

## Chapter 4. Zoning Districts & Uses

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### 24-401 District Intent & Applicability

- a. **Intent.** To carry out the purposes of this code, the following districts are established, with the intent given for the context and character of specific areas, the development patterns, and the types or intensity of uses and buildings. The relationship to the Comprehensive Plan is listed to guide the applicability of all zoning districts, but is not determinative in any case without considering the rezoning criteria in Section 24-204.

**Table 24-4-1: Zoning Districts & Intent**

<i>District &amp; Intent</i>	<i>Relationship to Comprehensive Plan</i>
<p><b>H-A – Holding-Agriculture.</b> The H-A district is intended for properties which have been annexed to the City and are either being used for agricultural purposes or have little or no immediate development potential. Due to the development patterns and inefficiency of providing city services, this area receives only limited infrastructure investment and is therefore used as a “pre-development” district to either preserve open and rural lands and agriculture uses, or hold areas until more coordinated planning for infrastructure, land uses, and design can occur.</p>	<p>Limited application as a pre-development area or for agriculture uses in Rural Neighborhoods</p>
<p><b>R-E - Residential Estate.</b> The R-E district is intended for very low density residential living with detached houses on larger lots or in rural patterns. The district permits limited institutional uses and less intense rural uses that are compatible with low density living. Due to the dispersed development intensity, this area receives lower levels of infrastructure and public service, and should have limited application unless mixed with an overall pattern of housing options.</p>	<p>General application in Suburban Neighborhoods.</p> <p>Limited application in other Neighborhoods for large lot options on the edges of walkable patterns; or in Rural Neighborhoods as part of conservation and open space patterns.</p>
<p><b>R-L- Residential Low Density.</b> The R-L district provides residential living (detached houses) in lower-density suburban neighborhood settings with access to supporting uses such as schools, churches, parks and other public facilities. Alternatively, it may be used for single-family areas integrated into walkable or urban neighborhood patterns.</p>	<p>General application Suburban Neighborhoods</p> <p>Limited applicability in Mixed-use, Legacy Urban, and Downtown Neighborhoods if integrated into walkable patterns.</p>
<p><b>R-M – Residential Medium Density.</b> The R-M district provides residential living (wide range of small-scale residential building types) in a compact, walkable neighborhood settings allowing a mix of housing options at strategic locations which transition to complimentary and supporting non-residential uses. A well-designed public realm provides the focal point to integrate a variety of building types with a consistent neighborhood character.</p>	<p>General application the Mixed-use, Legacy Urban, and Downtown Neighborhoods.</p> <p>Limited Application in Suburban and Rural Neighborhoods, as part of housing mix or creating walkable neighborhoods.</p>
<p><b>R-H – Residential High Density.</b> The R-H district provides multi-family residential living in a moderate-density pattern in suburban neighborhoods or higher-density, and larger-scale projects in strategic locations for walkable and urban neighborhoods. It is located in areas that have transitions between lower-density neighborhoods or more intense</p>	<p>General application the Mixed-use, Legacy Urban, and Downtown Neighborhoods; Multi-modal Corridors; and Mixed-use High-intensity Areas.</p>

**Table 24-4-1: Zoning Districts & Intent**

<i>District &amp; Intent</i>	<i>Relationship to Comprehensive Plan</i>
<p>non-residential uses and where a high level of accessibility, public amenity and support services are immediately available.</p>	<p>Limited Application in Suburban Neighborhoods, as part of housing mix or creating walkable neighborhoods.</p>
<p><b>R-MH – Residential Micro-Housing District.</b> The R- MH district provides residential living for smaller format manufactured, mobile, or other small-format residences in a planned community that shares common amenities located in areas that have transitions between lower-density neighborhoods or more intense, non-residential uses and where a high level of accessibility, public amenity and support services are immediately available.</p>	<p>Limited application on a project specific basis, considering context and design. (See Section 24-505 for specific applicability).</p>
<p><b>C-L - Commercial Low Intensity.</b> The C-L district provides small-scale retail, service, civic and employment uses to support suburban or walkable neighborhoods. Uses are compatible with residential living in terms of scale, operation, intensity, and format. This district is generally located near and well-integrated with residential neighborhoods an along minor arterial streets, or is located as a transition between more intense commercial areas and neighborhoods..</p>	<p>General application in Employment, Industrial, and Commercial Areas  Limited Application in Mixed-use Areas, Multi-modal Corridors, of Centers if integrated into walkable patterns</p>
<p><b>C-H - Commercial High Intensity.</b> The C-H district provides wide range retail, service and employment uses at a scale, intensity or in a format that requires a high level of vehicle accessibility and visibility, typically along corridors or major intersections, and is not easily integrated with other land uses or development patterns. Planned versions of this district can yield campus or mixed-use district patterns that are oriented to internal open space systems or other focal points of development.</p>	<p>General application in Employment, Industrial, and Commercial Areas  Limited Application in Mixed-use Areas, Multi-modal Corridors, of Centers if integrated into walkable patterns</p>
<p><b>MU-L - Mixed Use Low Intensity.</b> The MU-L district provides a mix of retail, service, employment, entertainment and civic uses in a walkable setting, intended for small-scale, neighborhood serving activity centers tightly integrated with and serving the daily needs of adjacent neighborhoods (typically under 15 acres before transitioning to other supporting and compatible uses and districts)</p>	<p>General Application in Neighborhood Centers; Downtown Center; Mixed-use Areas; and Employment, Industrial, and Commercial Areas  Limited Application in Mixed-Use High Intensity Areas; Regional Centers, and Multi-modal Corridors</p>
<p><b>MU-H - Mixed Use High Intensity,</b> The MU-H district provides a mix of retail, service, employment, entertainment and civic uses in a walkable setting that complements higher-density neighborhoods or serves as the center of a more intense, multi-modal community or regional destination. (Typically between 15 and 40 acres before transitioning to other supporting and compatible uses and districts.)</p>	<p>General Applicability in Mixed-Use High Intensity Areas; Regional Centers; and Multi-modal Corridors  Limited applicability in Downtown Center; and Employment, Industrial, and Commercial Areas.</p>
<p><b>I-L –Industrial Low Intensity.</b> The I-L district provides primarily service, employment, manufacturing and distribution uses at a scale, intensity and format that won't have significant impact on adjacent uses, and which can mix with supporting and compatible service and retail uses.</p>	<p>General application in Employment, Industrial, and Commercial Areas; and Airport Areas.  Limited application in Centers; Mixed-use Areas; and Multi-modal Corridors.</p>
<p><b>I-M - Industrial Medium Intensity.</b> The I-M district provides employment, manufacturing and distribution uses and a moderate scale, intensity and format, that is more compatible with high-intensity commercial uses that require a moderate degree of vehicle and freight access from arterial streets, highways or rail corridors.</p>	<p>General application in Employment, Industrial, and Commercial Areas; and Airport Areas.  Limited application in Multi-modal Corridors</p>
<p><b>I-H – Industrial High Intensity.</b> The I-H district provides for the broadest scope of manufacturing and distribution uses that are not compatible with residential or commercial activity due to the scale, operation, intensity or impacts of activities, or due to the high level of transportation access and support infrastructure required of the business.</p>	<p>Limited application Employment, Industrial and Commercial Areas, and Airport Areas</p>

**Table 24-4-1: Zoning Districts & Intent**

<i>District &amp; Intent</i>	<i>Relationship to Comprehensive Plan</i>
<p><b>C-D Conservation District.</b> The C-D district intended to provide a zoning classification for commercial mineral deposits, the floodway, farming, parks and permanent open space. It is a non-development district that can provide productive uses without significant building and infrastructure investment, or generates value to surrounding development through ecological, recreation, or aesthetic services on the land.</p>	<p>General application in Open Lands and Natural Areas, or any other natural area warranting conservation and integration into development patterns.</p>

See Chapter 10 for Special Area and Overlay Districts and Chapter 11 for Supplemental Standards in all districts.

- b. **Official Zoning Map.** The boundaries of the districts are shown on the official Zoning Districts Map on file with the Community Development Department. Electronic copies and files of this map shall reference the “Official Copy” on file with the Community Development Department, but any copy should be verified with the Department before materially relying on any electronic or other representative copy of the map.

**24-402 Allowed Uses**

- a. **Use Table.** Table 24-4-2 establishes permitted uses for each zoning districts. These uses and development standards are established to implement the intent of these district, permit a compatible range of uses within each district, and facilitate complimentary transitions between districts.
  1. The table identifies uses as;
    - (a) Permitted uses (P) subject to staff review and/or site plan approval to confirm compliance with general district and building standards applicable throughout this code.
    - (b) Use by special review (S) subject to the review process and criteria in Section 24-206.
    - (c) Uses not permitted in the district (blank).
    - (d) Uses not specifically listed in the Table shall be presumed to be prohibited, except if the Director determines that a use is similar to and has similar impacts as a use listed in the Table, then the Director may make a written determination as to the category and review required for the use.
  2. Other accessory or temporary uses may be permitted according to the standards of Section 24-403, Accessory Uses.
  3. Uses listed in the table, or more specific types of uses generally enabled in the table, may be subject to specific standards or limits in Section 24-404, Use-specific Standards.
  4. Uses in the table are more specifically described in Section 24—402.b., Description of Uses.
  5. Uses distinguished by scale are based on gross leasable area (GLA) of the uses space within buildings, size of the lot (acre), or other specified building or site features.

**Table 24-4-2: Zoning Districts & Uses**

<i>Districts</i>	R-E	R-L	R-M	R-H	R-MH	C-L	C-H	MU-L	MU-H	I-L	I-M	I-H	H-A	C-D
<b>Use</b>														
<b>Residential Uses</b>														

**Table 24-4-2: Zoning Districts & Uses**

Use	Districts														
	R-E	R-L	R-M	R-H	R-MH	C-L	C-H	MU-L	MU-H	I-L	I-M	I-H	H-A	C-D	
Single-family Dwelling	P	P	P	P		S	S	P	P				P		
Two-family dwellings			P	P		S	S	P	P						
Row House dwellings			P	P		S	S	P	P						
Multi-family Dwellings			P	P		S	S	P	P						
Mixed-use dwelling				S		P	P	P	P						
Established Residential (all types)						P	P			P	P	P	P		
Accessory Dwelling Unit (See 24-403.b)			P	P		P	P	P	P						
Mobile / Manufactured Home & Parks					P										
Boarding House & Single Room Occupancies				P		S	S	S	S						
Farming	P	P	P	P		P	P			P	P	P	P	P	
Residential Care – Group Home	P	P	P	P		P	P	P	P						
Residential Care – Assisted Living			S	S		P	P	P	P	P					
Residential Care - General				S		S	P	S	P	P					
Residential Care - Institutional				S		S	P	S	P	P					
<b>Public &amp; Civic Uses</b>															
Assembly – Limited (up to 499 occupancy)	P	P	P	P	P	P	P	P	P	P	P	P			
Assembly - General (500 – 1,500 occupancy)		S	S	S	S	S	P	S	P	P	P	P			
Assembly – Large (1,501+ occupancy; or outside)							P		P	P	P				
Cemeteries, Columbarium							P	P	P	P	P	P			
Golf Course & Country Clubs (no lights)	P	P	P	P	P	P	P	P	P	P					
Libraries, Museums, Public or Quasi-public	S	S	S	S		P	P	P	P	P	P				
Police, Fire Stations, Ambulance Dispatch & Storage	S	S	S	S		P	P	P	P	P	P				
Parks, Open Spaces & Common Areas	See Section 24-302 and 24-504 for standards applicable to all districts.														
Schools	P	P	P	P	P	P	P	P	P	P					
Schools - Adult (Business, Trade)						S	P	S	P	P	P	P			
Schools - Universities / Colleges	P	P	P	P	P	P	P	P	P	P					
Transportation – Bus, Taxi, or Transit Station							S		S	P	P	P			
Transportation – Freight & Maintenance Yard											P	P			
Transportation – Airport, Heliport / Helipad											S	S			
Transportation – Public Parking	S	S	S	S	S	S	P	S	S	P	P	P			
Transportation – Towing Services							S			P	P	P			
Utilities – Limited (towers under heights permitted by zoned and accessory structures and cabinets)	P	P	P	P	P	P	P	P	P	P	P	P			

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Use	Districts													
	R-E	R-L	R-M	R-H	R-MH	C-L	C-H	MU-L	MU-H	I-L	I-M	I-H	H-A	C-D
Utilities – General (towers over heights permitted by zone or large structures and cabinets)	S	S	S	S	S	S	S	S	S	S	S	S		
Utilities - Lines over 33 KVA, overhead	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Utilities – Co-generation or Power Plants											P	P		
<b>Commercial Uses</b>														
Adult Businesses (See also Section 24-1103)										P	P	P		
Animal Care – Limited (indoor, < 5K GLA, no boarding)						P	P	P	P	P	P			
Animal Care – General (indoor, 5K-20K GLA or boarding)						S	P	S	P	P	P			
Animal Care – Large (outdoor or > 20K GLA)										P	P			
Animal Care – Stables (> 5 boarded animals)										S	S		S	
Auction Houses (excludes livestock)										P	P	P		
Automobile - Gas Station Limited (up to 8 pumps)						S	P	S	P	P	P	P		
Automobile - - Gas Station General (9 – 20 pumps)							P		S	P	P	P		
Automobile Gas Station Large (21+ pumps)							S			P	P	P		
Automobile - Repair/Service Limited (up to 3 service bays; < 0.5 acre)						S	P	S	P	P	P			
Automobile - Repair/Service General (4-6 service bays; 0.5 – 1.0 acre)							P		P	P	P			
Automobile - Repair / Service Large (7+ service bays; > 1 acre)							S			P	P			
Automobile - Repair / Service for Heavy vehicle and Equipment											P	P		
Automobile - Sales / Rental Limited (< 0.5 acre)						S	P			P	P			
Automobile - Sales / Rental General (0.5 – 1.0 acre)							P			P	P			
Automobile - Sales / Rental Large (> 1.0 acre)							S			P	P	P		
Child Care Home (accessory / home occupation – See 24-403.c)	P	P	P	P	P	P	P	P	P	P	P	P		
Child Care Center / Pre-School						P	P	P	P	S	S	S		
Drive-through services - Accessory						See Section 24-403.e.								
Entertainment / Even Establishments							P		P	P	P			
Food & Beverage – Bar Limited (< 3K GLA; < 100 seats)							P	P	P	P	P			
Food & Beverage – Brewery / Winery; Bar General							P		P	P	P			
Food & Beverage – Restaurant Limited (< 5K GLA; < 100 seats)						P	P	P	P	P	P			
Food & Beverage – Restaurant Quick Serve							P	S	S	P	P			
Food & Beverage – Restaurant General (5K+ GLA)							P		P	P	P			
Home Occupation - Accessory	See Section 24-403.c													
Lodging – Short Term Rental	P	P	P	P	P	P	P	P	P	P			P	
Lodging – Bed & Breakfast (up to 5 rooms)				S		P	P	P	P	P				

**Table 24-4-2: Zoning Districts & Uses**

Use	Districts													
	R-E	R-L	R-M	R-H	R-MH	C-L	C-H	MU-L	MU-H	I-L	I-M	I-H	H-A	C-D
Lodging – Inn (6 to 40 rooms)							P	S	P	P				
Lodging – Hotel/Motel Small (41+ rooms)							P		S	P				
Medical – Limited (< 5K GLA; no emergency service)						P	P	P	P	P				
Medical – General (5K – 20K GLA; no emergency service)						S	P	S	P	P				
Medical – Large (> 20K GLA; or emergency service)							P		P	P				
Medical - Hospitals						S	P		P	P				
Mortuaries and Funeral Homes						P	P	P	P	P	P			
Office – General (< 20K GLA)						P	P	P	P	P	P	P		
Office – Large (20K+ GLA)							P	S	P	P	P			
Pawn Shops							P			P	P			
Personal Service – Limited (< 5K GLA, < 1.0 acre)						P	P	P	P	P	P			
Personal Service – General (5K+ GLA; 1.0+ acre)							P		P	P	P			
Recreation – Indoor Limited (< 5K GLA; < 0.5 acre)						P	P	P	P	P	P			
Recreation – Indoor General (5K - 20K GLA; 0.5 – 1.0 acre)							P	S	P	P	P			
Recreation – Indoor Large (> 20K GLA; > 1.0 acre)							P		S	P	P			
Recreation – Outdoor Limited (no lights; < 0.5 acre)						P	P	P	P	P	P			
Recreation – Outdoor General (no lights; 0.5 – 1.0 acre)							P			P	P			
Recreation – Outdoor Large (lights or > 1.0 acre)							S			S	S	S		
Recreation – RV and Travel Trailer Park							S			S	S			
Recreation – Outdoor Racetrack											S	S		
Retail – limited (< 3K GLA)						P	P	P	P	P	P			
Retail – General (3K – 20K GLA)							P	S	P	S	S			
Retail – Large (20K – 100K GLA)							P		S	S	S			
Retail – Warehouse (> 100K GLA)							S		S	S	S			
Retail – Outdoor Limited (> 25%; > 0.5 acre)							P	S	P	P				
Retail – Outdoor General (25% - 50%; 0.5 – 1.0 acre)							P		S	P				
Retail – Outdoor Large (> 50%; > 1.0 acre)							S			P	P			
Retail – Outdoor Nurseries and Greenhouse							P		P	P	P			
Retail – Outdoor Flea Market or Swap Shop											P	P		
<b>Industrial Uses</b>														
Auto Dismantling, Junk & Salvage Yards												S		
Commercial Services – Limited (up to 9 vehicle fleet)							P			P	P	P		
Commercial Services – General (11 – 20 vehicle fleet)							S			P	P	P		

Table 24-4-2: Zoning Districts & Uses														
Use	Districts													
	R-E	R-L	R-M	R-H	R-MH	C-L	C-H	MU-L	MU-H	I-L	I-M	I-H	H-A	C-D
Commercial Services – Large (21+ vehicle fleet)										S	P	P		
Concrete and Asphalt Batch Plants											P	P		
Crematoriums										P	P	P		
Foundries												S		
Gravel & Mineral Extraction, Batch Plants														S
Grain & Feed Elevators & Supply												S		
Livestock Auctions												S		
Manufacturing – Limited / Artisan (< 5K GLA)						S	P	P	P	P	P	P		
Manufacturing – General (5K – 100K GLA)										P	P	P		
Manufacturing – Large (> 100K GLA)											P	P		
Manufacturing – Food & Beverage Minor (up to 3 acres)							P		P	P	P	P		
Manufacturing – Food & Beverage Major (3+ acres)											S	S		
Manufacturing – Chemical Plant											S	S		
Manufacturing – Rendering, Slaughter & Packaging												S		
Oil & Gas Operations	See Section 24-1102 for standards and procedures applicable in all districts													
Research & Testing Labs							P		P	P	P	P		
Warehousing / Storage – Indoor Limited (< 50K GLA; < 1.0 acre)							P		S	P	P	P		
Warehousing / Storage - Indoor General (50K-200K GLA; 1.0 – 5.0 acre)							P			P	P	P		
Warehousing / Storage – Indoor Large (> 200K GLA; > 5.0 acres)							S			S	P	P		
Warehouse / Storage– Distribution Center										S	P	P		
Warehouse / Storage – Outdoor Limited (< 1.0 acre)							S			S	P	P		
Warehouse / Storage – Outdoor General (1.0 + acre)										S	P	P		
Warehouse / Storage – Bulk Storage of Flammable Liquids and Gases											P	P		
Waste Management – Recycling Collection Small						S	P	S	P	P	P	P		
Waste Management – Recycling Processing & Collection							P			P	P	P		
Waste Management – Refuse & Transfer Station											S	S		
Water & Waste Water Treatment Plants											P	P		
Well Drilling Companies											P	P		
Wireless Communication Facilities	See Section 24-1101 for standards and procedures applicable in all districts													

- b. **Description of Uses.** This section provides descriptions of uses of land and buildings associated with Table 24-4-2 Allowed Uses. It is organized by Categories and Types of uses. Where a proposed use is not generally listed or appears to meet the description of more than one

use type, the Director shall make an interpretation on the most equivalent described use considering:

- (1) The similarity of the use in terms of scale, impact, and operations to other described uses;
- (2) The typical building format and site design associated with the use based on relevant and established examples; and
- (3) The compatibility of the use with other allowed uses in the zoning district, and the potential for the use to contribute to the intent of the zoning district.

Any uses that may not be interpreted as equivalent to a use in Table 24-4-2 is not anticipated by these regulations and may only be allowed by a text amendment.

1. *Residential Dwelling.*

The Residential Dwelling category is the principal use of land and buildings for dwelling units. A dwelling unit is one or more connected rooms, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease as a single unit on a monthly basis or longer, physically separated from any other room or dwelling units which may be in the same structure and served by no more than one gas meter and one electric meter. The arrangement and extent of dwelling units depends on the zoning district uses and building types:

*Dwelling, Single-family.* A residential building designed and used as a single detached dwelling unit by one family, other than a mobile home. Typical building types are detached houses, with variants based on lot sizes. The term single-family residence shall include a manufactured home which:

- (1) Is partially or entirely manufactured in a factory;
- (2) Is installed on an engineered permanent foundation; and
- (3) Is certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, et seq., as amended, and all regulations enacted pursuant thereto, including any local modifications as are expressly allowed by federal law, or which has been certified by the State of Colorado as being in compliance with the requirements of the Uniform Building code, as adopted by the State of Colorado and as is enforced and administered by the Colorado Division of Housing.

*Dwelling, Two-family.* Residential building designed to accommodate 2 primary dwelling units in a building designed and scaled to be compatible with detached houses, and which may commonly be referred to as a duplex or multi-unit house (with two units). Two-family buildings that share a single common wall may be on a single lot, or may be platted as separate lots along the common wall line subject to the building code and platting restrictions. All other two-family dwellings shall be on a single lot. Duplex / multi-unit houses shall have a scale, design, orientation, access, and entrance features that maintains the appearance and form similar to a detached house.

*Dwelling, Row House.* A multi-unit residential building designed for 3 to 8 dwelling units each sharing a common wall with the abutting units. Each unit has its own private entry presenting an outward appearance on the frontage as distinct units in a single building. Units may be on a single lot subject to common ownership restrictions or platted on separate lots along the common wall subject to building code and platting restrictions.

*Dwelling, Multi-family.* A residential building that contains three or more dwelling units, or group of similar buildings in a complex. Typical building and lot types include multi-unit houses (provided they maintain the scale, design, orientation, access and entrance features similar to a detached house), small apartments, medium apartments, large apartments, apartment complexes, and mixed-use buildings with residential uses.



*Dwelling, Mixed-use (apartment over commercial / service).* A residential use in a building designed for street level retail, service or employment uses, and where dwelling units are accommodated on upper stories, or otherwise separated from the principal commercial function of the building.

*Dwelling, Established Residential (all types).* Any residential building and use, legally established at when it originated but where new development of the same use or similar building type is no longer permitted in the zoning district. These uses shall be permitted so that continued use and further investment in the building and use is not discouraged.

*Dwelling, Accessory Unit.* A dwelling unit that is secondary and accessory to a principal dwelling unit and on the same lot. Accessory dwelling units may be in the same building as the principal dwelling unit (basement or attic apartments) or in a detached accessory structure (garage apartment or “granny flat”).

*Mobile / Manufactured Home Park.* A parcel of land planned and designed for multiple home sites for the placement of manufactured, mobile or other small homes, and used for the principal dwelling of households for long-term residency. These communities include internal common areas, circulation systems and accessory uses and facilities to support the community. Dwellings may either be located on home sites designated within a larger project or on single lots owned through appropriate condominium procedures or platted under certain conditions.

*Boarding House & Single Room Occupancy.* A residential building is used to accommodate boarders or roomers as the primary residential dwelling, and whose occupants shall have common access to facilities such as kitchen, bathroom, dining areas, or community areas. Boarding and single-room occupancies houses shall be rented or leased on a monthly basis or longer, and not include hotels, motels and lodges.

*Farming.* The production of crops such as vegetables, fruit trees or grain; the growing of trees and shrubs for landscape purposes; and the raising of farm animals such as poultry or swine, as limited by the standards for accessory keeping of livestock. Farming shall not include the commercial raising of animals, commercial production of milk, commercial pen feeding (feed lots) or the commercial feeding of garbage or offal to swine or other animals.

*Residential Care - Group Home.* A residential building operated as a single primary dwelling which provides residency, supervision, and other services for up to 8 persons who are in need of special care due to being developmentally disabled, mentally ill, 60 years of age or older, or due to physical condition, illness, or social or behavioral problems. Group homes require up to 2 residential caregivers, and shall be licensed by, operated by, or owned by a governmental agency or non-profit qualified to provide care and supervision. Group homes shall not include alcoholism or drug treatment centers, work release facilities or other housing facilities serving as an alternative to incarceration and shall not house more than one individual per dwelling who is required to register as a sex offender under the provisions of Section 18-3-412.5, C.R.S

*Residential Care – Assisted Living.* A residential building or planned community operated as the primary residence for persons who do not have an illness, injury or condition that requires 24-hour care or supervisions, but who need social, physical, and therapeutic and recreation support for daily living. Support services are accessory to the residential use and character of the buildings and area, and do not require 24-hour staffing, other than security. Typical examples include assisted living, group homes larger than 8 individuals, and retirement communities.

*Residential Care - General.* A residential or institutional building, or group of buildings, designed to provide a primary or interim residence and health care for persons who require care on a full-time basis. Medical support, rehabilitative services, and counseling is provided by professional, nursing and medical staff on site. Accessory support uses include meals, therapeutic services, transportation and recreation. Typical examples include nursing homes, long-term care facility, continuing care facility, congregate care communities, or hospices.

*Residential Care – Institutional.* A residential or institutional building operated by a government, non-profit, charitable or religious organization providing temporary housing, food, counseling and other support services to persons at risk, on an interim basis and with transitional, protective, or rehabilitative goals. Security and supervisory services are required on-site. Typical examples include emergency shelters, missions, rehabilitation residence, halfway houses.

## 2. *Public / Civic*

The Public / Civic use category is the use of land and buildings to serve public or community interest by enhancing the daily cultural, social, or recreation needs for residents and neighborhoods. It can include uses generally available to the public at large, community uses structured by voluntary affiliation, or private uses limited by property ownership or membership. It includes the following types:

*Assembly.* A civic use designed to serve the community for regular or periodic events, including worship, social, cultural, recreation, and accessory uses associated with organized civic or institutional activities.

*Assembly – Limited (up to 499 occupancy).* A place of assembly designed and located to serve nearby neighborhoods, typically designed for up to 499 people. Examples include small neighborhood association clubhouse, meeting hall, or small religious facility.

*Assembly – General (500 - 1,500 occupancy).* A place of assembly designed and located to serve the broad community at large, typically designed for 500 – 1,500 people. Examples include a community/recreation center, small event hall, or large religious facility.

*Assembly – Large (1,501+ occupancy, or outside).* A place of assembly designed and located to serve as a destination for the city or region, typically designed for more than 1,500 people, or where any facility is designed for outside assembly. Examples include an auditorium, large event hall, major worship hall, convention and conference center, or any assembly use with a small outside amphitheater.

*Cemeteries and Columbarium.* A public or civic use where land or buildings are used for the burial of the deceased and dedicated for interment purposes, including gravesites or buildings used for the interment of ashes of cremated dead.

*Golf Courses & Country Clubs (no lights).* A public or civic use and designed and dedicated for playing the game of golf, run by a public agency or a private club operated on a membership basis. This includes accessory facilities and structures related to playing golf, but shall not include any lights, activities, or associated events not compatible with outdoor recreation in a residential setting. (See Recreation – Outdoor for commercial recreation activities).

*Libraries, Museums, Public or Quasi-public.* A public or civic use which provides resources and exhibits to support education, culture, and information exchange open to the public at large.

*Police, Fire Stations, Ambulance Dispatch & Storage.* A public use that supports the community at large by through public health and safety, protective or related services. Examples include police and fire stations, dispatch, and related facilities, or similar government and quasi-government buildings and grounds.

*Parks, Open Spaces & Common Areas.* Any parcel or area of land or water permanently reserved for public and/or private use and enjoyment, which is generally open, undeveloped, and characterized by natural features and landscape enhancements, except for facilities to serve the social, recreational, aesthetic, or environmental function of the space. (See Section 24-302 and 24-504 for standards applicable to all districts.)

*School.* A public or civic building designed, constructed, or used for education or instruction in any branch of knowledge.

*School, adult (business, trade).* A public or private school primarily teaching useable skills to adults, including, but not limited to, business, vocational, driving and trade courses.

*School, compulsory.* A public or private elementary, junior high or high school licensed by the state and which meets state requirements for providing compulsory education.

*Schools – University / College.* A public or private institution dedicated to post-secondary education.

*Transportation – Bus, Taxi, or Transit Station.* A public transportation facility designed for the transfer, pick-up and drop-off of passengers traveling by bus, taxi, trolley, or similar low-impact means, including with buildings or associated passenger convenience facilities, distinguished from public stops accommodated in the design of the right-of-way.

*Transportation - Freight & Maintenance Yard.* An area and/or building where storage, maintenance, or dispatch of vehicles used for public transportation occurs, or any other similar high-intensity activities associated with public transportation.

*Transportation – Airport, Heliport, or Helipad.* Any area of land or water designed for the landing and take-off of aircraft for business or commercial purposes, including all necessary facilities for passenger and cargo loading, maintenance and fueling facilities and housing of aircraft. This includes any area used by helicopters for landing and take-off, passenger and cargo loading.

*Transportation – Public Parking.* A parcel of land where the principle use is to park vehicles whether on a fee basis operated by a public or private entity or whether to support an adjacent use or business located on a different lot. Parking may be on a surface lot or in a structure.

*Transportation – Towing Service.* A parcel of land used for the storage, impoundment, and retrieval of vehicles that have been towed.

*Utilities – Limited.* Any aboveground structure or facility, excluding buildings, which is owned by a governmental entity or any entity defined as a public utility for any purpose by the state public utilities commission, and used in connection with delivery of utility services to nearby lots and other areas, with maximum heights of towers and accessory structures under those permitted by the zoning district. Examples include accessory utility structures that served customary needs of the uses in the zoning district.

*Utilities – General.* Any aboveground structure or facility, which is owned by a governmental entity or any entity defined as a public utility for any purpose by the state public utilities commission, and used in connection with delivery of utility services to nearby lots and other areas, with maximum heights of towers and accessory structures above those permitted by the zoning district. Examples include substations or other facilities that support the storage and generation of facilities.

*Utilities – Lines over 33KVA, overhead.* Any utility that utilizes overhead lines that transmit above 33 kilo volt amperes.

*Utilities – Co-generation or Power Plants.* A facility which is owned by a governmental entity or any entity defined as a public utility for any purpose by the state public utilities commission, and used for generating of power for distribution to sub-stations or other general accessory distribution facilities.

### 3. *Commercial.*

The Commercial use category is the use of land and buildings for entities engaged in sale of products or services, the limited production and distribution of products, or other administrative or support services to help businesses. It includes the following types of uses:

*Adult business.* Any store, establishment, tavern, club or theater having a substantial portion of its stock in trade, books, magazines or other periodicals; video movies, films, slides or photographs; instruments, devices or paraphernalia; or live performances, which are characterized by their emphasis on matters depicting, describing, or related to specified anatomical areas or specified sexual activities. For the purposes of this definition, a business shall not be considered an adult business if it carries less than 20 percent of its stock in adult materials and it prevents the public from viewing or observing merchandise or products that depict specified anatomical areas or specific sexual activities, as may be displayed by the products or on the packaging.

1. *Specified anatomical areas* means:

- (a) Less than completely and opaquely covered human genitals, pubic region, buttocks and female breast above or below a point which would expose any portion of the areola; and
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2. *Specified sexual activities* means:

- (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast;
- (b) Human genitals in a state of sexual stimulation or arousal;
- (c) Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
- (d) Masturbation, actual or simulated; or
- (e) Excretory functions as part of or in connection with any of the activities set forth in subsections (2)a through d of this definition.

*Animal Care.* A commercial use that provides care and medical or non-medical services for domesticated animals, including boarding, training, breeding, showing, treatment, grooming, or sale. Animal care is further refined by the scale and intensity of the operations, as follows (for Non-domesticated animals and livestock, see *Farming, and limits on the accessory keeping of Livestock*):

*Animal Care - Limited.* A small office or facility providing animal care that involves less than 5,000 square feet of commercial area, all activities occur indoors (except routine daily pet care), and any overnight boarding is limited to that necessary for medical care or observation. Examples include a veterinary office, pet grooming or training, and small animal day cares.

*Animal Care – General.* A moderate sized office or facility providing animal care that is between 5,000 to 20,000 square feet of commercial space, or that involves animal boarding. Examples include a veterinary clinic, animal shelters, and indoor commercial kennels.

*Animal Care – Large.* A large office or facility providing animal care that is more than 20,000 square feet of commercial space, or has significant outdoor activity including boarding kennels or play areas where animals may ordinarily be kept and . Examples include domestic animal hospitals, large facilities for pet daycare, and large commercial/outdoor kennels

*Animal Care – Stable (>5 boarded animals).* A commercial use for the keeping, boarding and/or training of horses, ponies, llamas, mules or other animals which may be used for riding purposes, for compensation and which may include an arena.

*Auction House.* A business that facilitates the buying and selling of assets, such as works of art, collectibles, household estate items, and other personal property. Auction House excludes selling of livestock.

*Automobile – Gas Station.* A specific retail use engaged in the sale of fuel to the general public, and may involve limited accessory sales of convenience goods. This use may be combined with accessory vehicle

service and repair uses, subject to the service bay limitations stated below. Vehicle – Gas Station uses are further refined by the scale, format and intensity as follows.

*Automobile - Gas Station, Limited (up to 8 pumps).* A vehicle gas station limited to no more than 8 fueling stations, no more than 2 service islands, no more than 2 accessory vehicle service bays and no more than 1,500 square feet of accessory retail or service areas. Examples include small, neighborhood service stations.

*Automobile - Gas Station, General (9-20 pumps).* A vehicle gas station limited to between 9 and 20 fueling stations, no more than 5 service islands, no more than 3 accessory vehicle service bays and no more than 5,000 square feet of accessory retail or service areas. Examples include general stores and gas stations.

*Automobile - Gas Station, Large (21+ pumps).* A vehicle gas station that contains more than 20 fueling stations, more than 5 islands, and up to 4 accessory vehicle service bays and no more than 5,000 square feet of accessory retail or service areas. Examples include a large convenience center and gas station, or truck stops and travel centers.

*Automobile – Repair / Service.* A specific service use engaged in motor vehicle and mechanical equipment maintenance and repair services, and accessory retail sale of supplies and accessories. Automobile Repair / Service is further refined by scale, format and intensity as follows:

*Automobile – Repair / Service – Limited (up to 3 service bays; 0.5 acre max.).* An automobile service and repair use limited to no more than 3 vehicle service bays, all vehicles are under 1.5 tons G.V.W, where all work and storage of equipment and supplies occurs indoors, and where on-site or overnight storage of vehicles is limited and requires no special site accommodations other than ordinary parking areas. Sites are limited to no more than 0.5 acres. Examples include a small machine shop, mechanic, lubricant center, tire store, auto glass installation or audio or alarm installation.

*Automobile – Repair / Service – General (4-6 service bays; 1.0 acre max).* An automobile service and repair use that involves 4 to 6 service bays, all vehicles are under 1.5 tons G.V.W, where all work and storage of equipment and supplies occurs indoors, but where on-site or overnight storage of vehicles may be stored outdoors on the lot. Sites are limited to no more than 1.0 acre. Examples include large mechanic shop, lubricant center, tire store, non-accessory car wash, or an auto body shop.

*Automobile – Repair / Service – Large (7+ service bays; 1.0+ acres).* An automobile service and repair use that involves 7 or more service bays, all vehicles are under 1.5 tons G.V.W, where all work and storage may occur outdoors and where on-site or overnight storage of vehicles and outdoor storage is typical. Sites are more than 1.0 acres. Examples include large service center, auto body and frame repair facilities, transmission and engine overhaul yards, or automobile painting facilities.

*Automobile – Repair / Service for Heavy Vehicles & Equipment.* An automobile service and repair use engaged in the maintenance and repair of motor vehicles, recreational vehicles or boats, commercial vehicles, heavy equipment and other vehicles over 1.5 tons G.V.W., and other similar uses where services typically involve outside storage or work. Examples large vehicle maintenance, large truck or boat wash, and equipment yards.

*Automobile – Sales / Rental.* A commercial business engaged in the sale, lease, or rental of automobiles. Automobile – Sales / Rental is further refined by scale, format and intensity as follows:

*Automobile – Sales / Rental – Limited (< 0.5 acres).* An automobile sales / rental facility on less than ½ acre that uses outdoor vehicle storage at a similar scale to a small-site commercial

parking area. Examples include an automobile broker that may have little or only temporary on-site storage, or a small car rental office.

*Automobile – Sales / Rental – General (0.5 - 1.0 acres).* An automobile sales / rental facility on between ½ and 1.0 acre, where outdoor vehicle storage occupies a large portion of the site. Examples include a small car dealership, or a larger rental car facility.

*Automobile – Sales / Retail Large (> 1 acre).* An automobile sales / rental facility on more than one acre that includes significant amounts of outdoor vehicle storage. Examples include a large car dealership or car or truck rental facility

*Child Care Home.* A residential dwelling licensed by the Colorado Department of Human Services to provide child care services as a home occupation and an accessory use to the operator's principal residence. The facility may provide care for up to 12 children, and subject to greater restrictions based on Colorado Department of Human Services licensing rules as an accessory use to the operator's principal residence.

*Child Care Center.* A commercial use that provides care for children outside of the home, or any care for more than 12 children.

*Entertainment / Event Establishment.* A commercial use that rents facilities and grounds for special events, concerts, social functions, or other large gatherings. This use does not include any events that are accessory to an otherwise permitted civic, institutional, or commercial use.

*Food & Beverage.* A specific service and retail use engaged in the business of serving prepared food and/or beverages to the public for immediate consumption. Food and beverage uses are further refined by scale, format and intensity based on the following:

*Food & Beverage – Bar Limited (Under 3K; under 100 seats).* A food & beverage use where a significant portion of the business, in sales and in hours of operation, involves the sale of alcoholic liquors by the drink for consumption on premises, and food services is secondary or accessory. The limited use requires under 3,000 square feet and under 100 seats to ensure compatibility with other neighborhood-serving or small-scale uses in terms of intensity of activity and hours of operation.

*Food & Beverage – Brewery / Winery; Bar General.* A food & beverage use where a significant portion of the business, in sales and in hours of operation, involves the sale of alcoholic liquors by the drink for consumption on premises, and may include accessory craft manufacturing of alcoholic beverages. This general use is of a scale and intensity that frequently has accessory live entertainment or events and where the scale and intensity of the use is more compatible with general commercial uses.

*Food & Beverage - Restaurant Limited (under 5K; under 100 seats).* A small scale restaurant under 5,000 square feet and under 100 seats at full capacity.

*Food & Beverage – Restaurant Quick Serve.* A food and beverage use where the food is served from a counter ready to eat with no significant table service, and where the customer turnover will be high due to any combination of accessory drive-through services, carry out orders, or quick sit-down services

*Food & Beverage - Restaurant General (5K+).* A large scale restaurant with over 5,000 square feet of commercial area or over 100 seats.

(for accessory drive-through facilities see Section 24-403.e.)

*Home Occupation – Accessory.* A business or employment use accessory to an allowed residential dwelling. (See 5.03.c)

*Lodging.* A commercial use providing accommodations for temporary, short-term overnight occupancy on at least a 24-hour basis, and accessory uses associated with typical guest services such as food service, recreation or similar accommodations to support overnight-guests. Lodging is refined to the following scales based on building type, format and intensity of use.

*Lodging – Short Term Rental.* The rental of a dwelling unit, or portion thereof, for less than one month.

*Lodging – Bed & Breakfast (up to 5 rooms).* A small residential building used for lodging, meals, and shared living space between the primary occupants and patrons and includes at least 2 but no more than 5 rooms.

*Lodging – Hotel / Motel Small (6 to 40 rooms).* A small commercial or large residential building providing lodging and includes at least 6 but no more than 40 rooms.

*Lodging – Hotel / Motel General (40+ Rooms).* A large commercial building providing lodging and includes 41 or more rooms.

*Medical Care.* A commercial service use providing medical, dental, or physical health or wellness care to the public. This use type is further categorized by the following formats.

*Medical Care – Limited (Under 5K).* A medical care use offering routine outpatient services, that occupies less than 5,000 square feet of diagnostic or treatment area, includes no surgical or inpatient facilities, and operates in normal business hours. Examples include a small doctor or dentist office, eye-care center, or urgent care center that is accessory to a larger retail or pharmacy use.

*Medical Care – General (5K – 20K).* A medical care use offering routine outpatient services, that occupies between 5,000 and 20,000 square feet for diagnostic or treatment areas, includes no inpatient facilities, and operates in normal business hours. Examples include a larger doctor or dentist group practice, small clinic or analytical lab, or small outpatient urgent care or surgical center.

*Medical Care – Large (>20K).* A medical care use offering a full range of services that occupies over 20,000 square feet for diagnostic or treatment areas, and may include emergency care, surgical services or other inpatient treatment. The use may include accessory retail, food service, pharmacy or wellness/fitness uses. Examples include small hospital, remote surgical centers, or large clinic or analytical labs.

*Medical Care – Hospitals.* A medical care use with a full range of diagnostic, surgical, and emergency services, and occupies a large commercial building or multiple buildings arranged around a campus that serves a greater region. It includes a wide range of accessory office, lab, and retail uses related to patron, patient, and visitor needs. Examples include a large hospital or regional medical center campus.

*Mortuaries and Funeral Homes.* A building used for human funeral services, which may contain space and facilities for services used in preparation of the dead for burial; the storage of caskets, urns, and other related funeral supplies; and the storage of funeral vehicles. Funeral homes shall not include crematoriums as accessory uses.

*Office.* A commercial use focused on employment and engaged in the administrative, professional, clerical or management aspect of business or professional services that typically do not have frequent or

unscheduled on premise interaction with the public or clients. Office uses are further refined by the scale and format of buildings based on the following:

*Office – General (under 20K).* An office use in a small commercial building with under 20,000 square feet, typically within one moderate-sized building

*Office – Large. (20K+).* An office use in a large commercial building or multiple buildings in a complex or campus, with over 20,000 square feet.

*Pawn Shops.* A commercial use engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of such property.

*Personal Service.* A commercial use engaged in the business of providing personal or professional services to the public that may include frequent or unscheduled interaction with clients or customers on-premises. Examples include barbershop or beauty salon, travel agency, small equipment repair, tailor, bank or personal financial services. Service uses are further refined by scale, intensity and format based on the following:

*Personal Service – Limited (under 5K; under 1 acre).* A service use under 5,000 square feet, typically in line with other small-scale uses in a multi-tenant commercial building or in mixed-use building on a site of less than 1 acre.

*Personal Service – General (5K+; 1+ acre).* A service use between of 5,000 square feet, in a small freestanding building or part of a large mixed-use building

*Recreation.* A commercial service use engaged in the business of providing daily or regularly scheduled activities for entertainment, leisure activities, training and instruction, or exercise, offered to the public through individual, membership, or group arrangements. This use type is further refined by the scale, format and intensity as follows:

*Recreation – Indoor, Limited (< 5K; < 1.0 acre).* An indoor recreation/entertainment use that involves a building less than 10,000 square feet. Examples include a small bowling alley, fitness club, billiard hall, or dance or yoga studio.

*Recreation – Indoor, General (5K – 20K; 0.5 – 1.0 acre).* An indoor recreation/entertainment use that involves a building between 10,001 square feet and 40,000. Examples include a large bowling alley, a small sports and recreation center, a small theater, large health club or fitness center, or small shooting range.

*Recreation– Indoor Large (> 20K; > 1.0 acre).* An indoor recreation/entertainment use that involves a building more than 40,000 square feet. Examples include a large sports and recreation center, skating ring, or theater complex.

*Recreation– Outdoor, Limited (no lights; < 0.5 acre).* An outdoor recreation use that involves less than 2 acres of active outdoor recreation grounds. Examples include a small pickle ball center, batting cages, or small community center.

*Recreation/Entertainment – Outdoor, General (no lights; 0.5 – 1.0 acre).* An outdoor recreation use that involves less between 2 and 5 acres of active outdoor recreation grounds. Examples include miniature golf, swimming pool, tennis center, small band shell or amphitheater.

*Recreation/Entertainment – Outdoor, Large (lights or > 1.0 acre).* An outdoor recreation use that involves more than 5 acres of active outdoor recreation grounds. Examples include waterpark, drive-in theater, shooting range, driving range, sports and athletic complex.



*Recreation – RV and Travel Trailer Park.* An outdoor recreation use providing overnight accommodations within a large open area for recreational purposes and may involve associated accessory buildings or facilities for parking RVs on a temporary basis for recreation or vacation purposes.

*Recreation – Outdoor Racetrack.* An outdoor recreation use for racing of any motorized vehicles.

*Retail.* A commercial use primarily engaged in the sale of products for final use to the general public with frequent interaction of patrons or consumers on premises. Retail uses are further refined by scale, intensity and format based on the following:

*Retail – Limited (< 3k).* A small-scale retail use contained in a building with under 3,000 square feet of gross leasable area.

*Retail – General (3K-20K)* A retail use contained in a building with at least 3,000 but less than 20,000 square feet of gross leasable area.

*Retail – Large (20K – 100K).* A large-scale retail use contained in a building with at least 20,000 but less than 100,000 square feet of gross leasable area.

*Retail – Warehouse (100K+).* A large-scale retail use contained in a building with at least 100,000 square feet of gross leasable area.

*Retail – Outdoor Limited (less than 25%; up to 0.5 acres).* A retail use where a small portion of the merchandise is displayed permanently outside, limited to no more than 25% of the merchandise area being outside and limited to sites no more than 0.5 acres. Examples include a garden center, statuary store, or small equipment dealer. This does not include accessory outdoor sales and display areas that may be permitted as an accessory use to an otherwise permitted use or seasonal events that may be permitted through a temporary use permit.

*Retail – Outdoor General (less than 50%; up to 1 acre).* A retail use where a significant portion of the merchandise is displayed permanently outside, limited to no more than 50% of the merchandise area being outside and limited to sites no more than 1.0 acres. Examples include a lumber yard, large equipment rental or dealer, or small landscape supply store.

*Retail – Outdoor Large (over 50% or more than 1 acre).* A retail use where a substantial portion of the merchandise is displayed permanently outside, including more than 50% of the merchandise area being outside or sites more than 1.0 acres. Examples include a, equipment sales lot, boat or recreational vehicle sales lot, large machine or farm implement sales yard.

*Retail – Outdoor Nurseries and Greenhouses.* A retail use engaged in the sale of plants and other living vegetation, and where substantial portions of the merchandise is displayed outside.

*Retail – Outdoor Flea Market or Swap Shop.* A retail use where a large number of vendors will display merchandise indoors or outdoors on a short term or interim basis.

#### 4. *Industrial.*

The Industrial use category involves the use of land and buildings for businesses engaged in the production, processing, storage or distribution of goods, which may have potential impacts beyond the site due to the types of activities, the physical needs of the site or facility, the types of materials used, or the delivery and access operations. Depending on the scale, intensity, and operations of these uses they may not be compatible with other uses or buildings, and may need special districts, more careful location criteria, and/or increased site design or operational limitations in order to be more generally applicable in the City.

*Auto Dismantling, Junk & Salvage Yards.* An industrial use for collecting, storing or selling scrap metal or discarded material or for collecting, dismantling, storing, salvaging or demolishing vehicles, machinery or other material and including the sale of such material or parts.

*Commercial Services.* A business engaged in service to other businesses and industries, or engaged in services to the general public but where industrial uses support the service, or where services dispatched from a central location for storage of vehicles, equipment, or merchandise. Examples include plumbing, exterminators, HVAC repair, janitorial services, commercial laundry services, or other similar uses.

*Commercial Services – Limited (< 10 vehicle fleet).* A small-scale commercial service use with limited outdoor storage needs and with a vehicle fleet less than 10 vehicles, where surface parking and vehicle storage needs are similar to other general commercial uses.

*Commercial Services – General (10 – 20 vehicle fleet).* A commercial service use where outdoor storage is necessary or with a vehicle fleet between 10 and 20 vehicles, requiring dedicated areas for storage of vehicles during down times or off hours.

*Commercial Services – Large (21+ vehicle fleet).* A large-scale commercial service use that may have substantial outdoor storage needs or with vehicle fleet is more than 20 vehicles, requiring large areas for storage of vehicles or equipment.

*Concrete and Asphalt Batch Plant.* A facility or equipment used in mixing the dry warm aggregate, padding and asphalt for homogeneous mixture at the required temperature, typically in association with a street, large parking area or other large-scale construction project, sometimes on a temporary or interim basis.

*Crematoriums.* A place for the cremation of human or animal remains.

*Foundries.* An industrial use for producing castings in molten metal.

*Gravel & Mineral Extraction, Batch Plant.* The process of extracting metallic or nonmetallic mineral deposits from the earth and crushing, separating or otherwise processing the extracted mineral deposits into a useable form.

*Grain & Feed Elevators & Supply.* An industrial use that stores grain and similar agriculture and feed products in bulk for storage, processing, or distribution to other locations.

*Livestock Auction.* A business that facilitates the buying and selling of livestock, including showing, housing, and otherwise caring for livestock to facilitate the purchase.

*Manufacturing – Limited / Artisan (under 5K).* A small-scale manufacturing use converting prepared materials into finished products. The activities produce little or no byproducts such as smoke, odor, dust, or noise discernable from outside of the building where deliveries and distribution are made by general consumer delivery services requiring no special large truck access, and where products are made available to the general public. Uses occupy buildings or spaces under 5,000 square feet of gross leasable area. Examples include artists' studios, small wood or metal shops, craft manufacturing, small bakery, or other similar small-scale assembly of finished products.

*Manufacturing – General (5K – 100K).* A manufacturing use converting prepared materials into finished products or parts. The activities produce little or no byproducts such as smoke, odor, dust or noise are discernable from outside of the building, and where distribution and delivery needs occur through light to moderate commercial truck access. Examples include small equipment or commodity assembly, production of consumer products, or similar businesses.

*Manufacturing – Large (100K+).* A large-scale manufacturing use converting raw or previously prepared materials into other materials or finished products. The activities may produce byproducts such as noise, dust, smoke or odor, but are mitigated to limit impacts beyond the property boundary. Outside storage and activities may be necessary, and distribution and delivery needs involve frequent or large truck access. Examples include large-scale manufacturing or fabrication plants, large equipment assembly, metal fabrication plants, chemical laboratories or other similar high-intensity manufacturing or distribution operations.

*Manufacturing - Food and Beverage Minor (up to 3 acres).* A manufacturing establishment primarily for packaging, producing or processing foods for human consumption that meets the definition of *food and beverage processing (major)* but which also dedicates a portion of the building footprint's square footage (a minimum of ten percent [10%], up to fifty percent [50%]) to sales of food, beverages and/or other retail for on-premises purchase and/or consumption; and which occupies a site of three (3) acres or less; and which cannot generate offensive odors, emissions, traffic or other off-site impacts or shall otherwise be considered a major food processing facility.

*Manufacturing - Food and Beverage Major (3+ acres).* A manufacturing establishment packaging, producing or processing foods for human consumption and certain related products and includes, but is not limited to the following: (1) bakery products, sugar, and confectionary products (except facilities that produce goods only for on-site sales and not wider distribution); (2) dairy products processing; (3) fats and oil products (not including rendering plants); (4) fruit and vegetable canning, preserving and related processing; (5) grain mill products and by-products; (6) meat, poultry, and fish canning, curing and byproduct processing (not including facilities that also slaughter animals); and (7) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

*Manufacturing – Chemical Plant.* An industrial use primarily engaged in the storage, processing, production, and distribution of chemicals on a large scale, where chemical reactions are used to transform materials for use in other industrial or business applications.

*Manufacturing – Rendering, Slaughter & Packaging.* An industrial use where waste products and livestock carcasses are converted into industrial fats.

*Oil and Gas Operations* means exploration for oil and gas, including the conduct of seismic operations and the drilling of test bores; the siting, drilling, deepening, recompletion, reworking or abandonment of an oil and gas well, underground injection well or gas storage well; production operations related to any such well including the installation of flowlines and gathering systems; the generation, transportation, storage, treatment or disposal of exploration and production wastes; and any construction, site preparation or reclamation activities associated with such operations. See Section 24-1102 for specific definitions, standards, and procedures related to oil and gas uses.

*Research & Testing Labs.* A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

*Warehouse / Storage.* An industrial use engaged in the business of keeping goods and products for interim or long-term periods for personal or business uses, or for the distribution to other businesses and industries, including any logistic services related to this business such as labeling, bulk packaging, inventory control, or light assembly. Warehouse and storage uses are refined further based on the scale, format and intensity as follows:

*Warehouse / Storage –Indoor Limited (< 50K; up to 1 acre).* A warehouse / storage use where individuals store personal property in units or space leased or rented on a periodic basis and

where all storage are accessed from within the principal building. Examples include small indoor self-storage mini-warehouses, or small commercial warehouse.

*Warehouse / Storage – Indoor / General (50K– 200K; 1-5 acres).* A warehouse / storage use for businesses or larger personal products where all items are stored indoors. Examples include large indoor self-storage mini-warehouse, large commercial warehouses, and long-term garages.

*Warehouse / Storage – Large (200K+; 5+ acres).* A large-scale warehouse / storage use for long-term storage of products or supplies, and where access and truck traffic is not frequent.

*Warehouse / Storage – Distribution Center.* A large-scale facility where goods or products are stored on-site temporarily for the purpose of delivery to a retailer or final destination, and where the nature of the operation has frequent daily truck traffic. Such facilities may include automated systems, office space and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory.

*Warehousing / Storage – Outdoor Limited (up to 1 acre).* A storage use for the public where individuals store personal property in units leased or rented on a periodic basis and where all storage is inside but individual units may be accessed directly from the outside. Examples include small outdoor self-storage mini warehouses or small equipment storage yard.

*Warehouse / Storage – Outdoor General (1+ acre).* A storage use for the public or other businesses where large-scale household items or machinery, commercial products, raw materials, or supplies are stored on an outdoor lot. Examples include large outdoor self-storage mini warehouse, boat or RV storage, building supply lots or similar industrial supply storage yards.

*Warehouse / Storage – Bulk Storage of Flammable Liquids and Gases.* The use of grounds for storing tanks used for gasses or liquefied petroleum, often as a distribution point for further shipment or processing or re-use at other locations.

*Waste Management – Recycling Collection Small.* A small-scale disposal point for recyclable or reusable materials, where items are dropped in bins that protect them from the elements, eliminate them from view of surrounding areas, and otherwise mitigate any noise or odor. These facilities are solely for temporary drop off and storage, until weekly or daily pick up of the materials, can bring them to a separate location for further procession or disposition.

*Waste Management – Recycling Processing & Collection.* A large-scale disposal point for recyclable or reusable material, where longer-term storage or processing of materials may occur on site.

*Waste Management – Refuse & Transfer Station.* A facility for the purposes of separation, aggregation and/or compaction of solid waste prior to delivery to a landfill.

*Water & Waste Water Treatment Plant.* An industrial use used to treat and process water and wastewater for further distribution or disposal.

*Well Drilling Companies.* A business that stores, supplies, operates or distributes machinery and equipment used for drilling wells.

*Wireless Communication Facilities.* A pole, tower, or antenna for the purposes of transmitting and receiving communication signals, other than that accessory to a principal use of the property. Wireless communication facilities include monopoles and towers with attached appurtenances such as microwave dishes and antennae, rooftop, wall- and ground-mounted microwave dishes and antennas. See Section 24-1101 for specific definitions, standards, and procedures applicable in all districts.

**24-403 Accessory Uses**

In addition to the general use and development standards applicable to all districts, permitted uses may include other accessory uses. This section provides basic performance standards for all accessory uses and some specific standards for particular accessory uses.

- a. **Accessory Uses, Generally.** All principal uses shall include accessory uses subject to the following general standards:
  1. The use and any structure is clearly incidental and subordinate to an allowed use and customarily associated with the allowed use.
  2. The use is on the same lot as the principal use or otherwise clearly associated with an active principal use.
  3. The use is compatible with the general character of the area and comparable in scale and intensity to uses of other property in the vicinity.
  4. No use or structure may be constructed, maintained, or conducted in a way that produces noise, vibration, noxious odor or material, any visible light, glare or other visible impacts that are harmful, damaging or disturbing to the adjacent property.
  5. Any structures or site design elements to support the use can be screened or located to minimize impact on adjacent property or are not significantly different from what is typical for other allowed uses in the district.
  6. There are no unusual traffic patterns or increases in operational activity that impact the use and design of streets and public spaces differently than other allowed uses.
  7. All uses and structures are conducted in a way that is consistent with the intent and objectives of all other design and development standards applicable to the property.
  
- b. **Accessory Dwelling.** Accessory dwellings are permitted as an accessory use to a principal dwelling as indicated in Table 24-4-2, and subject to the following additional standards:
  1. One accessory dwelling may be permitted per lot only when associated with a detached house or duplex/multi-unit house.
  2. Accessory dwelling units may be located in a detached accessory building or located within the principal building (such as an attic or basement apartment).
  3. The accessory dwelling shall not exceed 60 percent of the living area of the principal dwelling or 1,200 square feet, whichever is less.
  4. All parking necessary for the use shall meet the neighborhood design standards, and be confined to the garage, driveway or street directly in front of the dwelling.
  5. A detached accessory structure shall meet all development and design standards for the building and lot in Chapter 5, Residential Development Standards.
  6. The accessory dwelling shall be compatible with principal building, and whether within the principal building or in a detached structure, be clearly subordinate to the principal dwelling through the location of parking, access, building entrances and other design features that accommodate the dwelling.
  
- c. **Home Occupation.** Home occupations may be accessory to a primary residential use on the lot and shall meet all of the following standards:
  1. The occupation shall be limited to residents of the dwelling and no other employees may be at the site for the purpose of conducting any part of the business operation. If the resident applicant is not the homeowner, the homeowner shall provide authorization with the permit application.
  2. Areas dedicated to the use and storage for a home occupation shall not exceed more than 20% of the habitable floor area of the dwelling, except as may be required for state-licensed child care home.

3. All activity shall be conducted with an enclosed living area, accessory building, or the garage, except as required for state-licensed in-home family child care.
  4. Any materials or equipment used in the home occupation that is not customary to a residential use shall be stored within an enclosed structure.
  5. No alteration of the exterior of the principal residential building or site shall be made which changes the residential character of the building or site, including use of colors, materials, construction, lighting or signs.
  6. No traffic, services, or deliveries shall be generated by the home occupation that is abnormal to a residential neighborhood. In general, this shall be limited to:
    - (a) No more than 1 customer vehicle parked at the property at a time, except for drop off of children for child care or instruction;
    - (b) No more than 10 client visits per week, except for drop off of children for child care or instruction.
    - (c) Delivery of products or materials is limited to that normally associated with residential purposes.
    - (d) All parking necessary for the use shall meet the neighborhood design standards, and be confined to the garage, driveway or street directly in front of the dwelling.
    - (e) Only one vehicle, not to exceed one-ton capacity, and one trailer which cannot exceed 15 feet, may be related to and used in conjunction with the home occupation and shall be parked on-site except for customary agricultural vehicles and equipment at rural homes.
  7. No equipment, machinery or operation shall be used in such activities that is perceptible off the premises because of noise, smoke, odor, dust, glare, radiation, electrical interference or vibration.
  8. There shall be no retail operations that result in regular or intermittent customer visits to the home, except for the sale of agricultural produce at a rural home, where all merchandise was produced on site.
  9. The property shall be in compliance with all other building codes and property maintenance standards.
  10. Use of utilities shall be limited to that normally associated with residential purposes.
  11. All home occupations shall require a permit issued by the Director according to the following:
    - (a) An application form and materials shall be submitted to the Community Development Department;
    - (b) Notice of a permit application shall be posted and mailed to all abutting or other affected property owners according to Section 24-201.f.
    - (c) The applicant shall submit the application concurrently to the Finance Department for approval of a business license.
    - (d) A permit may be approved by the Director upon a finding that all criteria are met, and the Director may require any additional conditions of limitations to ensure that the criteria continue to be met;
    - (e) A permit shall be valid for three years, but may be renewed for subsequent three-year periods;
    - (f) A permit is valid only for the original applicant, and is not transferable to another person or to another location;
    - (g) The Director may revoke a permit for non-compliance with these criteria, violation of any conditions of the approval, misinformation or misrepresentation in the application, or a change in the nature or extent of the use, or any other circumstance that violates the public health, safety, and welfare.
  12. Any home occupation not meeting these criteria, or otherwise denied a permit by the Director, may only be approved according to Section 24-206, Use By Special Review.
- c. **Livestock.** The limitations in Table 24-4-3: Animal Unit Equivalency Chart shall apply to the keeping of livestock as an accessory use to farming, residential uses, or any other use involving livestock. This chart shall not be used in a cumulative fashion. For example, in the H-A Zone,

there is a maximum of 2 animal units permitted per acre. These animal units may be derived from a combination of animals, but in no event shall it exceed the maximum of 2 animal units per acre.

**Table 24-4-3: Animal Unit Equivalency Chart**

Animal Species	Max Animals Per Acre (by species)		Animal Unit Equivalent
	H-A zone	Other zone	
Slaughter, feed & dairy cattle, bison, elk, llamas, horses, mules, burros, yaks, alpacas	2	1	1.0
Swine, butcher & breeding - over 55 lbs.	4	4	0.5
Sheep, lamb, goats	4	4	0.5
Turkeys	10	5	0.2
Chickens, broiler & layer; rabbits	20	10	0.1
<b>Total Cumulative Animal Units Allowed Per Acre (combined species)</b>	H-A district		2.0
	Other zones		1.0

- Young stock, less than 50% of adult weight, reduces the above equivalency factor by one-half).
- "Per acre" refers to areas specifically devoted for animal use.)

- d. **Satellite & Communication Equipment.** The following provisions shall apply to the installation of devices and structures used to transmit and receive radio, television or communication signals, except residential satellite dish installations which are three feet or less in diameter, residential single-pole or tower roof or ground-mounted television, or amateur radio antennas:
1. The placement of all equipment shall conform to all standards of the zoning district and overlay district, and shall not be located in any required setback or on any structure unless architecturally screened.
  2. The maximum overall height for a ground-mounted antenna shall be as established for building height in the applicable zoning district. The height of a roof-mounted antenna, combined with the building height, shall not exceed the maximum building height in the applicable zoning district.
  3. The operation of the antenna shall not cause interference with any electrical equipment in the surrounding neighborhood, such as television, radio, telephone or computers unless exempted by federal regulation.
  4. The antenna shall be a single, non-reflective color.
  5. The antenna shall be sited to assure compatibility with surrounding development and not adversely impact the neighborhood, and screened according to Section 24-803.
  6. The antenna and equipment shall be accessory to the principal use of the lot or site.
- e. **Accessory Drive-Through.** Drive-through or drive-up service accessory to an allowed commercial use is permitted subject to the following standards:
1. This section applies to buildings and sites designed for orders to be taken from a customer in a car, where they wait in a queuing area, and then receive products or services delivered to the car from a service window or station. It does not apply to businesses that provide carry-out or to-go products where there is no specific site design or structural facilities dedicated to vehicle service.
  2. Accessory drive-through or drive-up services shall be limited to the following districts:
    - (a) Non-food and beverage service – C-L, MU-L, C-H, MU-H, I-L, and I-M
    - (b) Food & beverage service – C-H, MU-H, I-L, and I-M
  3. The service area shall not substantially expand the traffic or vehicle circulation otherwise necessary for access, parking and circulation to serve the site. In general, the service area shall use the same entrance and exit from the site as the principal use, unless a more remote or discrete service off an alley or secondary street better meets this criteria.

4. Vehicle service facilities shall avoid potential pedestrian/vehicle conflicts on the site and along the streetscape.
    - (a) Adequate stacking spaces for automobiles shall be provided on site and outside of setbacks to eliminate any impact on public streets.
    - (b) Stacking areas shall generally accommodate at least 5 vehicles, but may be modified for greater or lesser stacking dependent on the use or the context of the site, provided no stacking shall impede vehicle access or circulation on the site or in the right of way.
    - (c) Circulation, stacking and other access issues shall be designed in a manner that has the least impact on pedestrians entering the principal building from public streets and from internal streets or parking areas. .
    - (b) No access or queuing area shall be provided between the building and the street on any street designed to walkable street standards in Section 24-301 (Pedestrian or Avenue street types), or on “Walkable A” frontage type in Section 24-603. Use of alleys, internal access and the rear of buildings for drive-through services is required to preserve the streetscape design and development patterns of these areas.
  5. Service areas and windows shall be located on the most remote wall that is practicable, considering adjacencies to public-streetscapes, residential property, or other sensitive adjacent areas.
    - (a) No service area, speaker, ordering station, or pick-up window shall be located within 100 feet of any residentially zoned property, or otherwise be audible from residentially zoned property or the public right-of-way,
    - (b) Signs, circulation areas, and lighting elements shall not be create any negative impacts on the public right-of-way or adjacent residential property.
    - (c) Additional screening or buffers may be required beyond the standards of Section 24-803 in order to ensure compatibility.
  6. The Director may require any other drive-through service area that does not clearly meet these standards and criteria to be reviewed subject to the procedures and criteria for Use by Special Review in Section 24-206.
- f. **Craft Manufacturing.** Production, storage, and distribution of products, or other on-site manufacturing, is allowed accessory to an otherwise allowed commercial use, provided:
1. The manufacturing area is no more than 50% of the building area, and any outdoor storage is limited to all applicable site design and screening standards.
  2. The entire site is limited to less than 1 acre.
  3. That all manufacturing areas, warehousing, shipping and distribution facilities are clearly subordinate to the principle commercial use, and all manufacturing is to support the principal use.
  4. No byproducts such as smell, waste, smoke or noise results from the manufacturing that is distinctly different or of greater intensity than the principle use.
  5. Traffic, customer, and shipping patterns and activities from the manufacturing use are not distinctly different from the principle commercial use in terms of intensity and hours of activity.
  6. Examples include microbrewery, bakery, furniture shop, art studio, or similar retail uses with limited and subordinate on-site manufacturing.
- Otherwise such uses are only permitted as a principle manufacturing use.
- g. **Outdoor Storage, Non-residential.** Accessory outdoor storage may be permitted in the non-residential districts subject to the following standards:
1. In the C-L, MU-L, and MU-H districts, the storage area shall be located behind the front building line of the principal building.
  2. The storage area shall be fully screened from residential property or public spaces according to the standards and design requirement of Section 24-803 and no materials shall be stacked higher than the screening.



3. The storage area shall be located on the most remote section of the site or building as possible, but no closer than 30 feet to any street or right-of-way and outside of required setbacks in all cases.
  4. Outdoor storage areas shall be limited to:
    - a. No more than 300 square feet in the C-L district.
    - b. No more than 500 square feet in the MU-L or MU-H districts.
    - c. No more than 30% of the building footprint in the C-H and I-L districts.
  5. The storage area shall be paved per the requirements for parking lots, except a stabilized dust-free surface may be used in the I-M and I-H district.
  6. Alternatives to these accessory use limits may only be approved by the Director through site plan review procedures in Section 24-207.
- h. Outdoor Display and Service Areas.** Outdoor display and service areas accessory to an allowed commercial use, such as sidewalk seating and dining or sidewalk sales are allowed subject to the following conditions:
1. Outdoor display and service areas shall be located on the same lot as the principal use or along the street frontage immediately abutting the use in the case of street front buildings.
  2. Outdoor display areas shall be limited to no more than 20% of the ground floor area of the principal use, and outdoor service areas shall be limited to no more than 50% of the interior service area.
  3. Display and service areas shall not be arranged where they interfere with pedestrian or building access or clear vision areas. When located on public, common or private sidewalks accessing the building, at 5 feet clear or at least 50% of the width any sidewalk, whichever is greater, shall remain clear and unobstructed..
  4. The area may be located in parking areas, provided it does not interfere with adequate parking and circulation of the entire site. The permanence of any structures shall be considered in evaluating the impact on adequate parking needs for the site.
  5. The area shall be screened from view along any property line abutting a residential use or district according to Section 24-803.
  6. A site plan shall be provided for any outside display or service area more than 400 square feet, lasting more than seven consecutive days, or more than four separate occurrences per year. A site plan shall show the location, area, and dimensions of the display area, and specifications for all lighting, fencing, screening or temporary or permanent structures.
  7. In reviewing the site plan, conditions or performance standards to mitigate noise, visual or operational impacts may be added by the Director to address specific sites or contexts.
- i. Temporary Construction & Sales Offices.** Temporary construction or sales offices that are accessory to a permitted development project shall provide the following:
1. The lot shall be within or adjacent to the construction site, or located so that access from the site does not impact public streets or surrounding uses. A sales office shall be limited to sales for the subject site.
  2. Temporary office structures shall be architecturally compatible with surrounding uses and may be permitted on the site until 75% of the project is built out.
  3. All structures and materials shall be removed within one month after occupancy of the project.
  4. If the sales office is intended as a model home, it shall be completed to meet all Building and Zoning Code requirements.
- j. Temporary Uses.** Uses that may not otherwise be interpreted as being permitted by Table 24-4-2, or accessory uses in Section 24-403, may be permitted through a Temporary Use Permit, provided they are accessory to a principal use of the site or building. Temporary uses on property without a principal use shall be considered under the change of use provisions as a principal use, and are required to meet all applicable standards of the zoning district.

1. *Permit.* An application for a permit shall be submitted by the owner, or an agent of the owner with written permission from the owner at least 10 days prior to the desired issue date.
  - (a) The permit shall have a specified start and end date not more than 90 days per year or be based on a schedule that includes no more than 90 days per year.
  - (b) The applicant shall submit a complete description of the event or activity, including anticipated traffic, hours and peak times of operation, access and circulation plans, the ability to accommodate fire and police access, and any need for special protection or other public safety, health and welfare needs.
  - (c) The applicant shall submit a plan identifying the extent of the grounds, gathering places and circulation routes, any streets or public spaces to be dedicated to the event, the location of all structures, equipment or other accessory facilities, and any utility needs for these structures, equipment or fixtures.
  - (d) The Director may extend the permit one time for up to an additional 30 days. The extension shall only be permitted based on circumstances not foreseeable at the time of the original permit and provided no problems have arisen under the original permit.
  
2. *Standards.* All activities and any temporary structures shall meet the zoning district setbacks and standards, with the exception of the following:
  - (a) Outdoor vendors may operate according outdoor vendor regulations and standards contained in Title 8, Chapter 5 of the City's Code
  - (b) Parking requirements shall generally be met for the principal use and the temporary use, except that the Director may account for any existing and underutilized parking, the duration of the event, and any transportation management when considering the permit criteria.
  - (c) Garage sales for residential property are not subject to the standards of this section or required to get a permit, provided:
    - (1) It is operated by the owner or resident of the property;
    - (2) It is for goods not acquired specifically for resale; and
    - (3) It is limited to no more than 3 consecutive days, and no more than 2 events per calendar year.
  
3. *Criteria.* A temporary use permit shall be evaluated based on the following, in addition to all other general procedures and criteria for site plans in Section 24-207:
  - (a) The proposed use is of a scale, intensity and format that is ordinarily occurring in the vicinity considering the size, anticipated traffic, hours of operation and duration of the event.
  - (b) The anticipated traffic and parking can be handled by the existing street network, site access and lot layout, or the applicant has demonstrated sufficient management strategies and procedures to mitigate any potential negative effects on the area.
  - (c) The degree of potential negative impacts on adjacent property, and in particular the likelihood of the event violating the general District Performance Standards in Section 24-405. The applicant may submit mitigation plans for any potential impacts, including limiting hours of operation, buffers and screening, transportation management, or other evidence or plans to accommodate concerns and limit impacts on surrounding property owners or residents.
  - (d) The use shall comply with all other applicable codes, licenses, or other public health, safety, and welfare requirements.
  - (e) The location subject to the temporary use permit shall be restored to its original condition upon the earlier of the expiration of permit or end of operation, except that permanent improvements made to the location may remain with the property owner's written consent.

- (f) The Director may impose any other conditions on a permit necessary to protect the public health, safety, and welfare.
- (g) Any temporary use permit that does not meet these criteria may only be approved through the procedures and criteria for a Use by Special Review, in Section 24-206.

## 24-404 Specific Use Standards

- a. **Mixed-use Dwelling.** In districts where mixed-use dwellings are allowed uses, the following standards shall apply to a building or structure with two or more different uses, one of which shall be residential:
  - 1. In the commercial zoning districts, at least 50 percent of the ground floor of a mixed-use building shall be in a nonresidential land use. In the R-H Zoning District, no more than 50 percent of the total gross floor area of a structure containing a mixed-use, including basement area, shall be devoted to nonresidential uses.
  - 2. In the R-H zone, only commercial uses permitted in the C-L district are allowed, and they may be further conditioned, limited or prohibited through the Use by Special Review process in Section 24-206. Mixed-use dwellings in commercial and mixed-use zones may include any commercial use permitted within that zoning district.
  - 3. The design and character of all buildings and sites shall be compatible with the predominant character of the surrounding neighborhood. The operating characteristics of a nonresidential land use in a predominantly residential neighborhood shall be compatible with the residential uses. For the purposes of this section, operating characteristics shall include, but not be limited to, hours of operation, lighting, noise and traffic.
- b. **Residential Care.** When residential care is a permitted or use by special review, they shall meet the following conditions to ensure they are integrated into neighborhoods, have a non-institutional nature, and maintain the residential character.
  - 1. *Residential Care – Group Home.*
    - (a) Group homes shall meet all of the residential design standards applicable in the particular district, and any alterations to support the group living shall be done in a discrete way in accordance with the design standards.
    - (b) In the R-L and R-M districts, no group home shall be located less than 750 from another existing group home.
    - (c) Group homes shall be supervised at all times, and may include up to 2 resident care givers.
    - (d) Group homes shall be licensed by, operated by, or owned by a governmental agency or non-profit qualified to provide care and supervision.
    - (e) Group homes shall not include alcoholism or drug treatment centers, work release facilities or other housing facilities qualifying as residential care – institutional.
  - 2. *Residential Care – Assisted Living, General, and Institutional:*
    - (a) The use shall be located on a collector street or higher, or otherwise located as a transition between the neighborhoods and other non-residential or mixed-use areas.
    - (b) In residential districts, the building(s) and site shall meet all residential design standards so that the use, building and site is compatible with the neighborhood in terms of scale and intensity of activity.
    - (c) Any facilities necessary to serve the residents, guests or support the staff, that are non-residential in nature shall be located on the most discrete portions of the

site and building, and otherwise designed and screened to mitigate impacts on adjacent property according to Section 24-803.

- c. **Animal Care.** All animal care facilities shall comply with the following:
1. All animal care businesses shall provide proof of compliance with all standards and licenses required by local or state animal care and control laws.
  2. Any facility that provides boarding shall provide the following:
    - (a) Adequate shelter from the elements for the animals.
    - (b) Adequate facilities for preventing the escape of animals from the premises.
    - (c) Adequate facilities for keeping the animal environment clean and free of filth.
    - (d) Confinement and treatment of animals shall be in a manner that is humane and appropriate, which enclosures where the animal spends the majority of the day or where there is otherwise not access to an outside animal run, shall meet the requirements of Table 24-4-4: Animal Boarding Standards, which do not include required exercise areas:

**Table 24-4-4: Animal Boarding Standards**

<i>Animal Size</i>	<i>Minimum Kennel Area Floor Space*</i>	<i>Height</i>
<i>Extra-small dogs up to 10" high</i>	4.5 s.f.	
<i>Small dogs up to 16" high</i>	6.0 s.f.	
<i>Medium dogs up to 22" high</i>	9.0 s.f.	<ul style="list-style-type: none"> <li>▪ Min. 18 inches</li> <li>▪ At least 1.5 times height of animal at shoulder.</li> <li>▪ Max. Required: 48 inches</li> </ul>
<i>Large dogs up to 26" high</i>	12.0 s.f.	
<i>Extra-large dogs up to 30" high</i>	16.0 s.f.	
<i>Giant breeds over 30" high</i>	18.0 s.f.	

\* Calculated as:(length of dog in inches + six) (squared) divided by 144 times two equals required floor space in feet

3. Dog runs and exercise areas shall meet the following minimum space requirements:
  - (a) The length of the runs and exercise areas shall be a minimum of three times the length of the dog from the tip of its nose to the base of its tail; the width shall allow the dog to turn around easily; and the height shall be 1½ times the height of the dog at the shoulders, with the maximum height required of 48 inches, the minimum of 18 inches.
  - (b) Indoor/outdoor runs that have the primary enclosure and the exercise area in combination shall for measuring purposes be considered an exercise run and shall be measured from the extreme inside to the extreme outside for length determination.
  - (c) Outdoor or indoor runs used as a combined primary enclosure and exercise area shall be measured from one extreme end to the other extreme end for length. The same criteria will apply to freestanding runs used for exercise areas only.
  - (d) Each dog housed in the specified primary enclosure must be provided the opportunity to exercise for a minimum of 60 minutes over a 24-hour period.
4. Adequate supervision of the animals in the kennel facility must be present to the following standards:

- (a) There must be a minimum of one human supervisor (at least 16 years of age), present at all times and able to directly view each enclosure or common area where dogs from different owners are commingled.
  - (b) If more than 15 dogs are housed in a common area or enclosure, there must be at least one adult supervisor present for each 15 dogs housed within each enclosure or common area, with a maximum of 60 dogs housed in any enclosure or common area at a single time.
  - (c) Where after-business hours or overnight boarding care is provided, the applicant must provide an animal care and supervision plan if human supervision is not provided during this period. Such plan must address how animal care and emergency needs will be managed in the absence of human supervision.
5. Commercial businesses for which the principal use is either a pet shop or grooming operation, a pet management plan may be submitted in lieu of compliance with the confinement and exercise standards within this section. The plan must demonstrate compliance with local and state animal care and welfare standards, and include a description of the alternate accommodations related to area, location, duration of enclosure periods, and access to food, water and shelter.
- d. **Automobile Gas Stations.** All automobile gas station uses shall comply with the following:
1. No more than one access drive shall be permitted for each street frontage.
  2. All light sources, including canopy, perimeter and flood lights and lenses, shall be shielded or fully recessed within the roof canopy so that light is contained on-site.
  3. If on-site convenience store or other retail or service component is provided, the design, location and operation of these facilities shall be compatible with the design, location and operation of the gas station.
  4. The maximum height of a canopy shall be 20 feet for flat roofs and 24 feet for pitched roofs.. Canopies shall be architecturally compatible with the principal building and all other accessory structures on the site with the same or complementary materials, architectural style and colors. The material used on the underside of the canopy shall not be highly reflective. Setbacks for the canopy shall be measured from the outside edge of the canopy.
  5. Adequate stacking space shall be provided on-site without using any portion of the adjacent street or alley for stacking. Stacking shall not occur in required setbacks.
  6. Dispensing pumps and adjacent parking, fueling or service areas shall not be located within the property setbacks.
  7. If the convenience store, gas station or auto repair use is immediately adjacent to residential zoned property or existing residential uses on at least two sides, the hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. daily.
- e. **Automobile Repair / Service.** All automobile repair / service uses shall comply with the following:
1. Areas for overnight vehicular storage shall be enclosed or screened from the view of adjacent properties and the public right-of-way except when located in the Industrial - Medium Intensity (I-M) or Industrial -High Intensity (I-H) zones.
  2. Where a automobile repair / service use abuts residential uses or residential zones, a minimum 20-foot side yard setback and a minimum 25-foot rear yard setback shall be provided.
  3. No used or discarded automotive parts or equipment, or disabled, junked or wrecked vehicles shall be located outside any structure.
  4. Landscaping, screen walls, berms, placement of the use or other site design techniques shall be used to screen cars being serviced or waiting for service and to screen overhead doors from view from the public right-of-way.
  5. Auto repair uses within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any auto repair

use shall be compatible with surrounding uses in form, materials, color and scale. The location, size and design of the auto repair use shall be compatible with and have minimal adverse impact on the use of surrounding properties. Overhead doors shall be constructed of non-reflective materials.

- f. **Automobile Repair / Service - Car & Truck Washes.** Uses that include car or truck washes as an accessory or principal use shall comply with the following:
1. Bays shall be located so that they are perpendicular to the public right-of-way or screened from view if on a corner site.
  2. No auto repair shall be conducted within a car or truck wash bay.
  3. All-over spray shall be contained on-site.
  4. Operating characteristics of car and truck washes, such as hours of operation and the use of lighting, shall be conducted in such a manner that is compatible with surrounding land uses.
  5. Other applicable requirements for car and truck washes may be found in the city's storm drainage and water department standards and criteria.
- g. **Bed & Breakfasts.** All bed and breakfast uses shall comply with the following:
1. Cooking facilities, including stoves, hot plates or microwave ovens, shall not be permitted in guest rooms.
  2. Meals or food served in the bed and breakfast shall be prepared in a central kitchen on-site and served solely for bed and breakfast occupants.
  3. Individual rooms in a bed and breakfast shall not be rented more than twice during a 24-hour period.
- h. **Manufacturing – Food & Beverage Minor.** All minor food and beverage manufacturing uses shall comply with the following:
1. Commercial elements of the use shall be visually and physically accessible to the public realm and designed as the most prominent aspect of the site. Commercial elements include the sale of food, beverages or other retail for on-premises purchase or consumption. The use of architecture, sidewalks, landscaping and parking shall be to define and emphasize these commercial components while de-emphasizing the manufacturing and other aspects of the facility.
  2. Loading and storage areas, where otherwise allowed by this Development Code, shall be separated from public entrances and areas associated with the commercial elements of a minor food and beverage processing facility and shall be located at the rear of the facility and screened from rights-of-way and off-site uses, to the extent feasible.
  3. Traffic by heavy trucks or rail shall be separated from public entrances and areas to avoid regular conflicts with the public and commercial aspects of the use.
  4. Environmental impacts, such as odor, heat, glare, noise, vibration and other such emissions or impacts shall be reasonably contained on-site and not discernable at or beyond the property line. The inability to confine such impacts to the site would qualify this use as a major food processing use.
  5. The applicant for a minor food and beverage processing facility shall demonstrate that a portion of the building footprint's square footage, equal to or greater than ten percent and no more than 50 percent, is dedicated to sales of food, beverages or other retail or services for on-premises purchase or consumption.
  6. All other applicable site and building design standards applicable in the particular district or location shall be met.
- i. **Waste Management – Recycling Collection Small.** All small recycling collection uses shall comply with the following:
1. The facility shall be installed as an accessory use to an existing multifamily development, commercial or industrial land use.

2. Facilities shall not be located within 100 feet (excluding right-of-way) of any residential zoning district.
  3. The facility shall be no larger than 300 square feet and occupy no more than five parking spaces, excluding space that will be periodically needed for removal of materials or exchange of containers, and one parking space for an attendant, which shall be located outside setbacks.
  4. All permanent or temporary structures shall be set back at least 10 feet from any public right-of-way, shall be located so that pedestrian or vehicular circulation is not obstructed, and otherwise located in a manner to limit adverse impacts on adjacent property and the public streetscape.
  5. The facility shall accept only glass, metals, plastic containers, papers and similar items; or may be a collection point for donation of reusable, non-perishable household items such as books or clothing.
  6. No power-driven processing equipment shall be used except for reverse vending machines.
  7. Containers shall be constructed and maintained with durable waterproof and rustproof material, covered when the site is not attended, and shall be of a capacity sufficient to accommodate materials collected and collection schedule. All material shall be stored in the unit and shall not be left outside of the unit when unattended. The facility shall be placed on asphalt or concrete and shall not impact any landscaping or landscaped areas.
  8. The facility shall be maintained in a clean and sanitary manner, free of litter and any other undesirable materials.
  9. Containers shall be clearly marked to identify the type of material that may be deposited. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling containers.
- j. **Waste Management – Recycling Processing & Collection.** Recycling collection facilities that do not meet the small facility limits, or all recycling processing and collection uses shall be limited to industrial districts and comply with the following:
1. The facility shall not be adjacent to a parcel designated or planned for residential use.
  2. Structure setbacks shall be those provided for the zoning district in which the facility is located.
  3. All exterior storage of material shall be in sturdy containers that are covered, secured and maintained in good condition. Outdoor storage shall be screened by a six-foot solid fence or wall. No storage, excluding truck trailers, shall be visible above the height of the wall or fence. No outdoor storage shall be permitted in zoning districts that do not permit outdoor storage.
  4. The site shall be maintained clean, sanitary and free of litter and any other undesirable materials and shall be cleaned regularly of loose debris. Containers shall be clearly marked to identify the type of material that may be deposited, and the facility shall display a notice stating that no material shall be left outside the recycling containers.
  5. Space shall be provided on-site for a minimum of five vehicles to circulate and to deposit recyclable materials and for employee and commercial vehicle parking.
  6. All containers provided for after-hours donation of recyclable materials shall be at least 100 feet from any residential use or zoning district and constructed of sturdy rustproof construction with sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.
  7. The facility shall be clearly marked with the name and telephone number of the facility operator and the hours of operation. Identification, informational and directional signs shall meet the sign standards of the zoning district.
  8. Power-driven processing shall be permitted, provided all noise level requirements are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials.

9. The site shall be secured from unauthorized entry and removal of materials when attendants are not present.
10. Hazardous materials, dead animals or yard waste shall not be considered recyclable material, except as otherwise provided in this Development Code.

**24-405 District Performance Standards**

All principal and accessory uses in non-residential districts shall be operated in a manner that meets the performance standards in Table 24-4-5, Non-residential District Performance Standards.

<b>Table 24-4-5: Non-residential District Performance Standards</b>				
	<b>C-L, MU-L</b>	<b>C-H, MU-H, I-L</b>	<b>I-M</b>	<b>I-H</b>
Limits on hours of operation for businesses	6AM – 10PM	n/a	n/a	n/a
No smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
No smoke or particulate matter shall be produced that is a number 1 or darker on the Ringelmann chart	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
No vibration or concussion which is perceptible without instruments at the property line	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Dust, fly ash, radiation, gases, heat, glare or other effects shall not be produced which are obviously injurious or damaging to humans or property beyond the property line;	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lighting	See Section 24-603.e			

***Reserved Sections 24-406 through 24-500***