



Denver Zoning Code Text Amendment #5  
NATIONAL WESTERN CENTER REGULATORY PACKAGE  
TEXT AND MAP AMENDMENT  
REDLINE PUBLIC REVIEW DRAFT - 5/3/19

This document contains the redlined draft of a proposed text amendment to create four new Campus context zone districts that implement the objectives of the [National Western Center Master Plan](#). The districts created by this text amendment are intended to apply to the near-term phases of the National Western Center campus, which include properties west of the BNSF rail tracks inside the Master Plan area. Additional information is available on the [National Western Center Regulatory Package web page](#).

### Redline Document Conventions

- Text in red underline is proposed new language.
- Text in ~~red strikethrough~~ is proposed deleted language.
- Text in ~~blue strikethrough~~ is being moved from one section/location to another.
- Text in blue, no strikethrough, has been moved from another section/location.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure constancy of approach and administration with other ongoing text amendments.

Please visit our website at [www.DenverGov.org/CPD](http://www.DenverGov.org/CPD), then click on Text Amendments under Zoning, to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Sign up for email newsletters

### Draft Zone Districts Map

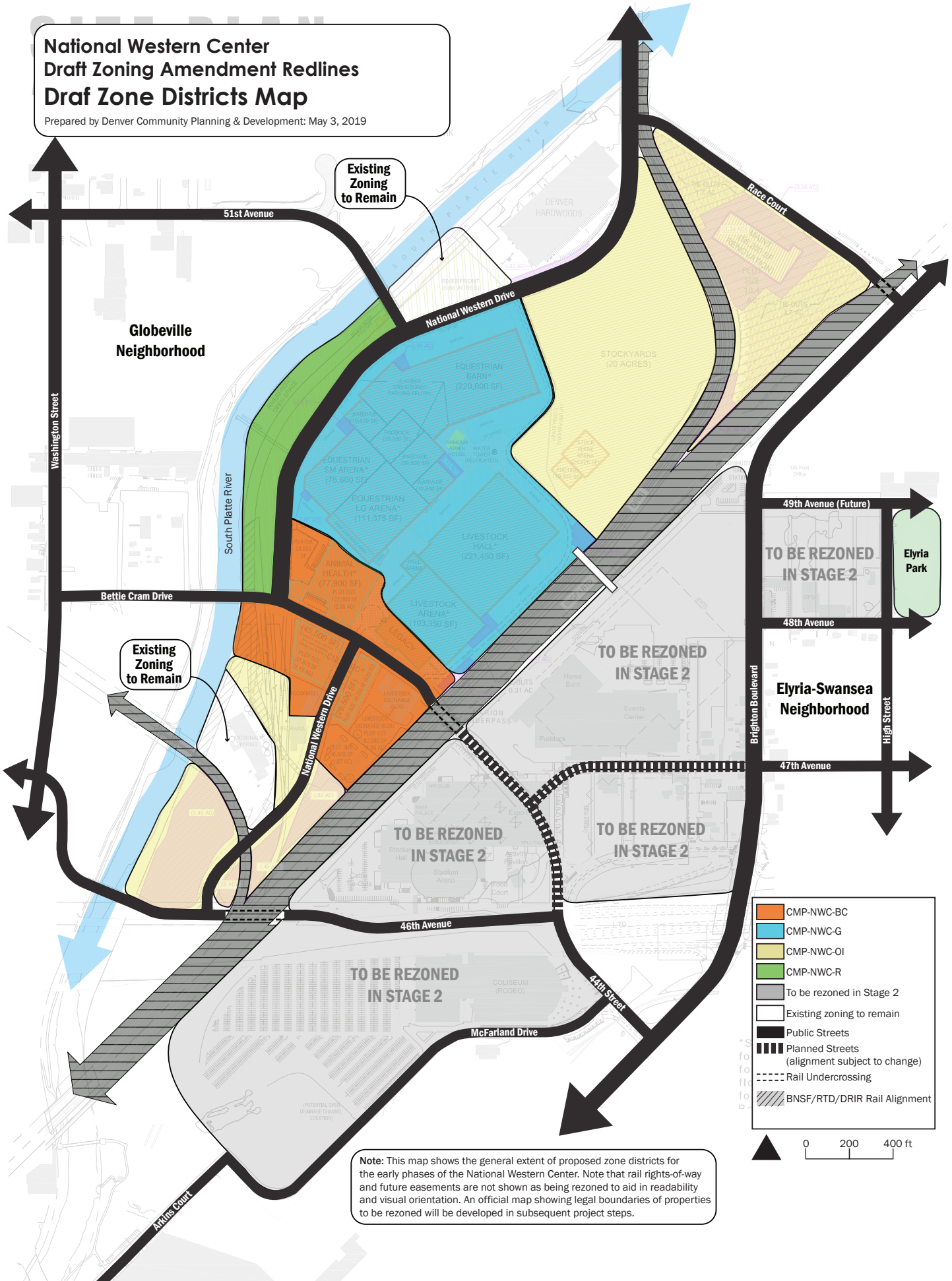
The next page of this document includes a map showing the general extent of the proposed zone districts associated with the text amendment. It is for illustrative purposes only to aid in understanding the geographic scope of the proposed text amendments. An official map showing legal boundaries of properties to be rezoned will be developed in subsequent project steps.

### How to Provide Comments and Key Dates

Please send any questions or comments on this Public Review Draft to Brad Johnson at [Brad.Johnson2@denvergov.org](mailto:Brad.Johnson2@denvergov.org) by Wednesday, May 22, 2019. A revised draft of this document, the Planning Board Hearing Draft, that considers feedback received on this document through May 22, 2019 is anticipated to be published on June 5, 2019. A Planning Board Hearing for text and map amendments, as well as associated Design Standards and Guidelines, is tentatively scheduled for July 10, 2019.

# National Western Center Draft Zoning Amendment Redlines Draft Zone Districts Map

Prepared by Denver Community Planning & Development: May 3, 2019



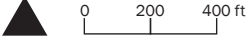
**Globeville  
Neighborhood**

Existing  
Zoning  
to Remain

Existing  
Zoning  
to Remain

- CMP-NWC-BC
- CMP-NWC-G
- CMP-NWC-OI
- CMP-NWC-R
- To be rezoned in Stage 2
- Existing zoning to remain
- Public Streets
- Planned Streets  
(alignment subject to change)
- Rail Undercrossing
- BNSF/RTD/DRIR Rail Alignment

**Note:** This map shows the general extent of proposed zone districts for the early phases of the National Western Center. Note that rail rights-of-way and future easements are not shown as being rezoned to aid in readability and visual orientation. An official map showing legal boundaries of properties to be rezoned will be developed in subsequent project steps.



## ARTICLE 2. USING THE CODE

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### 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, -EI, -EI2, -ENT, -NWC, ~~-NWC-BC~~, ~~-NWC-G~~, ~~-NWC-OI~~, ~~-NWC-R~~): 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, IO, 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, Incentive 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.

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## 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:

| SUBURBAN NEIGHBORHOOD CONTEXT |                        | URBAN EDGE NEIGHBORHOOD CONTEXT |                         | URBAN NEIGHBORHOOD CONTEXT |                         |
|-------------------------------|------------------------|---------------------------------|-------------------------|----------------------------|-------------------------|
| S-SU-A                        | Single Unit A          | E-SU-A                          | Single Unit A           | U-SU-A                     | Single Unit A           |
| S-SU-D                        | Single Unit D          | E-SU-B                          | Single Unit B           | U-SU-A1                    | Single Unit A1          |
| S-SU-Fx                       | Single Unit Fx         | E-SU-D                          | Single Unit D           | U-SU-A2                    | Single Unit A2          |
| S-SU-F                        | Single Unit F          | E-SU-Dx                         | Single Unit Dx          | U-SU-B                     | Single Unit B           |
| S-SU-F1                       | Single Unit F1         | E-SU-D1                         | Single Unit D1          | U-SU-B1                    | Single Unit B1          |
| S-SU-lx                       | Single Unit lx         | E-SU-D1x                        | Single Unit D1x         | U-SU-B2                    | Single Unit B2          |
| S-SU-l                        | Single Unit l          | E-SU-G                          | Single Unit G           | U-SU-C                     | Single Unit C           |
| S-RH-2.5                      | Row House 2.5          | E-SU-G1                         | Single Unit G1          | U-SU-C1                    | Single Unit C1          |
| S-MU-3                        | Multi Unit 3           | E-TU-B                          | Two Unit B              | U-SU-C2                    | Single Unit C2          |
| S-MU-5                        | Multi Unit 5           | E-TU-C                          | Two Unit C              | U-SU-E                     | Single Unit E           |
| S-MU-8                        | Multi Unit 8           | E-RH-2.5                        | Row House 2.5           | U-SU-E1                    | Single Unit E1          |
| S-MU-12                       | Multi Unit 12          | E-MU-2.5                        | Multi Unit 2.5          | U-SU-H                     | Single Unit H           |
| S-MU-20                       | Multi Unit 20          | E-RX-3                          | Residential Mixed Use 3 | U-SU-H1                    | Single Unit H1          |
| S-CC-3x                       | Commercial Corridor 3x | E-RX-5                          | Residential Mixed Use 5 | U-TU-B                     | Two Unit B              |
| S-CC-3                        | Commercial Corridor 3  | E-CC-3x                         | Commercial Corridor 3x  | U-TU-B2                    | Two Unit B2             |
| S-CC-5x                       | Commercial Corridor 5x | E-CC-3                          | Commercial Corridor 3   | U-TU-C                     | Two Unit C              |
| S-CC-5                        | Commercial Corridor 5  | E-MX-2x                         | Mixed Use 2x            | U-RH-2.5                   | Row House 2.5           |
| S-MX-2x                       | Mixed Use 2x           | E-MX-2A                         | Mixed Use 2A            | U-RH-3A                    | Row House 3A            |
| S-MX-2A                       | Mixed Use 2A           | E-MX-2                          | Mixed Use 2             | U-RX-3                     | Residential Mixed Use 3 |
| S-MX-2                        | Mixed Use 2            | E-MX-3A                         | Mixed Use 3A            | U-RX-5                     | Residential Mixed Use 5 |
| S-MX-3A                       | Mixed Use 3A           | E-MX-3                          | Mixed Use 3             | U-MX-2x                    | Mixed Use 2x            |
| S-MX-3                        | Mixed Use 3            | E-MS-2x                         | Main Street 2x          | U-MX-2                     | Mixed Use 2             |
| S-MX-5A                       | Mixed Use 5A           | E-MS-2                          | Main Street 2           | U-MX-3                     | Mixed Use 3             |
| S-MX-5                        | Mixed Use 5            | E-MS-3                          | Main Street 3           | U-MS-2x                    | Main Street 2x          |
| S-MX-8A                       | Mixed Use 8A           | E-MS-5                          | Main Street 5           | U-MS-2                     | Main Street 2           |
| S-MX-8                        | Mixed Use 8            |                                 |                         | U-MS-3                     | Main Street 3           |
| S-MX-12A                      | Mixed Use 12A          |                                 |                         | U-MS-5                     | Main Street 5           |
| S-MX-12                       | Mixed Use 12           |                                 |                         |                            |                         |
| S-MS-3                        | Main Street 3          |                                 |                         |                            |                         |
| S-MS-5                        | Main Street 5          |                                 |                         |                            |                         |

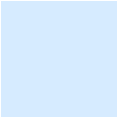
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**2.5.1.2 General Urban, Urban Center and Downtown Neighborhood Context:**

| GENERAL URBAN NEIGHBORHOOD CONTEXT |                         | URBAN CENTER NEIGHBORHOOD CONTEXT |                          | DOWNTOWN NEIGHBORHOOD CONTEXT |   |
|------------------------------------|-------------------------|-----------------------------------|--------------------------|-------------------------------|---|
| G-RH-3                             | Row House 3             | C-RX-5                            | Residential Mixed Use 5  | D-C                           | Downtown Core District                              |
| G-MU-3                             | Multi Unit 3            | C-RX-8                            | Residential Mixed Use 8  | D-TD                          | Downtown Theater District                           |
| G-MU-5                             | Multi Unit 5            | C-RX-12                           | Residential Mixed Use 12 | D-LD                          | Lower Downtown District                             |
| G-MU-8                             | Multi Unit 8            | C-MX-3                            | Mixed Use 3              | D-CV                          | Downtown Civic District                             |
| G-MU-12                            | Multi Unit 12           | C-MX-5                            | Mixed Use 5              | D-GT                          | Downtown Golden Triangle                            |
| G-MU-20                            | Multi Unit 20           | C-MX-8                            | Mixed Use 8              | D-AS                          | Downtown Arapahoe Square                            |
| G-RO-3                             | Residential Office 3    | C-MX-12                           | Mixed Use 12             | D-AS-12+                      | Downtown Arapahoe Square 12+                        |
| G-RO-5                             | Residential Office 5    | C-MX-16                           | Mixed Use 16             | D-AS-20+                      | Downtown Arapahoe Square 20+                        |
| G-RX-3                             | Residential Mixed Use 3 | C-MX-20                           | Mixed Use 20             | D-CPV-T                       | Downtown Central Platte Valley - Auraria Transition |
| G-RX-5                             | Residential Mixed Use 5 | C-MS-5                            | Main Street 5            | D-CPV-R                       | Downtown Central Platte Valley - Auraria River      |
| G-MX-3                             | Mixed Use 3             | C-MS-8                            | Main Street 8            | D-CPV-C                       | Downtown Central Platte Valley - Auraria Center     |
| G-MS-3                             | Main Street 3           | C-MS-12                           | Main Street 12           |                               |   |
| G-MS-5                             | Main Street 5           | C-CCN-3                           | Cherry Creek North 3     |                               |   |
|                                    |                         | C-CCN-4                           | Cherry Creek North 4     |                               |   |
|                                    |                         | C-CCN-5                           | Cherry Creek North 5     |                               |   |
|                                    |                         | C-CCN-7                           | Cherry Creek North 7     |                               |   |
|                                    |                         | C-CCN-8                           | Cherry Creek North 8     |                               |   |
|                                    |                         | C-CCN-12                          | Cherry Creek North 12    |                               |   |

**2.5.1.3 Special Contexts and Zone Districts:**

| INDUSTRIAL CONTEXT         |  |
|----------------------------|--|
| I-MX-3                     | Industrial Mixed Use 3   |
| I-MX-5                     | Industrial Mixed Use 5   |
| I-MX-8                     | Industrial Mixed Use 8   |
| I-A                        | Light Industrial   |
| I-B                        | General Industrial   |
| CAMPUS CONTEXT             |  |
| CMP-H                      | Campus Healthcare  |
| CMP-H2                     | Campus Healthcare 2  |
| CMP-EI                     | Campus Education Institution                                       |
| CMP-EI2                    | Campus Education Institution 2                                     |
| CMP-ENT                    | Campus Entertainment   |
| CMP-NWC                    | Campus National Western Center                                     |
| <a href="#">CMP-NWC-BC</a> | <a href="#">Campus National Western Center - Bettie Cram</a>       |
| <a href="#">CMP-NWC-G</a>  | <a href="#">Campus National Western Center - General</a>           |
| <a href="#">CMP-NWC-OI</a> | <a href="#">Campus National Western Center - Outdoor Intensive</a> |
| <a href="#">CMP-NWC-R</a>  | <a href="#">Campus National Western Center - Riverfront</a>        |
| OPEN SPACE CONTEXT         |  |
| OS-A                       | Open Space Public Parks  |
| OS-B                       | Open Space Recreation  |
| OS-C                       | Open Space Conservation  |



# ARTICLE 9. SPECIAL CONTEXTS AND DISTRICTS

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## SECTION 9.2.2 DISTRICTS ESTABLISHED

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

| CAMPUS CONTEXT             |  |
|----------------------------|--|
| CMP-H                      | Campus - Healthcare  |
| CMP-H2                     | Campus - Healthcare 2  |
| CMP-EI                     | Campus - Education Institution                                       |
| CMP-EI2                    | Campus - Education Institution 2                                     |
| CMP-ENT                    | Campus - Entertainment   |
| CMP-NWC                    | Campus - National Western Center                                     |
| <a href="#">CMP-NWC-BC</a> | <a href="#">Campus - National Western Center - Bettie Cram</a>       |
| <a href="#">CMP-NWC-G</a>  | <a href="#">Campus - National Western Center - General</a>           |
| <a href="#">CMP-NWC-OI</a> | <a href="#">Campus - National Western Center - Outdoor Intensive</a> |
| <a href="#">CMP-NWC-R</a>  | <a href="#">Campus - National Western Center - Riverfront</a>        |

## 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.



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**SECTION 9.2.6 CAMPUS - NATIONAL WESTERN CENTER (CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R)**

**9.2.6.1 Intent**

The Campus-National Western Center (CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R) zone districts isare 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 districts isare intended to encourage development of a unified campus that includes structures and facilities that accommodate a vibrant and pedestrian-friendly mix of agricultural activities, cultural, research and educational uses, entertainment venues, civic, public and institutional, residential and commercial uses.

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

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

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**B. Campus-National Western Center-Bettie Cram (CMP-NWC-BC)**

The CMP-NWC-BC District is intended to establish the area generally surrounding Bettie Cram Drive as the key pedestrian-oriented street through the campus. Medium floorplate buildings will house a variety of indoor uses. Development will contribute to an engaging pedestrian experience by creating safe, comfortable and visually interesting neighborhood connections through the heart of campus. This area will provide critical pedestrian access points to site interiors. Anchor buildings will house more permanent uses as compared to other districts where activities change significantly from event to event.

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

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

**D. Campus-National Western Center-Outdoor Intensive (CMP-NWC-OI)**

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

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

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

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**9.2.6.2 Primary Building Form Intent**

**A. Height**

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

**B. Siting**

1. Required Build-To
  - a. Provide a consistent street edge to enhance character of the context.
  - b. Define streets to promote pedestrian activity and sense of place.
  - c. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
2. Setbacks
  - a. Site buildings to be consistent with the intended character and functional requirements of the urban context.
  - b. Site buildings to define the street edge/public realm.
  - c. Ensure adequate separation of uses that may have negative environmental or urban design impacts from the South Platte River, public streets and Residential Zone Districts.
  - d. Promote flexibility within site interiors of the campus to meet operational and programming requirements.
3. Parking Location
  - a. Minimize the visual impact of parking areas on streets and adjoining properties.
  - b. Minimize conflicts between pedestrians and vehicles.

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**C. Design Elements**

1. Building Configuration
  - a. Promote variation in building form that enhances access to daylight, air and views from within and around new structures.
  - b. Encourage variation in building form that provides opportunities for architectural scale relationships in large building contexts.
  - c. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
2. Transparency
  - a. Maximize transparency of windows at the Street Level to activate the street.
  - b. Utilize doors and windows to establish scale, variation and patterns on building facades that provide visual interest and reflect the uses within the building.
  - c. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties.
3. Entrances
  - a. Give prominence to the pedestrian realm as a defining element of neighborhood character.
  - b. Provide convenient access to buildings and active uses from the street. Articulate and create a visual hierarchy of building entrances as an aid in way-finding.
  - c. Provide a positive relationship to the street through access, orientation and placement of entries.
  - d. Create visually interesting and human-scaled facades.

**9.2.6.3 Primary Building Form Design Standards**

**A. Applicability**

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

**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**

- a. ~~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 G-CCN and Division 1.2, Zone Lots. The area within a designated zone lot within the CMP-NWC zone districts {CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, and CMP-NWC-G zone districts shall include one or more primary uses, in addition to all expected accessory uses, including auxiliary office, residential, service and other campus support uses.~~

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- b. An Accessory Use to a Primary Use within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, or CMP-NWC-OI zone districts may be located in any of the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI or CMP-NWC-R districts unless it is expressly prohibited by Section 9.2.8 of this Code.

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

Refer to the following Divisions for other applicable design standards

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

**C. District Specific Standards Summary**

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

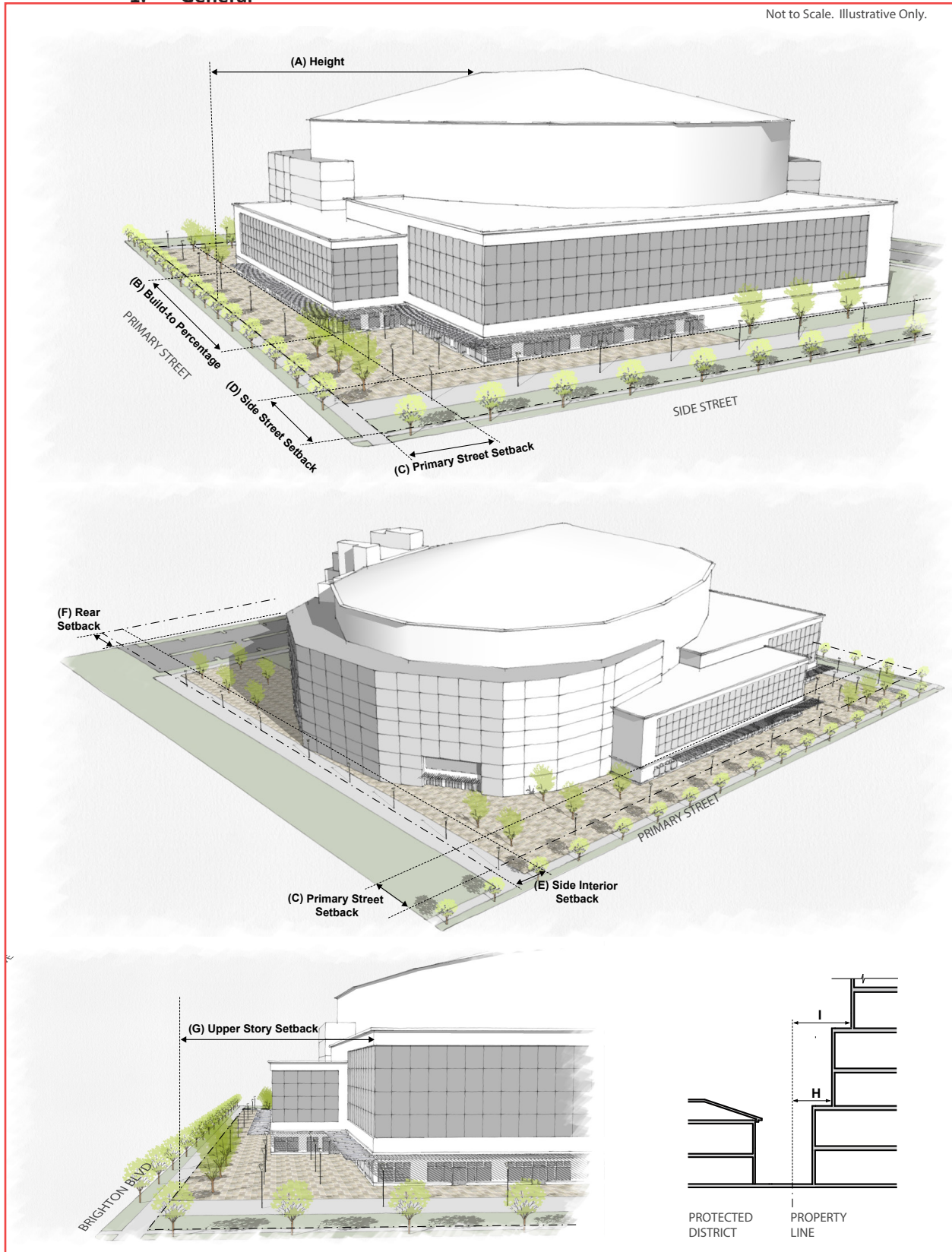
| <b>Campus-National Western Center Districts</b><br><b>(CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R)</b> | <b>Building Form</b><br><br><b>General</b> |
|---|--|
| <b>Max Number of Primary Structures per Zone Lot</b>  | <b>No Maximum</b>                          |
| <u>Campus National Western Center (CMP-NWC)</u>   | ■  |
| <u>Campus National Western Center - Bettie Cram (CMP-NWC-BC)</u>  | ■  |
| <u>Campus National Western Center - General (CMP-NWC-G)</u>   | ■  |
| <u>Campus National Western Center - Outdoor Intensive (CMP-NWC-OI)</u>  | ■  |
| <u>Campus National Western Center - Riverfront (CMP-NWC-R)</u>  | ■  |

■ = Allowed

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D. District Specific Standards

1. General



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**GENERAL**

| <b>HEIGHT</b> |   | <b>CMP-NWC</b> | <b>CMP-NWC-BC</b> | <b>CMP-NWC-G</b> | <b>CMP-NWC-OI</b> | <b>CMP-NWC-R</b> |
|---------------|---|----------------|-------------------|------------------|-------------------|------------------|
| <b>A</b>      | Feet (max)                                    | 150'           | 150'              | 150'             | 150'              | 40'              |
| <b>A</b>      | Feet, within 175' of Protected District (max) | 75'            | 75'               | 75'              | 75'               | 40'              |

| <b>SITING</b>              |  | <b>CMP-NWC</b>  | <b>CMP-NWC-BC</b>           | <b>CMP-NWC-G</b>            | <b>CMP-NWC-OI</b>   | <b>CMP-NWC-R</b>            |
|----------------------------|--|---|-----------------------------|-----------------------------|---------------------|-----------------------------|
| <b>B REQUIRED BUILD-TO</b> |  |   |                             |                             |                     |                             |
|                            | <u>Primary Street (min build-to % within min/max range)</u>                    | na  | 75%<br>0'/25'               | 50%<br>0'/25'               | na                  | na                          |
|                            | <u>South Platte River Primary Street (min build-to % within min/max range)</u> | na  | na                          | na                          | na                  | na                          |
|                            | <u>Side Street (min build-to % within min/max range)</u>                       | na  | 35%<br>0'/15'               | na                          | na                  | na                          |
| <b>SETBACKS</b>            |  |   |                             |                             |                     |                             |
| <b>C</b>                   | Primary Street (min)   | 5'  | 0'                          | 0'                          | 10'                 | 5'                          |
| <b>C</b>                   | <u>South Platte River Primary Street (min)</u>                                 | na  | 25'                         | na                          | 25'                 | 25'                         |
| <b>D</b>                   | Side Street (min)  | 5'  | 0'                          | 0'                          | 10'                 | 10'                         |
| <b>E</b>                   | Side Interior (min)  | 0'  | 0'                          | 0'                          | 0'                  | 10'                         |
|                            | Side Interior, adjacent to Protected District (min)                            | 10'   | 10'                         | 10'                         | 10'                 | 10'                         |
| <b>F</b>                   | Rear, alley/no alley (min)   | 0'/0'   | 0'/0'                       | 0'/0'                       | 0'/0'               | 0'/0'                       |
|                            | Rear, adjacent to Protected District, alley/no alley (min)                     | 5/10'   | 5'/10'                      | 5'/10'                      | 5'/10'              | 5'/10'                      |
| <b>PARKING</b>             |  |   |                             |                             |                     |                             |
|                            | <u>Surface Parking between Building and Primary Street/Side Street</u>         | na  | Not Allowed/<br>Not Allowed | Not Allowed/<br>Not Allowed | Allowed/<br>Allowed | Not Allowed/<br>Not Allowed |
|                            | <u>Primary Street Parking Setback, Surface/Structured (min)</u>                | na  | 65'/40'                     | na                          | na                  | na                          |
|                            | Vehicle Access, 3 or more side-by-side dwelling units in one structure         | From Alley; or Street access allowed when no Alley present (Sec. 9.2.7.4) |                             |                             |                     |                             |
|                            | Vehicle Access, all other permitted uses                                       | Access determined as part of Site Development Plan Review                 |                             |                             |                     |                             |



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| DESIGN ELEMENTS   |  | CMP-NWC  | CMP-NWC-BC      | CMP-NWC-G       | CMP-NWC-OI                   | CMP-NWC-R       |
|---|--|--|-----------------|-----------------|------------------------------|-----------------|
| <b>BUILDING CONFIGURATION</b>   |  |  |                 |                 |                              |                 |
| <b>G</b>  | Upper Story Setback above 5 stories or 70' (min); only applicable to a Zone Lot Line abutting Brighton Boulevard   | 25'  | <u>25'</u>      | <u>25'</u>      | <u>25'</u>                   | <u>na</u>       |
| <b>H</b>  | Upper Story Setback Above 27' adjacent to Protected District, alley/no alley and Side Interior (min)   | 20'/25'  | <u>20'/25'</u>  | <u>20'/25'</u>  | <u>20'/25'</u>               | <u>20'/25'</u>  |
| <b>I</b>  | Upper Story Setback Above 51' adjacent to Protected District, alley/no alley and Side Interior (min)   | 35'/40'  | <u>35'/40'</u>  | <u>35'/40'</u>  | <u>35'/40'</u>               | <u>35'/40'</u>  |
| <b>STREET LEVEL ACTIVATION</b>  |  |  |                 |                 |                              |                 |
|   | <u>Transparency, Primary Street (min)</u>  | <u>na</u>  | <u>60%</u>      | <u>10%</u>      | <u>40%</u>                   | <u>40%</u>      |
|   | <u>Transparency, Side Street (min)</u>   | <u>na</u>  | <u>35%</u>      | <u>na</u>       | <u>na</u>                    | <u>na</u>       |
|   | <u>Pedestrian Access, Primary Street</u>   | <u>na</u>  | <u>Entrance</u> | <u>Entrance</u> | <u>Pedestrian Connection</u> | <u>Entrance</u> |
|   | <u>Pedestrian Access, Side Street</u>  | <u>na</u>  | <u>Entrance</u> | <u>na</u>       | <u>na</u>                    | <u>na</u>       |
| USES  |  | CMP-NWC  | CMP-NWC-BC      | CMP-NWC-G       | CMP-NWC-OI                   | CMP-NWC-R       |
|   | <u>Street Level Active Uses (minimum percentage of the Street Level building frontage that meets the minimum Primary Street build-to requirement that shall be occupied by Street Level Active Uses as described in Section 9.2.6.4.B)</u> | <u>na</u>  | <u>100%</u>     | <u>20%</u>      | <u>na</u>                    | <u>na</u>       |
|   | <u>Permitted Primary Uses</u>  | All permitted uses shall be allowed within this building form.<br>See Section 9.2.8 Uses and Parking |                 |                 |                              |                 |
| <u>See Sections 9.2.6.4 -9.2.6.5 for Supplemental Design Standards and Design Standard Alternatives. See Sections 9.2.6.6 and 9.2.7 for Design Standard Exceptions.</u> |  |  |                 |                 |                              |                 |

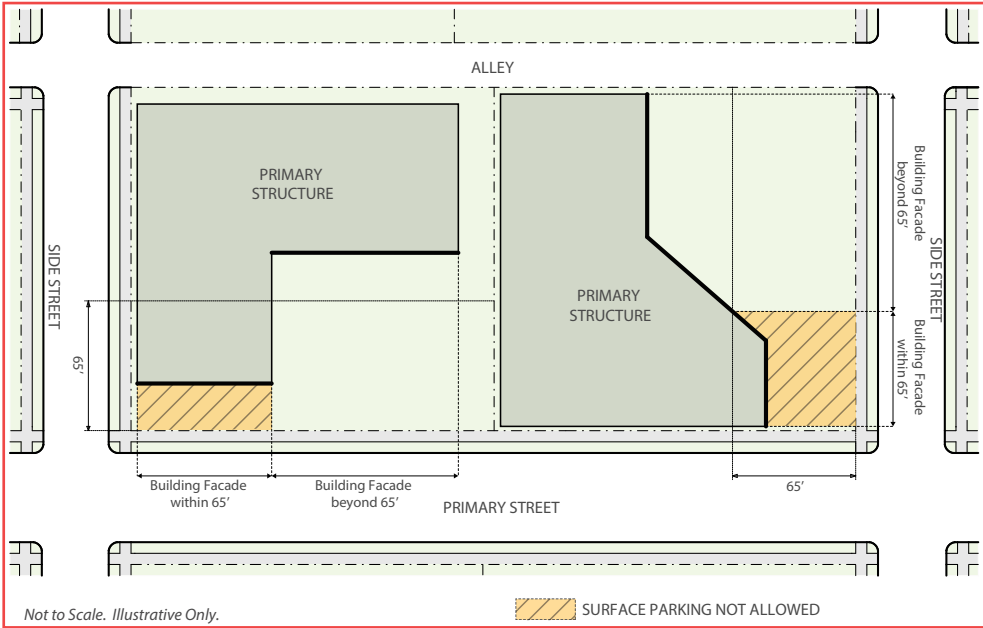


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9.2.6.4 Supplemental Design Standards

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

- 1. **Intent**  
Allow for the functional siting of Buildings and Surface Parking while minimizing the impacts of Surface Parking on the pedestrian experience.
- 2. **Applicability**  
This section 9.2.6.4.A applies to the General building form in the CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.
- 3. **Surface Parking Not Allowed**  
Where a building form specifies that Surface Parking is not allowed between a Building and a Primary and/or Side Street, Surface Parking shall not be located in the area directly between any portion of a Building Facade set back 65 feet or less from the Zone Lot Line abutting the applicable Street and the Street. Surface Parking shall be allowed in the area directly between any portion of a Building Facade set back more than 65 feet from the Zone Lot Line abutting the applicable Street and the Street unless otherwise specified in this Code.



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**B. Street Level Active Uses**

**1. Intent**

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

**2. Applicability**

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

**3. Street Level Active Uses**

- a. Street Level active uses include all permitted primary uses.
- b. Street Level active uses include all permitted accessory uses except the following:
  - i. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.
- c. Street Level active uses shall not include Parking Spaces or Parking Aisles.
- d. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet in the CMP-NWC-G District and a minimum depth of 30 feet in the CMP-NWC-BC District.
- e. The required depth for a Street Level active use may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards).
- f. The length of any build-to alternatives permitted by Section 9.2.6.5 shall not apply toward the required percentage of Street Level building frontage that must be occupied by a Street Level active use.

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9.2.6.5 **Design Standard Alternatives**

A. **Required Build-To Alternatives**

1. **Intent**  
To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.
2. **Allowance**  
The following alternatives may be used singularly or in combination as alternatives to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.5.6.E:

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

B. **Transparency Alternatives**

1. **Intent**  
To provide visual interest on building facades, to activate the public street and sidewalk, and enhance the visual quality of the built environment along Street Level facade areas where windows do not provide sufficient transparency.
2. **Allowance**  
The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, provided all alternatives meet the requirements stated in Section 13.1.6.3.A.5:

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

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**9.2.6.6 Design Standard Exceptions for the CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R Zone Districts**

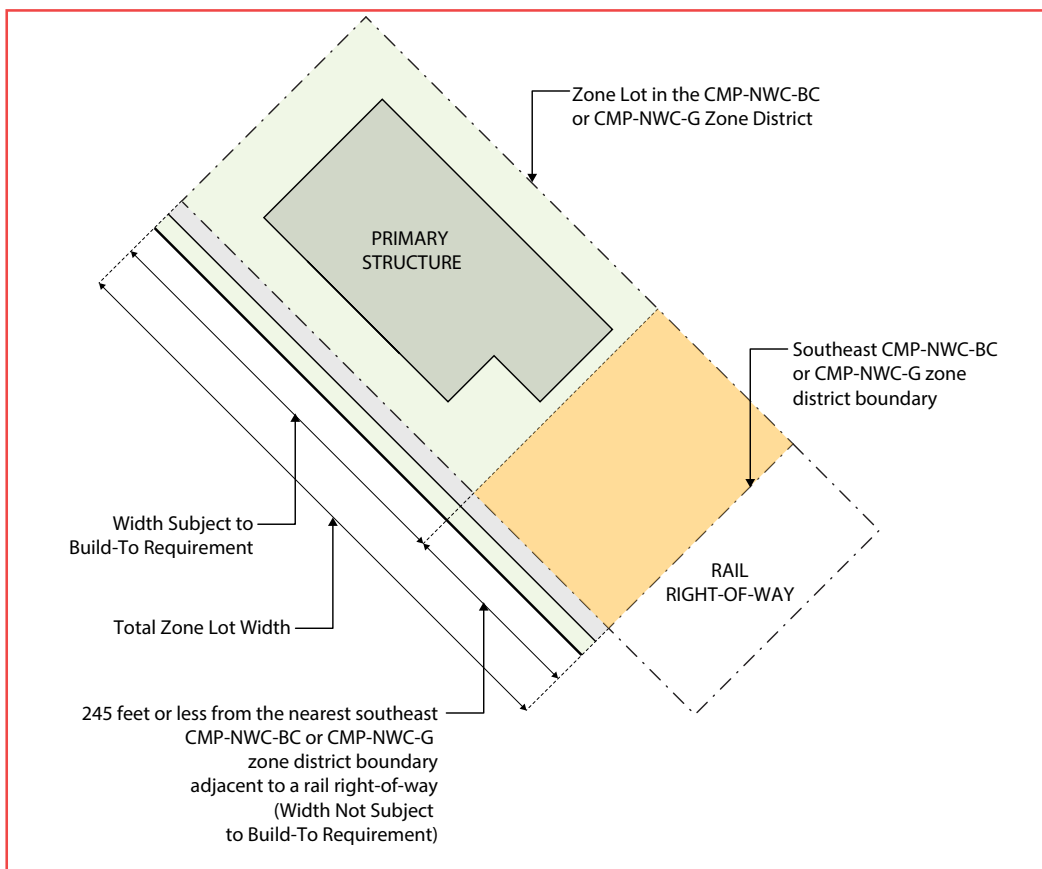
**A. Required Build-to**

**1. Intent**

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

**2. Standard**

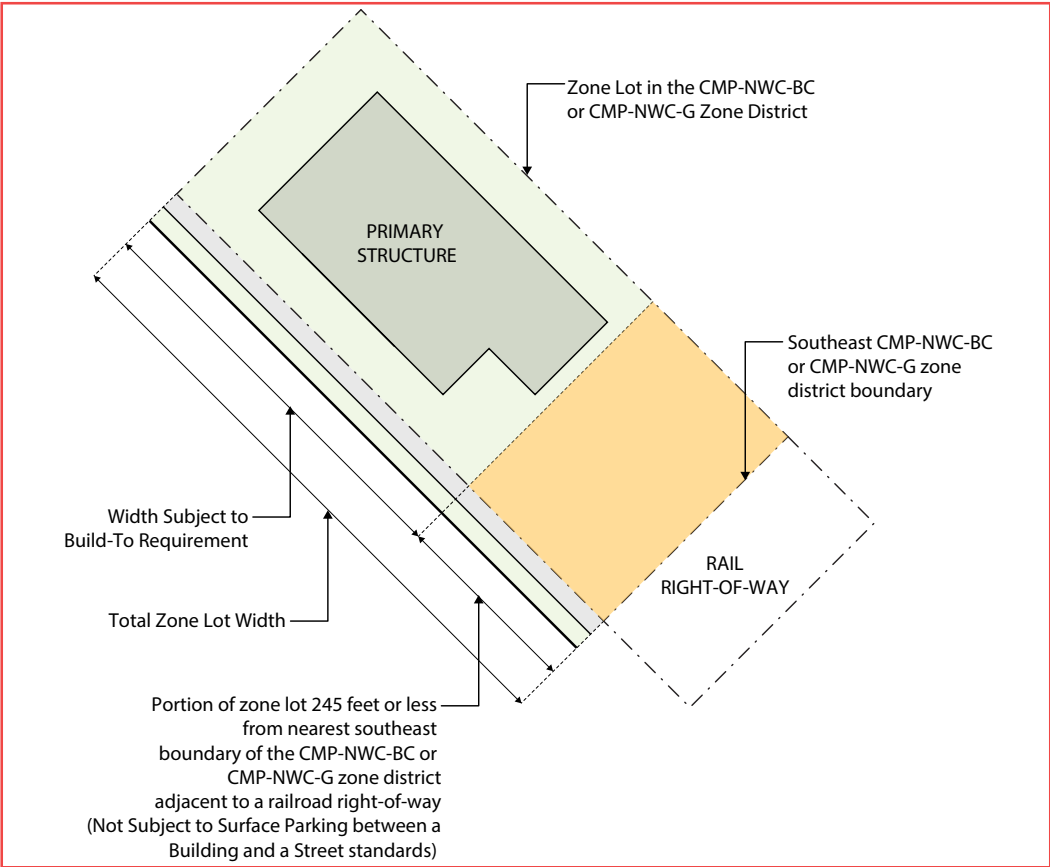
- a. In the CMP-NWC-BC and CMP-NWC-G zone districts only, no portion of the zone lot line abutting the applicable street right-of-way 245 feet or less from the nearest southeast boundary of the CMP-NWC-BC or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be used to calculate Required Build-to.



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

- 1. **Intent**  
To allow flexibility for Surface Parking Between a Building and a Primary Street/Side Street standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.
  
- 2. **Standard**  
In the CMP-NWC-BC and CMP-NWC-G zone districts only, where a building form specifies that Surface Parking is not allowed between a Building and a Primary and/or Side Street, no portion of the zone lot 245 feet or less from the nearest southeast boundary of the CMP-NWC-BC or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



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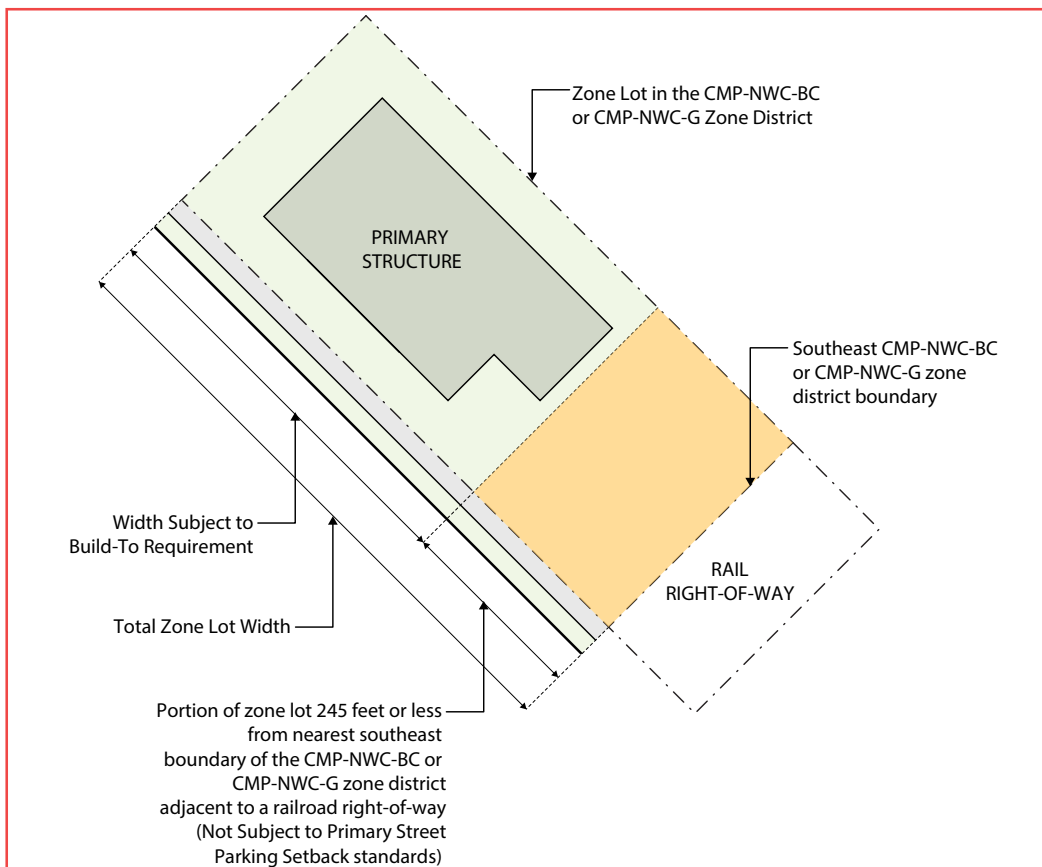
C. **Primary Street Parking Setback**

1. **Intent**

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

2. **Standard**

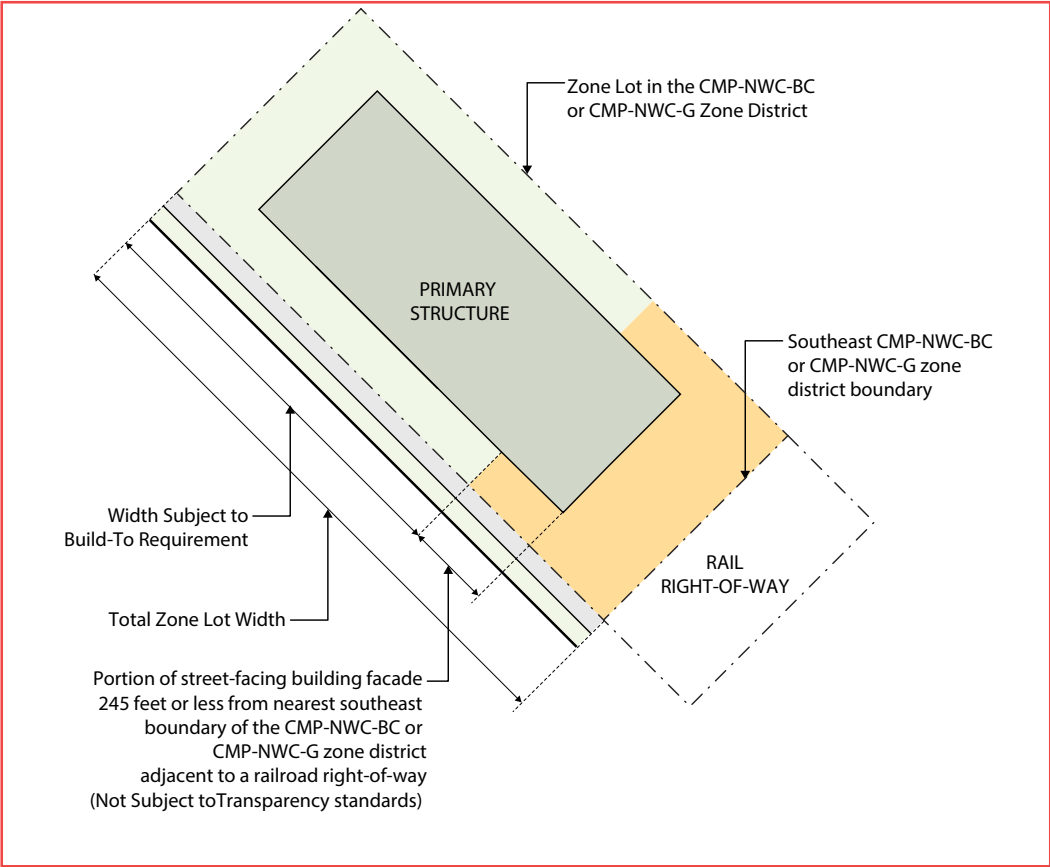
In the CMP-NWC-BC and CMP-NWC-G zone districts only, where a building form specifies a Primary Street Parking Setback from the zone lot line abutting the applicable street, no portion of the zone lot 245 feet or less from the nearest southeast boundary of the CMP-NWC-BC or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



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D. **Transparency**

- 1. **Intent**  
To allow flexibility for Transparency standards in areas where the grade of a zone lot or a portion of the zone lot abutting the street is significantly greater in elevation than the elevation of the adjacent public street.
  
- 2. **Standard**  
In the CMP-NWC-BC and CMP-NWC-G zone districts only, no portion of a street-facing building facade 245 feet or less from the nearest southeast boundary of the CMP-NWC-BC or CMP-NWC-G zone district adjacent to a railroad right-of-way shall be required to meet this standard.



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**E. Pedestrian Access**

**1. Intent**

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

**2. Standard**

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

**9.2.6.7 Detached Accessory Building Form Standards**

**A. Applicability**

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

**B. General Standards**

1. Combining standards from different building forms in the same structure is prohibited.

**2. Detached Accessory Structures Allowed**

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

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

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

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

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

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

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

**d. Utilities, and Equipment Common and Customary to the Primary Structure and/or Use**  
Examples include, but are not limited to the following:

i. Radio and Television Receiving Antennas and Support Structures

ii. Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.

iii. Solar thermal and photo-voltaic energy systems

iv. Air conditioning units

v. Pool pumps, heating and water filtration systems

vi. Mailboxes including individual mailbox structures and cluster box units (CBUs)

vii. Other similar Detached Accessory Structures, Utilities, and Equipment Common and Customary to the Primary Structure and/or Use



- e. **Fences, Walls and Retaining Walls**  
All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 9.2.6.7.
- f. **Accessory Structures Not Listed**
  - i. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 9.2.6.7.
  - ii. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.
  - iii. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the zone district, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.
  - iv. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 9.2.6.7.

**C. District Specific Standards Summary**

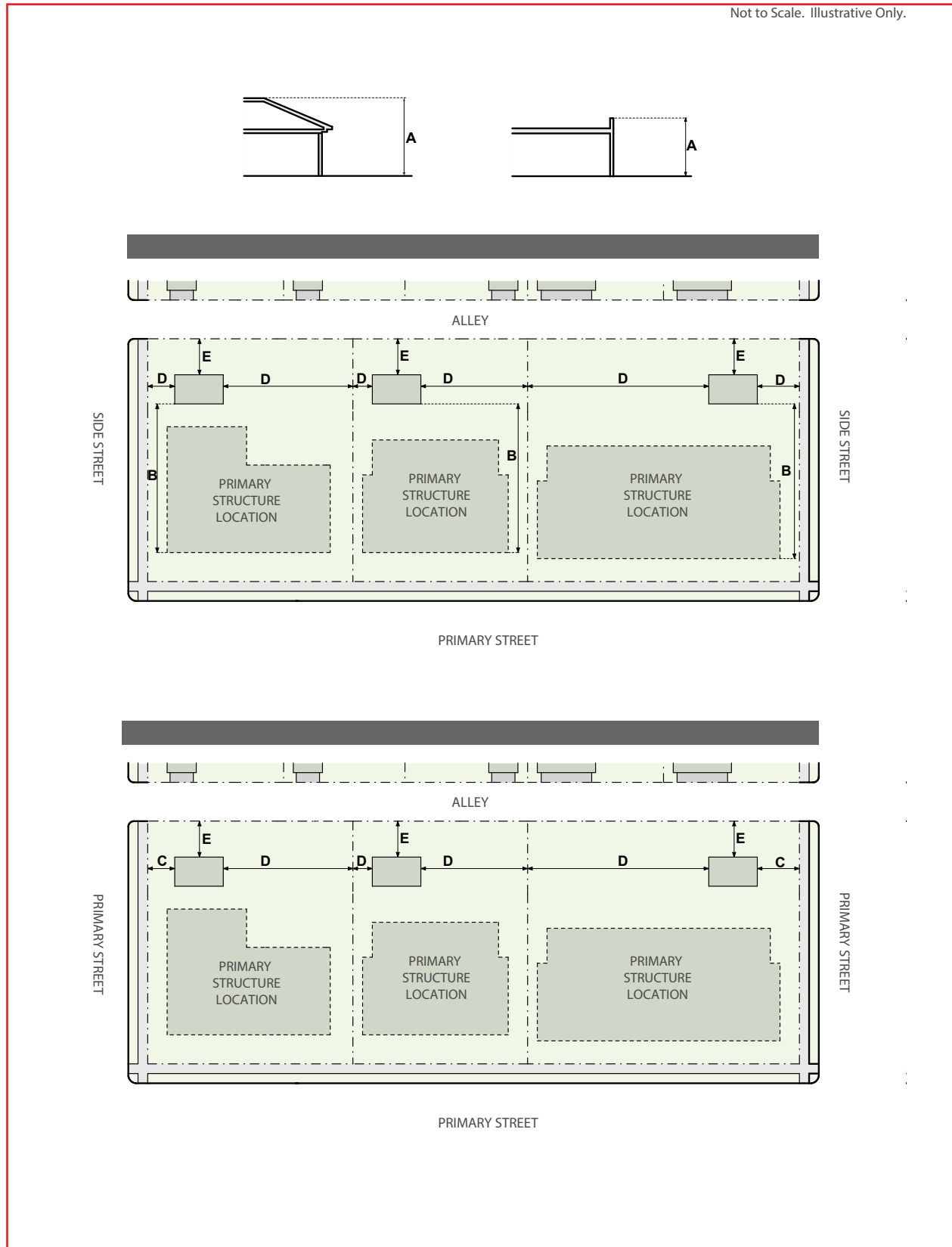
The maximum number of structures per zone lot and building forms allowed by zone district is summarized below:

| <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts</u> | <u>Max Number of Detached Accessory Structures per Zone Lot</u> | <u>Building Forms</u>                   |                        |  |                                      |
|--|---|---|------------------------|--|--------------------------------------|
|  |   | <u>Detached Accessory Dwelling Unit</u> | <u>Detached Garage</u> | <u>Other Detached Accessory Structures</u> | <u>Detached Accessory Structures</u> |
| <u>CMP-NWC-BC<br/>CMP-NWC-G<br/>CMP-NWC-OI<br/>CMP-NWC-R</u>       | <u>no max*</u>  |   |                        |  | ■                                    |

■ = Allowed

**D. District Specific Standards**

**1. Detached Accessory Structures**



**DETACHED ACCESSORY STRUCTURES**

|                        |   |   |
|------------------------|---|---|
| <b>HEIGHT</b>          |   | <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</u>   |
| <b>A</b>               | <u>Feet (max)</u>   | <u>150'</u>   |
| <b>SITING</b>          |   | <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</u>   |
| <b>SETBACKS</b>        |   |   |
| <b>B</b>               | <u>Setback from Primary Street Facing Facade of Primary Structure (min)</u> | <u>na</u>   |
| <b>C</b>               | <u>Primary Street</u>   | <u>0'</u>   |
| <b>D</b>               | <u>Side Interior and Side Street (min)</u>                                  | <u>0'</u>   |
| <b>E</b>               | <u>Rear, no alley (min)</u>   | <u>0'</u>   |
| <b>DESIGN ELEMENTS</b> |   | <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</u>   |
|                        | <u>Gross Floor Area (max)</u>   | <u>10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles.</u> |
| <b>USES</b>            |   | <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</u><br><u>Accessory Uses Only</u>                 |

**SECTION 9.2.7 DESIGN STANDARD EXCEPTIONS CMP-H, CMP-H2; CMP-EI, CMP-EI2; CMP-ENT; CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R**

**9.2.7.1 Height Exceptions**

- A. Intent**  
 To allow building features to exceed maximum height for utility purposes and/or limited recreation or building amenities in the higher intensity zone districts/larger forms.
- B. 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 9.2.7.1.
  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.
  5. Where a building feature exceeds either the maximum height in feet or the maximum height in stories as allowed in this section, all standards for the applicable feature in the table below shall apply.

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## SECTION 9.2.8 USES AND REQUIRED MINIMUM PARKING

### 9.2.8.1 Applicability

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

### 9.2.8.2 Organization

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

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

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

##### 1. Primary Use Classifications

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

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

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

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

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

The general land use classifications and use categories listed in the Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as “lodging accommodations,” cannot be classified in a different use category, such as “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 district, and is not subject to use limitations.

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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 zone district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zone district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.
4. **Uses Where More Than One Zoning Procedure Is Indicated**  
Where a table cell shows more than one zoning procedure applies to a use, for example “L-ZP/ZPIN”, the referenced use limitation (last table column) will indicate which zoning procedure applies in a specific case. For example, a table cell may indicate “L-ZPIN/ZPSE” for a use. This means that the ZPIN zoning procedure will apply, unless the applicable use limitation specifies the ZPSE zoning procedure is triggered (e.g., by proximity to a Protected District).

**9.2.8.4 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.

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9.2.8.5 District Specific Standards

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| USE CATEGORY                                  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) | APPLICABLE USE LIMITATIONS |                         |         |         |               |               |               |             |                               |
|---|--|----------------------------|-------------------------|---------|---------|---------------|---------------|---------------|-------------|-------------------------------|
|   |  | CMP-H<br>CMP-H2            | CMP-EI<br>CMP-EI2       | CMP-ENT | CMP-NWC | CMP-NWC-BC    | CMP-NWC-G     | CMP-NWC-OI    | CMP-NWC-R   |                               |
| <b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b> |  |                            |                         |         |         |               |               |               |             |                               |
| Household Living                              | Dwelling, Single Unit<br>• No Parking Requirements   | NP                         | L-ZP                    | NP      | L-ZP    | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>NP</u>   | \$11.2.6                      |
|   | Dwelling, Two Unit<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | NP                         | L-ZP                    | NP      | L-ZP    | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>NP</u>   | \$11.2.6                      |
|   | Dwelling, Multi-Unit<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/2 units (80/20)  | L-ZPIN                     | EI: L-ZP<br>EI2: L-ZPIN | L-ZP    | L-ZP    | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>NP</u>   | \$11.2.6                      |
|   | Dwelling, Live / Work<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/2 units (80/20)   | NP                         | NP                      | NP      | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>   | <del>\$11.2.6</del>           |
| Group Living                                  | Assisted Living Facility<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | P-ZP                       | P-ZP                    | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>   | <del>\$11.2.6; \$11.2.7</del> |
|   | Community Corrections Facility   | NP                         | NP                      | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>   |                               |
|   | Nursing Home, Hospice<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | P-ZP                       | P-ZPIN                  | NP      | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>   |                               |
|   | Residence for Older Adults<br>• Vehicle: 0.75/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | P-ZP                       | P-ZP                    | NP      | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>   |                               |
|   | Residential Care Use, Small or Large<br>• Vehicle: .25/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | L-ZPIN                     | L-ZPIN                  | L-ZPIN  | L-ZPIN  | <u>L-ZPIN</u> | <u>L-ZPIN</u> | <u>L-ZPIN</u> | <u>NP</u>   | \$ 11.2.9                     |
|   | Rooming and Boarding House<br>• Vehicle: 2.5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | P-ZP                       | P-ZP                    | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>   |                               |
|   | Shelter for the Homeless<br>• No Parking Requirements  | L                          | L-ZPIN/L                | L       | L       | <u>L</u>      | <u>L</u>      | <u>L</u>      | <u>L</u>    | \$ 11.2.11                    |
|   | Student Housing<br>• Vehicle: 1.25/unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1 / 5 units (100/0)   | P-ZPIN                     | P-ZPIN                  | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u> |                               |

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| USE CATEGORY  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) | APPLICABLE USE LIMITATIONS |                   |         |         |               |               |               |               |          |
|---|--|----------------------------|-------------------|---------|---------|---------------|---------------|---------------|---------------|----------|
|   |  | CMP-H<br>CMP-H2            | CMP-EI<br>CMP-EI2 | CMP-ENT | CMP-NWC | CMP-NWC-BC    | CMP-NWC-G     | CMP-NWC-OI    | CMP-NWC-R     |          |
| <b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b> |  |                            |                   |         |         |               |               |               |               |          |
| Basic Utilities   | Utility, Major Impact*<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | L-ZPSE                     | L-ZPSE            | L-ZPSE  | L-ZPSE  | <u>L-ZPSE</u> | <u>L-ZPSE</u> | <u>L-ZPSE</u> | <u>L-ZPSE</u> | § 11.3.1 |
|   | Utility, Minor Impact*<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | L-ZP                       | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>L-ZP</u>   | <u>L-ZP</u>   | § 11.3.2 |
| Community/<br>Public Services                                       | Community Center<br>• Vehicle: No requirement<br>• Bicycle: 1/10,000 s.f. GFA (0/100)  | L-ZP                       | L-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | § 11.3.3 |
|   | Day Care Center<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)  | P-ZP                       | P-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   |          |
|   | Postal Facility, Neighborhood<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/7,500 s.f. GFA (20/80)                                     | NP                         | NP                | NP      | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>NP</u>     |          |
|   | Postal Processing Center   | NP                         | NP                | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     |          |
|   | Public Safety Facility<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)   | P-ZP                       | P-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   |          |
|   | Hospital   | P-ZP                       | NP                | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     |          |
|   | Correctional Institution   | NP                         | NP                | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     |          |
| Cultural/Special<br>Purpose/Public<br>Parks & Open Space            | Cemetery*  | NP                         | NP                | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     |          |
|   | Library<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)  | NP                         | P-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   |          |
|   | Museum<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)   | NP                         | P-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   |          |
|   | City Park*   | NP                         | NP                | NP      | NP      | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     | <u>NP</u>     |          |
|   | Open Space - Conservation*<br>• No Parking Requirements  | P-ZP                       | P-ZP              | P-ZP    | P-ZP    | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   | <u>P-ZP</u>   |          |

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| USE CATEGORY  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)   | CMP-H<br>CMP-H2 | CMP-EI<br>CMP-EI2 | CMP-ENT   | CMP-NWC   | CMP-NWC-BC  | CMP-NWC-G   | CMP-NWC-OI  | CMP-NWC-R   | APPLICABLE USE LIMITATIONS   |
|---|--|-----------------|-------------------|-----------|-----------|-------------|-------------|-------------|-------------|--|
|   |  |                 |                   |           |           | P-ZP        | P-ZP        | P-ZP        | P-ZP        |  |
| Education   | Elementary or Secondary School<br>• Vehicle: 1/1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle - High School: 1/ 5,000 s.f. GFA (0/100)<br>• Bicycle-All Others: 1/ 10,000 s.f. GFA (0/100)                  | P-ZP            | P-ZP              | NP        | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |  |
|   | University or College<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)   | P-ZP            | P-ZP              | NP        | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |  |
|   | Vocational or Professional School<br>• Vehicle: 1/ 1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: 1/ 10,000 s.f. GFA (0/100)   | P-ZP            | P-ZP              | NP        | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |  |
| Public and Religious Assembly   | All Types<br>• No Parking Requirements   | P-ZP            | P-ZP              | P-ZP      | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |  |
| <b>COMMERCIAL SALES, SERVICES, &amp; REPAIR PRIMARY USE CLASSIFICATION</b>  |  |                 |                   |           |           |             |             |             |             |  |
| Adult Business  | All Types  | NP              | NP                | NP        | NP        | <u>NP</u>   | <u>NP</u>   | <u>NP</u>   | <u>NP</u>   | See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District. |
| Arts, Recreation & Entertainment  | Arts, Recreation and Entertainment Services, Indoor<br>• Vehicle - Artist Studio: 0.3/1000 sf GFA<br>• Vehicle - All Others: 1.25/ 1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: 1/7,500 s.f. GFA (20/80) | NP              | P-ZP              | P-ZP      | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |  |
|   | Arts, Recreation and Entertainment Services, Outdoor*<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: 1/7,500 s.f. GFA (20/80)  | NP              | NP                | L-ZP      | L-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | §11.4.3  |
|   | Sports and/or Entertainment Arena or Stadium*<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: 1/7,500 s.f. GFA (20/80)  | NP              | NP                | P-ZP      | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>NP</u>   |  |
|   | <a href="#">Event Space with Alternate Parking and Loading*</a><br>• <a href="#">CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</a><br>• Bicycle: No requirement   | <u>NP</u>       | <u>NP</u>         | <u>NP</u> | <u>NP</u> | <u>NP</u>   | <u>L-ZP</u> | <u>L-ZP</u> | <u>NP</u>   | §11.4.5  |
| Nonresidential Uses in Existing Business Structures In Residential Zones (All Uses Shall Be Parked According to the Parking Requirement Stated in this Use Table for the Specific Nonresidential Use) |  | Not Applicable  |                   |           |           |             |             |             |             |  |
| Parking of Vehicles   | Parking, Garage<br>• No Parking Requirements   | P-ZP            | P-ZP              | P-ZP      | P-ZP      | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>NP</u>   |  |
|   | Parking, Surface*<br>• No Parking Requirements   | L-ZP            | L-ZP              | P-ZP      | P-ZP      | <u>NP</u>   | <u>P-ZP</u> | <u>P-ZP</u> | <u>NP</u>   | §11.4.7  |



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| USE CATEGORY  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) | CMP-H<br>CMP-H2     | CMP-EI<br>CMP-EI2     | CMP-ENT | CMP-NWC         | CMP-        | CMP-        | CMP-        | CMP-        | APPLICABLE USE LIMITATIONS |
|---|--|---------------------|-----------------------|---------|-----------------|-------------|-------------|-------------|-------------|----------------------------|
|   |  |                     |                       |         |                 | NWC-BC      | NWC-G       | NWC-OI      | NWC-R       |                            |
| Eating & Drinking Establishments  | All Types<br>• Vehicle: 2.5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>Bicycle: 1/1,500 s.f. GFA (0/100)  | H: P-ZP<br>H2: L-ZP | EI: P-ZP<br>EI2: L-ZP | P-ZP    | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | \$11.4.8                   |
| Lodging Accommodations  | Bed and Breakfast Lodging<br>• Vehicle: 0.875/guest room or unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>Bicycle: 1/7,500 s.f. GFA (60/40)                                       | P-ZP                | EI: P-ZP<br>EI2: NP   | P-ZP    | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          |                            |
|   | Lodging Accommodations, All Others<br>• Vehicle: 0.5/ guest room or unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/7,500 s.f. GFA (60/40)                             | P-ZPIN              | EI: P-ZPIN<br>EI2: NP | P-ZP    | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          |                            |
| Office  | Dental / Medical Office or Clinic<br>• Vehicle: 2.5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/7,500 s.f. GFA (60/40)                                  | L-ZP                | L-ZP/P-ZPIN           | NP      | L-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          | \$11.4.9                   |
|   | Office, All Others<br>• Vehicle: 2.5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/7,500 s.f. GFA (60/40)   | P-ZP                | P-ZP                  | P-ZP    | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          |                            |
| Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair) | Animal Sales and Services, Household Pets Only<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 7,500 s.f. GFA (20/80)                   | NP                  | NP                    | NP      | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          |                            |
|   | Animal Sales and Services, All Others<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 7,500 s.f. GFA (20/80)                            | NP                  | NP                    | NP      | <del>L-ZP</del> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          | <del>\$11.4.12</del>       |
|   | Food Sales or Market*<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 7,500 s.f. GFA (20/80)  | NP                  | NP                    | NP      | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |                            |
|   | Pawn Shop  | NP                  | NP                    | NP      | NP              | NP          | NP          | NP          | NP          |                            |
|   | Retail Sales, Service & Repair -- Outdoor*<br>• Vehicle: 1.25/1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 7,500 s.f. GFA (20/80)                        | NP                  | NP                    | NP      | L-ZP            | NP          | <u>L-ZP</u> | <u>L-ZP</u> | NP          | \$11.4.15 <del>6</del>     |
|   | Retail Sales, Service & Repair - Firearms Sales<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/ 7,500 s.f. GFA (20/80)                  | NP                  | NP                    | NP      | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | NP          |                            |
|   | Retail Sales, Service & Repair, All Others<br>• Vehicle: 1.25/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: 1/7,500 s.f. GFA (20/80)                        | ZPIN                | NP                    | P-ZP    | P-ZP            | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> | <u>P-ZP</u> |                            |

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| USE CATEGORY  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) | CMP-H<br>CMP-H2        | CMP-EI<br>CMP-EI2      | CMP-ENT                | CMP-NWC                | CMP-NWC-BC             | CMP-NWC-G              | CMP-NWC-OI             | CMP-NWC-R              | APPLICABLE USE LIMITATIONS |
|---|--|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|----------------------------|
|   |  |                        |                        |                        |                        | NP                     | NP                     | NP                     | NP                     |                            |
| Vehicle / Equipment Sales, Rentals, Service & Repair                        | Automobile Emissions Inspection Facility   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
|   | Automobile Services, Light   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | L-ZP                   | NP                     | \$11.4.18                  |
|   | Automobile Services, Heavy   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | L-ZP                   | NP                     | \$11.4.18                  |
|   | Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer*   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
|   | Heavy Vehicle/ Equipment Sales, Rentals & Service*   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
| <b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b> |  |                        |                        |                        |                        |                        |                        |                        |                        |                            |
| Communications and Information  | Antennas Not Attached to a Tower*<br>•No Parking Requirements  | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | \$11.5.2                   |
|   | Communication Services<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>Bicycle: No requirement  | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | NP                     | <del>\$11.5.1</del>        |
|   | Telecommunications Towers*<br>•No Parking Requirements   | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | L-ZP/<br>ZPIN/<br>ZPSE | \$11.5.2                   |
|   | Telecommunications Tower - Alternative Structure<br>•No Parking Requirements   | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | L-ZP/<br>ZPIN          | \$11.5.2                   |
|   | Telecommunication Facilities -- All Others*<br>•No Parking Requirements  | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | \$11.5.2                   |
| Industrial Services   | Contractors, Special Trade - General   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | L-ZP                   | NP                     | \$11.5.3                   |
|   | Contractors, Special Trade - Heavy/ Contractor Yard*   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | L-ZP                   | NP                     | \$11.5.4                   |
|   | Food Preparation and Sales, Commercial<br>•Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>•Bicycle: No requirement  | NP                     | NP                     | NP                     | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | NP                     | \$11.5.5                   |
|   | Laboratory, Research, Development and Technological Services<br>•Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>•Bicycle: No requirement                    | P-ZPIN                 | EI: P-ZPIN<br>EI2: NP  | L-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | P-ZP                   | \$11.5.6                   |
|   | Service/Repair, Commercial   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | L-ZP                   | NP                     | \$11.5.7                   |
| Manufacturing and Production  | Manufacturing, Fabrication & Assembly -- Custom<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>•Bicycle: No requirement                                | NP                     | NP                     | NP                     | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | NP                     | \$11.5.8                   |
|   | Manufacturing, Fabrication & Assembly -- General<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>•Bicycle: No requirement                               | NP                     | NP                     | NP                     | L-ZP/<br>ZPSE          | L-ZP/<br>ZPSE          | L-ZP/<br>ZPSE          | L-ZP/<br>ZPSE          | NP                     | \$11.5.9                   |
|   | Manufacturing, Fabrication & Assembly -- Heavy   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
| Mining & Extraction and Energy Producing Systems                            | Oil, Gas -- Production, Drilling*  | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
|   | Sand or Gravel Quarry*   | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     | NP                     |                            |
|   | Wind Energy Conversion Systems*<br>•No Parking Requirements  | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | L-ZP                   | \$11.5.13                  |

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

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| USE CATEGORY  | SPECIFIC USE TYPE<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) | APPLICABLE USE LIMITATIONS                |                   |            |            |            |            |            |            |                   |                   |
|---|--|---|-------------------|------------|------------|------------|------------|------------|------------|-------------------|-------------------|
|   |  | CMP-H<br>CMP-H2                           | CMP-EI<br>CMP-EI2 | CMP-ENT    | CMP-NWC    | CMP-NWC-BC | CMP-NWC-G  | CMP-NWC-OI | CMP-NWC-R  |                   |                   |
| <b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>   |  |   |                   |            |            |            |            |            |            |                   |                   |
| Agriculture   | Aquaculture*<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | NP  | NP                | NP         | L-ZP       | NP         | L-ZP       | L-ZP       | NP         | \$11.6.1          |                   |
|   | Garden, Urban*<br>• Vehicle: .5 / 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | L-ZP                                      | L-ZP              | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | \$11.6.2          |                   |
|   | Husbandry, Animal*<br>• Vehicle: .5/ 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement  | NP  | NP                | NP         | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP         | \$11.6.3          |                   |
|   | Husbandry, Plant*<br>Plant Nursery<br>• Vehicle: .5 / 1,000 s.f. GFA<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | NP  | NP                | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP         | \$11.6.5          |                   |
| <b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>   |  |   |                   |            |            |            |            |            |            |                   |                   |
| Accessory to Primary Residential Uses<br><br>(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation) | Unlisted Accessory Uses  | L - Applicable to all Zone Districts      |                   |            |            |            |            |            |            | \$11.7            |                   |
|   | Accessory Dwelling Unit<br>• Vehicle: 1 / Unit<br>• <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Districts - Vehicle: No requirement</u><br>• Bicycle: No requirement   | L-ZP                                      | L-ZP              | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP                | \$11.7; \$11.8.2  |
|   | Domestic Employee  | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.8.3          |
|   | Garden*  | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.7; \$11.8.4  |
|   | Keeping of Household Animals*  | L / L-ZPIN                                | L / L-ZPIN        | L / L-ZPIN | L / L-ZPIN | L / L-ZPIN | L / L-ZPIN | L / L-ZPIN | L / L-ZPIN | NP                | \$11.7; \$11.8.5  |
|   | Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*   | NP  | NP                | NP         | NP         | L          | L          | L          | L          | NP                | \$11.7; \$10.9    |
|   | Kennel or Exercise Run*  | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.7; \$11.8.6  |
|   | Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use  | L-ZP                                      | L-ZP              | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP                | \$11.7; \$11.8.7  |
|   | Outdoor Storage, Residential   | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.7; \$11.8.8  |
|   | Second Kitchen Accessory to Single Unit Dwelling Use   | L-ZP                                      | L-ZP              | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP                | \$11.7; \$11.8.9  |
|   | Short-term Rental  | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.7; \$11.8.10 |
|   | Vehicle Storage, Repair and Maintenance Accessory to a Dwelling Use*   | L   | L                 | L          | L          | L          | L          | L          | L          | NP                | \$11.7; \$10.9    |
| Wind Energy Conversion Systems*   | Not Applicable - See Permitted Primary Uses  |   |                   |            |            |            |            |            |            |                   |                   |
| Yard or Garage Sales*   | L  | L   | L                 | L          | L          | L          | L          | L          | NP         | \$11.7; \$11.8.11 |                   |
| <b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>  |  |   |                   |            |            |            |            |            |            |                   |                   |
| Home Occupations  | Child Care Home, Large   | L-ZPIN                                    | L-ZPIN            | L-ZPIN     | L-ZPIN     | L-ZPIN     | L-ZPIN     | L-ZPIN     | L-ZPIN     | NP                | \$11.9; \$11.9.3  |
|   | All Other Types  | L-ZP                                      | L-ZP              | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | L-ZP       | NP                | \$11.9; \$11.9.4  |
|   | Unlisted Home Occupations  | L-ZPIN - Applicable to all Zone Districts |                   |            |            |            |            |            |            | \$11.9; \$11.9.5  |                   |

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|--|--|--------------------------------------|-------------------|-------------------|-------------------|-----------------|-----------------|-----------------|--------------------|---------------------|
|  |  | CMP-H<br>CMP-H2                      | CMP-EI<br>CMP-EI2 | CMP-ENT           | CMP-NWC           | CMP-NWC-BC      | CMP-NWC-G       | CMP-NWC-OI      | CMP-NWC-R          |                     |
| <b>ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION</b>   |  |                                      |                   |                   |                   |                 |                 |                 |                    |                     |
| Accessory to Primary Nonresidential Uses<br><br>(Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation) | Unlisted Accessory Uses  | L - Applicable to all Zone Districts |                   |                   |                   |                 |                 |                 |                    | \$11.7; \$11.10.1   |
|  | Amusement Devices Accessory to Eating / Drinking Establishments, College / University and Theater Uses   | L-ZP                                 | L-ZP              | L-ZP              | L-ZP              | L-ZP            | L-ZP            | L-ZP            | L-ZP               | \$11.7; \$11.10.2   |
|  | Automobile Rental Services Accessory to Certain Retail Uses*   | L                                    | L                 | L                 | L                 | L               | L               | L               | NP                 | \$11.7; \$11.10.3   |
|  | Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities   | L                                    | L                 | L                 | L                 | L               | L               | L               | L                  | \$ 11.7             |
|  | Car Wash Bay Accessory to Automobile Services  | L-ZP                                 | L-ZP              | L-ZP              | NP                | NP              | NP              | L-ZP            | NP                 | \$11.7; \$11.10.5   |
|  | College Accessory to a Place for Religious Assembly  | L                                    | L                 | NP                | L                 | L               | L               | L               | NP                 | \$11.7; \$11.10.6   |
|  | Conference Facilities Accessory to Hotel Use   | L                                    | L                 | L                 | L                 | L               | L               | L               | NP                 | \$11.7; \$11.10.7   |
|  | Drive Through Facility Accessory to Eating / Drinking Establishments and to Retail Sales, Service, and Repair Uses*  | L-ZP                                 | L-ZP              | L-ZP              | L-ZP              | L-ZP            | L-ZP            | L-ZP            | NP                 | \$11.7; \$11.10.8   |
|  | Emergency Vehicle Access Point   | L-ZPSE                               | NP                | NP                | NP                | NP              | NP              | NP              | NP                 | \$11.7; \$11.10.9   |
|  | Garden*  | L                                    | L                 | L                 | L                 | L               | L               | L               | L                  | \$11.7; \$11.10.10  |
|  | Keeping of Animals   | L/L-ZP/<br>L-ZPIN                    | L/L-ZP/<br>L-ZPIN | L/L-ZP/<br>L-ZPIN | L/L-ZP/<br>L-ZPIN | L               | L               | L               | L                  | \$11.7; \$ 11.10.11 |
|  | Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses  | Not Applicable                       |                   |                   |                   |                 |                 |                 |                    |                     |
|  | Occasional Sales, Services Accessory to Places of Religious Assembly*  | L                                    | L                 | L                 | L                 | L               | L               | L               | L                  | \$11.7; \$11.10.12  |
|  | Outdoor Eating and Serving Area Accessory to Eating / Drinking Establishments Use*   | L-ZP                                 | L-ZP              | L-ZP              | L-ZP              | L-ZP            | L-ZP            | L-ZP            | L-ZP               | \$11.7; \$11.10.13  |
|  | Outdoor Entertainment Accessory to Eating / Drinking Establishments Use*   | L-ZPIN/<br>ZPSE                      | L-ZPIN/<br>ZPSE   | L-ZPIN/<br>ZPSE   | L-ZPIN/<br>ZPSE   | L-ZPIN/<br>ZPSE | L-ZPIN/<br>ZPSE | L-ZPIN/<br>ZPSE | L-ZPIN/<br>ZPSE    | \$11.7; \$11.10.14  |
|  | Outdoor Retail Sale and Display*   | L-ZP/<br>ZPSE                        | L-ZP/<br>ZPSE     | L-ZP/<br>ZPSE     | L-ZP/<br>ZPSE     | L-ZP/<br>ZPSE   | L-ZP/<br>ZPSE   | L-ZP/<br>ZPSE   | L-ZP/<br>ZPSE      | \$11.7; \$11.10.15  |
|  | Outdoor Storage, General*  | NP                                   | NP                | NP                | NP                | NP              | NP              | NP              | NP                 | \$11.7; \$11.10.16  |
|  | Outdoor Storage, Limited*  | L-ZP                                 | L-ZP              | L-ZP              | L-ZP              | L-ZP            | L-ZP            | L-ZP            | NP                 | \$11.7; \$11.10.17  |
| Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use  | L  | L                                    | L                 | L                 | L                 | L               | L               | L               | \$11.7; \$11.10.18 |                     |

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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<br>• Vehicle Parking Requirement -# of spaces per unit of measurement<br>• Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility) |   |                   |         |         |             |             |             |             | APPLICABLE USE LIMITATIONS |
|-------------------------------------|--|---|-------------------|---------|---------|-------------|-------------|-------------|-------------|----------------------------|
|                                     |  | CMP-H<br>CMP-H2                             | CMP-EI<br>CMP-EI2 | CMP-ENT | CMP-NWC | CMP-NWC-BC  | CMP-NWC-G   | CMP-NWC-OI  | CMP-NWC-R   |                            |
| <b>TEMPORARY USE CLASSIFICATION</b> |  |   |                   |         |         |             |             |             |             |                            |
| Temporary Uses                      | Unlisted Temporary Uses  | L - Applicable in all Zone Districts        |                   |         |         |             |             |             |             | §11.11.1                   |
|                                     | Ambulance Service - Temporary  | Not Applicable - See Permitted Primary Uses |                   |         |         |             |             |             |             | §11.11.2                   |
|                                     | Amusement / Entertainment - Temporary*   | L-ZP  | P-ZP              | P-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.3                   |
|                                     | Bazaar, Carnival, Circus or Special Event*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.4                   |
|                                     | Building or Yard for Construction Materials*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.5                   |
|                                     | Concrete, Asphalt, and Rock Crushing Facility*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.6                   |
|                                     | Fence for Demolition or Construction Work  | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.7                   |
|                                     | Health Care Center   | P-ZP  | P-ZP              | P-ZP    | P-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.8                   |
|                                     | Noncommercial Concrete Batching Plant*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.9                   |
|                                     | Outdoor Retail Sales - Pedestrian / Transit Mall*  | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.10                  |
|                                     | Outdoor Retail Sales*  | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.11                  |
|                                     | Outdoor Sales, Seasonal*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.12                  |
|                                     | Parking Lot Designated for a Special Event*  | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | NP          | §11.11.13                  |
|                                     | Retail Food Establishment, Mobile*   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.14                  |
|                                     | Temporary Construction Office  | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.15                  |
|                                     | Temporary Office - Real Estate Sales   | L-ZP  | L-ZP              | L-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.16                  |
|                                     | Tent for Religious Services  | P-ZP  | P-ZP              | P-ZP    | L-ZP    | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | <u>L-ZP</u> | §11.11.17                  |

# ARTICLE 10. GENERAL DESIGN STANDARDS

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## 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.

Figure 10.4-2

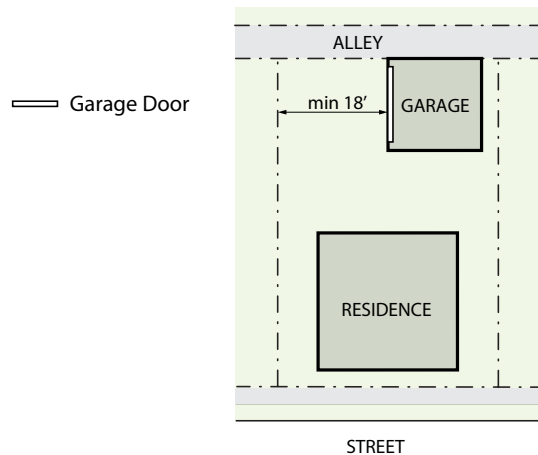
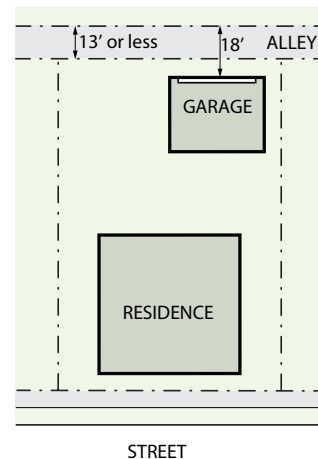


Figure 10.4-3



#### D. D. Other Standards

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

### 10.4.6.2 Vehicle Parking Layout - All Other Development

#### A. Applicability

1. This Subsection 10.4.6.2 shall apply to all All Off-Street Parking Areas except for Single-Unit and Two-Unit Dwelling development and except that mechanized parking spaces are exempt from the parking dimensions standards.
2. [This Subsection 10.4.6.2 shall not apply to the CMP-NWC-G or CMP-NWC-OI zone districts on any portion of a zone lot that is established as an Event Space with Alternate Parking and Loading use.](#)



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**B. Parking Space and Module Standards**

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

**1. Parking Angle**

- a. Parking angles greater than 0 degrees and less than 30 degrees are not allowed.
- b. Other angles between 30 and 90 degrees are allowed and the dimensions for those angles shall be determined through interpolation.
- c. Parking angles for spaces within individual garage units shall be determined by the angle of the entry to the garage structure.

**2. Parking Aisle**

- a. A minimum of 5 feet of back out space shall be provided at ends of parking rows unless the aisle is 30 feet or more in width.
- b. If a public alley is allowed to be used as the aisle or access to adjoining parking spaces or garages, the spaces or projection must be lengthened as necessary to provide a total alley or aisle width of 20 feet for 30-degree through 75-degree angle parking and 23 feet for 90-degree angle parking. This requirement shall apply to all new uses and developments except single-unit and two-unit dwellings.

**3. Garage Door Setbacks**

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

**4. Compact Spaces**

- a. No more than 10 percent of the total parking spaces provided (required and excess spaces) may be compact.
- b. When provided in a parking garage, compact spaces may be used only where the layout of the structure requires such spaces at the end of a row or to accommodate a column.
- c. All compact parking spaces shall be clearly and visibly striped and labeled (e.g., by a sign) for compact car use only.

**5. Measurements**

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

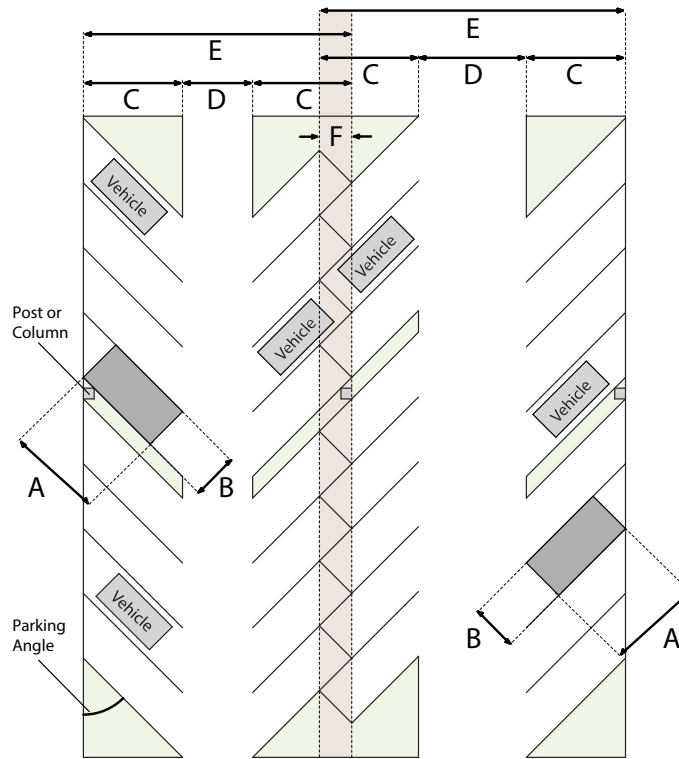
| TABLE A: DIMENSIONS OF PARKING SPACES & MODULES |                  |                 |                |                                     |                              |                         |
|---|------------------|-----------------|----------------|-------------------------------------|------------------------------|-------------------------|
| Parking Angle                                   | Stall Length (A) | Stall Width (B) | Projection (C) | Parking Aisle One-Way / Two-Way (D) | Module One-Way / Two-Way (E) | Interlock Reduction (F) |
| Standard Parking Space                          |                  |                 |                |                                     |                              |                         |
| 0°  | 22'              | 8.5'            | 8.5'           | 13' / 20'                           | 30/37'                       | --                      |
| 30°   | 17.5'            | 8.5'            | 16.11'         | 13' / 20'                           | 45.22/52.22'                 | 2'                      |
| 45°   | 17.5'            | 8.5'            | 18.38'         | 13' / 20'                           | 49.77/56.77'                 | 2'                      |
| 60°   | 17.5'            | 8.5'            | 19.41'         | 16' / 20'                           | 54.81/58.81'                 | 1.5'                    |
| 75°   | 17.5'            | 8.5'            | 19.1'          | 18' / 20'                           | 56.21/58.21'                 | 1'                      |
| 90°   | 17.5'            | 8.5'            | 17.5'          | 23' / 23'                           | 58/58'                       | --                      |
| 90° *   | 17.5'            | 8.5'            | 17.5'          | 20' / 20'                           | 55/55'                       | --                      |

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| TABLE A: DIMENSIONS OF PARKING SPACES & MODULES |                  |                 |                |                                     |                              |                         |
|---|------------------|-----------------|----------------|-------------------------------------|------------------------------|-------------------------|
| Parking Angle                                   | Stall Length (A) | Stall Width (B) | Projection (C) | Parking Aisle One-Way / Two-Way (D) | Module One-Way / Two-Way (E) | Interlock Reduction (F) |
| Compact Parking Space                           |                  |                 |                |                                     |                              |                         |
| 0°  | 18'              | 7.5'            | 7.5'           | 13' / 20'                           | 28/35'                       | --                      |
| 30°   | 15.5'            | 7.5'            | 15.11'         | 13' / 20'                           | 43.22/50.22'                 | 2'                      |
| 45°   | 15.5'            | 7.5'            | 16.97'         | 13' / 20'                           | 46.94/53.94'                 | 2'                      |
| 60°   | 15.5'            | 7.5'            | 17.67'         | 16' / 20'                           | 51.35/55.35'                 | 1.5'                    |
| 75°   | 15.5'            | 7.5'            | 17.17'         | 18' / 20'                           | 52.34/54.34'                 | 1'                      |
| 90°   | 15.5'            | 7.5'            | 15.5'          | 23' / 23'                           | 54/54'                       | --                      |
| 90° *   | 15.5'            | 7.5'            | 15.5'          | 20' / 20'                           | 51/51'                       | --                      |

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

Figure 10.4-4



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 districts to all Off-Street Parking Areas, excluding single-unit and two-unit dwelling development:

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- A. An attendant or mechanical parking system shall be provided to park vehicles during all business hours of the primary use.
- B. All maneuvering, stacking, parking and loading for packed parking must be accomplished on private property.
- C. The area of each packed parking space shall be no less than 150 square feet.
- D. An access lane of no less than 23 feet in width must be provided through the packed parking area.

**10.4.6.8 Attendant Shelters or Pay Stations**

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

- A. Maximum Number of Attendant Shelters Permitted: 1 attendant shelter building.
- B. Maximum Number of Pay Stations Permitted: 1 pay station for each 50 surface parking spaces.
- C. Minimum Setback: An attendant shelter shall be setback a minimum of 20 feet from any boundary of the surface parking lot abutting a Protected zone district.

**10.4.6.9 Reference to Other Applicable Design Standards**

- A. **Lighting**  
All off-street parking space lighting shall meet the standards of Division 10.7, Outdoor Lighting.
- B. **Landscaping**  
Landscaping standards shall apply to all surface Off-Street Parking Areas according to Division 10.5, Landscaping, Fences, Walls and Screening.

**SECTION 10.4.7 USE AND MAINTENANCE OF PARKING AREAS**

**10.4.7.1 General Use and Maintenance Standards**

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

- A. Off-street parking space shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.
- B. No cleaning or maintenance of parking lots in a Residential Zone District utilizing motorized equipment may be performed between 11:00 p.m. and 6:30 a.m. each day.
- C. Except in the CMP-NWC-OI and CMP-NWC-G zone districts, 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).

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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. Such unused or under-utilized Accessory Parking spaces may be made available to serve a Primary Use located on a different zone lot whose parking is otherwise capped by a maximum parking standard.
5. A Zoning Permit is required according to Section 12.4.1, Zoning Permit Review.

## **SECTION 10.4.8 LOADING**

### **10.4.8.1 Intent**

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

### **10.4.8.2 Applicability**

- A. All zone districts except SU, TU, TH, RH, MU, RO, [CMP-NWC-G](#), [CMP-NWC-OI](#) or MS zone districts.
- B. The duty to provide and maintain off-street loading spaces shall be the joint and several responsibility of the operator and owner of the structure for which off-street loading spaces are required to be provided.
- C. No new structure shall be designed, erected, altered, used or occupied unless the off-street loading space required is provided, and the number of off-street loading spaces for structures actually used, occupied and operated on June 25, 2010, shall not be reduced below the minimum number of spaces required by this Division. If such occupied structures are enlarged or expanded, there shall be provided for the increment only the amount or number of off-street loading spaces that would be required as if the increment were a separate structure.

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**10.4.8.3 Standards**

**A. Required Number of Spaces**

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

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

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

**B. Dimensions**

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

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

**C. Location**

**1. On-Site**

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

**2. On-Street**

**a. Applicability**

On-street loading shall only be allowed where at least two or more loading spaces are required and where the Zoning Administrator has determined that the subject property is unusually small or irregularly shaped so that the reasonable development of the zone lot with the required loading spaces is difficult to achieve.

**b. Standards**

- i. No more than two required loading spaces may be located on the public right-of-way;
- ii. The spaces shall not create any adverse impacts on traffic or pedestrian movement;
- iii. Public Works must approve the loading space(s); and

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- iv. At least one of the following shall be provided on the subject property zone lot:
  - a) One loading space that is 10 feet wide and 26 feet long; or
  - b) Two loading spaces that are each 10 feet wide and 20 feet long.

**10.4.8.4 Maintenance**

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

**SECTION 10.4.9 PARKING CATEGORIES**

**10.4.9.1 Vehicle Parking Categories**

**A. Purpose**

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

**B. Unclassified Uses**

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

**C. Parking Category Table**

The following parking categories apply to all primary permitted by this Code.

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

## SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS

### 10.5.3.1 Applicability - Preservation of Established Trees in Residential Primary and Side Street Setbacks

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

### 10.5.3.2 Preservation Measures Required

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

- A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;
- B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree's root zone; and
- C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree's roots.

### 10.5.3.3 Permit for Tree Removal

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

### 10.5.3.4 Definition of "Established Tree"

See Article 13, Rules of Measurement and Definitions, for the definition of "established tree."

## SECTION 10.5.4 LANDSCAPING STANDARDS

### 10.5.4.1 Applicability and Exceptions

#### A. Applicability

1. This Section 10.5.4 shall apply to development in all zone districts, except residential development in all SU or TU zone districts.
2. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 10.5.4.
3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS zone districts, Section 8.10.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
4. The City of Denver Landscaping of Parking Areas Rules and Regulations shall not apply to properties zoned under the Denver Zoning Code.
5. See the City of Denver Streetscape Design Manual for additional provisions.

#### 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.



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**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 zone districts, and in the I-MX 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:

- a. Building(s);
- b. An allowed encroachment into a build-to or setback area;
- c. A required entrance and/or pedestrian connection;
- d. On-site pedestrian walkways no wider than 5 feet;



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- e. Surface Off-Street Parking Areas;
- f. Area dedicated to permanent outdoor amenities related to the primary use, such as an outdoor eating and serving area; or
- g. 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 [the Campus National Western Center-Bettie Cram \(CMP-NWC-BC\)](#), 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.

Figure 10.5-1

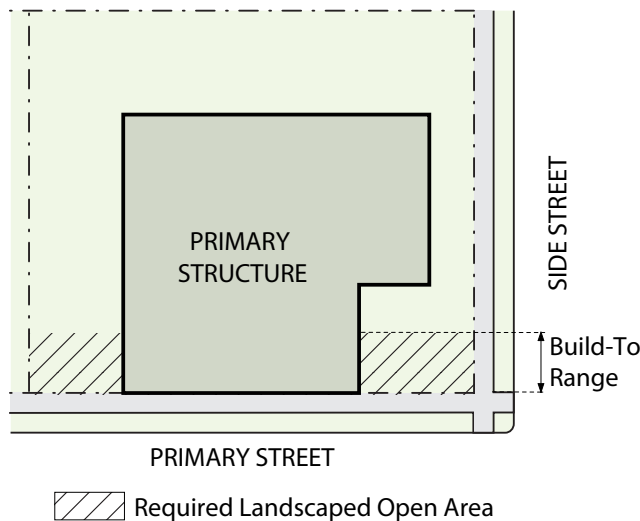
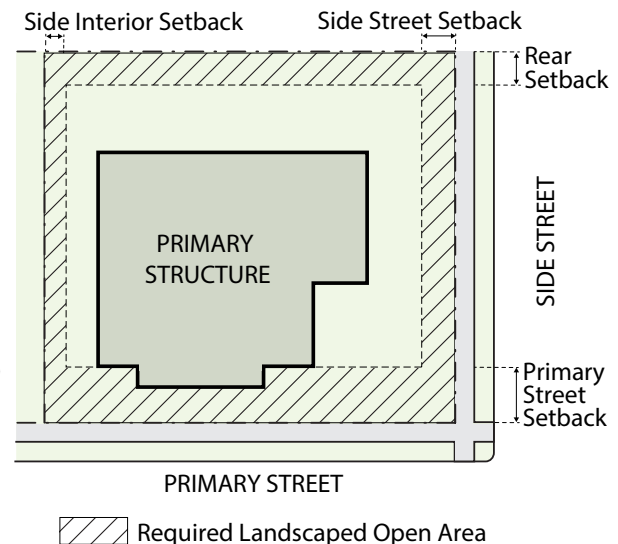


Figure 10.5-2



**10.5.4.3 Site Landscaping Standards - Group 2**

**A. Applicability**

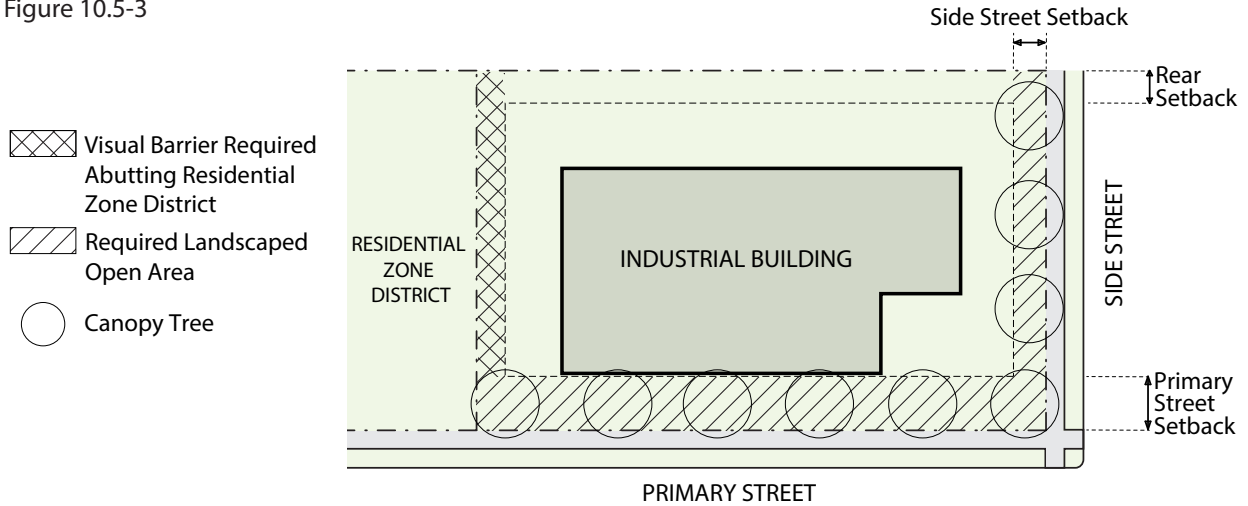
1. This subsection 10.5.4.3 shall apply in the I-A and I-B zone districts and in I-MX zone districts to development using the Industrial Primary Building Form.
2. **Expansions of Existing Use**
  - a. This Section 10.5.4.3 shall apply to the expansion of an existing use only if the site area or gross floor area of such use is enlarged more than 15 percent of that existing on June 25, 2010.
  - b. The area of landscaping required shall be the ratio of additional floor or site area to the gross floor area or site area existing on June 25, 2010, multiplied by 5 percent.
    - i. For example, assume an industrial use is to be expanded by 23 percent of the present gross floor area or site area:  $0.23 (23\%) \times 0.05 (5\%) = 0.0115$ .  $0.0115 \times \text{Present zone lot area} = \text{Area of required new landscaping}$ .

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**B. Standards**

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

Figure 10.5-3



**10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards**

**A. Applicability**

Section 10.5.4.1, Applicability and Exceptions, shall apply.

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

**1. Standards**

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

| CONTEXT AND/OR DISTRICT   | PERIMETER PLANTING STRIP REQUIRED  | PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP  | GARDEN WALL REQUIRED   | GARDEN WALL HEIGHT              | GARDEN WALL MATERIALS   | PEDESTRIAN ACCESS REQUIRED   |
|---|--|---|--|---------------------------------|---|--|
| Suburban Neighborhood Context<br>I-A and I-B Zone Districts<br>I-MX Zone Districts with Industrial Building Form<br>(See Figure 10.5-4)                           | Yes, minimum width of 10'  | 1 deciduous canopy tree for every 25' of linear frontage<br>Spacing of trees may vary, the maximum spacing is 40';  | No; however may reduce perimeter planting strip width to 5' if provide a garden wall | Min 30 inches;<br>Max 42 inches | Masonry or Ornamental fence with masonry piers spaced not more than 25' | Yes  |
| Urban Edge, Urban, General Urban Neighborhood Contexts<br>Campus Master Planned Contexts<br>I-MX Zone Districts with General Building Form<br>(See Figure 10.5-5) | Yes, minimum width of 5';<br><u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts: Yes, minimum of 10'</u> | <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts: 1 deciduous canopy tree for every 35' of linear frontage. Spacing of trees may vary, the maximum spacing is 40'</u> | Yes;<br><u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts: No</u>       |                                 |   |  |
| Urban Center Neighborhood Context<br>(See Figure 10.5-6)  | Not Required   | NA  | Yes  |                                 |   |  |
| Downtown Neighborhood Context<br>D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Districts only<br>(See Figure 10.5-5)  | Yes, minimum width of 8' (may be located in street right-of-way)   | 1 deciduous canopy tree for every 25' of linear frontage<br>Spacing of trees may vary, the maximum spacing is 40'   | Yes  | Min 30 inches;<br>Max 42 inches |   | Yes; Min. 3' wide access at max. of 80' intervals along all public street and alley frontages of the parking lot |
| Downtown Neighborhood Context<br>D-C, D-TD, D-LD, D-CV, D-GT, D-AS Districts  | See Section 8.10.3 in Article 8  |   |  |                                 |   |  |

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Figure 10.5-4

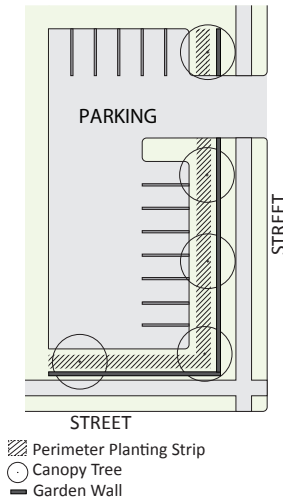


Figure 10.5-5

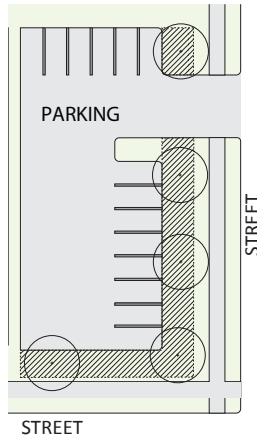
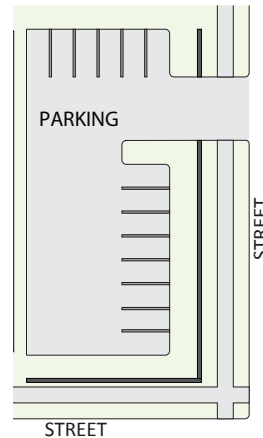


Figure 10.5-6



**C. 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.

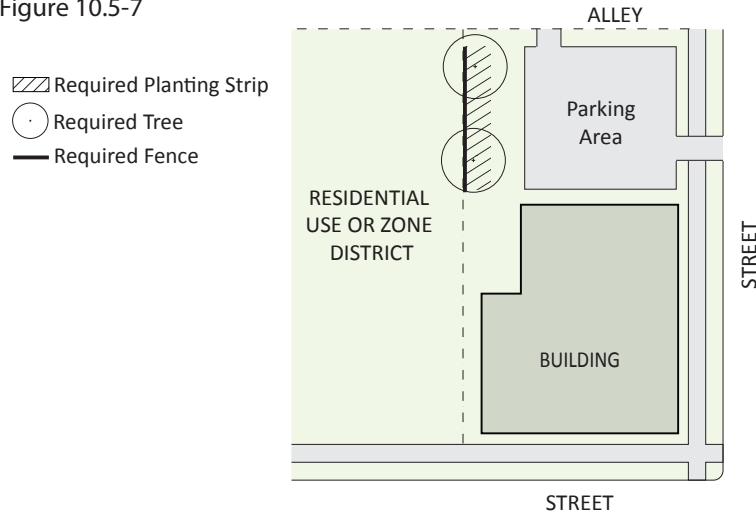
**2. Standards**

- 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:

| MINIMUM WIDTH OF PLANTING STRIP | PLANTING REQUIRED   | FENCE REQUIRED  | FENCE OR WALL MATERIAL STANDARDS  |
|---------------------------------|---|---|---|
| 5 feet                          | 1 deciduous canopy tree for every 25 linear feet<br><br>Spacing of trees may vary, the maximum spacing is 40' | Suburban Neighborhood Context: 6' tall opaque fence or wall; or an earth berm and plantings<br><br>All other Neighborhood Contexts and Zone Districts: 6' tall opaque fence or wall | Fences or walls used to meet these screening requirements shall be of wood, composite materials, brick, masonry, metal/iron bars, textured or aggregate concrete.<br><br><ul style="list-style-type: none"> <li>• Chain link or wire mesh may be used only in combination with plant material of sufficient density to create an opaque screen.</li> <li>• Corrugated or sheet metal, salvaged doors, tires, car doors, or other discarded materials are prohibited not permitted.</li> <li>• Other materials of similar quality and durability but not listed herein may be used upon approval by the Zoning Administrator.</li> </ul> |

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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.
3. This Section 10.5.4.5 shall not apply to surface parking lots in the CMP-NWC-G or CMP-NWC-OI zone districts.
4. This Section 10.5.4.5 shall not apply to portions of a zone lot established as Event Space with Alternate Parking and Loading use in the CMP-NWC-G or CMP-NWC-OI zone districts.

#### 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.

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**C. Specific Standards**

| SURFACE PARKING LOTS WITH:                               | LANDSCAPED AREA REQUIRED   | PLANTINGS REQUIRED WITHIN LANDSCAPED AREA   | DESIGN REQUIREMENTS FOR LANDSCAPED AREA  |
|--|--|---|--|
| 20 parking spaces or less                                | No requirement   |   |  |
| 21-100 parking spaces<br>(See Figures 10.5-8 and 10.5-9) | 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. | 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<br><br>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  | Minimum Width: 6'<br><br>Landscape areas must be within or immediately adjacent to the parking rows and may be in a strip along the center of a double loaded row or in one or more islands at the ends or interspersed between parking rows and stall.  |
| 101 or more parking spaces<br>(See 10.5-10)              | 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. | 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<br><br>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. | Minimum Width: 6'<br><br>Minimum Intervals:<br>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. |

Figure 10.5-8

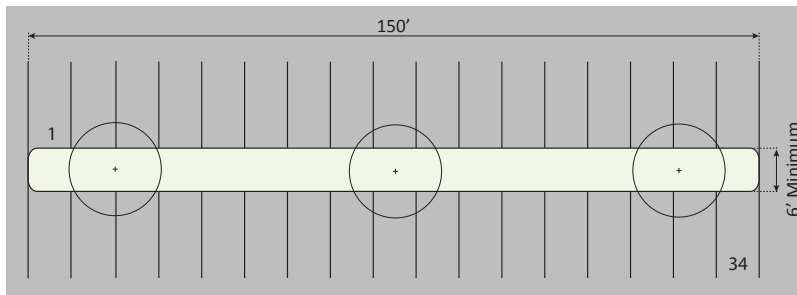
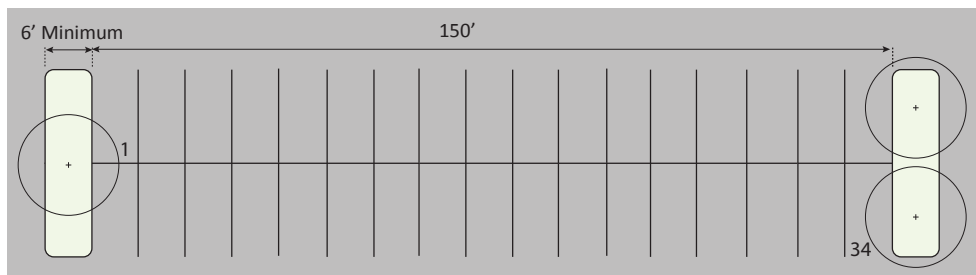
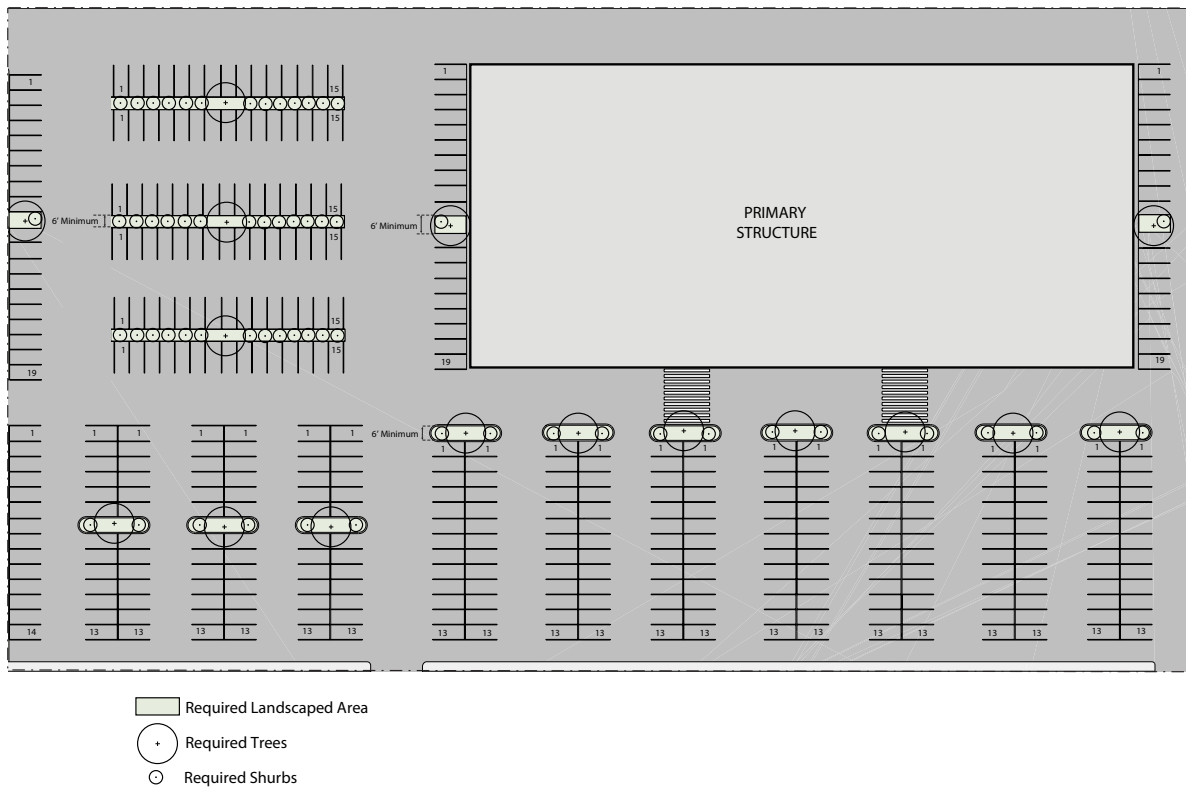


Figure 10.5-9



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Figure 10.5-10



### 10.5.4.6 Landscaping Material Standards

When required by this Division, landscaping materials shall meet the following minimum standards:

#### A. Live Plant Material Standards

1. Where live plant material is required, the amount of area coverage (e.g. 50%) shall be calculated for plant maturity, rather than the coverage at time of planting.
2. All required live plant material must be kept Continuously Maintained in live and growing condition.
3. Applicants are encouraged to incorporate drought-resistant plants and shrubs into required landscaping areas, including but not limited to ornamental grasses.
4. The following materials are allowed and shall meet the following size specifications at time of planting:
  - a. Deciduous trees are at least 2-inch caliper measured 4 inches above the ground;
  - b. Ornamental and flowering trees are at least 1 and 1/2 inches caliper measured 4 inches above the ground;
  - c. Evergreen trees are at least 5 feet tall;
  - d. Evergreen spreaders and broadleaf evergreens are 5-gallon size minimum, with spreads no less than 18 to 24 inches;
  - e. Shrubs are 5-gallon size minimum, with heights no less than 2 to 3 feet;
  - f. Vines and ornamental grasses are 1 gallon in size, minimum;
  - g. Ground Cover;

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- h. Turf or sod; and
- i. Other similar quality and size live plant material.

**B. Non-Live Landscaping Material Standards**

Where non-live landscaping material is required on a zone lot, the following materials are allowed:

- 1. Organic mulch; or
- 2. Gravel or stone that is designed or placed so as to allow permeability.

## **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-foot 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 shall not detract from the safety or pedestrian character of the right-of-way.
- 5. 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.



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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.

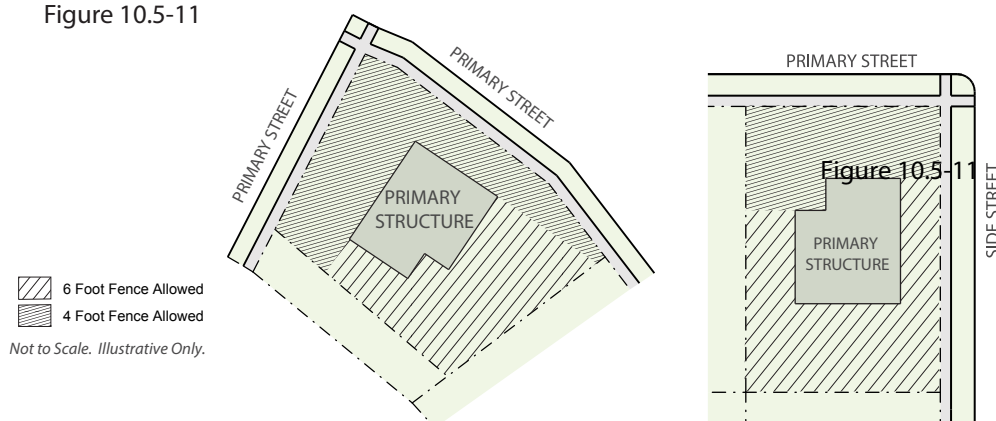
### 10.5.5.2 Specific Maximum Heights

The following standards 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. This section shall not apply to Retaining Walls.

#### 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.

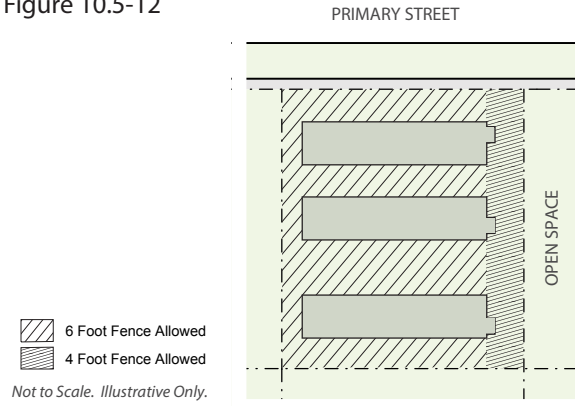
Figure 10.5-11



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- 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**

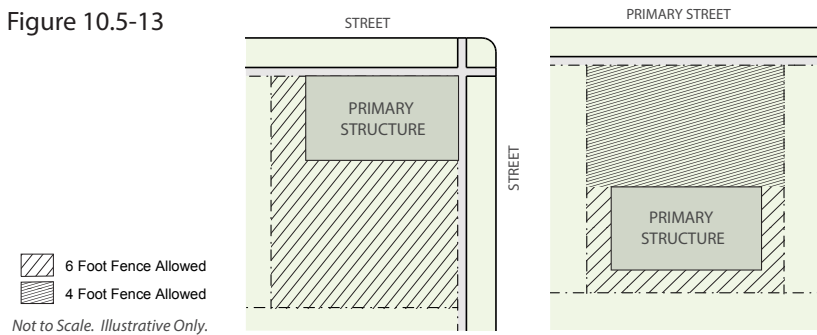
**1. Applicability**

All Mixed Use Commercial Zone Districts, OS-B and OS-C zone districts, but not including the I-MX zone 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



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C. **I-A, I-B, and I-MX and CMP-NWC-OI Zone Districts**

1. **Applicability**

I-A, I-B, ~~or~~ I-MX ~~or~~ CMP-NWC-OI zone districts.

2. **Maximum Height**

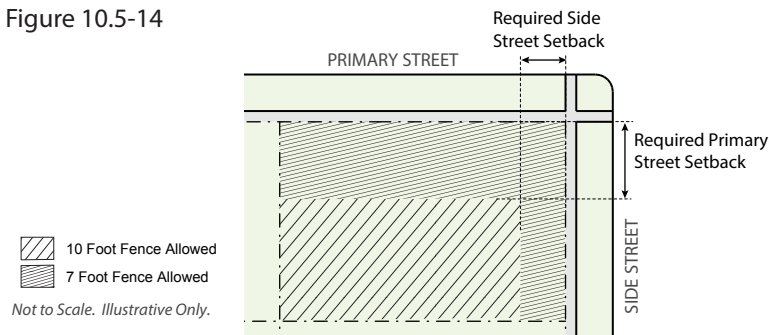
a. **Within the Setback Area**

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.

Figure 10.5-14



## 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 may 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 Sections 13.1.7 and 13.1.8, Fence and Wall Height Measurement and Retaining Wall Height Measurement.

## SECTION 10.5.7 SCREENING REQUIREMENTS

### 10.5.7.1 Applicability

Development in all zone districts, except in the CMP-NWC-OI, 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.

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**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.

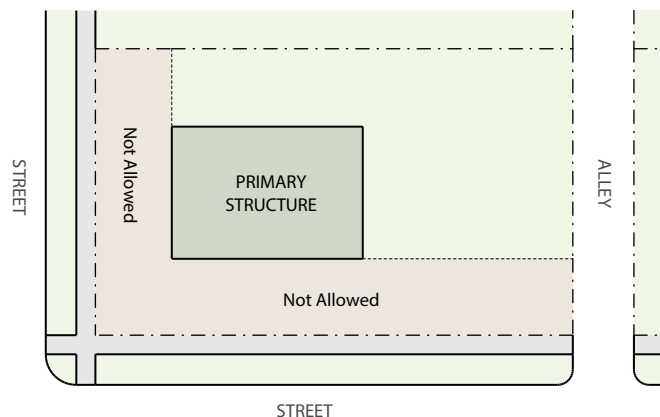
**10.5.7.3 Screening of Rooftop Equipment**

- A. Rooftop mechanical equipment, shall be screened from ground level view, as viewed from any abutting Primary Street's right of way, perpendicular to the zone lot line. See Article 13, Rules of Measurement and Definitions for rooftop mechanical equipment screening measurement.
- B. Screening shall be of a material similar in quality and appearance to other areas of the building facade. 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.
- D. The submittal of a plan and section/elevation drawing must document that the rooftop mechanical equipment is not visible from the opposite side of the abutting Primary Street's right of way. Submitted drawings shall indicate the point of measure and height of the mechanical screening, where applicable. See Article 13, Rules of Measurement and Definitions for rooftop mechanical equipment screening measurement.

**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.

Figure 10.5-15



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## DIVISION 10.7 OUTDOOR LIGHTING

### SECTION 10.7.1 INTENT

These outdoor lighting standards are intended to:

- A. Eliminate adverse impacts of light through glare and spillover;
- B. Provide attractive lighting fixtures and layout patterns that contribute to unified exterior lighting design of development; and
- C. Provide exterior lighting that promotes safe vehicular and pedestrian access to and within a development, while minimizing impacts on adjacent properties.

### SECTION 10.7.2 APPLICABILITY

#### A. General Applicability to All Development

1. Unless specifically exempted below, all existing and proposed development shall meet the provisions of this Division.
2. Buildings lawfully existing as of the June 25, 2010, may be renovated or repaired without modifying outdoor lighting in conformance with this Division, provided there is no increase in gross floor area in the building or the impervious area of the site.
3. Where a building existed as of the June 25, 2010, and the building is enlarged in gross floor area or impervious area on the site by 50% percent or 10,000 square feet, whichever is less, outdoor lighting as specified in this Division shall be provided.

#### B. Exemption for Outdoor Active Recreational Uses and Event Space with Alternate Parking and Loading Uses in the CMP-NWC-OI Zone District

Because of their unique requirements for nighttime visibility and their limited hours of operation, ball diamonds, playing fields, tennis courts, and other similar outdoor active recreational uses (both public and private facilities unless otherwise restricted by this Code), and portions of a zone lot within the CMP-NWC-OI zone district designated as Event Space with Alternate Parking and Loading are exempt from the outdoor lighting standards stated in this Division and shall only be required to meet the following standards:

##### 1. Limits on Cutoff Angle

Cutoff from a lighting source that illuminates an outdoor active recreational use or an Event Space with Alternate Parking and Loading use in the CMP-NWC-OI zone district may exceed an angle of 90 degrees from the pole, provided that the light source is shielded to prevent light and glare spillover to an adjacent Protected District.

##### 2. Maximum Permitted Illumination at the Property Line

The maximum permitted illumination at the property line shall be 2 footcandles.

### SECTION 10.7.3 LIGHT SOURCES

#### 10.7.3.1 Exemption

Holiday lighting displays are exempt from these light source restrictions.

#### 10.7.3.2 Prohibited Light Sources

The following light fixtures and sources shall not be used:

- A. Low-pressure sodium and mercury vapor light sources;
- B. Cobra-head-type fixtures having dished or drop lenses or refractors; and
- C. Searchlights and other high-intensity narrow-beam fixtures, except as part of a permitted special event.

● Amendment: 5

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**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 zone districts: CMP-H, CMP-H2, CMP-EI, CMP-EI2, CMP-ENT, ~~and CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R.~~

**10.10.7.2 Permanent Signs**

Permanent signs shall comply with the following standards:

|                       | <b>CMP-H<br/>CMP-EI</b>  | <b>CMP-H2<br/>CMP-EI2</b>  | <b>CMP-ENT<br/>CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</b>   |
|-----------------------|--|--|--|
| <b>Contents</b>       | Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operations, services offered and events.  | 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.  | 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 <u>unless otherwise permitted by a District Sign Plan in accordance with Section 10.10.8 of this Code.</u>  |
| <b>Sign Types</b>     | Wall, window, ground and projecting, except that projecting signs are prohibited for uses without direct street access on the Street Level.  | Wall, window, ground, projecting, and arcade, , except that projecting signs are prohibited for uses without direct street access on the Street Level.   | Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the Street Level.   |
| <b>Maximum Number</b> | 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.<br><br>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. | 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.<br><br>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. | 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.<br><br>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. |

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|                          | CMP-H<br>CMP-EI   | CMP-H2<br>CMP-EI2   | CMP-ENT<br>CMP-NWC, <del>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</del>   |
|--------------------------|---|---|---|
| <b>Maximum Sign Area</b> | <p>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' of the zone lot line or campus boundary.</p> <p>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 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.</p> <p>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.</p> | <p>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.</p> <p>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' of the zone lot line or campus boundary.</p> <p>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 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.</p> <p>All Others: 20 square feet or the total permitted sign area for each use by right or conditional 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:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> | <p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>Lodging Accommodations: On zone lots having a linear street frontage of 100' or less, 100 square feet; on zone lots having a linear street frontage of more than 100', 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.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> <li>• For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100' of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used.</li> <li>• For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100' of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter.</li> </ul> |



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|                                   | <b>CMP-H<br/>CMP-EI</b>   | <b>CMP-H2<br/>CMP-EI2</b>  | <b>CMP-ENT<br/>CMP-NWC, <del>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</del></b>  |
|-----------------------------------|---|--|--|
| <b>Maximum Height Above Grade</b> | <p>Wall and window signs: 25’<br/>Ground signs: 12’</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or Street Level finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or Street Level finished floor level, whichever is higher.</p>   | <p>Wall, window and arcade signs:</p> <ul style="list-style-type: none"> <li>Dwellings, multiple unit and all uses by right other than lodging accommodations, office and bank: 25’.</li> <li>Lodging accommodations, office and bank: The roof line of the building to which the sign is attached. Ground signs: 25’.</li> </ul> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or Street Level finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or Street Level finished floor level, whichever is higher.</p>  | <p>Wall and window signs: The roof line of the building to which the sign is attached.<br/>Ground and arcade signs: 32’.</p> <p>Projecting signs: The bottom of any projecting sign must be at least 8’ above the sidewalk or Street Level finished floor level, whichever is higher. The top of any projecting sign may be no higher than 15’ above the sidewalk or Street Level finished floor level, whichever is higher.</p>   |
| <b>Location</b>                   | <p>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.</p> <p>Ground signs: Shall be set in at least 5’ from every boundary line of the zone lot.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul> | <p>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.</p> <p>Ground signs: Shall be set in at least 5’ from every boundary line of the zone lot. In no case shall there be more than 1 ground sign applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul> | <p>Shall be set back at least 5’ from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p> <p>Projecting Signs:</p> <ul style="list-style-type: none"> <li>Projecting graphics may project no more than 5’ out from a building.</li> <li>Projecting signs shall not exceed the height of the parapet of the building on which mounted.</li> <li>Projecting signs shall not be placed less than 8’ apart.</li> </ul> |
| <b>Illumination</b>               | <p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>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.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>                   | <p>All Sign Types: May be illuminated but only from a concealed light source. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>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.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>   | <p>All Sign Types: May be illuminated. All direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p> <p>Additional Standards for Projecting Signs:</p> <ul style="list-style-type: none"> <li>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.</li> <li>Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.</li> <li>Projecting signs may use a variety of illuminated colors.</li> </ul>  |



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|                  | CMP-H<br>CMP-EI                | CMP-H2<br>CMP-EI2              | CMP-ENT<br>CMP-NWC, <u>CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R</u> |
|------------------|--------------------------------|--------------------------------|---|
| <b>Animation</b> | Animated signs are prohibited. | Animated signs are prohibited. | Animated signs are prohibited.  |

**10.10.7.3 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:
  - 1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: Wall and ground.
  - 2. CMP-ENT, CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R zone districts: Wall, ground and window.
- B. Permitted maximum number: 1 sign for each zone lot or designated land area on which the sign is located.
- C. Permitted sign area:
  - 1. CMP-H2 and CMP-EI2: 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.
  - 2. CMP-H and CMP-EI: 15 square feet plus 1 square foot per acre not to exceed 100 square feet for each zone lot or designated land area.
  - 3. CMP-ENT, CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R zone districts: The greater number of the following: 100 square feet; or 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:
  - 1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: 12 feet.
  - 2. CMP-ENT, CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R zone districts: 25 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:
  - 1. CMP-H, CMP-H2, CMP-EI, CMP-EI2: 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.
  - 2. CMP-ENT, CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R zone districts: May be illuminated and all direct illumination shall not exceed 25 watts per bulb unless otherwise permitted by a District Sign Plan in accordance with Section 10.10.8 of this Code.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited unless otherwise permitted by a District Sign Plan in accordance with Section 10.10.8 of this Code.

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**10.10.7.4 Joint Identification Signs - CMP-H2, CMP-EI2, and CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts**

Subject to the conditions hereinafter set forth and upon application to and issuance a zoning permit therefore, joint identification signs are permitted for 3 or more primary uses on the same zone lot as the signs, 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 wall sign or 1 ground sign for each front line of the zone lot.
- C. Permitted sign area: 1 square foot of sign area for each 2 linear feet of street frontage; provided, however, that the total sign area shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 20 feet.
- 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 unless otherwise permitted by a District Sign Plan in accordance with Section 10.10.8 of this Code.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited unless otherwise permitted by a District Sign Plan in accordance with Section 10.10.8 of this Code.

**SECTION 10.10.8 DISTRICT SIGN PLAN FOR CMP-NWC DISTRICTS**

**10.10.8.1 Signs Subject to a District Sign Plan**

Notwithstanding more restrictive provisions of this Division 10.10, Signs, the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts may have signs in accordance with a single approved District Sign Plan. All signs expressly allowed through this Section 10.10.8 must be in conformance with an approved District Sign Plan.

**10.10.8.2 Intent**

The intent of this Section 10.10.8 is to:

- A. Allow flexibility in the size, type, location and attributes of signs and Special Lighting Elements in order to support a unique education, entertainment and employment destination at the National Western Center. Unique signage within the district are intended to be incorporated and displayed in ways that foster civic pride and economic vitality, and which reflect the unique design vision for the National Western Center, which may include:
  - 1. Creative and artistic signs
  - 2. Special Lighting Elements
  - 3. Self-illuminated signs
  - 4. Signs integrated with one or more iconic or distinctive features
  - 5. Non-standard or one-of-a-kind advertising opportunities
  - 6. Signs infused with art

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- B. 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 excitement and anticipation for residents, employees, and visitors; and promotes good urban design.
- C. Mitigate possible adverse impacts of signs and Special Lighting Elements, particularly on surrounding residential uses.
- D. Permit signs in addition to signage permitted according to Section 10.10 (other than this Section 10.10.8).

**10.10.8.3      Applicability**

- A. The provisions of this Section 10.10.8 shall apply only with respect to:
  - 1. Signs that are located in the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI or CMP-NWC-R zone districts and permitted by the District Sign Plan.
  - 2. Special Lighting Elements that are located in the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI or CMP-NWC-R zone districts and permitted by the District Sign Plan.
- B. Notwithstanding Section 10.10.8.3.A, except to the extent otherwise stated in the District Sign Plan, the provisions of this Section 10.10.8 shall not apply to signs permitted in Division 10.10 Signs (other than this Section 10.10.8), except Section 10.10.8.4.B Minimum Pixel Pitch for Signs Using Digital Illumination shall apply to such signs, and
- C. A sign or Special Lighting Element that does not require a zoning permit or a building permit under the provisions of the D.R.M.C or this Code (other than this Section 10.10.8) shall not be deemed to require a zoning permit or a building permit, as appropriate, due to the provisions of this Section 10.10.8.

**10.10.8.4      Sign Types, Placement and Design**

- A. **Glare**  
Signs and Special Lighting Elements permitted under this Section 10.10.8 or under the terms of the District Sign Plan shall be deemed to comply with all standards in this Code regarding Glare (as that term is defined in Division 13.3).
- B. **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 Sign Plan.
- C. **Sign Content**  
Sign content relating to products, services, uses, businesses, commodities, entertainment or attractions sold, offered or existing elsewhere than upon the same zone lot where such sign is displayed, including Outdoor General Advertising Devices and Off-Site Commercial Signs, are allowed.
- D. **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 CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts. In addition, the District Sign Plan may define and allow other sign types not otherwise allowed or defined in this Code or prohibit certain sign types from particular areas. All such signs shall be subject only to the limits, conditions, and procedures specified in the District Sign Plan, except that Division 12.0, Nonconforming Signs, shall apply to all signs permitted in the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts according to an approved District Sign Plan.

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2. Special Lighting Elements are allowed in the CMP-NWC zone district. For purposes of this Section 10.10.8, "Special Lighting Elements" means, where both the lighting source and the illuminated surface or medium are located within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, the illumination of:
    - a. The outside surface of any building, structure, part of a building or structure, or
    - b. Any water, mist, fog, smoke, or other surface, material, medium or substrate located outdoors.
  3. In the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, 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 Sign Plan.
- E. Maximum Number**  
There is no maximum on the number of signs or Special Lighting Elements that are allowed, unless otherwise stated in the District Sign Plan.
- F. Maximum Sign Area**  
Unless otherwise stated in the District Sign 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.
- G. Maximum Height Above Grade**
  1. Except as provided by Section 10.10.8.4.G.2 and Section 10.10.8.4.G.3 below, the District Sign 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 zone district.
  2. The District Sign 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 identified in the District Sign Plan. Such portable signs shall require a zoning permit.
  3. Temporary portable signs and equipment for Special Lighting Elements may extend above the maximum allowable height for the zone district within which the sign 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 Sign Plan; however, the District Sign Plan shall not allow any sign or equipment for Special Lighting Elements to extend above the maximum allowable building form height for the zone district within which the sign is located.
- H. Signs and Special Lighting Elements Subject to the District Sign Plan**  
The CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts may have signs and Special Lighting Elements in accordance with the approved District Sign 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 10.10.8 apply, shall comply with the requirements stated in the District Sign Plan.
- I. Locations**
  1. There is no requirement that signage or equipment for any Special Lighting Element be set back from the zone lot line or any built feature, however, signs shall not violate the Denver Building Code and Denver Fire Code. Signs and equipment for any Special Lighting

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Element may project into public rights-of-way if such signs and Special Lighting Elements comply with applicable provisions of the D.R.M.C. pertaining to encroachments within the public rights-of-way.

2. Signs allowed under this Section 10.10.8 may be sited on vacant zone lots.

**J. Illumination**

1. Illumination of signs and illumination integrated into Special Lighting Elements is allowed.
2. Flashing signs and flashing Special Lighting Elements are allowed.
3. Subject to the provisions of this Section 10.10.8, illumination for or of signs may be from a concealed light source that may flash, blink or fluctuate by means of movement, changes in colors, changes in the intensity of light, changes in letters, numbers, symbols, designs or other images, ambient conditions such as fog, snow or wind, or otherwise. The frequency, cycle, or movement of any such flashing, blinking or fluctuation shall not be limited except as stated in the District Sign Plan.
4. It is not a violation of this Section 10.10.8 if the illumination from or of any sign or Special Lighting Element is visible from beyond the boundaries of the zone lot or the separately conveyable parcel of land upon which such a sign or Special Lighting Element is located. However, the District Sign Plan shall require louvres or other brightness reduction strategies to reduce the luminance of signs comprised of self-illuminated digital screens when viewed at Off-axis Angles.
  - a. For the purposes of this Section 10.10.8, the term "Off-axis Angle", with respect to any screen or portion of a screen, as applicable, means any angle other than the angle perpendicular to such screen or portion of such screen, as applicable.

**K. Animation, Dynamic Elements and Full-Motion Video**

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

**L. Materials**

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

**M. Projecting Signs**

Projecting signs must clear sidewalks by at least 8 feet in height and may project no more than 10 feet out from a building wall. All such projecting signs over public rights-of-way are subject to approval by the Department of Public Works.

**N. Accessory Uses**

Signs for accessory uses are allowed to the extent stated in the District Sign Plan.

**O. Prohibition**

As a matter of public necessity, the City must protect children and non-consenting adults in and on its public streets, sidewalks, transportation facilities and other public rights-of-way from viewing public displays of offensive sexual material. When such displays are thrust indiscriminately upon unwilling audiences of adults and children, such displays constitute assaults upon individual privacy. Therefore, signs (including signs incorporated into a Special Lighting Element) subject to the District Plan shall not be displayed or exhibited in a manner that exposes

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to public view from any public streets, sidewalks, transportation facilities, and other public rights-of-way any:

1. Pictorial material that is obscene;
2. Statements or words describing explicit sexual acts, sexual organs, or excrement where such statements or words have as their purpose or effect sexual arousal or gratification;
3. Pictorial material depicting a person’s genitals, pubic hair, perineum, anus, or anal region or
4. Pictorial material depicting explicit sexual acts.

**P. Varying Regulations by Subareas within the District Sign Plan**

1. The District Sign Plan shall contain geographically defined areas within the District Sign Plan that have different regulations from those applicable to other geographic areas within the District Sign Plan.
2. The District Sign Plan shall identify a methodology to identify and characterize subareas within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts distinguished from one another based on factors including but not limited to:
  - a. The intensity and mix of land uses existing or planned to occur within such subareas;
  - b. The density of the built environment existing or planned within such subareas, and
  - c. The subarea’s location within, or in proximity to, (1) existing or planned major gateways or entrances to the campus, or (2) other existing or planned publicly-accessible spaces, major arterials, or major entrances to the campus, such that allowances for signage and Special Lighting Elements are greater and/or more flexible for subareas located closest to existing or planned gateways, major entrances, publicly-accessible spaces, or major arterials.
3. Based on the methodology described above, the District Sign Plan shall assign differing standards to each such subarea, as appropriate, which will result in signage and Special Lighting Elements within each subarea consistent with the differences in character of each subarea. Differing standards may include, but are not limited to, appropriate scale, permitted sign types, maximum sign areas, appropriate locations, and appropriate illumination levels or animation.

**10.10.8.5 Process to Establish or Amend a District Sign Plan**

**A. Definition**

For the purposes of this Section 10.10.8, the term “District Sign Plan” means the plan approved in accordance with this Section 10.10.8.5, as such plan may be amended from time to time in accordance with provisions of this Section 10.10.8.

**B. Intent of District Sign Plan Approach**

1. The CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts are envisioned to showcase a unified, cohesive and integrated program of signage. The District Sign Plan is the mechanism that efficiently reconciles the vision for the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts with the reality that properties in these districts will be built over a long period of time during which technology and best practices will evolve.
2. The CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts will be developed and constructed in multiple phases over time. It is impractical to require detailed plans for signage and Special Lighting Elements to be provided for the entirety of the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R

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zone districts at the very outset of its development. Such a requirement would thwart the design intent for the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.

**C. Initiation**

Any of the following persons may initiate a request to establish a District Sign Plan.

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. One or more owners of real property located within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI or CMP-NWC-R zone districts.

**D. Review**

Community Planning and Development will review information received in the applicant's submittal and forward a recommendation to the Planning Board within 45 days after the submittal of a complete application for the District Sign Plan or amendment to the District Sign Plan (other than amendments effected through Section 10.10.8.11 and 10.10.8.12) unless the applicant agrees in writing to an extension of time.

**E. Notice of Complete Application**

1. No later than 10 days after receipt of a complete application, Community Planning and Development shall send informational notice of the proposed District Sign Plan or any proposed amendment to the District Sign Plan (other than amendments effected through Section 10.10.8.10 or 10.10.8.11) to:
  - a. Neighborhood organizations registered according to the provisions of D.R.M.C. Section 12-94 and whose boundaries include property within, or within 200 feet of the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts
  - b. Each City Council member representing a district within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts or within 200 feet of CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, and
  - c. The at-large City Council members.
2. No later than 10 days after receipt of a determination of a complete application from Community Planning and Development, the applicant shall send informational notice of the proposed District Sign Plan or a proposed amendment to the District Sign Plan (other than amendments effected through Section 10.10.8.10 or 10.10.8.11) to each property owner within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts according to the address stated in records of the Denver Assessor's Office as of the date the applicant checked such records, which date shall not be earlier than the date the applicant submitted its application to Community Planning and Development, and not later than 10 days after the applicant's receipt of a determination that the application is complete from Community Planning and Development. However, for property included within any condominium or cooperative, as such terms are defined in C.R.S. Section 38-33.3- 103, the applicant shall only be required to send notice to the owners association for such condominium or cooperative and not to each property owner.

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3. The informational notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
4. Notification shall include the location and general description of the proposed action; and the process to be followed, including the date, time and place of the Planning Board public meeting, if such has been scheduled; and information concerning when and where written comments may be submitted.
5. Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a bona fide attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a meeting and the location of the subject property shall be strictly construed. If questions arise at the meeting regarding the adequacy of notice, the Planning Board shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before deciding whether to approve, approve with conditions, or deny the application.

**F. Notice of Planning Board Meeting**

1. No later than 15 days before the required Planning Board public meeting, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization's boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.
2. The notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
3. Notification shall include the location and general description of the proposed action and the process to be followed, including the date, time and place of the scheduled public meeting.
4. Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a bona fide attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a meeting and the location of the subject property shall be strictly construed. If questions arise at the meeting regarding the adequacy of notice, the Planning Board shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before deciding whether to approve, approve with conditions, or deny the application.

**G. Adoption of District Sign Plan**

The Planning Board shall review Community Planning and Development's recommendation, public comment, the criteria for review, and make a final decision to approve, approve with conditions, or deny such District Sign Plan or amendment.

**H. Appeals**

The Planning Board's decision on an application for a District Sign Plan or an amendment thereto may be appealed to the District Court.

**10.10.8.6 Submittal Requirements**

To establish the District Sign Plan, or amend the District Sign Plan (other than minor deviations through Section 10.10.8.10 or through approval of Supplemental Plans under Section 10.10.8.11) the applicant shall submit to Community Planning and Development a District Sign Plan and accompanying materials that incorporate:



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- A. The locations of residential uses, off-street parking areas, landscaped areas, streets, and alleys to the extent known, within the boundaries and within 200' of the District Sign Plan.
- B. Identifications and/or descriptions of all signs and Special Lighting Elements allowed.
- C. As part of the review procedure for Supplemental Plans, authority for the review body to require specific mitigation measures reasonably necessary to mitigate possible material adverse impacts, when it finds such possible impacts. For purposes of this provision, "material adverse impacts" include, but are not limited to, nuisance or distraction to near-by permitted land uses or to motor vehicles on major roadways, particularly from permitted flashing, illuminated, or animated signs and Special Lighting Elements.
- D. Provisions addressing design review for signs and Special Lighting Elements.
- E. Design standards and guidelines that include:
  - 1. The parameters for acceptable structures to which signs and/or equipment related to such Special Lighting Elements may be attached or included within;
  - 2. The parameters for acceptable sign shape, size, typography, lighting, exposed structures, animation, luminance, colors and materials, and the frequency of changeable copy, graphics, or lighting;
  - 3. Identification of areas from which signs and Special Lighting Elements are intended to be viewed;
  - 4. General recommendations for measures and practices to mitigate possible material adverse impacts from allowed signs and Special Lighting Elements; and
  - 5. Review criteria that ensure all features of signs, including the illumination, support structure, color, lettering, height, and location, shall be designed to be complementary to and/or integrated into the architecture and architectural features of the building on which it is located or to which it relates
- F. Design standards and guidelines for allowable Special Lighting Elements, including:
  - 1. A general description of methods of and limits on illumination that may be implemented in Special Lighting Elements;
  - 2. A general description of the surfaces of any existing or proposed buildings, structures, or other surfaces, materials, mediums or substrates that may be illuminated by Special Lighting Elements; and
  - 3. General descriptions of allowed exposed structures, colors and materials for equipment used for Special Lighting Elements.
- G. Information describing the general locations where signs and Special Lighting Elements are allowed.
- H. The maximum heights for signs and equipment for, and surfaces illuminated by, Special Lighting Elements.
- I. Proposed maximums, if any, for the total sign area or number of signs per building face or per other medium or metric, and
- J. Other items as may be identified by Community Planning and Development as reasonably necessary to review and approve the District Sign Plan or amendment consistent with the criteria stated in Sections 10.10.8.9 and 10.10.11.G.

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**10.10.8.7 Regulatory Construct**

The District Sign Plan shall establish standards applicable to a wide range of allowed signs and Special Lighting Elements within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts. As a general matter, the District Sign Plan may contain two levels of specificity with respect to signs and Special Lighting Elements.

**A. Detailed Level**

Once the District Sign Plan is approved in accordance with Section 10.10.8.5, applicants for signs and Special Lighting Elements that are included in the more detailed of such two levels, and that elect to have the provisions of this Section 10.10.8 apply to signs and Special Lighting Elements, will be allowed to request zoning and building permits for such signs and Special Lighting Elements (if such permits are required) without the need for obtaining additional approval of a Supplemental Plan, consistent with the District Sign Plan.

**B. General Level**

Once the District Sign Plan is approved in accordance with Section 10.10.8.5, applicants for signs or Special Lighting Elements that are included in the more general of such two levels, will not be permitted to apply for zoning or building permits until a Supplemental Plan for such signs and Special Lighting Elements providing the higher level of specificity is approved in accordance with Section 10.10.8.11.

**10.10.8.8 One District Sign Plan**

The City shall approve no more than one District Sign Plan within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts. The District Sign Plan's boundaries shall include all land area within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.

**10.10.8.9 Criteria for Review**

The Planning Board may approve an application for the District Sign Plan or an amendment to the District Sign Plan (other than minor deviations through Section 10.10.8.10 or through approval of Supplemental Plans under Section 10.10.8.11) if the application complies with the following criteria:

- A. The District Sign Plan complies with all applicable standards contained in this Code.
- B. The cumulative effect of the District Sign Plan's allowances for signs and Special Lighting Elements:
  - 1. Encourages exciting, iconographic, and inventive signage, attention getting devices, and special elements that distinguish the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts from other places in Denver.
  - 2. Exhibits design excellence, inventiveness, and sensitivity to the existing or planned character of a specific subarea;
  - 3. Establishes a coordinated program of signage subject to the District Sign Plan.
  - 4. Mitigates material adverse impacts of signs and Special Lighting Elements on nearby residential uses or structures.
  - 5. Is not visually overwhelming when viewed from residential areas or major roadways.
- C. Sign allowance and design reflects the existing or planned character of the District Sign Plan subarea in which such signs are proposed.
- D. The District Sign Plan contains mitigation measures reasonably necessary to mitigate possible material adverse impacts of signs and Special Lighting Elements on existing nearby residential uses or structures or motor vehicles on major roadways located within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.

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- E. The District Sign Plan contains restrictions to prevent the cumulative effect of signs approved in reliance on the standards set forth in this Section 10.10.8 (as opposed to signs approved in reliance on Division 10.10 Signs) from being visually overwhelming when viewed from various residential areas, major public use roadways and/or other significant public areas outside the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts when used in their ordinary course. Such restrictions may include limitations on signage area, spacing between signs, sign locations, and/or sign heights.

**10.10.8.10 Minor Deviations from a District Sign Plan**

**A. Allowed**

Minor deviations from the District Sign Plan for individual signs or individual Special Lighting Elements may be allowed by Community Planning and Development if:

- Such deviations appear necessary in light of technical or engineering considerations, or to accommodate the implementation of future technology that is generally consistent with the intent of the District Sign Plan and Section 10.10.8.2, and
- The at-large city council members and the city council members and registered neighborhood organizations whose boundaries are within 200 feet of the subject sign(s) and/or Special Lighting Element(s) are first notified.
- Notwithstanding the foregoing, no minor deviation shall be allowed which violates the Denver Building Code, Denver Fire Code, or any applicable provision of the D.R.M.C.

**B. Not Allowed**

Minor deviations from the District Sign Plan for individual signs or individual Special Lighting Elements shall not be allowed under any of the following circumstances:

- The individual sign or Special Lighting Element is oriented or illuminated so that it adversely affects existing nearby residential uses or structures beyond what is allowed by the District Sign Plan
- For projecting signs, a projection greater than 6 inches above the maximum otherwise allowed.
- A change in signage type, illumination, or animation that is not allowed by the District Sign Plan.

**C. Plan Amendment Required**

A deviation to any sign or Special Lighting Element that does not comply with the requirements of the District Sign Plan and is not allowed under Section 10.10.8.11 shall require an amendment to the District Sign Plan, approved under Section 10.10.8.5.

**10.10.8.11 Supplemental Plans**

The District Sign Plan may establish a convention whereby certain signs and/or Special Lighting Elements, as appropriate, may not be installed, operated, maintained, repaired, and replaced unless a Supplemental Plan is approved under this Section 10.10.8.11 with respect to such signs and/or Special Lighting Elements, as appropriate. The District Sign Plan may establish a convention whereby certain signs and/or Special Lighting Elements may be installed, operated, maintained, repaired, and replaced without the need for approval of a Supplemental Plan.

**A. Definition**

For the purposes of this Section 10.10.8, the term “Supplemental Plan” means a supplement to the District Sign Plan that is approved in accordance with this Section 10.10.8.11.

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**B. Intent**

The intent of a Supplemental Plan is to allow for a coordinated program with respect to numerous buildings, signs and Special Lighting Elements that will be designed, developed, constructed and installed within the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts in phases.

**C. Requirements**

To the extent that the District Sign Plan provides that any sign and/or Special Lighting Element may not be installed within certain areas until a Supplemental Plan for such area is approved, then no sign and/or Special Lighting Element, as appropriate, may be installed in such area until a Supplemental Plan for such area is approved or such sign and/or Special Lighting Element is exempt from such requirement as stated in the District Sign Plan.

**D. Submittal Requirements**

An applicant seeking approval of a Supplemental Plan shall submit the following items to Community Planning and Development:

1. Information as required by the District Sign Plan
2. Other items as may be identified by the Zoning Administrator as reasonably necessary to approve such Supplemental Plan consistent with the criteria stated in Section 10.10.8.11.G.

**E. Review**

The Zoning Administrator will review information received in the applicant's submittal and, within 45 days after the submittal of a complete application for a Supplemental Plan, make a final decision to approve, approve with conditions or deny such Supplemental Plan unless the applicant agrees in writing to an extension of time. Should the Zoning Administrator fail to make a decision within the time frame specified above, and no extension of time has been agreed upon, then the application shall be deemed denied.

**F. Notice to Others**

The Zoning Administrator shall see that the notices are placed on the property by the applicant no later than 15 days after receipt of the complete application for the Supplemental Plan. The Zoning Administrator shall also send notice of the proposed plan to the neighborhood organizations which are registered pursuant to the provisions of Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within 3,000 feet of the boundary line of the zone lot. The Zoning Administrator shall also send notices to the city council members in whose district the large facility is located and to the at large council members. Such notice shall require that written comments be submitted to the Zoning Administrator by those persons having a concern with respect to the proposal within 30 days of the date of notification.

**G. Consideration of Public Comments**

The Zoning Administrator shall consider the concerns expressed by members of the public, neighborhood organizations and council members, and shall evaluate the proposed Supplemental Plan.

**H. Criteria for Review**

The Zoning Administrator may approve an application for a Supplemental Plan if the Supplemental Plan complies with Section 10.10.8.9, Criteria for Review, and is consistent with the provisions of the District Sign Plan.

**I. Appeals**

Any decision of the Zoning Administrator under this Section 10.10.8.11 may be appealed to the Planning Board. Thereafter, the Planning Board's decision may be appealed to the District Court.

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J. **Effect of Approval of a Supplemental Plan**

Upon approval of a Supplemental Plan, such Supplemental Plan shall be deemed an amendment to, and shall be deemed to have become part of, the District Sign Plan. An approved Supplemental Plan shall be incorporated into the next amended District Sign Plan, at which time the Supplemental Plan shall expire.

**SECTION 10.10.9 RESIDENTIAL MIXED USE 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 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:

| URBAN EDGE NEIGHBORHOOD CONTEXT | URBAN NEIGHBORHOOD CONTEXT | GENERAL URBAN NEIGHBORHOOD CONTEXT | URBAN CENTER NEIGHBORHOOD CONTEXT | MASTER PLANNED CONTEXT |
|---------------------------------|----------------------------|------------------------------------|-----------------------------------|------------------------|
| E-RX-3                          | U-RX-3                     | G-RO-3                             | C-RX-5                            | M-RX-3                 |
| E-RX-5                          | U-RX-5                     | G-RO-5                             | C-RX-8                            | M-RX-5                 |
|                                 |                            | G-RX-3                             | C-RX-12                           | M-RX-5A                |
|                                 |                            | G-RX-5                             |                                   |                        |

**10.10.9.2 Permanent Signs**

Permanent signs shall comply with the following standards:

|                       |  |
|-----------------------|--|
| <b>Contents</b>       | 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.  |
| <b>Sign Types</b>     | Wall, window, ground, projecting, and arcade, except that projecting signs are prohibited for uses without direct street access on the Street Level.   |
| <b>Maximum Number</b> | 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.<br><br>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. |

# ARTICLE 11. USE LIMITATIONS AND DEFINITIONS

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## 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 the Downtown zone districts and the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, 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 zone districts 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, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts

In the I-A, I-B zone districts, all Downtown Neighborhood Context zone districts, and the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts 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, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, CMP-NWC-R Zone Districts

In the I-A, I-B, ~~and the~~ CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R 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.

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3. Electric generation plant, excluding nuclear powered plants.

## **SECTION 11.3.2 UTILITY, MINOR IMPACT**

### **11.3.2.1 All Zone Districts**

In all zone districts, where permitted with limitations:

- A. Electric substations are prohibited in a Residential Zone District; All MS zone districts; All Open Space Context zone districts; and all Downtown Neighborhood Context zone districts.
- B. In all 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 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 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 zone district, no portion of the accessory outdoor facility shall be located nearer than 50 feet from the boundary of a SU or TU zone district.



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**SECTION 11.4.5 EVENT SPACE WITH ALTERNATE PARKING AND LOADING**

**11.4.5.1 CMP-NWC-G and CMP-NWC-OI Zone Districts**

- A. In the CMP-NWC-G and CMP-NWC-OI zone districts, where permitted with limitations, an area established as Event Space with Alternate Parking and Loading may be used as an Off-Street Parking Area, subject to the following:
1. A Parking Operations Plan that identifies how parking will be sited and managed within an event space for one or more short-term parking configurations must be approved by the Zoning Administrator prior to issuance of a zoning permit.
  2. A Parking Operations Plan must include a site plan and narrative description for each short-term parking configuration, which shall include the following:
    - a. Dimension of overall parking area
    - b. Dimensions of typical parking stall width and depth
    - c. Dimensions of all ingress, egress and drive aisles
    - d. Identification of any structures on the zone lot
    - e. Numbering of parking stalls
    - f. Parking lot area in square feet
    - g. Labeling of public streets and alleys
    - h. Approximate locations of an on-site staff persons to direct motorists to the appropriate parking area
    - i. Physical means by which parking stalls and/or aisles will be physically demarcated (temporary striping, cones, rope, etc.)
    - j. Means of separating parking areas from event activities (for an option where parking directly abutting active event space)
    - k. Pedestrian circulation routes adjacent to and within parking areas
    - l. Passenger loading zone areas (if applicable)
  3. A parking lot manager or attendant shall be present on the zone lot at all times when the area is being used as an Off-Street Parking Area.
  4. Mixing of separate components of approved short-term parking configurations is not allowed.
  5. Additional parking configurations not expressly identified by an approved Parking Operations Plan would require application for and issuance of a new zoning permit.
  6. The event space used for an Off-Street Parking Area shall be surfaced with an all-weather surfacing material.
  7. The dimensions for and arrangement of parking spaces and driving aisles shall comply with Section 10.4.6, Vehicle Parking Design, however permanent delineation of individual parking stalls is not required.

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- B. In the CMP-NWC-G and CMP-NWC-OI zone districts, where permitted with limitations, an area established as Event Space with Alternate Parking and Loading may be used for Loading, subject to the following:
1. A Loading Operations Plan that identifies how loading spaces will be sited and managed within an event space for one or more short-term loading configurations must be approved by the Zoning Administrator prior to issuance of a zoning permit.
  2. A Loading Operations Plan must include a site plan and narrative description for each short-term parking configuration, which shall include the following:
    - a. Dimension of overall loading area
    - b. Dimensions of loading spaces
    - c. Dimensions of area or means adequate for maneuvering, ingress, and egress.
    - d. Identification of any structures the loading spaces will serve
    - e. Numbering of loading spaces
    - f. Loading area in square feet
    - g. Labeling of public streets and alleys
    - h. Pedestrian circulation routes adjacent to and within loading areas
  3. Additional parking configurations not expressly identified by an approved Parking Operations Plan would require application for and issuance of a new zoning permit.
  4. The dimensions for and arrangement of loading spaces shall comply with Section 10.4.8, Loading, however permanent delineation of individual loading spaces is not required.

**NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONE DISTRICTS USE CATEGORY**

**SECTION 11.4.6 NONRESIDENTIAL USES IN EXISTING BUSINESS STRUCTURES IN RESIDENTIAL ZONES**

**11.4.6.1 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 11.4.5 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.

**11.4.6.2 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

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- B. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

## **SECTION 11.4.16 RETAIL SALES, SERVICES AND REPAIR, OUTDOOR**

### **11.4.16.1 All Mixed Use Commercial Zone Districts**

In all Mixed Use Commercial Zone Districts, except the CMP-NWC-OI zone district, where permitted with limitations; Outdoor Retail Sales only are permitted, and Outdoor Retail Repair or Service uses are prohibited.

### **11.4.16.2 Industrial Zone Districts, CMP-NWC-OI Zone District**

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. In the CMP-NWC-OI zone district, all Outdoor Retail Repair and Service uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.
- C. All distance and spacing requirements shall be measured according to the rule of measurement found in Section 13.1.11, Measurement of Separation or Distance.

## **VEHICLE / EQUIPMENT SALES, RENTALS, SERVICE AND REPAIR USE CATEGORY**

## **SECTION 11.4.17 AUTOMOBILE EMISSIONS INSPECTION FACILITY**

### **11.4.17.1 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 11.4.18 AUTOMOBILE SERVICES, LIGHT OR HEAVY**

### **11.4.18.1 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.

### **11.4.18.2 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.

### **11.4.18.3 All C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts**

In all C-CCN, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.1.9.4:

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**A. Intent**

Improve the pedestrian experience in important mixed-use districts through Street Level active uses. While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that substantially contribute to the activation, economic vitality, and safety of vibrant mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for Street Level active uses

**B. Limitations**

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.
2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

*See also* C-CCN zone district use limitations related to Street Level Household Living uses in Section 11.2.5, C-CCN zone district supplemental design standards in Section 7.3.5.1 related to permitted Street Level active uses in structures or buildings containing parking spaces, Street Level active use requirements for the D-AS-12+ and D-AS-20+ zone districts in Section 8.8.5.1, and Street Level active use and Street Level active non-residential use requirements for the D-CPV-T, D-CPV-R, and D-CPV-C zone districts in Sections 8.9.5.1 and 8.9.5.2.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
4. Accessory trailer rental is prohibited.
5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.
6. In the C-CCN zone districts, when located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
  - a. On any story above or below the Street Level, and/or
  - b. On the Street Level, but only if 100% of the building's street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

**11.4.18.4 CMP-NWC-OI Zone District**

In the CMP-NWC-OI zone district, where permitted with limitations, all Automobile Services uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

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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, CMP-NWC-OI District**

In all Industrial Context zone districts and the CMP-NWC-OI District, 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.
- C. In the CMP-NWC-OI zone district, all Contractors, Special Trade, General uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

**SECTION 11.5.4 CONTRACTOR, SPECIAL TRADE-HEAVY/CONTRACTOR YARD**

**11.5.4.1 I-MX, I-A, I-B, CMP-NWC-OI, M-IMX and M-GMX Zone Districts**

- A. In the I-MX, I-A, I-B, CMP-NWC-OI, M-IMX, and M-GMX Zone Districts, where permitted with limitations, a contractor, special trade/heavy use shall be located at least 500 feet from a Residential Zone District.
- B. In the CMP-NWC-OI zone district, all Contractor, Special Trade-Heavy/Contractor Yard uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.
- C. 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.

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## 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; **CMP-NWC-OI**; M-IMX Zone Districts

In all I-A, I-B, **CMP-NWC-OI** 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.

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- B. In the CMP-NWC-OI zone district, all Service/Repair, Commercial uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.
- C. 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.



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**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.

**11.5.9.3 CMP-NWC-OI Zone District**

In CMP-NWC-OI, where permitted with limitations, all Manufacturing, Fabrication and Assembly-General uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

**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.



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**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 Zone District.

**SECTION 11.5.23 MINI-STORAGE FACILITY**

**11.5.23.1 All MX, MS, and Downtown Zone Districts**

In all MX, MS, and Downtown 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.

**11.5.23.2 All MX, MS, CC, and Downtown Zone Districts**

In all MX, MS, CC, and Downtown zone districts, where the Zone Lot is located within 1/4 mile of a Rail Transit Station Platform, a Mini-Storage Facility shall be prohibited.

**11.5.23.3 All I-A and I-B Zone Districts**

In all I-A and I-B zone districts, where the Zone Lot is located within 1/4 mile of a Rail Transit Station Platform, and where permitted with limitations, a Mini-Storage Facility use shall not have individual entrances to storage units from the exterior of the structure.

**SECTION 11.5.24 VEHICLE STORAGE, COMMERCIAL**

**11.5.24.1 All Downtown Neighborhood Context Districts**

In all Downtown Neighborhood Context zone districts, where permitted with limitations:

- A. Vehicle Storage is limited to enclosed garage storage for commercial and public utility vehicles only.
- B. Commercial storage of automobiles and light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half tons shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.

**11.5.24.2 I-A, I-B and **CMP-NWC-OI** Zone Districts**

In I-A, I-B and CMP-NWC-OI zone districts, where permitted with limitations:

- A. The Vehicle Storage use shall be located at least 500 feet from a Residential Zone District.
- B. In CMP-NWC-OI, all Vehicle Storage, Commercial uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.
- C. 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.

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## SECTION 11.5.25 WHOLESALE TRADE OR STORAGE, GENERAL

### 11.5.25.1 I-MX, I-A, I-B Zone Districts

In the I-MX, I-A, I-B zone districts, where permitted with limitations, all Wholesale Trade or Storage, General uses shall be located a minimum of 500 feet from a Residential Zone District.

## SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT

### 11.5.26.1 All CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C Zone Districts

In all CC, MX, MS, CMP, D-AS-12+, D-AS-20+, D-CPV-T, D-CPV-R, and D-CPV-C zone districts, where permitted with limitations:

- A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.
- C. In CMP-NWC-OI, all Wholesale Trade or Storage, Light uses must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line.

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## 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 the CMP-NWC, [CMP-NWC-BC](#), [CMP-NWC-G](#), [CMP-NWC-OI](#) and [CMP-NWC-R](#) zone districts, 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 the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, 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, M-IMX, M-GMX and DIA Zone Districts

In the I-A, I-B, OS-B, O-1, M-IMX, M-GMX 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.

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## 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.

### 11.10.5.2 CMP-NWC-OI Zone District

In the CMP-NWC-OI zone district, where permitted with limitations, a Car Wash Bay Accessory to Automobile Services or Hotel must be located a minimum of 50 feet from a South Platte River Primary Street zone lot line:

## 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.

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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.

**D. Drive-Through Facilities in Close Proximity to Rail Transit**

1. In all Zone Districts except the Suburban (S-) context Zone Districts, where permitted with limitations, when a Zone Lot is within 1/4 mile of a Rail Transit Station Platform, accessory Drive-Through Facilities are prohibited.
2. In all Suburban (S-) context Zone Districts, where permitted with limitations, when a Zone Lot is within 1/4 mile of a Rail Transit Station Platform, an accessory Drive-Through Facility shall only be established when the primary structure containing the primary use complies with the General or Shopfront building form standards..

**SECTION 11.10.9 EMERGENCY VEHICLE ACCESS POINT**

**11.10.9.1 CMP-H and CMP-H2, D-GT Zone Districts**

In CMP-H and CMP-H2 zone districts and in the D-GT zone district located south of 8th Avenue, where permitted with limitations:

- A. An Emergency Vehicle Access Point is subject to Zoning Permit with Special Exception Review

**SECTION 11.10.10 GARDEN**

**11.10.10.1 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 the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, 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.

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## SECTION 11.10.17 OUTDOOR STORAGE, LIMITED

### 11.10.17.1 All Zone Districts

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

- A. Shall only be permitted following approval of a site development plan illustrating the extent of the permitted area for limited outdoor storage and compliance with these limitations.
- B. Shall be limited in area to no more than 10% of the gross floor area of the Primary Structure on the Zone Lot.
- C. Stored materials and products shall not be more than 12 feet in height. This height limitation shall not apply to stored materials and products in the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.
- 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.

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- I. All materials or wastes that may cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise be attractive to rodents or insects, shall be stored outdoors only in closed containers.
- J. The following limitation shall apply to the above-ground storage of certain materials:
  1. No flammable gases or solids, combustible or flammable liquids or explosives shall be stored in bulk above ground except that:
    - a. Railroad locomotive fueling, fuel tanks for energy or heating devices or appliances, tanks containing compressed natural gas and the fueling of vehicles operated in association with a permitted use may utilize above-ground tanks, provided they are located a minimum of 1,000 feet from a Protected District protected use.
    - b. Vaulted tanks as approved by the Fire Department may be located above ground.
    - c. The parking of railroad tank cars containing explosive or flammable materials shall be located at least 1,000 feet from a protected use. The 1,000-foot spacing may be reduced by the Zoning Administrator with review and concurrence of the Fire Department, provided the owner proves by a preponderance of the evidence that the proposed storage facility will not create a hazard for nearby protected uses.
    - d. For purposes of this provision only, a “protected use” is any residential use, a hospital, or an auditorium or other building used for public assembly.
  2. Liquefied petroleum gases shall be stored no closer to any boundary line of a zone lot on which they are located than that permitted by the Denver Fire Code.



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## DIVISION 11.11 TEMPORARY USE LIMITATIONS

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

### SECTION 11.11.1 UNLISTED TEMPORARY USES

#### 11.11.1.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. The Zoning Administrator may allow and impose limitations on unlisted temporary uses according to this subsection 11.11.1.
- B. All such determinations shall be reviewed according to the procedures and review criteria stated Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

### SECTION 11.11.2 AMBULANCE SERVICE

#### 11.11.2.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. Not more than 2 ambulances at any one location;
- B. Vehicles to be parked in completely enclosed structure when not in use;
- C. No mechanical or maintenance work is to be done on premises and no gasoline is to be stored there;
- D. No office is to be maintained in connection with the temporary ambulance service use; and
- E. Each permit shall be valid for a period of not more than 6 months, but may be renewed; provided, however, that failure to comply with any of these standards shall be cause for revocation of any permit.

### SECTION 11.11.3 AMUSEMENT / ENTERTAINMENT USES

#### 11.11.3.1 All Industrial Context Zone Districts; O-1 Zone District; CMP-H Zone Districts; and the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R Zone Districts

In all Industrial Context zone districts, the O-1 zone district, the CMP-H and CMP-H2 zone districts, and the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI, and CMP-NWC-R zone districts, 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.

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- 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; the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R Zone Districts**

In all Industrial Zone Districts and the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts, 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.

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**2. Adult Bookstore**

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

**3. Photo Studio, Adult**

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

**4. Sexually Oriented Commercial Enterprise**

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

**5. Theater, Adult**

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

**11.12.4.2 Arts, Recreation & Entertainment**

**A. Definition of Arts, Recreation & Entertainment Use Category**

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

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

**1. Arts, Recreation and Entertainment Services, Indoor**

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

**a. Art Gallery**

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

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- b. Artist Studio**  
A place where any of the commercial activities or a combination of commercial activities listed below occur:
  - i. Art Gallery.
  - ii. Custom or Craft Manufacturing, Fabrication, and Assembly.
  - iii. Professional Studio.
- c. Amusement Center and Arcade**
- d. Billiard Parlor**
- e. Bowling Center; Ice Rink; Swimming Pool, Tennis Club and Similar Sports Clubs, Indoor**
- f. Children’s Indoor Play Center**
- g. Cinemas, Motion Picture or Movie Theater**  
Cinemas, motion picture or movie theaters, but not including drive-in movie theaters.
- h. Fitness and Recreational Sports Center**  
Fitness and recreational sports centers and other related establishments primarily engaged in operating fitness and recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, or racquet sports.
- i. Personal Instruction Studio**  
Personal instruction studios for dance, martial arts, photography, music and similar activities.
- j. Theater and/or Live Performance Space**  
Establishments that produce, organize, promote, and/or present live performances of actors, singers, dancers, musical groups, artists, and other entertainers (including independent entertainers). Live performances may be presented as musicals, operas, plays, comedy and improvisation, mime, puppet shows, or dinner theater. Such performances are open to the general public and admission may be gained by a payment or fee. Meal service may be included with the performance. This definition excludes any establishment categorized by this Code as “adult business uses.”
- k. Professional Studio**  
A specific type of arts, recreation and entertainment, indoor service use. A place where works of art are created, displayed and/or sold, and/or where instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craft work, fine arts, photography, music, or similar fields; but not including health treatment.
- l. Conference Center, Event Center**  
(1) A facility that provides meeting halls, trade centers, merchandise marts, or convention centers for training and other gatherings for large numbers of people for similar functions; or (2) a nonresidential building leased or rented for private parties and other various social or business gatherings for large numbers of people (e.g., banquet halls, reception halls, dance halls, private event centers) and not associated with another permitted use such as lodging accommodations or schools.

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**2. Arts, Recreation and Entertainment Services, Outdoor**

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

**a. Amusement/Special Interest Parks**

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

**b. Batting Cages**

**c. Go-Cart Raceway**

**d. Ice Rinks, Outdoor**

**e. Miniature Golf Course**

**f. Private Golf Course**

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

**g. Skateboard Centers or Parks**

**h. Swimming Pools, Outdoor**

**i. Tennis Clubs, Outdoor**

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

**3. Sports and/or Entertainment Arena or Stadium**

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

**4. Event Space with Alternate Parking and Loading**

Commercial establishments engaged in providing outdoor amusement, recreation or entertainment services by and for participants, often for the payment of a fee or admission charge, excluding Community Center and adult business uses. The outdoor event space may be used alternately as an Off-Street Parking Area or for Loading.

**11.12.4.3 Parking of Vehicles**

**A. Definition of Parking of Vehicles Use Category**

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

**B. Specific Parking of Vehicles Use Types and Definitions**

**1. Parking, Garage**

- a. Any structure, other than a private garage, for the assembling, or standing of vehicles in a structure for relatively temporary periods of time, either with or without charge for such assembling and standing, but not for repair, sale, dismantling, or commercial storage thereof.
- b. The term “Garage Parking” includes underground parking, which means a parking surface that is located a minimum of 8 feet below the Street Level and is covered by a structure which provides a surface for another use.
- c. A parking garage may include accessory off-street parking spaces required or permitted under this Code.

# ARTICLE 12. ZONING PROCEDURES & ENFORCEMENT

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## DIVISION 12.2 REVIEW AND DECISION MAKING BODIES

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

### SECTION 12.2.1 CITY COUNCIL

#### 12.2.1.1 General Authority

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

#### 12.2.1.2 Authority for Final Action

The City Council is responsible for final action regarding:

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

### SECTION 12.2.2 PLANNING BOARD

#### 12.2.2.1 General Authority

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

#### 12.2.2.2 Authority for Final Action

The Planning Board is responsible for final action regarding:

- A. District Sign Plans in the Downtown Theater zone district.
- B. District Sign Plans in the CMP-NWC, CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts.
- C. 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;

● [Amendment: 5](#)

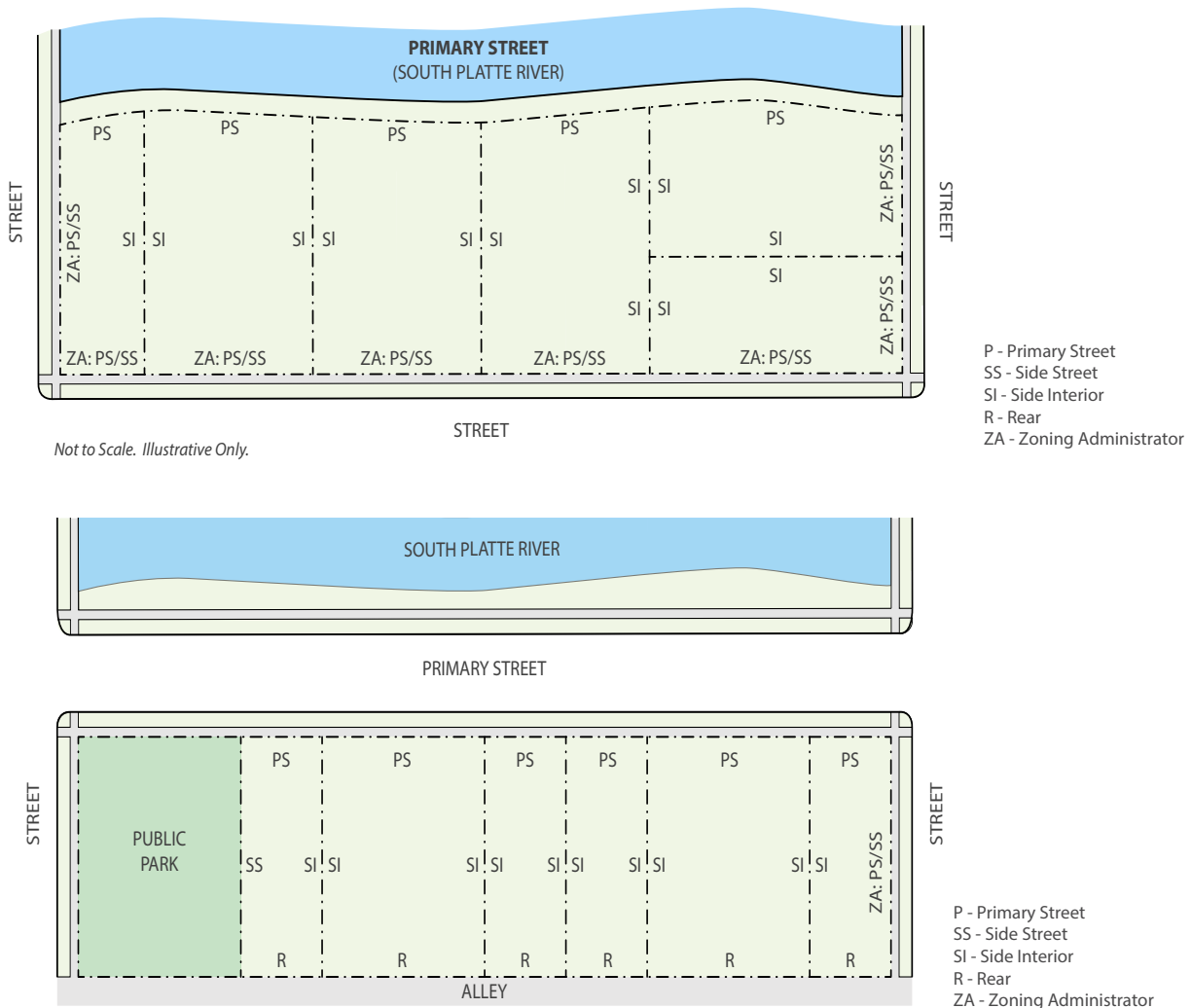
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# ARTICLE 13. RULES OF MEASUREMENT & DEFINITIONS



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**PUBLIC REVIEW DRAFT 5/3/2019**

Figure 13.1-56



**13.1.5.7 Determination of Primary Street, Side Street, Side Interior, and Rear Zone Lot Lines in the CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R Zone Districts**

**A. Intent**

To provide a reference of measurement for standards related to form and building placement while promoting pedestrian-oriented frontages and an active riverfront experience with visual interest and variety (e.g. Build-to, Setbacks).

**B. General Requirements**

- Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.
- 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.

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**C. Criteria for Zoning Administrator Determinations**

Where Section 13.1.5.7.D does not apply, 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 criterion C.1 does not apply, then the following criteria shall be used:
  - a. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
  - b. Block and lot shape.

**D. Determining Zone Lot Lines**

**1. All Zone Lots - Primary Street Zone Lot Lines**

- a. In CMP-NWC-BC, CMP-NWC-OI, and CMP-NWC-R zone districts only, any Zone Lot Line that Abuts, and is roughly parallel to, the South Platte River; or a Street that is Adjacent to the South Platte River; shall be designated as a Primary Street Zone Lot Line.
- b. In the CMP-NWC-BC zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting Bettie Cram Drive.
- c. In the CMP-NWC-G zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting National Western Drive.
- d. In the CMP-NWC-OI zone district only, the Primary Street Zone Lot Lines shall be Zone Lot Lines abutting National Western Drive and Race Court.
- e. In the CMP-NWC-R zone district only, the Primary Street Zone Lot Line shall be the Zone Lot Line abutting National Western Drive.
- f. Where a Zone Lot does not Abut any of the streets identified as a Primary Street in this Section 13.1.5.7.D, the Zoning Administrator shall designate a Zone Lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of the provisions set forth in Section 13.1.5.7.C.

**2. Interior Zone Lots - Primary Street Zone Lot Lines**

For interior zone lots in the CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R 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.

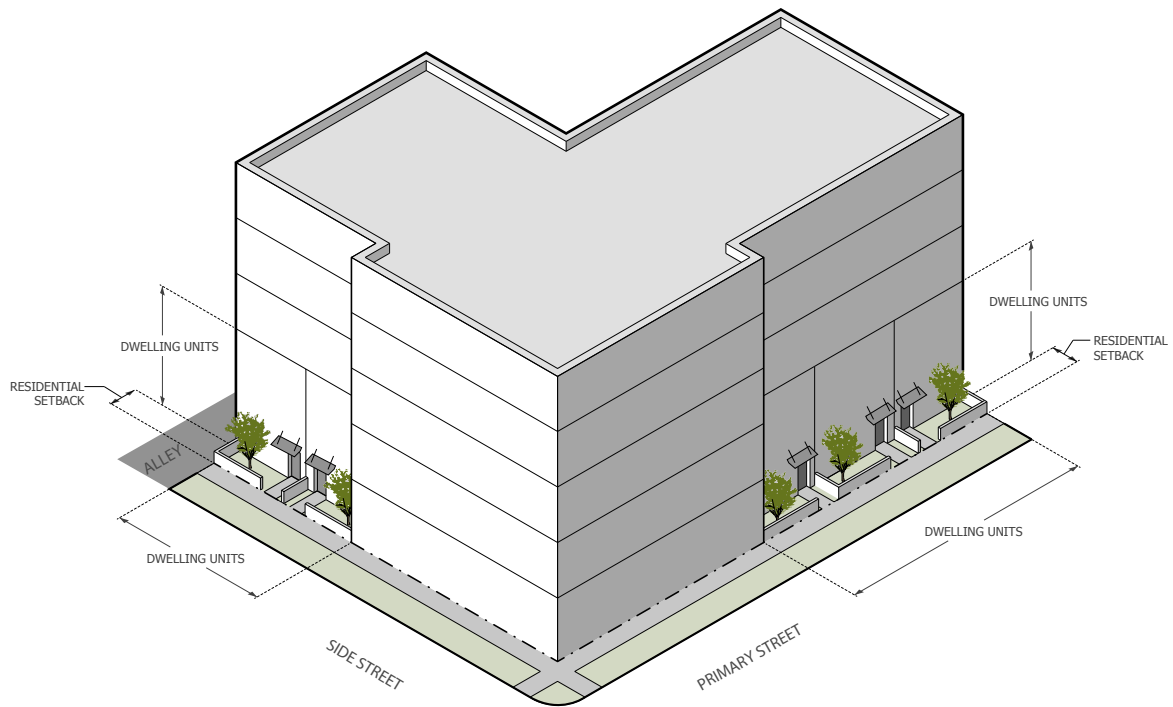
**3. Corner Zone Lot, Double Frontage Zone Lot or Zone Lot with Frontage on 3 or More Streets**

For all corner zone lots in the CMP-NWC-BC, CMP-NWC-G, CMP-NWC-OI and CMP-NWC-R zone districts:

- a. The Primary Street Zone Lot Line shall be as specified in Section 13.1.5.7.D.1.
- b. The Side Street Zone Lot Line shall be the remaining Zone Lot Line abutting a named or numbered street.
- c. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
- d. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

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Figure 13.1-68



Not to Scale. Illustrative Only.

**13.1.5.11 Primary Street Parking Setbacks**

**A. Intent**

To promote a pedestrian-oriented, active streetscape by prohibiting parking near the street.

**B. Rules of Measurement**

Primary Street Parking Setbacks provide a minimum horizontal distance between a Primary Street zone lot line and the location of an Off-Street Parking Area, measured as follows:

1. Primary Street Parking Setbacks are measured perpendicular to the zone lot line at the edge of the right-of-way abutting a named or numbered street.
2. Primary Street Parking Setbacks extend across the full width of the zone lot, overlapping with the side interior and side street setbacks as applicable.