitted.

SECTION 11.10.4 BOOK OR GIFT STORE; MEDIA RECORDING AND PRODUCTION FACILITIES ACCESSORY TO LIBRARY, MUSEUM, ASSEMBLY, AND COLLEGE/UNIVERSITY USE

11.10.4.1 All Residential Zone Districts

A. In a Residential Zone District, where permitted with limitations, the following are permitted as accessory to a primary public Library, Museum, Place of Religious Assembly, or University or College use:

1. Book or gift store; and
2. Media recording and production facilities.

B. All such accessory uses shall not occupy more than 10 percent of the gross floor area occupied by the primary use or uses.
SECTION 11.10.5 CAR WASH BAY ACCESSORY TO AUTOMOBILE SERVICES OR HOTEL USES

11.10.5.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. A car wash bay is permitted as accessory to an Automobile Services, Light or Heavy, use only. The car wash bay shall be limited in capacity to one vehicle and may be operated with either manual or automatic equipment;

B. An accessory car wash bay shall be sited on a zone lot and constructed, operated, and maintained in compliance with the standards stated in this subsection, and shall comply with the building form standards in the applicable Zone District;

C. The car wash bay shall be set back a minimum 8 feet from any abutting residential use or Residential Zone District;

D. Adequate landscaping and solid fencing shall be installed to control the effects of noise where such bay is located adjacent to a residential use or a Residential Zone District;

E. If the zone lot containing the car wash bay abuts a residential use or Residential Zone District, the hours of operation of the car wash bay shall be limited to the time period between 7:00 a.m. and 10:00 p.m.; and

F. Sufficient space on the same zone lot shall be provided to accommodate 3 vehicles waiting for the car wash bay, in addition to the required off-street parking for the primary use.

SECTION 11.10.6 COLLEGE ACCESSORY TO A PLACE FOR RELIGIOUS ASSEMBLY

11.10.6.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. A College is permitted as accessory to a primary Religious Assembly use only;

B. The accessory College use shall not have an enrollment greater than 75 students;

C. The accessory College use shall provide no student or faculty housing;

D. The accessory College use shall not operate any activities before 8:00 a.m. or after 6:00 p.m.; and

E. The accessory College use shall provide off-street parking according to the parking requirements for university or college uses in the Urban Neighborhood Context (See Article 5).

SECTION 11.10.7 CONFERENCE FACILITIES ACCESSORY TO HOTEL USE

11.10.7.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. Conference facilities are permitted as accessory to a primary hotel use.

B. Notwithstanding the gross floor limitations for accessory uses, conference facilities not exceeding 20 percent of the gross floor area of the hotel are permitted in addition to the floor area occupied by all other accessory uses.

C. For purposes of this allowance for accessory conference facilities, “gross floor area” shall include net meeting space plus related service and pre-function space.
SECTION 11.10.8 DRIVE-THROUGH FACILITY ACCESSORY TO EATING/DRINKING ESTABLISHMENTS AND TO RETAIL SALES, SERVICE, AND REPAIR USES

11.10.8.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. General Limitations

1. Drive-Through Facilities shall be permitted as accessory to a primary Eating and Drinking Establishment or to a primary Retail Sales, Service, or Repair use only.

2. Drive-Through Facilities accessory to a primary Eating and Drinking Establishment shall comply with all applicable use limitations for Eating and Drinking Establishments found in this Article 11. In case of conflict with the use standards stated in this Section specific to Drive-Through Facilities, the standards in this Section shall apply.

3. Accessory Drive-Through Facilities shall be sited on a zone lot and constructed, operated, and maintained in compliance with the building form standards allowed in the applicable Zone District, and with these use-specific standards.

B. Site Design Standards

1. Any Drive-Through Facility visible from a public street or from a Residential Zone District shall provide an opaque screen along the visible portion of the drive through queuing and operating lane. Such screen shall at least meet the requirements for screening found in Section 10.5.4.3, Perimeter Surface Parking Lot Landscaping Standards.

2. All parts of any Drive-Through Facility shall be separate from parking circulation aisles.

3. Vehicle access to the site shall not unreasonably interfere with automobile or pedestrian traffic. Queuing lanes shall be adequate to prevent backups onto public streets.

4. This subsection’s Drive-Through Facility standards apply only to drive through facilities that commence operations after June 1, 2006.

C. Drive-Through Facilities Adjacent to a Residential Zone District
Accessory Drive-Through Facilities on a zone lot adjacent to a Residential Zone District shall comply with the following additional standards:

1. There shall be no glare from permanent lighting or vehicle headlights projected onto an abutting Residential Zone District. To ensure glare is controlled, all external lights shall have fully shielded fixtures. Light trespass onto adjacent residential uses shall not exceed 0.3 footcandles.

2. No device that amplifies sound shall be so designed or operated that the amplified sound exceeds the City’s noise ordinance standards on any private property zone lot located within a Residential Zone District beyond the boundaries of the zone lot on which the Drive-Through Facility is operated.

3. Any Drive-Through Facility located on a zone lot that is adjacent to a Residential Zone District and which has any portion of the facility located 85 feet or less from the Residential Zone District may only be open during the hours of 5:30 a.m. to 11:00 p.m., Sunday through Thursday, and 5:30 a.m. to midnight Friday and Saturday.

4. This subsection’s Drive-Through Facility standards apply only to drive through facilities that commence operations after June 1, 2006.
SECTION 11.10.9 GARDEN

11.10.9.1 All Zone Districts
In all Zone Districts, where accessory garden uses are permitted with limitations:

A. The growing of marijuana in an accessory garden is prohibited when the marijuana is made available for use in a marijuana establishment requiring a license by the City or made available for sale. Any growing of marijuana in an accessory garden shall occur inside a completely enclosed structure and shall not exceed the number of plants allowed under the laws and rules and regulations of the City.

B. Bee keeping is permitted as incidental to the accessory Garden use, subject to compliance with the standards for accessory bee-keeping stated in Section 11.8.5, Keeping of Household Animals, except that the bee keeping use need not be sited within the rear 50% of the zone lot, and except that in an Industrial Context Zone District, Open Space Context Zone District, or CMP-NWC Zone District, the number of permitted bee hives may be increased to a maximum of 2 hives per 6,000 square feet of gross zone lot area.

C. In a Residential Zone District, retail or wholesale sales of goods or products derived from a Garden are permitted when such use is accessory to a primary nonresidential use, including but not limited to a permitted Public, Institutional and Civic Use. In all other Zone Districts, retail or wholesale sales of goods or products derived from a Garden are permitted when such use is accessory to a primary nonresidential use.

SECTION 11.10.10 KEEPING OF ANIMALS

11.10.10.1 All Zone Districts
In all Zone Districts, where accessory keeping of animals is permitted with limitations:

A. Animals Permitted Without a Zoning Permit
Keeping of no more than 8 chickens and ducks combined per zone lot, and no more than 2 Dwarf Goats, except any number of their offspring younger than 6 months, per zone lot may be kept, provided:

1. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and

2. Slaughtering of the animals as part of keeping such animals is prohibited.

B. Animals Permitted With a Zoning Permit
The Zoning Administrator may allow the accessory keeping of animals of a type or number other than permitted in Section 11.10.10.1.A above, upon finding that the use complies with Section 11.7.1, General Provisions Applicable to All Accessory Uses, and subject to the following additional limitations:

1. Section 12.4.2, Zoning Permit Review with Informational Notice, is required when the subject property is in a:
   a. Residential Zone District;
   b. MS-2x and MX-2x Zone District; or
   c. Mixed Use Commercial Zone District where the subject property is adjacent to a Residential Zone District.

2. For all other requests, Section 12.4.1, Zoning Permit Review, is required.

3. The Zoning Administrator may not approve the keeping of animals otherwise prohibited by federal, state, or other city law;
4. No structure used to house the animals may be closer than 15 feet to: (1) a structure on an abutting zone lot containing a dwelling unit, and (2) a dwelling unit not the residence of the animal keeper(s) and located in a primary structure on the same zone lot; and

5. Slaughtering of the animals as part of keeping such animals is prohibited.

11.10.10.2 Related Animal-Keeping Provisions
Related provisions governing the keeping of animals are found in D.R.M.C., Chapter 8 (Animals).

SECTION 11.10.11 OCCASIONAL SALES, SERVICES ACCESSORY TO PRIMARY PLACES OF RELIGIOUS ASSEMBLY OR PRIMARY USES OPERATED BY NON-PROFIT ORGANIZATIONS

11.10.11.1 All Zone Districts
In all Zone Districts, where permitted with limitations, occasional sales of goods and services, including unenclosed occasional sales of goods and services, are permitted as accessory to the following primary uses:

A. A primary Religious Assembly use; or

B. A primary use operated by a non-profit organization.

SECTION 11.10.12 OUTDOOR EATING AND SERVING AREAS ACCESSORY TO EATING/DRINKING ESTABLISHMENT USE

11.10.12.1 All Zone Districts
In all Zone Districts, where permitted with limitations:

A. Outdoor Eating and Serving Areas are permitted as accessory to an Eating and Drinking Establishment use, and shall comply with all applicable limitations stated for primary Eating and Drinking Establishments in Section 11.4.8, Eating and Drinking Establishments - All Types. In case of conflict with the use limitations stated in this section specific to Outdoor Eating and Serving Areas, the more restrictive limitation shall apply.

B. All Outdoor Eating and Serving Areas shall comply with the following limitations:

1. The Outdoor Eating and Serving Area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.

2. The Outdoor Eating and Serving Area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 42 inches tall, except for the following:

   a. Temporary canvas awnings or umbrellas may serve as sun shades.

   b. Permanent structures that form a covering over the Outdoor Eating and Serving Area, provided:

      i. The entire area of the surface of such covering shall be at least 50% permanently open to the sky and openings shall be evenly dispersed across the surface of the covering; and

      ii. A detached permanent structure shall comply with the applicable Detached Accessory Structure building form standards except the detached building form’s setback standards shall not apply.

3. Any part of the Outdoor Eating and Serving Area located outside of a completely enclosed structure shall have a hard, all weather surface.

4. No required off-street parking spaces shall be used for the Outdoor Eating and Serving Area.
C. Specific Limitations When Located Less than 50' feet from a Protected District

1. Applicability
This Section 11.10.12.1.C's use standards shall apply to all accessory Outdoor Eating and Serving Areas, where permitted with limitations, in the following zone districts:
   a. All RX districts
   b. All CC-3x, -5x districts
   c. All CC-3, -5 districts except when district abuts a Commercial Arterial Street as designated in Blueprint Denver
   d. All MX-2x, -2A, -2 districts
   e. All MS-2x, -2 districts
   f. All MS-3, -5 districts except when district abuts a Commercial Arterial Street as designated in Blueprint Denver
   g. All C-CCN districts
   h. All I-MX, I-A, I-B districts
   i. All I-MX, I-A, I-B districts
   j. All M-RX, -IMX, -GMX districts

2. Use Limitations
   a. In all C-CCN districts, Outdoor Eating and Serving Areas are not permitted when located above the Street Level and less than 50 feet from the nearest boundary of a Protected District.
   b. In all other districts, and in all C-CCN districts when not located above the Street Level, Outdoor Eating and Serving Areas located less than 50 feet from the nearest boundary of a Protected District shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
   c. The Board of Adjustment, in addition to compliance with the general limitations for Outdoor Eating and Seating Areas stated in this Section 11.10.12, shall allow the operation of the Outdoor Eating and Seating Area beyond 6 p.m. only upon consideration of the following factors:
      i. Neighboring uses;
      ii. Seating capacity of the outdoor eating and seating area;
      iii. Type of food or drink being served; and
      iv. The ambient noise generated by activity on the eating and seating area, including whether outdoor speakers will be authorized.
   d. All distance and spacing requirements shall be measured according to Section 13.1.9, Measurement of Separation or Distance.

D. Specific Limitations When Located Between 50' feet and Less than 100' feet from Protected District

1. Applicability
This Section 11.10.12.1.D's limitations shall apply to all accessory Outdoor Eating and Serving Areas, where permitted with limitations, in the following zone districts:
   a. All RX districts,
   b. All CC-3x, -3, 5x districts, except when district abuts an Arterial Street as designated in Blueprint Denver,
   c. All MX-2x, -2A, -2 districts,
d. All MX-3A, -3 Z\text{zone D} districts, except when Z\text{zone D} district abuts an Arterial Street as designated in Blueprint Denver;

e. All MS-2x, -2 Z\text{zone D} districts,

f. All MS-3 Z\text{zone D} districts except when Z\text{zone D} district abuts an Arterial Street as designated in Blueprint Denver,

g. All I-MX, I-A, I-B Z\text{zone D} districts,

h. All M-RX, -IMX, -GMX Z\text{zone D} districts.

2. Use Limitations

a. When the Outdoor Eating and Serving Area is between 50 feet and less than 100 feet from the boundary of a Protected District, the use of the Outdoor Eating or Serving Area shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the Outdoor Eating and Serving area shall cease by 11:00 p.m.

b. All distance and spacing requirements shall be measured according to Section 13.1.9, Measurement of Separation or Distance.

SECTION 11.10.13 OUTDOOR ENTERTAINMENT ACCESSORY TO AN EATING/DRINKING ESTABLISHMENT USE

11.10.13.1 All Zone Districts

In all Z\text{zone D} districts, where permitted with limitations:

A. Outdoor Entertainment uses are permitted accessory to a primary eating and drinking establishment use only.

B. Outdoor Entertainment uses are subject to compliance with all applicable standards stated for primary Eating and Drinking Establishments in Section 11.4.8, Eating and Drinking Establishments - All Types. In case of conflict with the use standards stated in this Section specific to Outdoor Entertainment, the standards in this Section shall apply.

C. All Outdoor Entertainment areas shall comply with the following standards:

1. The Outdoor Entertainment area shall be contiguous to the Eating and Drinking Establishment to which it is accessory.

2. The Outdoor Entertainment area shall be clearly delimited by fences, walls or plant materials, but there shall be no structure or enclosure more than 6 feet tall, except that temporary canvas awnings or umbrellas may serve as sun shades.

3. Any part of the Outdoor Entertainment area located outside of the completely enclosed structure shall have a hard, all weather surface.

4. No required off-street parking spaces shall be used for an Outdoor Entertainment area.

D. If the Outdoor Entertainment area is less than 100 feet from the boundary of a Protected District (measured according to Section 13.1.9, Measurement of Separation or Distance), the use of the Outdoor Entertainment area and all activities therein shall cease by 10:00 p.m., except on Friday and Saturday nights when the use of the outdoor eating area and all activities therein shall cease by 11:00 p.m.

E. If the Outdoor Entertainment area is less than 50 feet from the nearest boundary of any Protected District (measured according to Section 13.1.9, Measurement of Separation or Distance), it shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
SECTION 11.10.14 OUTDOOR RETAIL SALE AND DISPLAY

11.10.14.1 All Zone Districts
   In all Zone Districts, where permitted with limitations, Outdoor Retail Sales and Display shall comply with the following limitations:

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

   B. Location and Placement Standards
      1. Outdoor retail sales and display areas are permitted adjacent to the building façade containing an entrance, and shall extend no further from such façade than the inside edge of the required fire access lane or drive aisle abutting such façade.
      2. Outdoor retail sales and display areas shall not exceed 20 feet in height.
      3. Outdoor retail sales and display areas shall not obstruct the ingress/egress paths to the public way. Display of highly combustible goods shall be located at least 5 feet from ingress/egress paths.
      4. Outdoor retail sales and display areas shall not obscure visibility of exits or address numbers (premises identification) from the primary street frontage.
      5. If located beneath building projections, the outdoor retail sales and display areas area shall be protected by sprinklers if the primary building is protected by sprinklers.
      6. Outdoor retail sales and display areas shall be located such that ADA standards are met.

11.10.14.2 All C-CCN Zone Districts

   A. Intent
      To ensure that outdoor retail and display areas are located, contained, and designed to be consistent with the intent of the C-CCN Zone Districts, to promote pedestrian and retail shopping activity at the Street Level, to ensure continuity of storefronts located at the setback line, and to use outdoor spaces to provide settings for activities that contribute to a high-quality pedestrian experience.

   B. Limitations
      In all C-CCN Zone Districts, where permitted with limitations, Outdoor Retail Sale and Display accessory to a primary nonresidential use shall comply with the limitations in Subsection 11.10.14.1 All Zone Districts, in addition to the following limitations:

      1. Location on Zone Lot
         Outdoor retail sale and display shall be located within the boundaries of the subject zone lot. Structures for the outdoor retail sale and display use shall not encroach into the minimum street setback(s) applicable to the primary building. Encroachment of outdoor retail sale and display into the public right-of-way is also prohibited.

      2. Relation to Temporary Outdoor Retail Sales
         This section's limitations on accessory outdoor retail sale and display do not apply to temporary outdoor retail sales permitted in the C-CCN Zone Districts and subject to Section 11.11.11, Outdoor Retail Sales.
SECTION 11.10.15 OUTDOOR STORAGE, GENERAL

11.10.15.1 All I-A, I-B Zone Districts

In all I-A and I-B Zone Districts, where permitted with limitations, General Outdoor Storage uses shall comply with the following limitations:

A. General outdoor storage shall only be permitted following review of a site development plan illustrating the extent of the permitted area for general outdoor storage and compliance with these limitations.

B. Shall be located at least 15 feet from the public right-of-way and any abutting Residential Zone District.

C. Shall not be permitted in a primary or side street setback area or otherwise forward of the primary street facing facade of a Primary Structure on the Zone Lot.

D. May be located in a side interior or rear setback area.

E. Shall be screened by a 100 percent opaque fence or wall that complies with all of the following standards:

   1. The screening fence or wall shall be high enough to completely conceal all general outdoor storage from view from adjacent rights-of-way and from any adjacent Residential Zone District or Mixed Use Commercial Zone District.

   2. When a general outdoor storage area is located within 200 feet of a Residential or Mixed Use Commercial Zone District, the screening wall or fence shall have a minimum height of 7 feet and maximum height of 10 feet.

   3. When a general outdoor storage area is located within 100 feet of a Residential Zone District or Mixed Use Commercial Zone District, stored materials and products shall not be stacked to a height above that of the screening wall or fence.

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 11.10.16 OUTDOOR STORAGE, LIMITED

11.10.16.1 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

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

11.10.17.1 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.

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 and CMP-NWC Zone Districts

In all Industrial Context zone districts, the O-1 zone district, the CMP-H zone district, 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.

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 materi-
als, 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 D 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 D 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 buildings shall comply with the most restrictive building setback requirements of the Zone D 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 D 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 D 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 D districts, Section 12.4.2, Zoning Permit with Informational Notice shall apply.
2. In a MX-2x and MS-2x Zone D 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 D 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 D districts, Section 12.4.2, Zoning Permit with Informational Notice, shall apply.
2. In all MX-2x, -2A, -2 and MS-2x, -2 Zone D 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 Z zone D 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 Z zone D 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 Z zone D 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 nonresidential 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 Districts, 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.
b. This use shall not include the uses nursing home, hospice or residence for older adults.

c. An assisted living facility shall not be considered a Residential Care use.

d. 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 D 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.


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 D 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 age due to physical condition or illness.
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 a 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.
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. 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.

2. 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.

3. 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, including alternative tower structures. This term also includes any antenna or antenna array attached to the tower structure.

4. 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 Pd district. This term also includes any antenna or antenna array attached to the alternative tower structure.

5. Telecommunication Facilities

The plant, equipment and property, including but not limited to, cables, wires, conduits, ducts, pedestals, antennas, towers, alternative tower structures, electronics and other
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 SIC GROUPS CORRECTED at c.

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: **SIC GROUPS CORRECTED AT ii. and iii.**

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
DIVISION 12.2  REVIEW AND DECISION MAKING BODIES

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

SECTION 12.2.1  CITY COUNCIL

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

12.2.1.2 Authority for Final Action
The City Council is responsible for final action regarding:
A. Official Map Amendments (Rezoning)
B. Text Amendments

SECTION 12.2.2  PLANNING BOARD

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

12.2.2.2 Authority for Final Action
The Planning Board is responsible for final action regarding:
A. District Sign Plans in the Downtown Theater (Downtown Theater) zone
B. Site development plan applications for certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) zone districts, as specified in Article 9, Division 2 (Campus Context) of this Code.

12.2.2.3 Review Authority
The Planning Board shall review and make recommendations to the authority responsible for final action shown in Section 12.2.9, Summary Table of Authority and Notice, regarding:
A. Official Map Amendments (Rezoning)
B. Text Amendments
C. General Development Plans (GDPs)
D. Comprehensive Sign Plans for Large Facilities

SECTION 12.2.3  MANAGER OF COMMUNITY PLANNING & DEVELOPMENT

12.2.3.1 Short Title
The Manager of Community Planning and Development shall be known as “Manager” for the purposes of this Code.

12.2.3.2 General Authority
The Manager may exercise powers described by the Charter and D.R.M.C., Section 12-17, General Powers and Duties, and other ordinances, rules and regulations. In addition, the Manager shall:
A. Maintain the Official Map showing the current zoning classification of all land in the city;
B. Record with the Denver County Clerk and Recorder and file with the Denver City Clerk all matters and documents required by this Code to be recorded or filed;
12.2.7.2 Review Authority

A. Within the C-CCN Zone districts, the Cherry Creek North Design Advisory Board shall review and make recommendations to the Development Review Committee or the Zoning Administrator as specified in adopted rules and regulations, as may be amended from time to time.

SECTION 12.2.8  DOWNTOWN ARAPAHOE SQUARE DESIGN ADVISORY BOARD

12.2.8.1 Creation

A. The Downtown Arapahoe Square Design Advisory Board shall consist of seven members appointed by the Mayor. The seven members shall include individuals from the following categories: four design professionals, including architects, landscape architects, and urban designers, at least one of whom shall be a landscape architect; one owner of property in the Arapahoe Square area; one resident of the downtown area (including the Ballpark, Curtis Park and Enterprise Hill areas, as well as other nearby parts of the Five Points, Central Business District and Union Station statistical neighborhoods); and one representative of the development/construction industry, including but not limited to engineers, contractors, and developers. All board members must be residents of Denver.

B. The members of the board shall be appointed by the Mayor for terms of three years and shall serve at the pleasure of the Mayor. Terms of office shall be staggered by making the appointments so that approximately one-third of the members’ terms expire each year. Vacancies shall be filled by the mayor within 30 days from the date on which the vacancy occurs.

12.2.8.2 Board Meetings

A. All meetings of the Downtown Arapahoe Square Design Advisory Board shall be open to the public and allow opportunity for public comment.

12.2.8.3 Review Authority

A. Within the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone districts, the Downtown Arapahoe Square Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator, as specified in adopted rules and regulations, which may be amended from time to time.
12.3.3.6 False or Misleading Information
Any false or misleading information given by the applicant in an application, or in other statements to staff, or in a public hearing as applicable, may result in suspension or rescission of a permit, as permitted under Division 12.11, Enforcement, Violations and Penalties, of this Article.

12.3.3.7 Complete Applications Required for Processing
A. All applications shall be complete and sufficient for processing before any review of the application will begin.

B. An application is complete when the Manager finds that it is submitted in the required form, includes all information necessary to decide whether the application will comply with the requirements of this Code, including all items or exhibits specified during a pre-application meeting or concept plan review, and is accompanied by the applicable fee or fees.

C. An application shall be considered incomplete if the Manager determines that the submittal is inconsistent or contrary to a previous plan or permit approval that is regulatory and controlling.

D. An application for an official map amendment (rezoning) shall be considered incomplete if the Manager determines that the submittal does not meet the minimum land area or any other minimum requirements for rezoning to the proposed Zone D district. See Section 12.4.10, Official Map Amendments.

12.3.3.8 Determination of Complete Application
A. Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, the Manager shall review the application and make a determination of completeness by no later than 15 days from the date of receipt of the applicant’s submittal. Failure to make a determination of completeness within the requisite 15-day time period shall automatically deem the application “complete.”

B. A “complete” application shall be processed according to this Article.

C. If the Manager determines that the application is incomplete, the Manager shall notify the applicant and specifically identify how the application is deficient and state that Community Planning and Development will not process incomplete applications. The application shall then be classified as “Incomplete.”

D. Community Planning and Development shall not review an incomplete application, and shall not forward such application to any review or decision-making bodies, until the application is made complete. Wherever this Code refers to the forwarding or referral of an application to any review or decision-making body, the obligation to forward or refer the application shall not arise until the application is determined to be complete.

12.3.3.9 Concurrent Applications
A. Applications may be filed and reviewed concurrently, at the option of the applicant, and with the approval of the Manager. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.

B. Applications submitted concurrently may be subject to approval of all other related applications. Disapproval of any concurrently submitted application may stop consideration of related applications until the disapproved application is resolved.

C. Notwithstanding Section 12.4.10.2, Zone D districts Not Available for Rezoning, creation of a new zone district by text amendment according to Section 12.4.11, Text Amendment, may, with the Manager’s approval, be filed and reviewed concurrent with a map amendment according to Section 12.4.10, Official Map Amendment (Rezoning). In no case, however, shall a map amend-
**B. Approval of Required Site Development Plan**
When a Site Development Plan is required by Section 12.4.3, no zoning permit for construction shall be issued until a Site Development Plan is approved.

**C. Payment of Gateway Regional Systems Development Fee**
No zoning permit for an applicable zone lot, except a zoning permit only for a sign or fence and wall, shall be issued until the regional systems development fee established by the Gateway Regional Metropolitan District on land within the Gateway Regional Metropolitan District has been paid for the subject zone lot.

**D. Manager of Parks and Recreation Approval of Uses and Development in the OS-A District**
No zoning permit for an applicable zone lot shall be issued for any use or development in an OS-A district until the Manager of Parks and Recreation, or designee, has agreed to the approval of the zoning permit in writing.

**E. Denver International Airport (DIA) Review of Uses and Development in the DIA Influence Area Overlay District (AIO)**
No zoning permit shall be issued for any use, development, or structure in the DIA Influence Area Overlay District until the Manager of Aviation, or designee, has found that the proposed use, development, or structure complies with the DIA Influence Area Overlay District standards in Article 9 of this Code. The Manager of Aviation shall comment within 14 days from the referral of the complete application. Non-response by the Manager of Aviation within the 14-day time period, or any extension agreed to by the Zoning Administrator, shall be deemed a recommendation of approval.

### 12.4.1.4 Review Process

**A. Initiation**
The owner[s] of the subject property or the owner’s authorized agent may initiate an application for zoning permit review.

**B. Pre-Application Meeting**
A pre-application meeting is optional before submittal of a zoning permit review application. See Section 12.3.2, Pre-Application Conference/Concept Plan Review.

**C. Application and Fees**

1. **Submittal in Writing**
   All applications for zoning permit review shall be submitted in writing to Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

2. **Concurrent Applications**
The applicant may submit a zoning permit review application concurrent with the submittal of other applications according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit be issued until the zoning permit according to this Section is approved, unless the Zoning Administrator allows an exception in writing.

**D. Review, Referral and Final Decision**
The Zoning Administrator may refer the zoning permit application to other affected or interested agencies and parties for review and comment, as deemed necessary to make a decision on the application. The Zoning Administrator shall make a final decision to approve, approve with conditions, or deny the zoning permit application, taking into consideration relevant agency or other party comments.
12.4.1.5 Review Criteria
The Zoning Administrator shall use the following criteria in making a decision on an application for zoning permit review:

A. The zoning permit is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, all zoning permits shall be consistent with a previously approved General Development Plan, Regulating Plan, or Site Development Plan.

B. The zoning permit complies with all applicable regulations in this Code.

12.4.1.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration
1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.

2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing a permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land.

3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission
The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit
Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.2 ZONING PERMIT REVIEW WITH INFORMATIONAL NOTICE

12.4.2.1 Purpose
The purpose of the zoning permit review with informational notice process is to ensure compliance with the standards and provisions of this Code, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Zoning permit review with informational notice is intended for specific types of development or establishment of specific permitted uses that are consistent with the intent of the Z zone district and generally compatible with surrounding building forms and uses, but which have the potential for adverse off-site impacts. Zoning permit review with informational notice provides an opportunity for potentially affected parties to be notified of the city’s receipt of the application, the process for making comments, the final decision, and appeal opportunities.

12.4.2.2 Applicability
Zoning permit review with informational notice is required for the following types of development:

A. Establishment, expansion or enlargement of a primary, accessory, or temporary use permitted subject to informational notice, as indicated by the designation “ZPIN” (Zoning Permit with Informational Notice) in the applicable Use and Parking Tables found in Articles 3 through 9 of this Code.

B. Establishment, expansion or enlargement of a primary, accessory, or temporary use permitted in a Z zone district under Articles 3 through 9 or under any other provision in this Code, where
substantially or permanently injure the appropriate use of conforming residential properties located within 500 feet of the proposed use. Evidence of such injury shall clearly establish the anticipated specific problems attributed to residents of the proposed shelter for the homeless while in or around the shelter as distinct from the general problems attributed to persons using or passing through the subject area.

12.4.2.6 Requirements and Limitations After Zoning Permit Issuance

A. Expiration

1. Except as otherwise allowed in subsection C. below, all approved zoning permits authorizing construction shall expire after 180 days after the date of issuance if a building permit has not been issued within the 180-day time period and is not thereafter cancelled.

2. Except as otherwise allowed in subsection C. below, an approved zoning permit authorizing a permitted use shall expire if a building permit has not been issued within the 180-day time period or if the permitted use is not established within the 180-day time period. After the use is validly established, an approved zoning use permit shall run with the land.

3. If a zoning permit is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Modification and Rescission

The Zoning Administrator may change, modify, or rescind any zoning permit decision, whether or not the decision has been appealed to the Board of Adjustment. Rescission of a permit is allowed according to the procedure and criteria stated in Section 12.11.6 of this Code.

C. Modifications and Amendments to an Approved Zoning Permit

Modifications and amendments to an approved zoning permit are allowed according to Section 12.3.7 of this Code.

SECTION 12.4.3 SITE DEVELOPMENT PLAN REVIEW

12.4.3.1 Purpose

The purpose of the site development plan review process is to ensure compliance with the standards and provisions of this Code and other applicable city standards, rules and regulations, while encouraging quality development in Denver reflective of the goals, policies, and strategies found in the Comprehensive Plan. Site development plan review is generally reserved for development with the potential for significant on-site and off-site impacts necessitating inter-departmental and inter-agency referral, review, and, in some cases, approval prior to final action by Community Planning and Development. After the City's approval of a site development plan, Community Planning and Development is authorized to issue requisite zoning permits under this Code.

12.4.3.2 Applicability

A. Site development plan review is required for the following (see Article 13, Division 13.3, for definition of the term "development" as used below):

1. Development in all Zone districts, including development of a Detached Accessory Dwelling Unit building form or development of a Tandem House building form on a single zone lot, but not including the following types of residential development:
   a. Establishment of a single-unit or two-unit dwelling use on a single zone lot in a SU, TU, TH, RH, RO, or MU District; or
   b. Construction of a suburban house, urban house, or duplex building form on a single zone lot.

2. Creation of or development on a flag lot.
3. Development subject to an approved General Development Plan (GDP).

4. Development within a PUD District; however, development within a PUD District subject to an approved Detailed PUD District Plan under Section 9.6.1.3, Requirement for a PUD District Plan, is exempt from this requirement for site development plan review.

5. Development on a Parkway designated according to Chapter 49 of the D.R.M.C.

6. Establishment of a primary, accessory, or temporary use permitted in a Zone D district under Articles 3 through 9, Article 11, or any other provision of this Code, where such provision explicitly requires site development plan review and approval prior to establishment of the use.

7. Requests for shared parking or participation in an off-site car-sharing program to meet minimum parking requirements, as specified in Article 10, Section 10.4.5.4, Shared Vehicle Parking, and Section 10.4.5.3.B, Off-Site Car Sharing Program.

B. The Zoning Administrator may require site development plan review for any development not listed in subsection A. above, where the proposed development requires approval by a city agency or department other than Community Planning and Development.

C. No development shall occur on property subject to these requirements until a site development plan has been approved and requisite zoning and building permits issued, unless the Zoning Administrator expressly allows an exception.

12.4.3.3 Review Process

A. Initiation
   The owner(s) of the subject property or the owner’s or owners’ authorized agent may initiate an application for site development plan review.

B. Pre-Application Concept Plan Review
   1. A pre-application concept plan review is mandatory before submittal of a formal site development plan application. During the concept plan review, the DRC will confirm the applicability of site development plan review to the proposed development activity and the specific procedure steps and submittal requirements the applicant will follow. See also Section 12.3.2, Pre-Application Meetings.
   2. During the concept plan review, the DRC may waive an otherwise mandatory requirement for site development plan review if the DRC finds that the nature and complexity of the proposed development, and the development’s compliance with this Code, can be fully addressed through the zoning permit review procedure in Section 12.4.1.

C. Application and Fees
   1. Submittal in Writing
      All applications for site development plan review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

   2. Concurrent Applications
      Concurrent applications may be allowed according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall a building permit, as applicable, be issued until the site development plan is approved and all zoning permits issued according to this Article, unless the Zoning Administrator allows an exception in writing.

D. Public Notice Requirements
   Informational Notice shall be provided according to Section 12.3.4.5, Informational Notice-General Provisions, for the following types of site development plan review applications only:
1. Site development plans where multiple primary buildings will be sited on the same zone lot in a Residential Zone District, but not including development of a tandem house building form on a single zone lot. For such site development plans, written informational notice shall be given only for receipt of the application.

2. Certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) Zone Districts, as specified in Article 9, Section 9.2.3.2.3, Construction Subject to Review and Final Decision by Planning Board.

E. Review, Referral and Decision by Development Review Committee

1. The DRC shall refer the site development plan application to other affected or interested agencies for review and comment.
   a. For proposed development in the DIA Influence Area Overlay District, the DRC shall refer the site development plan application to the Department of Aviation for review. The DRC shall not approve a site development plan in the DIA Influence Area Overlay District until the Manager of the Department of Aviation, or designee, has found that the proposed development complies with the DIA Influence Area Overlay District standards in Article 9 of this Code. The Manager of Aviation shall comment within 14 days from the referral of the complete application. Non-response by the Manager of Aviation within the 14-day time period, or any extension agreed to by the DRC, shall be deemed a recommendation of approval.

2. If required by Section 12.4.3.3.F, Review and Final Decision by Planning Board, the DRC shall forward the site development plan application, together with the DRC’s recommendation, to the Planning Board for the Planning Board’s review and final decision on the site development plan application.

3. The DRC shall consider the relevant comments of all interested parties, the actions taken by other agencies on the site development plan, as applicable, the recommendation by the Planning Board, as applicable, and the review criteria stated below, in approving, approving with conditions, or denying a site development plan application.

4. The DRC may attach conditions to the site development plan approval reasonably necessary to protect the health, safety and welfare of the community and to minimize adverse impacts on adjacent properties, as authorized by this Code.

F. Review and Final Decision by Planning Board

1. Applicability
   The DRC shall forward the following site development plan applications to the Planning Board for the Planning Board’s review and final decision:
   a. Campus Healthcare Zone Districts
      Site development plan applications for certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) Zone Districts, as specified in Article 9, Section 9.2.3.3, Construction Subject to Review and Final Decision by Planning Board.

2. Review and Decision by the Planning Board at Public Hearing
   a. The Planning Board shall hold a public hearing to review the site development plan application and make a final decision.
   b. The applicant shall provide written and posted public notice of such public hearing according to Section 12.3.4, Public Notice Requirements.
   c. The Planning Board shall review the DRC’s recommendation, the actions taken by other agencies on the site development plan, as applicable, and the review criteria
stated below, in approving, approving with conditions, or denying a site development plan application.

d. The Planning Board may attach conditions to the site development plan approval reasonably necessary to protect the health, safety and welfare of the community and to minimize adverse impacts on adjacent properties, as authorized by this Code.

12.4.3.4 Review Criteria
The following criteria shall be considered in making a decision on an application for site development plan review:

A. The site development plan has been reviewed and approved by the DRC, where such approval is authorized and required by the D.R.M.C. The DRC or Planning Board shall not approve a site development plan until all DRC departments have approved the site development plan pursuant to their charter or D.R.M.C. authority.

B. The site development plan is consistent with all prior approvals that are regulatory and controlling for the subject property, as applicable. For example, the site development plan shall be consistent with a previously approved General Development Plan or Regulating Plan.

C. The site development plan complies with all applicable regulations in this Code.

The following additional criteria shall be considered in making a decision on an application for site development plan review submitted to permit certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) Zone D districts, as specified in Article 9, Section 9.2.3.3, Construction Subject to Review and Final Decision by Planning Board:

1. Whether the project is generally compatible with the Comprehensive Plan, including any neighborhood plans, and with the campus facility’s plans for future development;

2. Whether there has been demonstrated neighborhood involvement in reviewing the project and its potential impacts, including meetings with applicable RNOs, and whether neighborhood concerns have been appropriately addressed;

3. Whether the project has a significant adverse impact on historically designated or architecturally significant buildings as determined by Community Planning and Development; and

4. Whether the construction project is consistent with the Campus Zone D district in which it is proposed to be located.

5. Consideration for the growth needs and viability of healthcare districts in CMP-H and CMP-H2 Zone D districts.

12.4.3.5 Appeal
Section 12.4.8, Appeal of Administrative Decision, shall apply.

12.4.3.6 Requirements and Limitations After Site Development Plan Approval

A. Recordation of Approved Site Development Plans
Community Planning and Development shall register a copy of the approved site development plan among its records and shall record the approved site development plan in the real property records of the Denver County Clerk and Recorder.

B. Effect of Approval

1. A site development plan approved according to this Section shall regulate the future use and development of the subject property.
### ZONING STANDARD

<table>
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<tr>
<th>MAXIMUM ADJUSTMENT &quot;NA&quot; = NOT APPLICABLE OR AVAILABLE</th>
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<tbody>
<tr>
<td><strong>ZONING STANDARD</strong></td>
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<td>Maximum height (in feet)</td>
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</table>

#### 3. HISTORIC STRUCTURES

- **Maximum height (in stories or feet)**
- **Bulk Plane Dimensions**

The Zoning Administrator may approve an adjustment that results in a structure taller than a similar building form located within the existing neighborhood, as defined in Section 12.4.7.5.C.2, "Compatibility with Existing Neighborhood," if the landmark approving authority (pursuant to D.R.M.C., Chapter 30, Landmarks) finds specifically that development on the lot or parcel conforming to this Code's height or bulk regulations would have an adverse impact upon the historic character of the individual landmark or the historic district, if a historic district is involved.

#### SITING STANDARDS:

### Determination of Primary Street Zone Lot Line(s) on Corner Lots of Oblong Blocks or Square Blocks

- **Minimum zone lot width requirements**
- **Block sensitive primary street setback**
- **Side Interior Setback requirements on Zone Lots from 31 to 40 feet wide**
- **Setback requirements, all others, except primary street setback in the C-CCN Zone Districts**
- **Build-to requirement -- Adjustment applies only to the min/max range of required build-to (e.g., an adjustment is permitted to the 0' to 5' range, but not to the minimum 70% build-to portion of the standard).**
- **Build-to requirement to accommodate required water quality and/or detention/retention facilities.**
- **Build-to requirement - Adjustment applies only to zone lots that are 80 feet wide or less.**
- **Build-to requirement - Adjustment applies only to sites with gas station uses existing on June 25, 2010.**
- **Maximum building coverage**

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**DENVER ZONING CODE**

June 25, 2010 | Republished July 6, 2015
B. Administrative Adjustments to Ensure Compliance with Federal Law

1. Compliance with Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)
   a. General
   The Zoning Administrator may grant administrative adjustments to any use, building form, or design standard stated in Articles 3 through 9, Contexts and Zone Districts, Article 11, Use Limitations, or Article 10, General Design Standards in order to eliminate a substantial burden on religious exercise as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act of 2000, as amended.
   b. Limitations
   In no circumstance shall the Zoning Administrator approve an adjustment that allows a religious assembly use, or any uses/structures/activities accessory to it, in a Zone District where Articles 3 through 9 prohibit such use or accessory use/structure/activity.
   c. Conditions of Approval
   In granting an administrative adjustment, the Zoning Administrator may require conditions that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties, including but not limited to additional landscaping or screening.

2. Reasonable Accommodations under Federal Fair Housing Act (FFHA)
   a. The Zoning Administrator may grant administrative adjustments to provide reasonable accommodations under the Federal Fair Housing Act. In the application for an administrative adjustment under this subsection, the applicant shall identify the type of housing being provided and cite the specific provisions of the Federal Fair Housing Act that require reasonable accommodations be made for such housing. The Zoning Administrator may grant the following types of administrative adjustments to assure reasonable accommodations required by law:
      i. Modify any minimum distance or spacing requirements, building setback, height, open space or building coverage, or landscaping requirement by no more than 10 percent; or
      ii. Reduce any off-street parking requirement by no more than 1 space.
   b. The Zoning Administrator may approve a type of reasonable accommodation different from that requested by the applicant if the Zoning Administrator concludes that a different form of accommodation would satisfy the requirements of the Federal Fair Housing Act with fewer adverse impacts on adjacent areas. The decision of the Zoning Administrator shall be accompanied by written findings of fact as to the applicability of the Federal Fair Housing Act, the need for reasonable accommodations, and the authority for any reasonable accommodations approved. Requests for types of accommodation that are not listed above may only be approved through a Variance or Official Map Amendment (Rezoning) process.

3. Compliance with Other Federal Laws
   The Zoning Administrator is authorized to grant administrative adjustments necessary to ensure compliance with any other applicable federal law, provided the adjustment is no greater than any adjustment specifically authorized by this Section 12.4.5. Requests for adjustments that are not otherwise authorized by this Section may only be approved through a Variance or Official Map Amendment (Rezoning) process.
12.4.5.4 Review Process

A. **Initiation**
The owner of the subject property or the owner’s authorized agent may initiate an application for an administrative adjustment.

B. **Pre-Application Meeting**
A pre-application meeting is mandatory before submittal of an application for administrative adjustment. See Section 12.3.2, Pre-Application Meeting/Concept Plan Review.

C. **Application and Fees**

1. **Concurrent Review for Administrative Adjustments**
Requests for administrative adjustments may be submitted concurrently with any other required zoning application according to Section 12.3.3.9, Concurrent Applications. In such cases, the Zoning Administrator shall review and take action on the administrative adjustment during the review of the primary application.

2. **All Other Requests for Administrative Adjustments**
All applications for administrative adjustment shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

D. **Review, Referral and Final Decision by Zoning Administrator**

1. The Zoning Administrator may refer the administrative adjustment application to other affected or interested parties and agencies for review and comment, as deemed necessary to make a decision on the application.

2. In deciding to approve, approve with conditions, or deny the proposed adjustment, the Zoning Administrator shall consider relevant comments of all interested parties and agencies.

3. The Zoning Administrator may attach any condition to approval of an administrative adjustment reasonably necessary to protect the health, safety and welfare of the community, to secure substantially the objectives of the modified standard, and to minimize adverse impacts on adjacent properties.

12.4.5.5 Review Criteria
The Zoning Administrator may approve an Administrative Adjustment only upon finding that:

A. The adjustment is necessary to satisfy the federal requirements for reasonable accommodation of housing for protected groups under the Federal Fair Housing Act as provided in Section 12.4.5.3.B.2.; or

B. The adjustment is necessary to eliminate a substantial burden on religious exercise as guaranteed by the federal Religious Land Use and Institutionalized Persons Act of 2000 as provided in Section 12.4.5.3.B.1.; or

C. The adjustment is necessary to satisfy the mandates under any other federal law or requirements as provided in Section 12.4.5.B.3.; or

D. All of the following criteria have been met:

1. The requested adjustment is consistent with the stated intent and purpose of this Code.

2. The requested adjustment is consistent with the stated intent and purpose of the applicable **zone** **district.**
4. Determination of whether a specific unlisted primary, accessory, or temporary use type may be permitted in one or more Zone Districts, and what type of use review is required (i.e., no zoning permit, ZP, ZPIN, or ZPSE); and

5. Interpretations regarding disputed boundaries of Zone Districts shown on the Official Zone Map.

B. The provisions of this Section shall not apply to permit any specific use that is expressly prohibited in a Zone District or by this Code's provisions. If, pursuant to this Section, a specific use type cannot clearly be determined to be in a use classification or category permitted in a particular Zone District or by this Code's provisions, such use may be incorporated into the zoning regulations only by a text amendment to this Code, as provided in Section 12.4.11.

12.4.6.2 Authority to Make Code Interpretations
The Zoning Administrator shall be the final decision-maker for all Code Interpretations and Determinations of Unlisted Uses.

12.4.6.3 Review Process

A. Initiation
Any of the following persons may initiate a request for Code Interpretations and Determinations of Unlisted Uses:

1. A member of the City Council;
2. A member of the Planning Board;
3. The City Attorney;
4. The Manager;
5. The manager or director of any other city department or agency; or
6. A private party with an interest in the subject real property when the Code Interpretation would affect the status or treatment of a proposed or submitted zoning application, or the status of an existing or proposed use, related to such property.

B. Pre-Application Meeting
A pre-application meeting is optional prior to submittal of a request for Code Interpretations and Determinations of Unlisted Uses. See Section 12.3.2, Pre-Application Conference/Concept Plan Review.

C. Application and Fees
All applications for Code Interpretations and Determinations of Unlisted Uses shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

D. Review by Zoning Administrator
Within 30 days of receipt of a complete application for Code Interpretations and Determinations of Unlisted Uses, the Zoning Administrator shall:

1. Review and evaluate the application in light of this Code, the Comprehensive Plan, established administrative practices and past interpretations, the potential for establishing a precedent with the interpretation, and any other relevant policy and regulatory documents;
2. Review and evaluate the application with consideration of the general rules of interpretation specified in this Section 12.4.6.3.F, as applicable; and
3. Consult with the Manager, City Attorney, other agencies and staff, as necessary.
E. Final Decision by Zoning Administrator

1. Timing of Final Decision
   Within 30 days of receipt of a complete application for Code Interpretations and Determinations of Unlisted Uses, the Zoning Administrator shall complete the review and make a final interpretation or determination unless the applicant agrees to an extension of time.

2. Authority to Impose Reasonable Conditions
   In making a determination to allow an unlisted use, the Zoning Administrator may impose reasonable conditions on such use, which conditions shall be uniform throughout the zone districts. In imposing conditions, the Zoning Administrator shall consider, at a minimum, the compatibility of the use within the districts in which the use may be permitted, the intensity of the use, the amount and configuration of physical space occupied by the use, and the potential for adverse impacts on adjacent properties.

3. Determination of Applicable Zoning Procedure
   As part of a Code Interpretation or Determination of Unlisted Uses, the Zoning Administrator shall, as applicable, make a determination whether one or more of this Code’s zoning procedures apply. For example, in determining that an unlisted use is permitted as a primary use in a zone district, the Zoning Administrator shall also determine what zoning procedure applies (e.g., ZP, ZPIN or ZPSE). The Zoning Administrator’s determination of applicable zoning procedure shall be based on consideration of the zoning procedure(s) applicable to similar land uses or subject matter, and/or the degree to which the zoning procedure may inform mitigation of possible adverse impacts from the subject Code Interpretation or Use Determination.

4. Form of Determination
   The Zoning Administrator shall provide the Code Interpretation or Determinations of Unlisted Uses to the applicant in writing. Such interpretation or determination shall also be kept in the files of the Zoning Administrator.

F. General Rules of Interpretation
   When making a Code Interpretation or Determination of Unlisted Uses, the Zoning Administrator shall employ the following general rules, as applicable:

1. Employ the definitions contained in Article 13 to determine the meaning of words and phrases, or if not defined in Article 13, apply the plain meanings of all other words and phrases. When not defined in Article 13, if a word or phrase is subject to differing interpretations, then the Zoning Administrator shall apply the meaning assigned first by the D.R.M.C., as applicable, and then by a dictionary in general use.

2. Employ the definitions of land uses in Article 11 to determine the appropriate use classification, use category and/or specific use type in which to classify an unlisted use.

3. Where more than one interpretation of required procedures is possible, the Zoning Administrator shall select the interpretation of procedures that requires the lesser time and expense to the applicant consistent with the provisions of the charter, the D.R.M.C., and this Code.

4. Where more than one interpretation of required provisions or procedures is possible, the Zoning Administrator shall chose that interpretation that best implements the Comprehensive Plan and/or this Code in a manner consistent with applicable law.

5. In the case of any conflict between the General Rules for Interpretation in this Section 12.4.6.3.F and the Rules of Interpretation found in Division 13.2 of this Code, the General Rules for Interpretation in this Section 12.4.6.3.F shall apply.
12.4.6.4 Review Criteria

A. General Review Criteria for All Code Interpretations and Determinations of Unlisted Uses

The Zoning Administrator shall make Code Interpretations and Determinations of Unlisted Uses only upon finding that the interpretation or determination is:

1. Consistent with the intent of this Code; and
2. Consistent with the intent of the subject Neighborhood Context and zone D district(s), and with the intent of any specific Code provision(s) at issue.

B. Additional Review Criteria for Unlisted Use Determinations

In addition to applying the general review criteria stated in Section 12.4.6.4.A, the Zoning Administrator shall apply the following criteria for a Determination of Unlisted Use:

1. The proposed use has a character and impact that are similar in nature, function, and duration to the other uses permitted in the zone D district(s). In making such finding, the Zoning Administrator shall assess all relevant characteristics of the proposed use, including but not limited to the following, as applicable:
   a. The typical volume and type of sales (retail or wholesale); size and type of items sold; and nature of inventory on the premises;
   b. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution; and any dangerous, hazardous, toxic, or explosive materials used in the processing;
   c. The nature and location of storage and outdoor display of merchandise; whether storage is enclosed, open, inside, or outside the principal building; and predominant types of items stored (such as business vehicles, work-in-process, inventory, and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders hazardous or not);
   d. The type, size, and typical massing of buildings and structures associated with the unlisted use;
   e. Transportation requirements, including the modal split for people and freight, by volume type and characteristics of traffic generation to and from the site; trip purposes and whether trip purposes can be shared by other uses on the site;
   f. Parking requirements, turnover and generation, ratio of the number of spaces required per unit area or activity, and the potential for shared parking with other uses;
   g. The amount and nature of any external effects generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation and fumes;
   h. Any special public utility requirements for serving the proposed use, including but not limited to water supply, waste water, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and
   i. The type and extent of impacts on adjacent properties created by the proposed use in comparison to impacts from other uses permitted in the zone D district.

SECTION 12.4.7 VARIANCE

12.4.7.1 When Authorized

The Board of Adjustment may authorize variances from the terms of this Code pursuant to the charter, subject to terms and conditions fixed by the Board of Adjustment, as will not be contrary to the public interest where, owing to unusual conditions or disability or owing to a property’s historic
designation, or where a variance would produce a more compatible development, literal enforce-
ment of the provisions of this Code will result in unnecessary hardship.

12.4.7.2 Related Procedure
Under certain circumstances, modifications of this Code’s standards may be permitted according to
the Administrative Adjustment procedure in Section 12.4.5, without resort to this Variance proce-
dure. The Zoning Administrator may grant administrative adjustments to relieve unnecessary hard-
dship and practical difficulties, without review by the Board of Adjustment for a variance.

12.4.7.3 Limitations on Variances for Signs
A. General Limitations on Sign Variances
No variance from the provisions of Division 10.10, Signs, on permitted signs shall be granted or
authorized by the Board of Adjustment, which would result in any of the following:

1. Any variance from the provisions of Section 10.10.20, Outdoor General Advertising De-
   vices;
2. An existing roof sign that is higher than 32 feet above grade or a new or existing project-
ing sign that is higher than 32 feet above grade;
3. A new roof sign;
4. A new projecting sign that exceeds 20 square feet in sign area in a Residential Zone
   District or in the MX-2x, MS-2x, or O-1 zone districts; or that exceeds 50 square feet in
   sign area in the MX-2A, MX-2, MX-3A, MX-3, MS-2, MS-3, I-MX, I-A, or M-IMX zone districts;
   or that exceeds 80 square feet in sign area in all other zone districts;
5. A new or existing projecting sign where more than 1 other sign is maintained or is to be
   maintained for the same primary use on the same building front;
6. A new or existing ground sign that is higher than 32 feet above grade, except that a vari-
   ance permitting the maintenance of an existing ground sign that is not higher than 35
   feet above grade may be granted where said ground sign and all other signs for the same
   primary use comply with all other applicable provisions of Division 10.10, Signs;
7. A new or existing sign with a sign area larger than that which is permitted under the
   provisions of Division 10.10, Signs, for the primary use in the zone district in which the
   primary use is or will be maintained, except that a variance permitting the maintenance
   of an existing sign with a sign area up to 50 percent larger than the maximum sign size
   permitted under the provisions of Division 10.10, Signs, for the primary use in the zone
   district in which the use by right is maintained may be granted where no other signs are
   maintained for the same primary use on the same building front and where the total area
   of signs maintained for the same primary use does not exceed that permitted under the
   applicable provisions of Division 10.10, Signs; or
8. A greater total area of signs than that which is permitted under the provisions of Division
   10.10, Signs, for the primary use in the zone district in which the primary use is or will
   be maintained.

B. Variances for Signs for Religious Assembly Uses
Notwithstanding the limitations set forth in this Section 12.4.7.3, Limitations on Variances for
Signs, the Board of Adjustment shall have the power to grant variances from the provisions of
Division 10.10, Signs, for signs that identify religious assembly uses when such signs are located
on the same zone lot as the religious assembly use.
12.4.7.4 Review Process

A. Initiation
The owner of the subject property or the owner’s authorized agent may initiate an application for a variance.

B. Application and Fees
All applications for variance shall be filed in writing according to the rules of the Board of Adjustment. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Application.

C. Public Hearing and Decision by Board of Adjustment
1. Following notice and a public hearing according to the rules of the Board of Adjustment, the Board of Adjustment shall approve, approve with conditions, or deny the variance request based on whether the applicant has evidenced an unnecessary hardship according to the review criteria below, and subject to any limitations in Section 12.4.7.7 regarding variances for signs.
2. The Board may attach any condition to a variance approval necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties, including but not limited to a condition changing the location or dimensions of a proposed development directly related to the request for a variance.

12.4.7.5 Review Criteria - Showing of Unnecessary Hardship
The Board of Adjustment may grant a variance only if it finds that there is an unnecessary hardship whereby the application satisfies the criteria of any one of paragraph A. or B. or C. or D. of this subsection and satisfies the criteria of Section 12.4.7.6, Review Criteria - Applicable to All Variance Requests.

A. Unusual Conditions or Disability
1. There is a disability affecting the owners or tenants of the property or any member of the family of an owner or tenant who resides on the property, which impairs the ability of the disabled person to utilize or access the property; or
2. There are unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or
3. There are unusual physical circumstances or conditions arising from the existence of an existing, nonconforming or compliant structure on the affected property; and
4. When the hardship is based on unusual physical circumstances or conditions of the affected property:
   a. The circumstances or conditions do not exist throughout the neighborhood or the district in which the property is located, or the circumstances or conditions relate to drainage conditions and challenges found consistently throughout the neighborhood or district in which the property is located; and
   b. The development or use of the property cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district; however, loss of a financial advantage, hardship that is solely financial, or the fact that a more profitable use of the property might be had if a variance were granted are not grounds for a variance; and
   c. The unusual physical circumstances or conditions have not been created by the applicant.
5. That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Code will result in unnecessary hardship.

12.4.7.6 Review Criteria - Applicable to All Variance Requests
The Board of Adjustment may grant a variance only if the Board finds that, if granted, the variance:

A. Would not authorize the operation of a primary use other than those uses specifically enumerated as permitted primary uses for the Zone District in which the property is located.

B. Would not grant a change to either (a) a waiver or condition attached to an approved rezoning, or (b) an approved PUD District plan that would constitute an "amendment" under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits, or (c) an approved GDP that would constitute an "amendment" under Section 12.3.7.2, Amendments to Approved Applications, Plans and Permits.

C. Would not, other than allowed in Section 12.4.7.5.A. above to accommodate persons with disabilities, relate to either the persons, or the number of persons, who do, will, or may reside in a residential structure.

D. Would not substantially impair the intent and purpose of this Code.

E. Would not substantially impair the intent and purpose of the applicable Zone District.

F. Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property.

G. Would be the minimum change that would afford relief and would be the least modification of the applicable provisions of this Code.

H. Would adequately addresses any concerns raised by the Zoning Administrator or other city agencies in their review of the application.

12.4.7.7 Requirements and Limitations After Variance Approval

A. Expiration

1. A variance authorizing construction shall expire unless substantial construction has started within 3 years and is completed within 5 years from the date the variance was granted. Upon the completion of construction, the variance shall run with the land.

2. For variances unrelated to construction, the variance shall run with the land unless the Board of Adjustment specifies otherwise as a condition of the variance.

3. A variance shall automatically lapse and have no further effect if the Zoning Administrator finds that redevelopment of the subject property makes compliance with this Code possible without the previously approved variance.

SECTION 12.4.8 APPEAL OF ADMINISTRATIVE DECISION

12.4.8.1 Review Process

A. Initiation

1. Any person aggrieved or any officer or department of the City may appeal to the Board of Adjustment from any administrative order, requirement, or any decision or determination made by a Community Planning and Development administrative official in the enforcement of this Code.

2. Such appeal shall be filed within the time provided by the rules of the Board of Adjustment and must specify the particular grounds upon which the appeal is taken.
12.4.9.3 Review Criteria
No application for a zoning permit with special exception review shall be approved by the Board of Adjustment unless the Board finds that all of the following conditions are met or can be met through conditions placed on approval of the application:

A. The special exception is consistent with the Comprehensive Plan;
B. The proposed special exception shall be consistent with the purposes and objectives of the Zone District in which it is located;
C. If located within a GDP area, the special exception shall be consistent with the GDP;
D. The special exception is in compliance with all applicable regulations in this Code, including but not limited to, any specific use limitations stated in Articles 3 through 9, and in Article 11, Use Limitations and Definitions;
E. The establishment, maintenance, and operation of the special exception will not be detrimental to or endanger the public health, safety, or general welfare of the community;
F. The use and enjoyment of other existing uses on the surrounding property will not be substantially impaired by the establishment, maintenance, and operation of the special exception;
G. The establishment of the special exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
H. The aggregate impacts of similar special exceptions shall not result in harmful external effects or environmental impacts; and
I. Any potential adverse impacts from the proposed special exception can and will be adequately mitigated.

12.4.9.4 Requirements and Limitations After Zoning Permit Issuance

A. Expiration and Extensions
1. Except as otherwise allowed in subsection A.2. below, a zoning permit with special exception review shall expire 12 months from the date of the Board of Adjustment’s decision unless the special exception use begins operating, or a valid building permit is issued. Upon a showing of good cause, the Zoning Administrator may extend the permit for the special exception for additional time periods not to exceed a total of 12 additional months.
2. If a zoning permit with special exception review is granted upon review and approval of a Site Development Plan according to Section 12.4.3 of this Code, then the zoning permit authorizing construction or a permitted use shall expire at the same time as the approved Site Development Plan.

B. Limit on Reapplication for Denied Special Exceptions
No application for a zoning permit with special exception review denied by the Board of Adjustment shall be considered for a period of 1 year from the date of the original denial unless the Zoning Administrator determines that the application contains substantial changes that address the reasons for denial of the application.

SECTION 12.4.10 OFFICIAL MAP AMENDMENT (REZONING)

12.4.10.1 Applicability
An official map amendment may be required to correct an error in the map or, because of changed or changing conditions in a particular area or in the city generally, to rezone an area to implement...
adopted plans, or to change the regulations and restrictions of an area as reasonably necessary to promote the public health, safety or general welfare.

12.4.10.2 Zone Districts Not Available for Rezoning
Except as otherwise provided in Section 9.4.2.1 and Section 12.3.3.9, no land may be rezoned into any zone district not established in this Code. In addition, the following districts established in this Code, while mapped on the Official Zoning Map, shall not be applied to any lands after June 25, 2010:

A. D-GT Downtown Golden Triangle zone district
B. D-AS Downtown Arapahoe Square zone district
C. O-1 zone district
D. Adult Use Overlay District (UO-1)
E. Billboard Use Overlay District (UO-2)

12.4.10.3 Minimum Area Requirements

A. Applicability
This section’s minimum area requirements shall apply to all applications for Official Map Amendments to this Code adopted after June 25, 2010, unless specifically exempted in Paragraph B. below.

B. Exemptions from Minimum Area Requirements
In addition to any exemptions specified in Section 12.4.10.3.D’s summary table, the following applications for an official map amendment are exempt from this section's minimum area requirements:

1. An official map amendment determined by the City Attorney to be a legislative zone map amendment.

2. The subject property is adjacent to the same zone district designation sought for the subject property (for example, the subject property seeks a rezoning to G-MU-5 and is adjacent to property already zoned G-MU-5). For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.

3. The subject property abuts property with the same zone classification except for the permitted maximum height, and the Official Map Amendment seeks a lower building height maximum than such abutting property (for example, the subject property seeks a rezoning to G-MU-5 and abuts property zoned G-MU-12).

4. An official map amendment applying zoning to lands newly included within the city’s corporate boundaries after City Council approval of a minor boundary adjustment.

C. Calculation of Minimum Area

1. For the purpose of computing the size of an area for compliance herewith, there shall be added to the minimum area calculations the following:
   a. All land area, including public rights-of-way, within and extending to the centerline of the abutting right-of-way.
   b. The area of any land within the corporate limits of the city that is adjacent to the area being changed and which land already bears the zoning classification sought for the area being changed. For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.
12.4.10.4 Review Process

A. Initiation

1. By City Council
   a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate an official map amendment.
   b. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.10.4. However, the City Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for an official map amendment (rezoning).

2. By Other Parties
   Other than City Council or an individual City Council member, only the following parties may initiate an official map amendment:
   a. The Manager.
   b. All official map amendment applications for a PUD District, or for a Zone District with waivers and/or conditions under Section 12.4.10.6, shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.
   c. For official map amendment applications for other than a PUD District or Zone District with waivers and/or conditions, an application for an official map amendment may be initiated by either:
ers as a part of the ordinance amending the official map if such waivers are approved in writing by the applicant(s).

B. Whenever public necessity, convenience, general welfare or good zoning practice justify the attachment of reasonable conditions to an official map amendment, the City Council may adopt such conditions as a part of the ordinance amending the official map if such conditions are approved in writing by the applicant(s).

C. Upon adoption of an ordinance pursuant to subsections A. or B. above, no zoning permits shall be issued except in strict compliance with the approved waivers or conditions. Any person who applies for a permit to alter or erect a structure in such area shall be deemed to have assented to all of these waivers and conditions.

D. Every official map amendment based, in whole or in part, upon waivers as set forth in subsection A. or conditions as set forth in subsection B. above, shall contain an exact description of any such waivers or conditions. Such ordinance may be amended by City Council upon application for an amendment either by the original applicant or by a successor in interest; provided, however, that prior to such amendment, public notice shall be given similar in all respects to the public notice required for an official map amendment. Nothing contained in this Section shall be construed as a requirement that all applications for rezoning must contain waivers or have conditions.

E. When City Council approves a text amendment to the standards applicable in a Zone D district (see Section 12.4.11), such text amendment applies equally to all previously approved official map amendments to that Zone D district, including official map amendments that were based, in whole or in part, upon waivers or conditions.

12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments
The City Council may approve an official map amendment if the proposed rezoning complies with all of the following criteria:

A. Consistency with Adopted Plans
The proposed official map amendment is consistent with the City’s adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the City’s plan.

B. Uniformity of District Regulations and Restrictions
The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

C. Public Health, Safety and General Welfare
The proposed official map amendment furthers the public health, safety and general welfare of the City.

12.4.10.8 Additional Review Criteria for Non-Legislative Rezonings
In addition to compliance with the general review criteria stated in Section 12.4.10.7, the City Council may approve an official map amendment that the City Attorney has determined is not a legislative rezoning only if the City Council finds the application meets the following criteria:

A. Justifying Circumstances
One of the following circumstances exists:

1. The existing zoning of the land was the result of an error;
2. The existing zoning of the land was based on a mistake of fact;
3. The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;

4. The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or

5. It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.

B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

12.4.10.9 Additional Review Criteria for Rezoning to PUD District

In addition to the general review criteria stated in Section 12.4.10.7, for all proposed official map amendments requesting a PUD District, the City Council shall find:

A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code;

B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;

C. The development proposed on the subject property is not feasible under any other Zone District, and would require an unreasonable number of variances or waivers and conditions;

D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and

E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).

12.4.10.10 Appeal

A decision by the City Council on a proposed official map amendment may be appealed to District Court.

12.4.10.11 Requirements and Limitations After Rezoning Approval

A. Registration and Recording of Official Map Amendments

1. Recording Required

The Manager shall record the final action of the City Council on an official map amendment in the real property records of the Denver County Clerk and Recorder, and shall cause the amendment of the official zone map to designate the subject property according to the amendment.

2. Approved PUD District Plans

The Manager shall record all approved PUD District Plans in the real property records of the Denver County Clerk and Recorder along with the ordinance approving such PUD District Plan, and the Manager shall cause the amendment of the official zone map to designate the area included in the approved PUD District Plans as follows:
5. **Modifications or Amendments to Approved PUD Districts**
   a. See Section 12.3.7, Modification or Amendment of Applications, Plans and Permits, for regulations governing permitted modifications and amendments to approved PUD Districts and associated PUD District Plans.
   b. All approved amendments to a recorded PUD District Plan shall be recorded.

12.4.10.12 **Limits on Re-Application for Denied Official Map Amendments**

No application for an official map amendment shall be made concerning any land area, or any portion thereof, that was the subject of a public hearing conducted by City Council within the immediately preceding 12 months period and which public hearing resulted in a rejection of the proposed official map amendment. However, this limitation shall not apply to those land areas or portions thereof for which a different Zone classification is proposed than that which was denied by City Council.

SECTION 12.4.11 TEXT AMENDMENT

12.4.11.1 **Applicability**

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the text of this Code shall not be amended except to correct a manifest error in the chapter, or because of changed or changing conditions in a particular area or in the city generally, including any change to the regulations and restrictions of an area thereof, or to implement adopted plans, or as otherwise reasonably necessary to the promotion of the public health, safety or general welfare.

12.4.11.2 **Text Amendments to Create New Use Overlay Zones Not Allowed**

After June 25, 2010, no new Use Overlay District may be established through a text amendment to this Code.

12.4.11.3 **Review Process**

**An application for a text amendment may be initiated by:**

1. **By City Council**
   a. According to its authority under the City Charter, the City Council or any individual member of the City Council may initiate a text amendment. The City Council or an individual City Council member may, but is not required to, follow the public notice or procedures in this Section 12.4.11.3. However, the City Council or any individual City Council member shall comply with the public notice and process provisions required by the Charter for a text amendment.

2. **By Other Parties**
   a. The Manager on the Manager’s initiative or upon request of private parties may initiate a text amendment; or the manager of any city department or agency may initiate a text amendment.

**Application and Fees**

1. All applications for text amendments shall be filed in writing with the Manager. See Section 12.3.3, Submission of Applications. This provision does not apply to text amendments initiated by the Manager.
vii. All Registered Neighborhood Organizations whose boundaries include or are within 200 feet of the approved GDP boundary.

d. Review Criteria
In addition to the review criteria in Section 12.4.12.12, the DRC shall approve the GDP amendment only if the DRC finds the amendment will not result in any material adverse effects on the remainder of the approved GDP.

B. Minor Deviations to an Approved GDP
The DRC may authorize minor deviations from a previously approved General Development Plan (GDP). Minor deviations are allowed provided such deviation does not constitute an “amendment” to a GDP under Section 12.4.12.17.A, Amendments. All minor deviations to a GDP approved by the DRC shall be submitted as “redline” edits to the previously approved electronic GDP, which, after approval, shall be recorded by the Manager in the records of the Denver County Clerk and Recorder’s Office.

SECTION 12.4.13 REGULATING PLAN

12.4.13.1 Intent

A. General Intent of a Regulating Plan
A Regulating Plan is used to apply permitted building forms, building heights and land uses to specific street frontages and specific blocks and/or zone lots within a Zone District. A Regulating Plan is also a vehicle for the designation of Primary Streets and Side Streets in advance of site development to increase the predictability and certainty of future development under this Code. A Regulating Plan is an optional step and process in all Zone Districts except in the M-GMX Zone District. An approved Regulating Plan provides a binding plan that narrows the broad flexibility otherwise permitted in the Zone District as site specific development proceeds within the subject area.

B. Intent of Regulating Plan in the M-GMX Zone District
For properties zoned to a Master Planned General Mixed Use (“M-GMX”) District, a Regulating Plan is mandatory prior to site development. The M-GMX Zone District allows a broad menu of potential building forms and land uses, which are intended to allow flexibility to create places with a specific character, as described in an approved General Development Plan. The broad menu of building forms and land uses must be restricted in their geographic location in order to successfully implement the approved General Development Plan, and to provide predictability and certainty for future property owners within the M-GMX Zone District. The geographic application of specific building forms, building heights and land uses is shown through a Regulating Plan, which ensures the character described in the General Development Plan is implemented throughout the M-GMX Zone District.

12.4.13.2 When Required & General Allowances

A. When Required

1. Mandatory in the M-GMX Zone District
Preparation of a Regulating Plan is mandatory in the M-GMX Zone District, except when the subject property is included in a General Development Plan, which includes the same level of detail and information as required by this Section 12.4.13, including but not limited to the designation of Primary Streets.

2. Mandatory for Development within Certain General Development Plan Areas
Preparation of a Regulating Plan is mandatory prior to site development subject to a General Development Plan where the GDP does not include designation of Primary Streets.
3. **Optional in All Other Cases**  
   In all **Z**_districts other than in the M-GMX **Z**_district, and when a Regulating Plan is not otherwise mandatory under this Section, preparation of a Regulating Plan is optional.

B. **General Allowances**

   1. A Regulating Plan may encompass all or a portion of the area within a General Development Plan, as applicable; in addition, there may be multiple Regulating Plans within the same GDP area.
   
   2. There is no minimum area required for submittal of a Regulating Plan.

### 12.4.13.3 Review Process

A. **Intent of the Regulating Plan Review Process**  
The review process established in this Section 12.4.13 for a Regulating Plan is intended to:

   1. Narrow the application of the permitted building forms, land uses, and building heights within a **Z**_district to specific geographic sites; and
   
   2. Ensure that the implementation of the **Z**_district standards are consistent with the approved General Development Plan.

B. **Timing of Regulating Plan Review**  
When preparation of a Regulating Plan is required according to this Section, the Regulating Plan shall be approved before approval of any of the following zoning applications, as applicable, unless the Manager agrees to concurrent processing of such applications according to Section 12.3.3.9, Concurrent Applications. A Regulating Plan may also be incorporated into or a part of a Site Development Plan if applicable.

   1. Special Exception Review
   
   2. Variances
   
   3. Site Development Plan Review
   
   4. Zoning Permit

C. **Initiation**  
A Regulating Plan may be initiated by any one or combination of the following parties:

   1. All of the owners of the entire land area subject to the application for a regulating plan, or their representatives authorized in writing to do; or
   
   2. The Manager.

D. **Pre-Application Meeting**  
A pre-application meeting is mandatory. See 12.3.2, Pre-Application Meeting/ Concept Plan Review.

E. **Application and Fees**

   1. **Submittal in Writing**
      
      All applications for Regulating Plan review shall be filed in writing with Community Planning and Development. The applicant shall pay all required fees at the same time the application is submitted. See Section 12.3.3, Submission of Applications.

F. **Regulating Plan Contents**

   1. **Regulating Plan**
      
      a. The regulating plan shall be provided in a digital format acceptable to the Manager.
b. A regulating plan shall be produced at a scale appropriate for review, but at no less than 1”=200’ scale.

c. The regulating plan shall show:

i. The land area that is the subject of the Regulating Plan, including 250 additional feet beyond the plan area to establish context, and shall also show the immediately adjoining land uses, roads, water bodies, and other rights-of-way or easements.

ii. The boundaries of the area within the M-GMX zone D district, as applicable.

iii. Proposed size and layout of blocks.

iv. The location of all streets, alleys and drives with the street type specification and width of each.

v. Designation of Primary Streets and Side Streets.

vi. The location of all publicly accessible open spaces, including public parks or open space, common open space, and schools.

vii. The assignment of one or more permitted building form standards (e.g., urban house building form, general building form), including the maximum or range of heights permitted for such building forms, to each face block or zone lot. Building forms to apply within the Regulating Plan may be chosen from any of the building forms permitted in the applicable zone D district.

viii. The land use or land uses permitted on each face block or zone lot.

ix. Where applicable, the location of dwelling units meeting the developer’s affordable housing obligations under the Denver Revised Municipal Code.

x. The applicant may also assign supplemental building form standards to specific face blocks or zone lots to achieve urban design objectives for the proposed development, provided such supplemental standards shall be no less restrictive than otherwise applicable building form standards.

For example, while the applicable building form standards may limit a building’s height to a maximum of 5 stories, a Regulating Plan may require a building located at a critical focal point within the development to have a minimum height of 2 stories. On the other hand, a Regulating Plan in the same instance cannot allow a maximum building height of 8 stories.

2. Project Report

a. The project report shall not be part of the recorded approval, but shall serve as background for the Manager in making a final decision on the Regulating Plan.

b. The project report shall include the following components.

i. Description of how the Regulating Plan is consistent with and implements any precedent approved plan for the area, such as a Neighborhood or Small Area Plan approved by the city, and the approved General Development Plan.

ii. Development program for the proposed Plan area, including:

   a) Description of land use concepts and general geographic distribution for each land use concept;

   b) Tabulation of acreages, as applicable, of each building form; and

   c) Estimated sequence and timing (where known) of project construction

iii. Description of proposed transitions at the edge of the Regulating Plan area to promote compatibility between the Regulating Plan area and adjacent land uses, where applicable. For example, a Regulating Plan might illustrate the use of building height, the location of open space, landscaping and buffers, or
3. The subject property owner submits a mitigation plan to the Zoning Administrator that proposes specific steps and time frames the owner will take to remedy the violation by a date certain, but in no case longer than 180 days from the date the Zoning Administrator of the City determines such use is in violation of this Code. The Zoning Administrator shall take final action to either approve, approve with conditions, or deny the mitigation plan. For good cause, the Zoning Administrator may grant an extension of the mitigation period for up to one additional 180-day period.

4. This Section 12.5.4.3.B, which allows continuance of a compliant use if a violation of a type listed in Section 12.5.4.3.A is remedied, may be invoked and applied only one time to the same compliant use. After remediying a violation of the Code according to this Section 12.5.4.3.B, any future Code violation of a type prohibited in Section 12.5.4.3.A shall result in the automatic termination by law of the compliant use.

12.5.4.4 By Vacancy
Vacancy for a period of 12 or more successive calendar months of the structure or that part of a structure occupied by the compliant use shall terminate immediately the right to operate such compliant use.

12.5.4.5 By Destruction, Damage or Obsolescence of Structure Housing Compliant Use

A. Involuntary Destruction or Damage
The right to operate and maintain any compliant use shall terminate and shall cease to exist whenever the structure in which the compliant use is operated and maintained is damaged or destroyed, from any cause whatsoever, and the cost of repairing such damage or destruction exceeds 50 percent of the replacement cost of such structure on the date of such damage or destruction; provided, however, that the right to operate and maintain a compliant residential use located in a Residential Zone District or a compliant use located in a C-CCN Zone District shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

B. Obsolete or Substandard Structure
The right to operate and maintain any compliant use shall terminate and shall cease to exist whenever the structure in which the compliant use is operated and maintained becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the Zoning Administrator determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

C. Voluntary Demolition
Nothing in this subsection shall be deemed to permit the reconstruction or reestablishment of all or any part of a compliant use whenever the structure in which the compliant use is operated and maintained has been voluntarily demolished.

SECTION 12.5.5 DETERMINATION OF COMPLIANT STATUS
Compliant status shall be determined by the Zoning Administrator.
DIVISION 12.6  COMPLIANT STRUCTURES

SECTION 12.6.1  INTENT
The creation in this Division of the legal status of "compliant structures" is intended to provide greater flexibility than the more restrictive category of "nonconforming structures" in the continuation, expansion or enlargement of existing structures that no longer comply with certain of this Code's building form standards.

SECTION 12.6.2  DEFINITION
See Article 13 for definitions of "Structure, Compliant," "Structure, Conforming," and "Structure, Nonconforming."

SECTION 12.6.3  EFFECT

12.6.3.1 Right to Continue
Compliant structures are legal structures for all purposes under this Code, and may continue to be occupied, operated, and maintained as is, subject to any limitations in this Division 12.6 or unless terminated as provided in this Division 12.6.

12.6.3.2 Expansions,Alterations, Enlargements to Compliant Structures

A. Applicability

1. This Section 12.6.3.2 applies to any compliant structure in all Zone D districts.

2. This Section 12.6.3.2 applies to any compliant structure that was rebuilt under Section 12.6.3.3, Voluntary Demolition and Reconstruction.

B. General Allowance

1. Subject to all limitations of this Division 12.6, any compliant structure may be occupied, operated, and maintained in a good state of repair.

2. Subject to all limitations of this Code, compliant structure may be altered or enlarged if either of the following conditions exist:
   a. No existing compliant element of the structure is increased and no new compliant element or nonconformity is created; or
   b. An allowance under Sections 12.6.3.2.D through F. applies.

C. Documentation Required
In addition to the general submittal requirements under this Code and pursuant to the Denver Building and Fire Code, an application to permit expansions, alterations, or enlargements to a compliant structure according to Section 12.6.3.2.D through F. applies shall include the documentation described in Section 12.6.3.3.B.3.b below.

D. Required Build-to Standards - Expansions, Enlargements and Alterations Allowed without Full Compliance

1. Compliant structures that do not meet the requirements of the Primary or Side Street build-to standards may be altered without fully complying with the Primary or Side Street build-to standards provided that, if some portion of the compliant structure meets the build-to requirement, no alteration (including demolition) is permitted that would reduce the amount of that existing facade meeting the build-to requirement.

2. For any expansion or enlargement that does not fully comply with the Primary or Side Street build-to standards, and that expands the building's gross floor area by more than 25% cumulatively after June 25, 2010, shall comply with perimeter parking lot landscaping standards for surface parking located between the building and the Primary Street set
F. **Required Side Setback - Expansions, Enlargements and Alterations Allowed without Full Compliance**

Requirements as to side setbacks lines may be modified to permit an addition to a compliant structure located in a Residential Zone District and used solely for residential purposes if such compliant structure meets the following conditions:

1. The dimension of the structure that causes the structure to be compliant as to side setback exists for at least one-half of the sidewall length of the structure.
2. The length of the proposed addition shall not exceed the length of the existing compliant sidewall.
3. No wall or roof of the proposed addition to be built within the required side setback area shall be higher than the existing wall or roof to which it is attached, except that an existing roof structure may be removed and replaced to provide alignment with the wall or roof of the proposed addition.

12.6.3.3 **Voluntary Demolition and Reconstruction**

**A. Compliance Required**

A compliant structure that is voluntarily demolished shall be reconstructed only in full compliance with all applicable Zone District standards, unless eligible for the limited exception in Section 12.6.3.3.B below.

**B. Exception in the CC, MX, MS and I-MX Zone Districts**

1. **Applicability**
   a. This Section 12.6.3.3 applies only in the CC, MX, MS, and I-MX Zone Districts.
   b. This Section 12.6.3.3 applies only to structures that were conforming on June 24, 2010 and shall not apply to structures that were nonconforming on June 24, 2010.
   c. This Section 12.6.3.3 shall not apply to any additions or expansions built under Section 12.6.3.3.
   d. A compliant structure that has been rebuilt per this Section 12.6.3.3 may thereafter be voluntarily demolished and rebuilt per this Section 12.6.3.3, or in full compliance with all applicable Zone District standards.
2. **General Rules for Reconstruction After Voluntary Demolition**
   A compliant structure that is voluntarily demolished may be reconstructed either:
   
a. In full conformance with all applicable Zone District standards; or
b. According to Section 12.6.3.3.B.3, below.

3. **"As Was" Reconstruction of Compliant Structures**
   After voluntary demolition, a compliant structure may be reconstructed as it existed on June 24, 2010, in compliance with the following conditions:
   
a. The area and dimensions of the zone lot on which the replacement structure will be constructed are the same that existed on June 24, 2010.

b. The applicant provides an improvement location survey prepared by a Qualified Professional describing the area and dimensions of the zone lot and the compliant structure's dimensions and location relative to zone lot lines. Documentation shall also include the dimensions and location of surface parking serving the compliant structure, dimensions and location of other structures and landscape features, and existing exterior elevation drawings of the compliant structure that describe dimensions of building height and all exterior features and fenestration.

c. All provisions of this Code shall apply except where compliance is not possible because of the location or dimensions of the replacement structure, required vehicle access to the zone lot, accessory parking spaces, or due to existing gas tank location and the impracticality of moving such tanks. For any reconstruction that does not fully comply with the Primary or Side Street Build-To standards, a garden wall shall be provided within 0’ feet to 15’ feet from the zone lot line for 100% of the Primary and Side Street frontage, excluding required vehicle access points and any portions of building located within the 0’ feet to 15’ feet range. The Zoning Administrator may approve an alternative to the required garden wall when on-site circulation constraints prevent installation of a garden wall, provided the alternative results in separating pedestrian activity from on-site vehicle circulation areas.

d. The applicant shall obtain a zoning permit within one year of receiving a demolition permit for the compliant structure.

12.6.3.4 **Involuntary Destruction or Damage to Structure - Reconstruction Allowed**
   A compliant structure that is involuntarily damaged or demolished in any manner and from any cause may be reconstructed as it previously existed. Any expansion or extension of such structure shall be subject to the standards governing expansions, alterations and enlargements in Section 12.6.3.2 above.

**SECTION 12.6.4 DETERMINATION OF COMPLIANT STATUS**
Compliant status shall be determined by the Zoning Administrator.
plan. For good cause, the Zoning Administrator may grant an extension of the mitigation period for up to one additional 180-day period.

4. This Section 12.7.7.3.B, which allows continuance of a nonconforming use if a violation of a type listed in Section 12.7.7.3.A is remedied, may be invoked and applied only one time to the same nonconforming use. Afterremedying a violation of the Code according to this Section 12.7.7.3.B, any future Code violation of a type prohibited in Section 12.7.7.3.A shall result in the automatic termination by law of the nonconforming use.

12.7.7.4 By Vacancy
Vacancy for a period of 12 or more successive calendar months of the structure or that part of a structure occupied by the nonconforming use shall terminate immediately the right to operate a nonconforming use.

12.7.7.5 By Destruction, Damage or Obsolescence of Structure Housing Nonconforming Use
   A. Involuntary Destruction or Damage
      The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the structure in which the nonconforming use is operated and maintained is damaged or destroyed, from any cause whatsoever, and the cost of repairing such damage or destruction exceeds 50 percent of the replacement cost of such structure on the date of such damage or destruction; provided, however, that the right to operate and maintain a nonconforming residential use located in a Residential Zone District or a nonconforming use located in a C-CCN zone district shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

   B. Obsolete or Substandard Structure
      The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the structure in which the nonconforming use is operated and maintained becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the Zoning Administrator determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

   C. Voluntary Demolition
      Nothing is this subsection shall be deemed to permit the reconstruction or reestablishment of all or any part of a nonconforming use whenever the structure in which the nonconforming use is operated and maintained has been voluntarily demolished.

SECTION 12.7.8 SIGNS FOR NONCONFORMING USES

12.7.8.1 As accessory to a nonconforming use, no sign shall be erected except in compliance with the following regulations:

   A. Accessory to a nonconforming use which is a use by right for the MU districts, but which is located in a SU, TU, TH, or RH zone district, signs shall comply with the regulations herein established for permitted signs in the lowest-height multi-unit (MU) zone district allowed in the applicable neighborhood context.

   B. Accessory to a nonconforming use which is a use by right in any Mixed Use Commercial Zone District, but which is located in any Residential Zone District, signs shall comply with the regulations herein established for permitted signs in the MS-2x zone district.

   C. Accessory to a nonconforming use which is a use by right in a Mixed Use Commercial Zone District having less restrictive sign standards than the Mixed Use Commercial Zone District in
which the use is located, signs shall comply with the regulations herein established for permitted signs in the MS-3 zone district.

**SECTION 12.7.9 REGULATIONS FOR SPECIFIC NONCONFORMING HEAVY AUTOMOBILE SERVICE USES**

Notwithstanding fence and wall height limitations stated in this Code, no nonconforming heavy automobile service use shall be operated unless the zone lot is enclosed with a solid fence or wall that is constructed to a height adequate to conceal any vehicles, equipment, or parts stored on the site. Such solid fence or wall shall comply with the following standards:

12.7.9.1 The front line of the zone lot shall not be required to have a fence or wall directly in front of the main building wall or main entrance to the principal structure;

12.7.9.2 The front line of the zone lot shall not be required to have a fence or wall along more than 40 percent of it’s length;

12.7.9.3 Any portion of the zone lot line that contains a building wall need not have a separate fence or wall;

12.7.9.4 If the owner or operator demonstrates to the Zoning Administrator that an alternate method of screening (for example, vegetation) would be adequate to screen some or all of the zone lot, the Zoning Administrator may approve such alternate screening method; and

12.7.9.5 The fence or wall shall be constructed of wood, brick, masonry or other similar quality and durable materials as approved by the Zoning Administrator.

**SECTION 12.7.10 DETERMINATION OF NONCONFORMING STATUS**

Nonconforming status shall be determined by the Zoning Administrator.
DIVISION 12.8 NONCONFORMING STRUCTURES

SECTION 12.8.1 INTENT
The creation in this Division of the legal status of "nonconforming structure" assures that structures that no longer comply with the building form standards of the applicable zone district are strictly limited in their right to physically alter, expand, enlarge, or rebuild. Such nonconforming structures are presumed to be incompatible with the neighborhood context and built character sought in the zone district, typically because of the nonconforming structure's mass or scale, site placement, or building design. Accordingly, the provisions in this Division 12.8 encourage redevelopment of or alterations to such nonconforming structures to ultimately achieve full compliance with the zone district's building form standards.

SECTION 12.8.2 APPLICABILITY
Division 12.8 shall apply to all nonconforming structures. For purposes of this code, "nonconforming structure" means any structure that was lawfully erected or altered in conformity with all applicable municipal ordinances, but which structure does not comply with all of the provisions of this Code established for conforming structures in the zone district in which the structure is located and is not otherwise a "compliant structure" under Division 12.6, Compliant Structures.

SECTION 12.8.3 CONTINUANCE AND ENLARGEMENT

12.8.3.1 General Allowance to Continue and Enlarge Nonconforming Structures

A. Subject to all limitations of this Division 12.8, any nonconforming structure may be occupied, operated, and maintained in a good state of repair.

B. Subject to all limitations of this Code, any nonconforming structure may be altered or enlarged so long as no existing nonconformity is increased and no new nonconformity is created.

SECTION 12.8.4 TERMINATION OF NONCONFORMING STRUCTURES

12.8.4.1 Involuntary Destruction or Damage to Structure
The right to operate and maintain any nonconforming structure shall terminate and shall cease to exist whenever the nonconforming structure is damaged or demolished in any manner and from any cause whatsoever and the cost of repairing such damage or demolished exceeds 75 percent of the replacement cost of such structure on the date of such damage or demolished.

12.8.4.2 Obsolescence of Structure
The right to operate and maintain any nonconforming structure shall terminate and shall cease to exist whenever the nonconforming structure becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the Zoning Administrator determines that such structure is obsolete or substandard.

12.8.4.3 Determination of Replacement Cost
In determining the replacement cost of any nonconforming structure there shall not be included therein the cost of land or any factors other than the nonconforming structure itself.

12.8.4.4 The Right to Reconstruct Certain Structures
Notwithstanding the provisions of subsections 12.8.4.1, 12.8.4.2, and 12.8.4.3, the right to operate and maintain any of the nonconforming structures listed below shall not be terminated regardless of the amount of damage, destruction or obsolescence; provided, however, that any such reconstructed nonconforming structures shall not be enlarged and/or extended beyond that which existed previously unless the enlargement and/or extension complies with all the provisions of this Code.
A. A nonconforming structure containing a residential use or a residential care use located in a Residential Zone District, or

B. A nonconforming structure located in a C-CCN Zone District; or

C. A structure located in the D-C or D-TD Zone District that became a nonconforming structure on October 14, 1994, as a result of (a) changes to the prior B-5 Zone District changing the floor area premiums and maximum gross floor area of structures; or (b) the creation of the OD-2, OD-3 and OD-4 overlay districts regarding maximum building height or sunlight preservation requirements; or

D. A structure located in a Residential Zone District that became a nonconforming structure on June 26, 1998, as a result of the creation the OD-6, OD-7 and OD-8 overlay districts, or

E. A residential structure located in a SU Zone District that became a nonconforming structure July 21, 2008, as a result of the creation of the OD-10 overlay district.

12.8.4.5 Voluntary Demolition

Nothing in this Section 12.8.4 shall be deemed to permit the reconstruction or reestablishment of all or any part of a nonconforming structure that has been voluntarily demolished.

SECTION 12.8.5 DETERMINATION OF NONCONFORMING STATUS

Nonconforming status shall be determined by the Zoning Administrator.
DIVISION 12.9 NONCONFORMING SIGNS

SECTION 12.9.1 NONCONFORMING ON-PREMISE SIGNS

12.9.1.1 Intent and Declaration of Public Policy
It is reasonable that a time limit be placed upon the continuance of existing nonconforming signs. An amortization program permits the owner to plan during a period when the owner is permitted to continue the nonconforming signs while at the same time assuring that the district in which the nonconforming signs exist will eventually benefit from a substantial uniformity of permanent signs.

12.9.1.2 Definition of Nonconforming On-Premise Signs
A nonconforming sign shall be any sign other than an outdoor general advertisement, which:

A. On March 19, 1971, was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior zoning ordinance but which sign does not conform to the limitations established by this Code on March 19, 1971, in the Zone District in which the sign is located; or

B. On or after March 19, 1971, was lawfully maintained and erected in accordance with the provisions of this Code effective March 19, 1971, but which sign, by reason of amendment to this chapter effective March 19, 1971, after the effective date, does not conform to the limitations established by the amendment to this chapter effective March 19, 1971, in the Zone District in which the sign is located.

12.9.1.3 Continuance of Nonconforming Signs
Subject to the termination hereinafter provided, any nonconforming sign may be continued in operation and maintained after March 19, 1971; provided, however, that no such nonconforming sign shall be changed in any manner that increases the noncompliance of such nonconforming sign with the limitations established by the this Code effective March 19, 1971, or any amendment to this Code in the Zone District in which the sign is located; and provided further, that the right to continue in operation and maintain any nonconforming sign shall be conditioned on the use by right not having more signs than permitted for the particular Zone District in which the use by right is located, and that no such nonconforming sign shall flash, blink, fluctuate, be animated or portable.

12.9.1.4 Determination of Nonconforming Status
Nonconforming status shall be determined by the Zoning Administrator.

12.9.1.5 Termination of Nonconforming Signs
The following actions shall result in the termination immediately of the right to maintain a nonconforming sign:

A. By Abandonment
Abandonment of a nonconforming sign shall terminate immediately the right to maintain such sign.

B. By Violation of this Code

1. Unless remedied according to Section 12.9.1.5.B.2. below, any violation of this Code’s sign regulations shall terminate immediately the right to maintain a nonconforming sign.

2. The following actions shall allow continuance of a nonconforming sign otherwise terminated pursuant to this Section 12.9.1.5.B., provided the nonconforming sign was not finally terminated prior to July 20, 2012:

   a. The violation is completely remedied within 15 days from the date the Zoning Administrator gives notice that there is a violation of this Code’s sign regulations, and the violation does not thereafter reoccur.
DIVISION 12.10 NONCONFORMING ZONE LOTS

SECTION 12.10.1 INTENT
This Division 12.10 is intended to promote the use, development, and redevelopment of pre-existing zone lots throughout the City of Denver, while recognizing that such zone lots do not generally fit the predominant lot patterns of their surrounding neighborhood context. Accordingly, this Division makes clear that nonconforming zone lots can be used and developed in compliance with existing zoning rules, but the range of permitted building forms is limited to mitigate possible adverse impacts on surrounding properties.

SECTION 12.10.2 DEFINITION
See Article 13 for definition of "Zone Lot, Nonconforming."

SECTION 12.10.3 USE & DEVELOPMENT ALLOWED

12.10.3.1 Applicability
This Section 12.10.3 applies to all nonconforming zone lots except for a nonconforming zone lot that qualifies as a "carriage lot", as defined in Article 13 of this Code. All carriage lots shall comply with the standards in Section 12.10.4 below.

12.10.3.2 Use of Nonconforming Zone Lots
A nonconforming zone lot may be used only for uses permitted in the Z\text{zone D}\text{district} in which the zone lot is located. Establishment of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that Z\text{zone D}\text{district} and for the specific use.

12.10.3.3 Development of Nonconforming Zone Lots in a Residential Zone District
Development of a permitted use on a nonconforming zone lot shall comply with all applicable standards for that Z\text{zone D}\text{district}, except any applicable minimum zone lot area or minimum zone lot width standard, and except as prohibited in Section 12.10.3.3.B below. Development on a nonconforming zone lot shall comply with the following:

A. Compliance with one of the following primary building forms, as permitted in the Z\text{zone D}\text{district}, according to the Setback and Building Coverage by Zone Lot Width form standards that align with the nonconforming zone lot's width:
   1. Suburban House building form;
   2. Urban House building form;
   3. Duplex building form; or
   4. Tandem house building form, excluding in the S-SU-F1 Z\text{zone D}\text{district}.

B. Compliance with the accessory building forms, as permitted in the Z\text{zone D}\text{district}, with the following exception:
   1. Where permitted, the Detached Accessory Dwelling Unit building form may only be constructed on a nonconforming zone lot that meets the minimum zone lot size standards for the detached accessory dwelling unit building form within the Z\text{zone D}\text{district}.

12.10.3.4 Examples
A. For example, in the U-SU-C1 Z\text{zone D}\text{district}, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The owner may develop an Urban House building form on the nonconforming zone lot, despite the lot's noncompliance with the 5,500 square foot area and 50 foot width standards otherwise required for an Urban House form in that Z\text{zone D}\text{district}. Development of the urban house on the existing 4,500 square foot zone lot must still comply with all other building height, siting, and design element form standards. Certain siting form standards, such as primary street and rear building setbacks or building
coverage for an Urban House, are keyed to the lot width of the subject zone lot, including a nonconforming zone lot. In this example, the Urban House would be subject to setback and building coverage standards key a 40-foot wide zone lot, as shown in the Urban House Building Form Table in Article 5 of this Code.

B. For example, in the U-SU-C1 \textit{D}\textit{istrict}, a zone lot of 4,500 square feet in total area and with a lot width of 40 feet, is nonconforming. The building form standards for a Detached Accessory Dwelling Unit building requires a minimum of 5,500 square feet of zone lot area as a prerequisite for development of such form. In this case, the owner could not develop a Detached Accessory Dwelling Unit building on her lot because the lot is less than the 5,500 square feet required in the U-SU-C1 \textit{D}\textit{istrict} for that form.

**SECTION 12.10.4 DEVELOPMENT ON CARRIAGE LOTS**

Notwithstanding the requirement for zone lots to have frontage on a named or numbered public street, the Zoning Administrator may grant a zoning permit for detached accessory structures used for the noncommercial parking of motor vehicles (residential vehicle garages) or used to house accessory dwelling units on carriage lots in specific cases, provided the following procedures and conditions are satisfied:

1. \textbf{A. Ownership of the Subject Carriage Lot}
   The applicant shall be the owner of the subject carriage lot or portion thereof, and shall have their principal residence located in the block surrounding the subject carriage lot or portion thereof. The granting of the zoning permit shall be personal to the applicant.

2. \textbf{B. Accessory Dwelling Unit Use of Detached Structure}
   The detached accessory structure may be used for an accessory dwelling unit provided such accessory dwelling unit use is permitted in the applicable \textit{D}an\textit{district}, and provided the proposed accessory dwelling unit use complies, to the maximum extent feasible, with the accessory dwelling unit standards in Section 11.8.2, except as stated in this Section 12.10.4.3.

3. \textbf{C. Compliance with Building Form Standards}
   A detached accessory structure on a carriage lot shall comply with the applicable \textit{D}istrict building form standards for either a detached garage or a detached accessory dwelling unit building form, except that such structure shall comply with the following lot area and setback standards instead of the otherwise applicable building form standards.

   1. \textbf{Minimum Lot Area}
      The carriage lot or portion thereof used for the detached accessory structure shall be at least 25 feet wide at the alley line and shall contain not less than 1,000 square feet in area.

   2. \textbf{Setbacks}
      Detached accessory structures shall set back from the alley line the minimum distance necessary to provide a total alley or aisle width of 20 feet for structures that are entered or accessed directly from the alley, and shall set back not less than 5 feet from every other boundary line of the carriage lot or portion thereof.
D. Other Applicable Requirements
Detached accessory structures shall comply with this Code’s other applicable requirements for the use, location, size and operation of detached accessory structures for the zone district in which it is located.

E. Operation
Detached accessory structures shall only be used by other conforming primary uses located on the block surrounding the carriage lot; and the carriage lot or portion thereof shall be maintained in good condition, free of weeds, trash and debris.

SECTION 12.10.5 ZONE LOT ALTERATIONS LIMITED
A nonconforming zone lot shall not be further amended or have its boundaries altered in any manner that would compound, increase, or extend the nonconforming characteristics of the zone lot.

SECTION 12.10.6 DETERMINATION OF NONCONFORMING STATUS
Nonconforming status shall be determined by the Zoning Administrator.
SECTION 13.1.2  HEIGHT FOR ALL SU, TU, TH, RH, E-MU-2.5, MU-3, AND RO-3 ZONE DISTRICTS

13.1.2.1 Applicability
This Section 13.1.2 applies to all SU, TU, TH, RH (excluding M-RH), E-MU-2.5, MU-3 and RO-3 zone districts.

13.1.2.2 Base Plane
A. Intent
The purpose of a dual base plane associated with a front and rear percentage of lot depth is to accommodate changes in slope from the front to rear across a zone lot.

B. Rule
Two base planes or a building specific base plane are used for measuring overall height for all primary and accessory structures:

1. Two Base Planes
   a. A Front Base Plane shall be the area described below:
      i. The front 65% of the Zone Lot Depth for all S-SU, S-TH, S-MU-3, E-SU, E-TU, E-TH, E-MU, U-SU, U-TU and U-RH zone districts
      ii. The front 80% of the Zone Lot Depth in the G-RH, G-MU-3 and G-RO-3 zone districts
   b. The Front Base Plane is a horizontal plane established at the average elevation of original grade of two Side Interior Zone Lot Lines, or the elevation of original grade of one side interior zone lot line when two are not present, measured at the minimum primary street setback line. See Figure 13.1-1. In any case where a Side Interior Zone Lot Line does not intersect with a Primary Street Zone Lot Line, the Zoning Administrator shall determine the points where the Front Base Plane shall originate based on the criteria for determining zone lot lines in Section 13.1.5.2.C, Criteria for Zoning Administrator Determination.

   Figure 13.1-1

   c. A Rear Base Plane will be the base for measuring overall building height in the rear 35% (or the rear 20% in the General Urban (G-) Residential Zone Districts).
   d. The Rear Base Plane is a horizontal plane established at the average elevation of the original grade of the two Side Interior Zone Lot Lines, or the elevation of original grade of one side interior zone lot line when two are not present, measured at the Rear Zone Lot Line. See Figure 13.1-2.
2. Building Specific Base Plane
   
a. **Applicability:**
   In the S-MU-3, G-MU-3 and G-RO-3 Zone districts, for development of multiple primary buildings on a single zone lot that is 18,000 square feet or more, a building specific base plane may be used.

b. **Base Plane:**
   A building-specific base plane shall be a horizontal plane established at the average elevation of the original grade or finished grade, whichever is lower, of the corners of each building. With this approach, a building-specific base plane is established for each building sited on the same zone lot. See Figure 13.1-3

C. Measurements for purposes of establishing a primary base plane shall be rounded to the closest whole number.
13.1.2.3 Height in Stories

A. Intent
To provide an easy reference for visualizing building height, to provide an appropriate consistency of building scale and to shape and/or maintain neighborhood character.

B. Stories (max) Rule of Measurement

1. Overall height in stories shall be measured as the total number of stories. See Figure 13.1-4.

2. A Story shall count towards the total number of stories when:
   a. The Story has its finished floor surface entirely above the Front Base Plane; or
   b. The Story is located below a story which has its finished floor surface more than 6\text{ feet} above the Front base plane; or
   c. The Story is located below a story which has its finished floor surface more than 6\text{ feet} above the finished grade for more than 50% of the total building perimeter; or
   d. The Story is located below a story which has its finished floor surface more than 12\text{ feet} above finished grade at any point.

Figure 13.1-4

3. Half Story
   a. Intent
      To allow for additional floor area while minimizing additional bulk.
   b. Rule of Measurement
      Where a half story is permitted, it shall meet the following:
      i. The space meets the definition of Story, Habitable stated in this Article 13.
      ii. The total gross floor area of the half story, not counting floor area with a net floor-to-ceiling distance less than 5\text{ feet}, shall be no greater than 75 percent of the floor below.
      
      See Figure 13.1-5
SECTION 13.1.3  HEIGHT FOR ALL OTHER ZONE DISTRICTS

13.1.3.1 Applicability
This Section 13.1.3 shall apply to all zone districts except SU, TU, TH, RH (excluding M-RH), E-MU-2.5, MU-3, and RO-3 zone districts.

13.1.3.2 Base Plane
Overall height for all buildings and structures on the zone lot shall be measured from a base plane. The applicant shall apply either a single base plane for the entire zone lot or a building-specific base plane:

A. Single Base Plane
A single base plane shall be a horizontal plane established at the average elevation of the original grade of the two side interior zone lot lines, or the elevation of original grade of one side interior zone lot line when two are not present, measured at the minimum primary street setback line. See Figure 13.1-12. In any case where a Side Interior Zone Lot Line does not intersect with a Primary Street Zone Lot Line, the Zoning Administrator shall determine the points where the Front Base Plane shall originate based on the criteria for determining zone lot lines in Section 13.1.5.2.C, Criteria for Zoning Administrator Determination.

Figure 13.1-12
B. Stories (max) Rule of Measurement

1. Overall height in stories shall be measured as the total number of stories.
2. A Story shall count towards the total number of stories when:
   a. The Story has its finished floor surface entirely above the Base Plane; or
   b. The Story is located below a story which has its finished floor surface more than 6\text{ feet} above the base plane (See Figure 13.1-14); or
   c. The Story is located below a story which has its finished floor surface more than 6\text{ feet} above the finished grade for more than 50\% of the total building perimeter; or
   d. The Story is located below a story which has its finished floor surface more than 12\text{ feet} above finished grade at any point. (See Figure 13.1-15)
**B. Feet, within 175\(^c\) feet of Protected District (max)**

1. **Rule of Measurement**
   Height of a building on the subject property shall not exceed the standard contained within the building form table if the subject building is within a certain distance from any Protected District zone district boundary line.

**C. Feet (min)**

1. **Intent**
   To provide a minimum street wall.

2. **Rule of Measurement**
   Minimum building height shall be measured as the vertical distance in feet from a base plane to the highest point of a roof or to the top of a parapet wall which runs along the street facing sides of the building. See Figure 13.1-22.

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**Figure 13.1-22**

![Diagram of building height measurement](image-url)
SECTION 13.1.4  OTHER HEIGHT RULES

13.1.4.1 Percentage of Zone Lot Depth, Front and Rear

A. Intent
To reduce height and bulk in the rear yard to provide a privacy, access to sunlight, and sense of openness.

B. Rule of Measurement
See Figure 13.1-23.

1. Determine the rear percentage of zone lot depth:
   a. Multiply the required rear percentage found in the building form table (e.g. 35%) by the total length of one of the side zone lot lines intersecting the rear zone lot line (e.g. 100'-feet).
   b. Starting from the rear zone lot line, measure a distance equal to the product calculated in Paragraph 1.a. above along each of the intersecting side zone lot lines.
   c. The area between the rear zone lot line and a straight line connecting the two points defined in Paragraph 1.b. above shall be the rear percentage of the zone lot depth.

2. The remaining area of the zone lot shall be the front percentage of the zone lot depth

3. For irregularly shaped zone lots, the Zoning Administrator may establish the front and rear for purposes of applying the percentage required by the building form.

Figure 13.1-23
13.1.4.4 3rd Avenue CCN Bulk Plane

A. Intent
To shape building form to reduce the effect of massing and shadow on the pedestrian environment along 3rd Avenue in the Cherry Creek North mixed use shopping district. The bulk plane is intended to allow sunlight on the sidewalk on the north side of 3rd Avenue.

B. Applicability
This Section 13.1.4.4 shall apply to zone lots located south of 3rd Avenue in a C-CCN district. This includes zone lots south of 3rd Avenue that do not abut the 3rd Avenue right-of-way.

C. Rule of Measurement
No part of any structure shall project through the 3rd Avenue CCN Bulk Plane where established by the applicable building form standards, measured as follows:

1. For each zone lot, a 3rd Avenue CCN Base Line is established and starts at the average elevation of the original grade at the two points where the nearest right-of-way boundaries of the two nearest named streets intersect the southernmost right-of-way line of 3rd Avenue. See Figure 13.1-27

Figure 13.1-27

Not to Scale. Illustrative Only.
13.1.4.5 3rd Avenue CCN Bulk Plane Exception

A. Intent
To encourage small lot reinvestment by enabling certain small zone lots on the south side of 3rd Avenue in the Cherry Creek North mixed use shopping district to be partially exempt from the 3rd Avenue CCN Bulk Plane.

B. Applicability
This section 13.1.4.5 shall apply to zone lots with a total gross area of 6,250 SF or less, as of October 27, 2014, and located to the south of 3rd Avenue in a C-CCN D zone district, where this exemption is permitted in the applicable building form standards.

C. Rule of Measurement
The 3rd Avenue CCN Bulk Plane Exception defines a non-fixed portion or portions of a zone lot that are exempt from the 3rd Avenue CCN Bulk Plane. It is measured along the zone lot line abutting the south side of the 3rd Avenue right-of-way and extends for the full depth of the zone lot measured perpendicular to 3rd Avenue. The exempt area extends from the finished grade to the sky. See Figure 13.1-30. One or more portions of the zone lot may be included in the 3rd Avenue CCN Bulk Plane Exception provided the total width of the zone lot area exempted shall not exceed the maximum established in the building form standards. See Figure 13.1-31.
13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, C-CCN, D-AS-12+ and D-AS-20+ Zone Districts

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

B. General Requirements
   1. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
   2. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the zone district can be met.

C. Criteria for Zoning Administrator Determinations
   Where identified in the following sections, the Zoning Administrator shall designate a zone lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:
   1. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
   2. Block and lot shape;
   3. The functional street classification of all abutting streets as adopted by the Public Works Department;
   4. The future street classification of all abutting streets as adopted in Blueprint Denver;
   5. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
   6. In a Campus Zone district, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.
2. **Determine the Minimum Setback**

   a. The reference zone lots identified in 1. above shall establish the minimum setback for the subject property, unless either of the following conditions exist:

   b. **One (not both) Reference Zone Lot Setback Less Than 20 Feet**
      
      If the facade of the structure on only one of the reference zone lots is less than 20' feet from the Primary Street zone lot line, then the next two closest zone lots shall be added into the evaluation, and the subject property if it contains a structure, and:

      i. If none of the other zone lots have a Primary Street setback less than 20' feet, the reference zone lot with the less than 20'-feet setback shall be considered an outlier and removed from consideration of establishing the minimum setback. The two closest reference zone lots shall establish the minimum setback. See Figure 13.1-44

      ii. If a majority of the reference zone lots have a Primary Street setback of less than 20'-feet, the two closest reference zone lots shall establish the minimum setback. See Figure 13.1-45

      iii. If there is not a majority of the reference zone lots with a Primary Street setback of less than 20'-feet, the Zoning Administrator shall establish the minimum setback based on an analysis of the predominant pattern of the reference zone lots. See Figure 13.1-46

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**Figure 13.1-44**

**Figure 13.1-45**

**Figure 13.1-46**

*SP = Subject Property  
RZL = Reference Zone Lot  
ZA = Zoning Administrator*
c. **Reference Zone Lot Front Facade Setback 50% of the Zone Lot Depth or Greater**
   If the facade of only one of the structures on a reference zone lot, identified in 1. above, is setback 50% of the Zone Lot Depth or more from the Primary Street zone lot line, then two additional zone lots shall be added into the evaluation, including the subject property if it contains a structure, and
   
   i. If none of the other zone lots has a Primary Street setback of 50% of the Zone Lot Depth or more, the next two closest zone lots shall establish the minimum setback. See Figure 13.1-47
   
   ii. If there are other zone lots which have a 50% or deeper setbacks, the Zoning Administrator shall establish the setback range based on an analysis of the predominant pattern. See Figure 13.1-48
   
   ![Figure 13.1-47](image)
   ![Figure 13.1-48](image)

   **Legend**
   
   SP = Subject Property
   RZL = Reference Zone Lot
   ZA = Zoning Administrator

   d. Applicant may request an administrative adjustment in order to consider the entire block face. See Article 12, Section 12.4.5.3, Permitted Types of Administrative Adjustments.

3. **Rule of Measurement**
   
   a. The Block Sensitive Setback is a minimum setback based on the location of the front facades of the primary structures on the zone lots identified in 1. and 2. above.
   
   b. Development of a structure on the subject zone lot shall be located no closer to the primary street than the closest front facade of the principal structure on the reference zone lot as identified in 1. and 2. above.

### 13.1.5.4 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines for all CC, MX, and MS Zone Districts

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

B. **General Requirements**
   
   1. Each zone lot line shall have a designation of Primary Street, Side Street, Side Interior or Rear.
   2. Each zone lot shall have at least one Primary Street.
3. A primary street zone lot line or a side street zone lot line may abut a private street if approved by the Zoning Administrator.

4. Once designated for a zone lot, a Primary Street designation cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the Zone B district can be met.

C. Criteria for Zoning Administrator Determinations

The Zoning Administrator shall designate a zone lot’s Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines, such as designation of pedestrian priority streets in such plan.

2. If criteria 1 does not apply or does not provide guidance for all zone lot lines, then the following criteria shall be used:
   a. The Zoning Administrator may designate no more than:
      i. One Primary Street in the S-CC, S-MX, E-CC, and E-MX Zone B districts.
      ii. Two Primary Streets in the U-MX and G-MX Zone B districts.
      iii. Two Primary Streets in the C-MX Zone B districts, and any additional Primary Streets being designated Primary Street B.
   b. The Blueprint Denver Street Classification of all abutting streets, per the following table:

```
<table>
<thead>
<tr>
<th>Blueprint Denver Street Classifications Map</th>
<th>Zone District</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Main Street</td>
<td>C-MX</td>
</tr>
<tr>
<td>Main (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Mixed Use (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Commercial (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Industrial (all types)</td>
<td>Primary Street</td>
</tr>
<tr>
<td>Residential Arterial</td>
<td>**May be Primary or Side Street</td>
</tr>
<tr>
<td>Residential Collector and Local and Undesignated</td>
<td>**May be Primary or Side Street</td>
</tr>
<tr>
<td>**May be Primary or Side Street</td>
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<td>**Side Street</td>
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</tr>
</tbody>
</table>

*The Zoning Administrator shall use Criteria 2c to determine the Primary and/or Side Street(s) Zone Lot Lines
**If all streets meet this Classification, the Zoning Administrator shall designate no more than one Primary Street per Criteria 2c
```

c. Existing Conditions
   i. The same or similar use, building form and/or Zone B district occurring on the same and opposing face block frontage;
   ii. Frontage facing a public park;
   iii. Frontage facing a Parkway designated under D.R.M.C, Chapter 49; and
   iv. The functional street classification of all abutting streets as adopted by the Public Works Department.
D. Interior Zone Lots

1. The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear zone lot lines for all zone lots in the MS zone districts; See Figure 13.1-49.

Figure 13.1-49

2. For CC and MX zone districts:
   a. The Primary Street shall be the zone lot line abutting the name or numbered street.
   b. The Rear shall be the zone lot line opposite the Primary Street.
   c. The Side Interior shall be the remaining two zone lot lines.
   d. There shall be no Side Street designation.
      See Figure 13.1-50

Figure 13.1-50
E. Corner Zone Lots

1. In the CC and MX Zzone districts
   a. The applicant shall designate a Primary Street and Side Street
   b. The Zoning Administrator shall designate the Side Interior and/or Rear Zone Lot Lines. See Figure 13.1-51

2. In the MS Zzone districts:
The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear Zone Lot Lines. See Figure 13.1-52

F. Double Frontage Zone Lots

The Zoning Administrator shall determine the Primary Street, Side Street, Side Interior and Rear for all double frontage zone lots. See Figure 13.1-53.
13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+ and D-AS-20+ Zone Districts

A. Intent
To provide a reference of measurement for standards related to form, building placement, and design elements (e.g. Build-to, Setbacks, Transparency) in Cherry Creek North (C-CCN), Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+(D-AS-20+) zone districts.

B. General Requirements
1. Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.

C. Criteria for Zoning Administrator Determinations
The Zoning Administrator shall designate a zone lot’s Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines.
2. If criterion C.1 does not apply, then the following criteria shall be used:
   a. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
   b. Block and lot shape.

D. Determining Zone Lot Lines
1. All Zone Lots - Primary Street Zone Lot Lines
   The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.

2. Interior Zone Lots
   For interior zone lots in all C-CCN, D-AS-12+, and D-AS-20+ zone districts:
   a. The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
   b. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
   c. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

See Figure 13.1-55.

Figure 13.1-55

- Primary Street
- Side Interior
- Rear
3. **Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block**

   For all corner zone lots, double frontage zone lots, and zone lots with frontage on 3 or more streets or a full block in all C-CCN, D-AS-12+, and D-AS-20+ **zone districts**:
   
   a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street Zone Lot Lines.
   
   b. The Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable.

   See Figure 13.1-56
D. General Requirements

1. Required build-to standards shall apply only to the ground floor of the primary structure(s) on a zone lot.

2. Buildings, or a permitted alternative, shall be built at or within the Build-To requirement for at least the minimum percentage (%) required along the Primary and/or Side Street frontage.

3. Build-to requirements are calculated separately for each separately owned zone lot frontage comprising a development site.

E. Build-to Alternative Requirements

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

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

2. Private Open Space
   Private Open Space shall comply with the following standards:
   a. Private Open Space used as a build-to alternative in any Zone D district:
      i. Shall be open to the sky
      ii. Shall not be covered by an Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies
      iii. May include tables, chairs, benches, sculptures and similar elements
      iv. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district
v. Shall be fully visible from a primary street
vi. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.

b. Private Open Space used as a build-to alternative in a C-CCN Z
   zone D
   district shall contain at least one Minimum Contiguous Area meeting the requirements of Section 13.1.6.1.B.3.b.vii

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

Figure 13.1-59

Not to Scale. Illustrative Only.

4. Pergola
A pergola shall comply with all of the following standards:
   a. Pergola structure shall consist of an arbor or passageway of columns that is at least 50\% open to the sky.
   b. Pergola structure shall be no less than 5\text{'} feet deep as measured perpendicular to the Primary or Side Street zone lot line.
   c. Pergola structure shall not be erected over a Drive or Driveway, or over any part of an Off-Street Parking Area.
Article 13. Rules of Measurement & Definitions
Division 13.1 Rules of Measurement

13.1-40

Figure 13.1-60

5. **Arcade**

An arcade shall comply with all of the following standards:

a. An arcade shall be located below an occupied building area,

b. The arcade column line shall generally align with, and run parallel to, the wall plane of the building above,

c. An arcade shall extend no more than 2 stories in height,

d. The exterior face of the arcade column line shall be within the required build-to range,

e. The average depth of the arcade shall be no less than 6 feet clear, as measured from the interior face of the columns (benches, trash receptacles and other non-permanent features may be located in the clear area),

f. The average depth of the arcade shall be no more than 2/3 of the average height of unobstructed arcade openings, as measured from the front face of the columns

g. The interior wall of the arcade shall meet the required Ground Story activation standards or alternatives.
6. **Courtyard**

A courtyard shall comply with all of the following standards:

a. **Minimum Courtyard Design:**
   
   i. Shall face the Primary Street;
   
   ii. Shall have a width of at least 15' feet, measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard; and
   
   iii. Shall have a depth of at least 30' feet measured as the horizontal distance between the primary street-facing exterior building wall nearest to the primary street zone lot line and the closest facade of the exterior building wall facing the primary street behind the courtyard, measured perpendicular to the zone lot line.

b. The Courtyard is intended primarily for pedestrian use and shall include all of the following physical characteristics:
   
   i. Shall be no more than one-half story above or below grade at the zone lot line adjoining the primary street;
   
   ii. Shall be physically accessible from the primary street, but may be secured for private use;
   
   iii. Shall be visible from the primary street zone lot line;
   
   iv. Shall be open to the sky; and
   
   v. Shall be bounded on not less than 3 sides with connected building facades.

c. The Courtyard area may be used for any of the following:
   
   i. Single or multiple entries to uses within the building;
   
   ii. Public or private landscaped area;
   
   iii. Outdoor seating area; or
   
   iv. Motor Court, which is intended primarily for pedestrian activity but may include shared space for limited vehicular circulation for loading/unloading and access to parking areas outside the courtyard area. The vehicular circulation areas must meet enhanced or upgraded paving standards, including but not limited to unit pavers, or integrally colored concrete with a module of not more than 4 feet.
SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

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

13.1.6.1 Building Configuration

A. Front or Side Wall Length / Overall Structure Length

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

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

1. Intent

To create quality privately owned open spaces on private property in the Cherry Creek North mixed use shopping district that are adjacent and physically open to the street. Private open space should provide visual interest and activate the pedestrian realm.

2. Applicability

This section applies to zone lots in the C-CCN Z and D districts.

3. Rules of Measurement

a. For Cherry Creek Open Space building forms, Private Open Space shall be calculated as a percentage (%) using the total area open to the sky, subject to the below requirements, divided by the total gross square footage of the zone lot and multiplied by 100.

b. For purposes of Private Open Space measurement for Cherry Creek Open Space building forms, the total area open to the sky:

i. Shall not be covered by Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies. Private Open Space may also include tables, chairs, benches, sculptures and similar elements.

ii. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district.

iii. Any portion of the Private Open Space within the build-to range shall count toward the required build-to percentage (see Subsection 7.3.6.1, Required Build-To Alternatives).

iv. Shall abut a primary street zone lot line.

v. Shall be fully visible from a primary street.
c. Wall Design Elements
   i. Wall design elements shall be combined into a unified wall design that provides visual interest, pedestrian scale, and integrates into the architecture of the building.
   
   ii. The unified wall design shall incorporate a minimum of 3 of the following elements, which shall occur at intervals no greater than 25\:feet horizontally:
   
   a) An offset or other horizontal change in wall plane not less than 3\:inches in depth.
   
   b) A vertical scaling element, such as a pilaster, not less than 4\:feet in height and 1\:inch in width/depth.
   
   c) A horizontal scaling element, such as a belt course, string course, or cornice, occurring at an interval no greater than 10\:feet vertically.
   
   d) A green screen or planter wall.
   
   e) A variation in material, pattern, and/or color (shall not also count as translucent, fritted, patterned or colored windows per f. below).
   
   f) Translucent, fritted, patterned or colored windows (shall not also count as a variation in material, pattern, and/or color per e. above).
   
   g) Windows outside the zone of transparency when located at the Street Level and compliant with Sections 13.1.6.2.A.4.b and c.
   
   iii. Wall design elements are measured as the linear width (in feet, measured to the outside design elements) of the unified wall design, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

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Figure 13.1-90

*Horizontal Scaling Elements, Vertical Scaling Elements, Change of Material, and Windows Outside of Zone of Transparency create a system of wall design elements.
b. **Entry Feature**
   i. Where required by the Primary Building Form Standards, an Entry Feature shall signal the connection between the Primary Street and the primary uses within the building.
   ii. An entry feature shall be located either on the Primary Street facing facade or be visible from the Primary Street. See Figure 13.1-95.
   iii. An entry feature shall be a Door, Gate, Front Porch, Front Stoop, Front Terrace, Canopy, and/or Arcade

Figure 13.1-95

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Not to Scale. Illustrative Only.

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c. **Pedestrian Connection**
   i. Where required by the Primary Building Form Standards, a Pedestrian Connection shall provide a clear, obvious, publicly accessible connection between the Primary Street and the primary uses within the building. See Figure 13.1-96. The Pedestrian Connection shall comply with the following:
   a) Fully paved and maintained surface not less than 5\(\text{ feet}\) in width.
   b) Unit pavers or concrete distinct from the surrounding parking and drive lane surface.
   c) Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.
   d) The portions of pedestrian connection that cross driveways or drive aisles shall not exceed 25\(\text{ feet}\) in length.
4. **Pedestrian Access (Entrance) Alternative Requirements**

Where permitted, the following design elements may be used as an alternative to a required entrance on all building forms except Row House:

a. **Courtyard or Plaza**

This alternative may be used only if the courtyard or plaza complies with all of the following standards:

i. Shall be accessible to public during business hours.

ii. Shall be within 2\text{ feet} of grade at edge of public right-of-way.

iii. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.

iv. Maximum dimension shall not exceed 3 times the minimum dimension.

v. Required public Entrance shall be visible from the public right-of-way.

vi. Perimeter walls of court or plaza shall meet primary facade transparency standards.
SECTION 13.1.7  FENCE AND WALL HEIGHT MEASUREMENT

Fence and wall height shall be measured from the base of the fence or wall at the higher of the finished grade at the inside or outside of the fence or wall, to the topmost point of the fence or wall.

SECTION 13.1.8  MEASUREMENT OF MOTOR VEHICLE OR TRAILER LENGTH

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

SECTION 13.1.9  MEASUREMENT OF SEPARATION OR DISTANCE

13.1.9.1 Measurement of Separation or Distance Between Uses

A. When measuring a required separation between uses, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

B. Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot occupied by the use requiring separation to the nearest point of a structure or part of a multiple use structure occupied by a use from which the separation is to be effected or established.

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

A. When measuring a required separation between a use and a Zone District, distance shall be determined from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest point of the Zone District boundary from which the separation is to be effected or established.

B. Only when a significant part of the primary use requiring separation is operated outside of a completely enclosed structure shall the separation be measured from the nearest point of the zone lot occupied by the primary use requiring separation to the nearest point of the Zone District boundary from which the separation is to be effected or established.

C. In the case of an outdoor accessory use requiring separation from a Zone District (for example, an accessory outdoor eating or serving area), distance shall be measured from the nearest point of the outdoor accessory use to the nearest point of the Zone District boundary from which the separation is to be effected or established.

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

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

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

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

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

Denver Zoning Code: This Code.

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

Development: Any of the following activities:

1. Any construction activity, grading and/or ongoing operation that changes the basic character or the use of the environment in which the construction activity, grading, or operation occurs; or any use or extension of the use of land; but not including total demolition of any structure.

2. A new parking area; expansion of an existing parking area; a change in the use of a structure that changes the off-street parking requirement; or a change in the gross floor area of a structure that changes the off-street parking requirement.


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

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

Disabled Person: A person so severely handicapped that he or she is unable to move from place to place without the aid of a mechanical device or who has a physical impairment verified, in writing, by the director of the state division of rehabilitation or a physician licensed to practice medicine in this state that such impairment limits substantially his or her ability to move from place to place.

Display Surface or Face: The area made available by the sign structure for the purpose of displaying the message.
**Former Chapter 59:** Chapter 59 of the Denver Revised Municipal Code as filed with the Denver City Clerk at City Clerk Filing No. 10-512-A on May 20, 2010. Former Chapter 59 remains in full force and effect for any land not re-zoned to zone districts in the Denver Zoning Code.

**Freeways:** Those streets designed to carry large volumes of through traffic at high speeds by restriction of abutting private property from rights of direct access by vehicles and pedestrians.

**Front Porch:** See “Porch, Front”.

**Frontage:** All of the zone lot fronting on one side of an intersecting or intercepting street, or between a street and right-of-way, end of dead-end street, waterway, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

**Full Cutoff Lighting Fixture:** A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

**Fully Shielded Lighting Fixture:** A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.
Occupancy: The purpose for which a building is used or intended to be used.

Off-Street Parking Area: A storage area for motor vehicles, including parking spaces, drive aisles, and access routes.

Off-Street Parking Space: See “Parking Space.”

Official Map or Official Zone Map: A map of the city that depicts the \( \text{Z}\) zone \( \text{D}\) districts of all land within the City of Denver, adopted by City Council, and incorporated by reference as part of this Code.

On-Street Parking Space: A temporary storage area for a motor vehicle that is located on a dedicated street right-of-way.

Open Space, Publicly Accessible: Space that is clearly intended to be usable, publicly accessible, and a visual amenity, but not including parking lots or vestigial landscaped areas left over after the placement of buildings and parking on a zone lot. Publicly accessible open space may be publicly or privately owned, managed or maintained.

Open Space Zone District: All Open Space (“OS”) Zone Districts.

Original Grade: See definition of “Grade, original.”

Outoor General Advertising Device: A sign relating to products, services or uses not on the same zone lot. Also commonly known as a “billboard.”

Overlay Zone District: A set of zoning requirements in a \( \text{Z}\) zone \( \text{D}\) district that is described in this Code, which is mapped and imposed in addition to those of the underlying \( \text{Z}\) zone \( \text{D}\) district. Development within an overlay zone must conform to the requirements of both zones, or the more restrictive of the two.

Owner: Any person with a legal or equitable interest in property, with or without accompanying actual possession thereof; a person who is under contract to purchase property by land installment contract or by a purchase contract; or a person who is acquiring property, or a legal or equitable interest in it, through foreclosure.
**Parkway:** A type of boulevard that the city has designated as a "Parkway" according to Chapter 49 of the D.R.M.C.

**Patio:** A level hard surfaced area at finished grade. (For an above-grade patio, see Deck)

**Pedestrian-Active Use:** Shall include retail sale; banking facility open to the public with at least one employee on site; eating place; personal and business service; hotel lobby; indoor and outdoor entertainment or recreation facility; dedicated public park or open space; arts and cultural facility; and the frontage of entry ways or stairways through which such uses are principally accessed, provided, however, that the following types of retail sales shall not be considered pedestrian-active uses: amusement center; sale of automobiles; sale of auto trailers; sale of house trailers; sale of trucks; sale of auto and truck parts, accessories, tires and tubes; automobile gasoline filling station; boat sales; home building materials store; koshering of poultry sold at retail on the premises; motorcycle store; monument and tombstone sales; pawnshop; retail sale of medical and hospital equipment and supplies; and retail sale of packaged coal and wood for household use; and provided, further, that no adult use shall be considered a pedestrian-active use.

**Pedestrian and/or Transit Mall:** A public right-of-way and/or public rights-of-way from which general vehicular traffic shall be excluded except that public transportation vehicles, emergency vehicles and other vehicles by special permit may be permitted, and which shall have been specially constructed with amenities to enhance a primarily pedestrian environment.

**Pedestrian Connection:** A clear, obvious, and publicly accessible route and connection between the Primary Street and the primary uses within the building.

**Permanent Occupancy:** The use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy.

**Pergola:** See Rule of Measurement, Division 13.1.

**Permitted Structure:** See definition of “Structure, Permanent,” below.

**Person:** An individual including any receiver, guardian, personal representative, registered agent, fiduciary, or representative of any kind, and any corporation, partnership, firm, association, joint venture, or other legal entity.

**Planned Unit Development (PUD):** A zone district wherein an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in zone lot size, building form, bulk, use, density, lot coverage, open space, or other restriction to the existing zoning regulations of this Code. See Division 9.6, Planned Unit Development District, of this Code.

**Plaza:** An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky. Any portion of a plaza occupied by landscaping, statuary, pools and open recreation facilities shall be considered to be a part of the plaza. The term "plaza" shall not include off-street loading areas, driveways, off-street parking areas.

**Porch, Front:** A one or two-story structure providing access to the primary uses within a primary building. Front porch may be covered and must be unenclosed on the primary street-facing façade of the primary building.

**Premises:** A general term meaning part or all of any zone lot or part or all of any building or structure or group of buildings or structures located thereon.
Primary Area of GDP: Boundary of the area within a GDP either owned and/or represented by a private landowner(s) or applicant(s).

Primary Street: See Rule of Measurement, Division 13.1.


Processing: Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operation described as fabrication.

Professional Studio: See “Studio, Professional.”

Projecting Window: For purposes of a setback encroachment, shall include bay window, box window and bow window.

Property: Any land, building, or other structure, or part thereof.

Protected District: Any one of the following Zone Districts:

1. S-SU-A
2. S-SU-D
3. S-SU-F
4. S-SU-Fx
5. S-SU-F1
6. S-SU-I
7. S-SU-Ix
8. S-TH-2.5
9. E-SU-A
10. E-SU-B
11. E-SU-D
12. E-SU-D1
13. E-SU-Dx
14. E-SU-D1x
15. E-SU-G
16. E-SU-G1
17. E-TU-B
18. E-TU-C
19. E-TH-2.5
20. E-MU-2.5
21. U-SU-A
22. U-SU-A1
23. U-SU-A2
24. U-SU-B
25. U-SU-B1
26. U-SU-B2
27. U-SU-C
28. U-SU-C1
29. U-SU-C2
30. U-SU-E
31. U-SU-E1
32. U-SU-H
33. U-SU-H1
34. U-TU-B
35. U-TU-B2
36. U-TU-C
37. U-RH-2.5
38. U-RH-3A
39. G-RH-3
40. Any [zone] district retained from Former Chapter 59, mapped on the Official Map, and considered a "protected Zone District" under Section 59-96 of the Former Chapter 59.
**Railroad Facilities:** Terminal related to a freight railway; or a railway yard, maintenance, or fueling facility related to a passenger or freight railway.

**Rear of Zone Lot:** See “Zone Lot, Rear”.

**Recreational Vehicle:** A vehicular-type, portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as living accommodation for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

**Recyclable Material:** Reusable materials including, but not limited to, metals, glass, plastic, wood, and paper that are intended for remanufacturing or reconstitution. Recyclable materials do not include junk, rubbish, refuse, or hazardous waste.

**Registry Identification Card:** That document issued by a state health agency, which identifies a patient authorized to engage in the medical use of marijuana, as required by Colorado Revised Statutes, Section 25-1.5-107(7), as may be amended.

**Replacement Cost:** The amount it would cost to replace an asset at current market prices.

**Required Entrance:** See “Entrance, Required,” above.

**Residential Accommodations:** Any building or part of a building used or intended to be used for sleeping accommodations by a person or group of persons. Other housekeeping facilities may be provided.

**Residential Development:** See “Development, Residential.”

**Residential Occupancy or Residential Use:** Any building or part of a building in which a person or group of persons are provided with sleeping accommodations. Other housekeeping accommodations may also be provided.

**Residential Structure:** See definition of “Structure, Residential,” below.

**Residential Use:** See definition of “Residential Occupancy,” above.

**Residential Zone District or Residential District:**


2. Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a “Residential district” under Section 59-2(235) of the Former Chapter 59.

**Retail:** Sale to the ultimate consumer for direct consumption or use and not for resale.

**Retaining Wall:** A wall which is designed to, and in fact does, retain the earth on one side at a higher elevation than the earth on the other side. Only that portion of the wall that actually retains earth shall be considered a retaining wall; the remainder shall be a fence or wall and be measured as set forth in Section 13.1.7.

**Rezoning:** An amendment to the Official Zoning Map.
Storage: The act of depositing goods, wares and merchandise in any structure, part of a structure or warehouse, gratuitous or otherwise, shall be called storage.

Store: A use devoted exclusively to the retail sale of a commodity or commodities.

Story: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Story, Habitable: A story which:
1. Has at least four feet between the ground level and the ceiling joists;
2. Has enough area to provide a habitable room with net floor-to-ceiling distance of 7’ feet-6" inches over half the area of the room; and
3. Constitutes a habitable room as defined in the building code.

Story, Half: See Rule of Measurement.

Street: A public thoroughfare, avenue, road, highway, boulevard, parkway, driveway, lane, court or private easement providing, generally, the primary roadway to and egress from the property abutting along its length.

Street Level: The first story or level in a building or structure in which the ceiling is 4 feet or more above grade at the nearest building line.

Street, Private: Any road or street that is privately developed, owned, and maintained that provides access within a development.

Street Front or Frontage: Any boundary line of a zone lot or parcel of land that runs parallel to and within 20 feet of the right-of-way of a street or highway designated and assigned an individual name or number by the legislative action of the City.

Street Property Line: A common boundary between private property and a dedicated street or alley.

Structural Feature: Any part of a structure which is designed for or indicative of the intent to accommodate any given use.

Structure: Anything which is constructed or erected and the use of which requires more or less permanent location on ground or attachment to something having permanent location on ground, not, however, including wheels; an edifice or a building of any kind; any production or piece of work, artificially built up or composed of a parts and joined together in some definite manner. (Entrances not more than 2 feet above grade and vents not more than 3 feet above grade, which are features of bomb or fallout shelters, shall not be considered a structure or structural feature for purposes of setback computations.)
**Structure - Group A:**

**Structure, Completely Enclosed:** A structure enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrance and exit doors.

**Structure, Partially Enclosed:** A structure that is:
1. Enclosed by a roof (e.g., carport, gazebo, porch); or
2. Enclosed on three or more sides with Fences or Walls that are greater than 6' feet in height and less than 50% open.

**Structure, Open:** A structure that is:
1. At least 50% open to the sky; and
2. If it has Fences or Walls, there are no more than two sides with Fences or Walls that are greater than 6' feet in height and less than 50% open (e.g., trellis, balcony, deck).

**Structure - Group B:**

**Structure, Conforming:** A structure which, when originally constructed, was in full compliance with all zoning regulations applicable to structures, and which complies with the following current regulations applicable to structures:
1. All building form standards in this Code;
2. Standards for permitted structures in the Downtown, Campus, I-A, and I-B, Z zone districts, as applicable, and
3. Standards established in Division 10.3, Multiple Buildings on a Single Zone Lot, as applicable.

A structure that meets this definition of “conforming structure”, but which does not comply with zoning standards that are inapplicable to structures (e.g., site design standards such as landscaping, parking amount, signage), are still “conforming structures” under this Code.

**Structure, Compliant:** A legally established structure that meets one of the following conditions:
1. The legally established structure does not comply with one or more of the following Building Form Standards in this Code:
   a. Height Standards
      i. Minimum, feet
      ii. Maximum, feet and stories
      iii. 3rd Avenue CCN bulk plane
   b. Siting Standards
      i. Building setback standards, including Block Sensitive Primary Street setback standards
      ii. Required build-to
      iii. Location of surface parking for vehicles
   c. Design Element Standards
      i. Street Level activation standards
      ii. Upper-story setback standards
iii. Overall structure length
iv. Pedestrian access, primary structure
v. Private open space
vi. Mass reduction
vii. Limitation on Visible Parking Above the Street Level
d. Use Building Form Standards

2. The legally established structure was conforming under Former Chapter 59 on June 24, 2010, but does not currently comply with Denver Zoning Code “building height standards,” “siting form standards,” or “design element form standards,” as those terms are defined in Article 13.

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

**Structure - Group C:**

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

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

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

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

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

**Structure, Principal:** See “Structure, Primary.”

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

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

**Studio, Professional:** A specific type of arts, recreation and entertainment service use. A place where works of art are created, displayed and/or sold, and/or where instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craft work, fine arts, photography, music, or similar fields; but not including health treatment.
**Unobstructed Open Space:** Land with no buildings thereon, except fenced or walled trash facilities. The following provisions apply to the specified Zone Districts:

1. Except as otherwise provided herein, in the Single Unit (SU), Two Unit (TU), Townhouse (TH), or Rowhouse (RH) Zone Districts, unobstructed open space shall include any areas that are open to the sky including driveways; driving aisles; unenclosed parking spaces; front porches; and patios, decks or exterior balconies the surface of which is two and one half (2 1/2) feet or less above grade; and unenclosed areas covered by a trellis or arbor.

2. In the Single Unit (SU) and Two Unit (TU) Zone Districts, the following portions of the zone lot shall not be deemed to be unobstructed open space: any area bordered by walls on more than three sides; any porch, patio, or deck enclosed by any railing, wall, or similar structure in excess of three (3) feet in height above the surface of the porch, patio or deck; and any area beneath a projecting architectural or structural element such as balconies, bay windows, or second floor projections, excepting eaves.

**Upper Story Setback:** The horizontal distance that an upper portion of a building facade is set back from the property or zone lot boundary line.

**Upper Story Step-Back:** The horizontal distance that an upper portion of a building facade is set back from the face of the building’s lower portion.

**Use:** The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.

**Use, Allowed:** See “Use, Permitted.”

**Use, Accessory:** A subordinate use, clearly incidental and related to the primary use of land, and, unless otherwise permitted by this Code, located on the same zone lot as that of the primary use.

**Use, By Right:** See “Use, Permitted.”

**Use, Compliant:** A use or activity that was lawful prior to the adoption, revision, or amendment to this Code, but which by reason of such adoption, revision, or amendment, or because other uses are established closer to the legally established use than this Code permits, does not comply with current use limitations applicable to such use or activity.

**Use, Conforming:** A use or activity that was lawful when originally established and that complies with current use limitations applicable to the use or activity in the Zone District in which it is located. A use or activity that was lawful when originally established, but which, by reason of the adoption of or revision to this Code, does not comply with a review procedure (e.g., special exception review), or with a reduceable spacing/distance requirement, or with a site development or design standard (e.g., parking, landscaping, and signage) otherwise applicable to such use, shall be classified as a “conforming use.”

**Use, Illegal:** Any use, whether of a building or other structure, or of land, in which a violation of any provision of this Code has been committed or shall exist.
**Use, Nonconforming:** A use or activity that was lawful prior to the adoption, revision, or amendment to this Code, but which by reason of such adoption, revision, or amendment, is no longer permitted in the Z\_zone D\_district in which such use or activity is located.

**Use, Permitted:** Any use listed as a primary use, a temporary use, a home occupation, an accessory use, a use subject to special exception review, or a use subject to limitations, as approved according to the required use review procedure.

**Use, Primary or Principal:** The main or primary purpose for which land and the structures thereon are used, or for which land and the structures thereon may be maintained or occupied according to this Code.

**Use, Prohibited:** A use that is not permitted in a Z\_zone D\_district ("NP" in the Summary Use and Parking Tables).

**Use, Special Exception:** A use that is listed in the Summary Use and Parking Table as a use permitted subject to the special exception review by the Board of Adjustment, as set forth in Article 12 ("ZPSE" in use table).

**Use, Temporary:** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Use and Parking Table:** Tables found in Articles 3, 4, 5, 6, 7, 8, and 9 of this Code, which list:
(a) the principal, accessory, and temporary uses permitted in each Z\_zone D\_district, (b) the type of review procedure (e.g., zoning permit, zoning permit review with informational notice, special exception review) required prior to a use’s establishment, and (c) the bicycle and vehicle parking requirements for each use.

**Use Category:** A category of uses within a “Use Classification.” “Use Categories” are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. A “Use Category” may be further subdivided into “Specific Use Types.”

**Use Classification:** The broadest grouping of land uses in this Code, based on generally accepted industry groupings, similar descriptions of planning goals or functions, similar permitted use types, and similar permitted density/intensity of use.

**Use Type or Specific Use Type:** The finest-grained category of uses in this Code; a “Use Type or Specific Use Type” is a sub-category of a “Use Category.” It is used when necessary to tailor the regulatory treatment to address issues such as the relative intensity of the use, issues related to building type, possible effects on neighboring land uses, consistency with Z\_zone D\_district purpose and goals, or possible operational externalities (such as odor, glare, or noise).
**Zone Lot:** The land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area may be designated as a zone lot only by the owner or owners thereof.

**Zone Lot, Area of:** The area of land enclosed within the boundaries of a zone lot.

**Zone Lot, Boundary Line of:** Any line separating a zone lot from a street, an alley, another zone lot or any other land not part of the zone lot.

**Zone Lot, Corner:** A zone lot situated at the junction of two or more intersecting or intercepting streets where the angle of intersection of the lot lines coterminal with the street lines does not exceed 135 degrees.

**Zone Lot, Flag:** A zone lot not meeting minimum zone lot width or public street frontage requirements under this Code, and where access to a public street is limited to a narrow strip of land or private access way.

**Zone Lot, Interior:** Any zone lot that is not a corner zone lot.

**Zone Lot, Nonconforming:** A zone lot that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform with either:

1. The present minimum zone lot size or minimum zone lot width requirements for any of the building forms permitted in the Zone District in which the zone lot is located; or
2. The minimum requirements for a zone lot, as stated in Article 1, Division 1.2, Zone Lots, of this Code.

**Zone Lot, Width:** See Rule of Measurement, Division 13.1

**Zone Lot Line:** Any boundary of a zone lot.

**Zone Lot Line, Primary Street:** See Rule of Measurement, Division 13.1

**Zone Lot Line, Rear:** See Rule of Measurement, Division 13.1

**Zone Lot Line, Side:** Any boundary of a zone lot that is neither a Primary Street zone lot line nor a rear zone lot line. A side zone lot line may be either a side “street” zone lot line, or a side “interior” zone line, with the former type abutting a side street and the latter type not abutting a street.

**Zone Lot Line, Side Interior:** See Rule of Measurement, Division 13.1

**Zone Lot Line, Side Street:** See Rule of Measurement, Division 13.1

**Zone Lot Size, Minimum:** The smallest size zone lot that may be newly created in a Zone District according to this Code’s requirements, or the smallest size zone lot that must exist as a prerequisite to development of a building form permitted in the Zone District.

**Zone of Transparency:** See Rule of Measurement, Division 13.1