

Tier 1 LDC Updates - Redlined

Sec. 21-2200. - Residential Districts

Subsec. 21-2200.1 Use Table

- A. **Use Table.** All uses of land and buildings within the agricultural and residential zoning districts shall be as set forth in Table 21-2200.1-1, *Residential District Use Table*.
- B. **Permitted Land Uses.** The land uses in Table 21-2200.1-1, *Residential District Use Table*, below are classified and symbolized by the following:
1. "P" means the use is permitted by-right and is not subject to further use-specific review; however, is subject to other design standards and review procedures of this LDC.
 2. "L" means the use is permitted subject to approval by the Director, Sec. 21-3200, *Limited Use Standards*, and Sec. 21-7400, *Limited Use Permit*.
 3. "C" means the use requires a public hearing and conditional use approval subject to Sec. 21-3210, *Conditional Use Standards*, and Sec. 21-7130, *Conditional Use Permit*.
 4. "--" means the use is prohibited.
- C. **New and Unlisted Uses.** Refer to Sec. 21-3250, *New and Unlisted Uses*.
- D. **Use Categories.** The Use Categories in the use table below are further described in Division 4.1, *Use Categories*. Division 4.1, *Use Categories*, provides the characteristics of each use category and identifies the specific uses that make up each category.

Table 21-2200.1-1, Residential District Use Table							
Use Category	Specific Use	R-E	R-1	R-2	R-3	MHP	Standards
Residential Uses⁽¹⁾							
Household Living	Multi-Unit	--	--	--	P	--	--
	Dwelling, Two-Unit	--	--	P	P	--	--
	Dwelling, Single-Unit	P	P	P	P	--	--
	Live-Work	--	--	--	P	--	--
	Mobile or Manufactured Home	--	--	--	--	P	--
Group Living	Assisted Living Facility	--	--	P	P	--	--
	Boarding, Lodging, or Rooming House	--	--	P	P	--	--
	Group Home, Type A	L	L	L	L	L	Sec. 21-3200.C.1
	Group Home, Type B	C	C	C	C	C	Sec. 21-3210.D.1
	Nursing Home	--	--	P	P	--	--
Public, Institutional, and Civic Uses							
Community Service	All Community Service Uses	--	L	L	L	--	Sec. 21-3200.D.1

Table 21-2200.1-1, Residential District Use Table							
Use Category	Specific Use	R-E	R-1	R-2	R-3	MHP	Standards
Day Care	All Day Care	L	L	L	L	L	Sec. 21-3200.D.2
Educational Facilities	All Educational Facilities Other than Listed	L	L	L	L	L	Sec. 21-3200.D.4
Government Facilities	All Government Facilities	--	--	--	--	--	--
Marijuana Use	All Marijuana Uses	--	--	--	--	--	--
Medical Facilities	Hospital	--	--	--	--	--	--
	All Medical Facilities Other than Listed	--	--	--	--	--	--
Parks and Open Areas	Dog Park, Public	L	L	L	L	L	Sec. 21-3200. D.3
	All Park and Open Areas Other than Listed	P	P	P	P	P	--
Passenger Terminals	All Passenger Terminal Uses	--	--	--	--	--	--
Places of Worship	All Places of Worship	L	L	L	L	L	Sec. 21-3200.D.1
Social Service Establishments	All Social Service Establishment Uses Other than Listed	--	--	--	--	--	--
Utilities, Major	All Major Utilities	C	C	C	C	C	Sec. 21-3210.C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	L	Sec. 21-3200.D.5
	All Minor Utilities Other than Listed	P	P	P	P	P	--
Commercial Uses							
Marijuana Uses	All Marijuana Uses	--	--	--	--	--	--
Office Uses	All Office Uses Other than Listed	--	--	--	--	--	--
Overnight Accommodations	Bed and Breakfast	L	L	L	L	--	Sec. 21-3200.E.1
	All Overnight Accommodation Uses Other than Listed	--	--	--	--	--	--
Parking, Commercial	All Commercial Parking Uses	--	--	--	--	--	--
Recreation, Indoor	All Indoor Recreation Uses	--	--	--	--	--	--
Recreation, Outdoor	All Outdoor Recreation Uses	--	--	--	--	--	--
Restaurant	All Restaurant Uses Other than Listed	--	--	--	--	--	--
Retail Repair, Sales, and Service	All Retail Repair, Sales, and Service Uses Other than Listed	--	--	--	--	--	--

Table 21-2200.1-1, Residential District Use Table							
Use Category	Specific Use	R-E	R-1	R-2	R-3	MHP	Standards
Vehicle Sales and Service	All Vehicle Sales and Service Uses Other than Listed	--	--	--	--	--	--
Industrial Uses							
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--	--
Light Industrial	Artisan/Handcrafted Manufacturing	--	--	--	--	--	--
	All Light Industrial Uses Other than Listed	--	--	--	--	--	--
Warehousing	All Warehousing Uses	--	--	--	--	--	--
Waste-Related	All Waste-Related Uses	--	--	--	--	--	--
Wholesale and Distribution	All Wholesale and Distribution	--	--	--	--	--	--
Open Use Categories							
Agriculture and Animal-Oriented Uses	Community Garden	L	L	L	L	L	Sec. 21-3200.G.2
	Agriculture Uses Other than Listed	--	--	--	--	--	--
Resource Extraction	All Resource Extraction Uses Other than Listed	--	--	--	--	--	--

Table Notes:

1. No new residential use shall be established on any property that lies within an airport noise contour of 55 DNL (day-night noise level) or higher.

Subsec. 21-2200.2 Development Options

Purpose. The purpose of this Subsection is to establish a range of development options that promote flexibility while guiding the physical form and character of new development. These options are intended to ensure that future growth aligns with the desired development pattern and reinforces the intended character of the area, as identified in the Comprehensive Plan.

- Applicability.** The development options established in this Subsection apply to residential development within the zoning districts listed in Table 21-2200.2-1, *Residential Development Options*.
- Zoning Districts.** Applicable zoning districts govern allowable uses and dimensional standards and can be found in Subsec. 21-2200.4 *Building Forms*.
- Building Forms.** All building forms shall comply with the standards in Subsec. 21-2200.4, *Building Forms*.

Table 21-2200.2-1, Residential Development Options

Development Option	Intent Statement	Applicable Zoning District	Open or Amenity Space (Min.)
Central Neighborhoods ¹	Honor Commerce City's historic roots and established development patterns while promoting context-sensitive, higher-density housing options that complement existing neighborhoods.	R-1, R-2, R-3, MHP	10%
Neighborhood Village ¹	Utilize greenfield development and infill/redevelopment to create walkable, well-connected neighborhoods that support the Neighborhood Village concept—featuring a mix of housing types, quality of open space/parks, and an interconnected street grid.	R-1, R-2, R-3, MU-1	20%
Northern Neighborhoods ¹	Recognizes the existing suburban-style development patterns in the northern areas, characterized by curvilinear streets, single-unit homes, and a mix of townhomes and apartments/condominiums.	R-E, R-1, R-2, R-3	10%

Table Notes:

1. Court developments are permitted within this development option. Refer to Subsec. 21-2200.2A, *Central Neighborhoods*, Subsec. 21-2200.2B, *Neighborhood Village*, and Article IV, *Design Standards*, for additional standards.

Subsec. 21-2200.2A Central Neighborhoods

- A. **General.** Honor Commerce City's historic roots and established development patterns while promoting context-sensitive, higher-density housing options that complement existing neighborhoods.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2200.2-1, *Residential Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2200.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2200.2A-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Central Neighborhood development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2200.2A-1, Central Neighborhoods



Table 21-2200.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-1	R-2	R-3	MHP	Specific Standards
	Single-Unit Dwelling, Alley-Loaded ¹	●	●	●	--	Subsec. 21-2200.4A
	Single-Unit Dwelling	●	●	●	--	Subsec. 21-2200.4B

Table 21-2200.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-1	R-2	R-3	MHP	Specific Standards
	Two-Unit Dwelling, Duplex Side-by-Side ¹	--	●	●	--	Subsec. 21-2200.4C
	Two-Unit Dwelling, Duplex Stack ¹	--	●	●	--	Subsec. 21-2200.4D
	Townhouse ¹	--	--	●	--	Subsec. 21-2200.4D
	Rowhouse ¹	--	--	●	--	Subsec. 21-2200.4F
	Multiplex	--	--	●	--	Subsec. 21-2200.4G
	Apartment/Condominium	--	--	●	--	Subsec. 21-2200.4H
	Tiny Home ¹	--	--	--	●	Subsec. 21-2200.4I
	HUD Manufactured Home	--	--	--	●	Subsec. 21-2200.4J

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

Effective on: 8/18/2025

Subsec. 21-2200.2B Neighborhood Village

- A. **General.** Utilize greenfield development to create walkable, well-connected neighborhoods that support the Neighborhood Village concept—featuring a mix of housing types, quality of open space/parks, and an interconnected street grid.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2200.1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2200.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2200.2B-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Neighborhood Village development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2200.2B-1, Neighborhood Village



Table 21-2200.2B-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-1	R-2	R-3	MU-1	Specific Standards
	Single-Unit Dwelling, Alley-Loaded ¹	●	●	●	--	Subsec. 21-2200.4A
	Single-Unit Dwelling	●	●	●	--	Subsec. 21-2200.4B
	Two-Unit Dwelling, Duplex Side-by-Side ¹	--	●	●	--	Subsec. 21-2200.4C
	Two-Unit Dwelling, Duplex Stack ¹	--	●	●	--	Subsec. 21-2200.4D
	Townhouse ¹	--	--	●	●	Subsec. 21-2200.4D
	Rowhouse ¹	--	--	●	●	Subsec. 21-2200.4F
	Multiplex	--	--	●	●	Subsec. 21-2200.4G
	Apartment/Condominium	--	--	●	●	Subsec. 21-2200.4H
	Tiny Home ¹	--	--	--	--	Subsec. 21-2200.4I

Table 21-2200.2B-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-1	R-2	R-3	MU-1	Specific Standards
	HUD Manufactured Home	--	--	--	--	Subsec. 21-2200.4J
	Mixed Use	--	--	--	●	Subsec. 21-2210.4B

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

Effective on: 8/18/2025

Subsec. 21-2200.2C Northern Neighborhoods

- A. **General.** Recognize and build upon the suburban-style development patterns in the northern areas, characterized by curvilinear streets, single-unit homes, and a mix of townhomes and Apartments/Condominiums.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2200.1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2200.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2200.2C-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Northern Neighborhoods development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2200.2C-1, Northern Neighborhoods



Table 21-2200.2C-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-E	R-1	R-2	R-3	Specific Standards
	Single-Unit Dwelling, Alley-Loaded ¹	--	●	●	●	Subsec. 21-2200.4A
	Single-Unit Dwelling	●	●	●	●	Subsec. 21-2200.4B
	Two-Unit Dwelling, Duplex Side-by-Side ¹	--	--	●	●	Subsec. 21-2200.4C
	Two-Unit Dwelling, Duplex Stack ¹	--	--	●	●	Subsec. 21-2200.4D
	Townhouse ¹	--	--	--	●	Subsec. 21-2200.4D
	Rowhouse ¹	--	--	--	●	Subsec. 21-2200.4F
	Multiplex	--	--	--	●	Subsec. 21-2200.4G
	Apartment/Condominium	--	--	--	●	Subsec. 21-2200.4H
	Tiny Home ¹	--	--	--	--	Subsec. 21-2200.4I

Table 21-2200.2C-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		R-E	R-1	R-2	R-3	Specific Standards
	HUD Manufactured Home	--	--	--	--	Subsec. 21-2200.4J
	Mixed Use	--	--	--	--	Subsec. 21-2210.4B

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

Effective on: 8/18/2025

Subsec. 21-2200.3 Zoning Districts

Subsec. 21-2200.3A Residential Estate (R-E)

Purpose. The Residential Estate (R-E) district provides for areas designed as larger, estate-sized lots with multiple options for open space and densities. Development in this district is primarily reserved for very low density detached residential developments with an optional accessory dwelling unit. The district is intended to preserve existing areas of rural character in the city and to manage growth on the periphery on the City limits.

Figure 21-2200.3A-1, R-E District Illustrative Example



- A. **Applicability.** The R-E district is appropriate for a mix of single-unit dwellings and clusters of attached homes with integrated open spaces and is intended to be utilized in the South Platte District, North Airport District, and Innovation District character areas of the Comprehensive Plan where large lot residential is identified. R-E is not intended to be mapped and used for new development projects, but rather to accommodate potential annexations of unincorporated Adams County residential subdivisions that are typically composed of large lots.
- B. **District Illustrative Example.** Figure 21-2200.3A-1, *R-E District Illustrative Example*, depicts an example of a typical subdivision layout in the R-E District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2200.3A-1, *R-E References to Related Standards*.

Table 21-2200.3A-1, R-E References to Related Standards

Topic	Location in LDC
Land Uses	Sec. 21-2200
Development Options	Subsec. 21-2200.2
Building Forms	Subsec. 21-2200.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2200.3B Single-Unit Dwelling (R-1)

Purpose. The Single-Unit Dwelling (R-1) district provides for protection of established single-unit dwelling neighborhoods in low-density residential developments. This district may also include uses that support and are compatible with low-density residential areas.

Figure 21-2200.3B-1, R-1 District Illustrative Example



- A. **Applicability.** The R-1 district is appropriate for low density single-unit dwelling homes with an optional accessory dwelling unit, and is designed to be utilized in the Central and Northern Neighborhood Character Areas of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2200.3B-1, *R-1 District Illustrative Example*, depicts an example of a typical subdivision layout in the R-1 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2200.3B-1, *R-1 References to Related Standards*.

Table 21-2200.3B-1, R-1 References to Related Standards

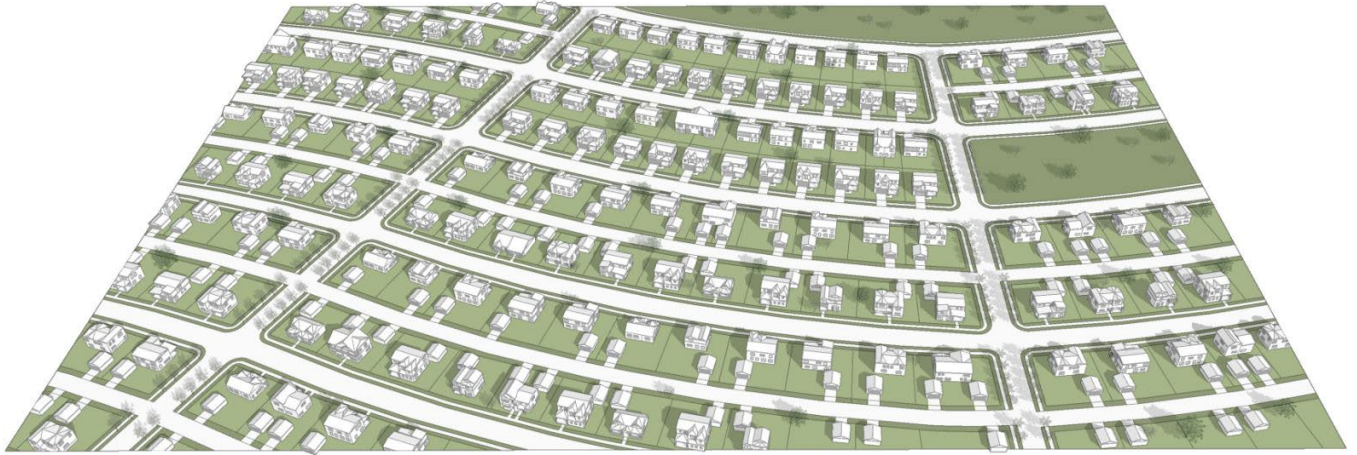
Topic	Location in LDC
Land Uses	Sec. 21-2200
Development Options	Subsec. 21-2200.2
Building Forms	Subsec. 21-2200.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2200.3C Two-Unit Dwelling (R-2)

Purpose. The Two-Unit Dwelling (R-2) district provides a mix of single-and two-unit dwellings in a moderate density setting.

Figure 21-2200.3C-1, R-2 Illustrative Example



- A. **Applicability.** The R-2 district is appropriate for varying lot areas with a medium to high residential single-unit dwelling and attached with an optional accessory dwelling unit as designated in the Central and Northern Neighborhood Character Areas of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2200.3C-1, *R-2 District Illustrative Example*, depicts an example of a typical subdivision layout in the R-2 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2200.3C-1, *R-2 References to Related Standards*.

Table 21-2200.3C-1, R-2 References to Related Standards	
Topic	Location in LDC
Land Uses	Sec. 21-2200
Development Options	Subsec. 21-2200.2
Building Forms	Subsec. 21-2200.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2200.3D Multi-Unit Dwelling (R-3)

Purpose. The Multi-Unit Dwelling (R-3) district provides for higher density residential development that can accommodate more dwelling units and be developed at a larger scale.

Figure 21-2200.3D-1, R-3 Illustrative Example



- A. **Applicability.** The R-3 district is appropriate near areas where there is a concentration of commercial uses, employment, and community facilities to provide better access to these services and amenities, and is intended to be used in the Central and North Neighborhood Character Areas and the Higher Density Residential Framework Area of the Comprehensive Plan. This zone district is also intended to serve as a transition from higher intensity uses to lower density residential areas.
- B. **District Illustrative Example.** Figure 21-2200.3D-1, *R-3 District Illustrative Example*, depicts an example of a typical subdivision layout in the R-3 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2200.3D-1, *R-3 References to Related Standards*.

Table 21-2200.3D-1, R-3 References to Related Standards

Topic	Location in LDC
Land Uses	Sec. 21-2200
Development Options	Subsec. 21-2200.2
Building Forms	Subsec. 21-2200.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2200.3E Mobile Home Park (MHP)

Purpose. The Mobile Home Park (MHP) district provides for mobile home parks, manufactured homes, and tiny home communities with the necessary facilities that include mobile home spaces or lots that may, but need not be, owned by different persons.

Figure 21-2200.3E-1, MHP District Illustrative Example



- A. **Applicability.** The MHP district is appropriate for large land holdings in the low-density residential with buffering and open space standards as designated in the Character Areas Land Use Map of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2200.3E-1, *MHP District Illustrative Example*, depicts an example of a typical subdivision layout in the MHP District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2200.3E-1, *MHP References to Related Standards*.
 - 1. *Mobile Homes Restricted.* It shall be unlawful for any person to park, place, construct, store, install, inhabit or occupy a mobile home within the City except within a mobile home park.
 - 2. *Mobile Home Parks Restricted.* It shall be unlawful for any person to construct, install, establish, begin operation, or continue operation of a mobile home park within the City except within a MHP district. Mobile home parks shall be located in a manner to assure compatibility with adjacent and surrounding zone districts. No park shall be permitted within the boundaries of floodplains, high noise areas, or any other hazard areas designated by municipal, county, state, or federal law.

Table 21-2200.3E-1, MHP References to Related Standards

Topic	Location in LDC
Land Uses	Sec. 21-2200
Development Options	Subsec. 21-2200.2
Building Forms	Subsec. 21-2200.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2200.4 Building Forms

Subsec. 21-2200.4A Single-Unit Detached, Alley-Loaded



- A. **Generally.** This Subsection provides design standards for the Single-Unit Detached, Alley-Loaded building type. The illustration of a Single-Unit Detached, Alley-Loaded building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type is a small-scale, freestanding dwelling. The primary entrance is defined by a porch, stoop, or recessed entry. An attached garage with a pitched roof may be present on the front elevation in some contexts but is secondary to the principal building. Table 21-2200.4A-1, *Single-Unit Detached, Alley-Loaded Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4A-1, Single-Unit Detached, Alley-Loaded



Lot

A	Lot Width (<i>min.</i>)	30'
B	Lot Area (<i>min.</i>)	2,500 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	60%
D	Front Setback (<i>min.</i>)	15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>) ¹	10'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley
Parking Setback (<i>min.</i>)	Front, Street : 20' Alley: 5'
Parking and Garage ^[1] Location	Rear See Table 21-4310 -1, Off-Street Parking Requirements .



Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
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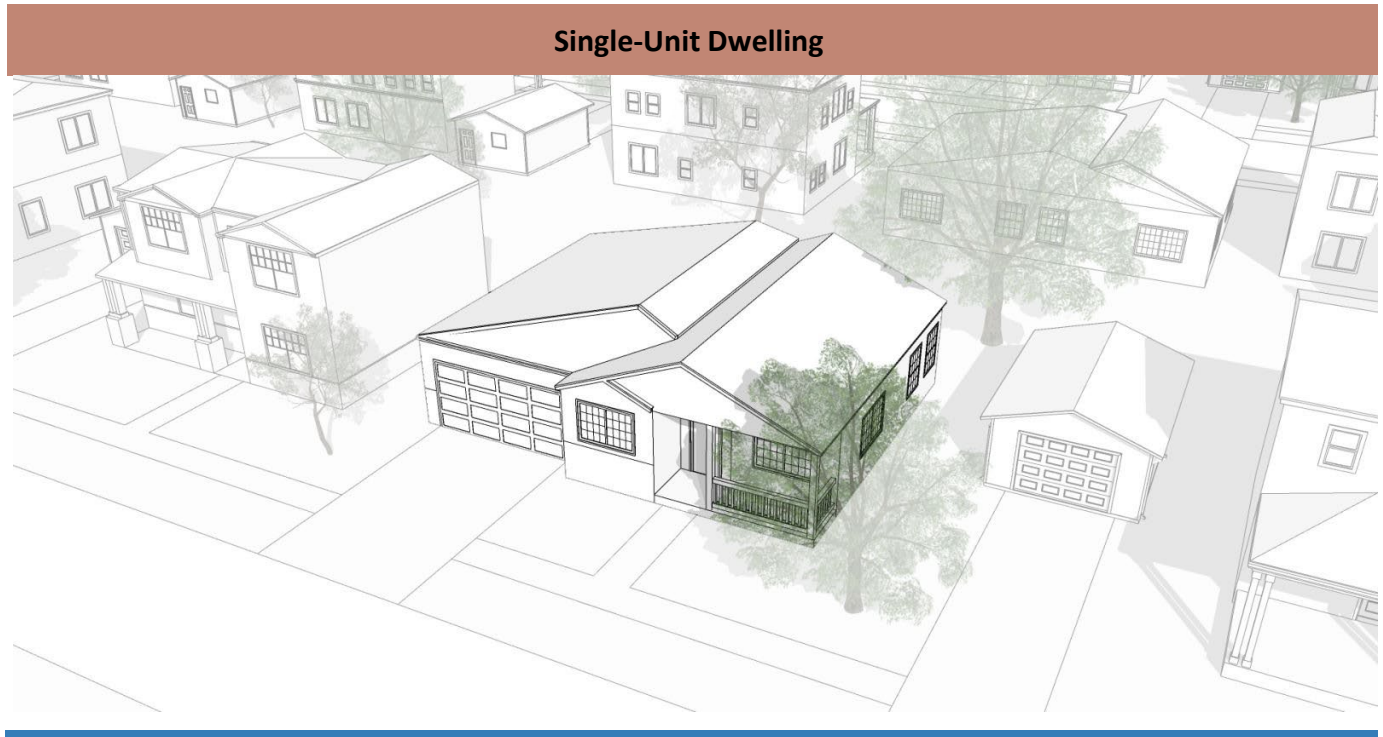
Pedestrian Access	Entrance shall be covered and contain at least one of the following: • Awning, • Portico, • Overhang, • Minimum one foot recess or projection, • Arcade, • Raised corniced parapet above the door, • Peaked roof form, or • Arch.
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Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

Effective on: 8/18/2025

Subsec. 21-2200.4B Single-Unit Dwelling



- A. **Generally.** This Subsection provides design standards for the Single-Unit Dwelling building type. The illustration of a Single-Unit Dwelling building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type is a small-scale, freestanding dwelling that is located on its own lot and is not attached to another dwelling. The primary entrance is defined by a porch, stoop, or recessed entry. Most have a pitched roof unless the building is art-deco or contemporary in style. High quality, natural, and durable materials are features of this building type. Table 21-2200.4B-1, *Single-Unit, Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4B-1, Single-Unit Dwelling



Lot

A	Lot Width (<i>min.</i>)	Front/Vehicle Access: 45' Side/Rear Vehicle Access: 50'
B	Lot Area (<i>min.</i>)	4,500 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	45%
D	Front Setback (<i>min.</i>)	15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>)	20'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	Street access
Parking Setback (<i>min.</i>)	Front, Street: 20'
Parking and Garage ^[1] Location	See Table 21-4310-1, <i>Off-Street Parking Requirements</i> .



Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
Pedestrian Access	Entrance shall be covered and contain at least one of the following: ■ Awning, ■ Portico, ■ Overhang, ■ Minimum one foot recess or projection, ■ Arcade, ■ Raised corniced parapet above the door, ■ Peaked roof form, or ■ Arch.

Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

Effective on: 8/18/2025

Subsec. 21-2200.4C Duplex Side-by-Side



- A. **Generally.** This Subsection provides design standards for the Duplex, Side-by-Side building type. The illustration of a Duplex, Side-by-Side building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type contains two dwelling units separated by a firewall with either both units on the same lot (a duplex) or each unit on separate lots. This building type is a small-scale, freestanding dwelling. The primary entrance is defined by a porch, stoop, or recessed entry. An attached garage with a pitched roof may be present on the front elevation in some contexts but is secondary to the principal building. Table 21-2200.4C-1, *Duplex, Side-by-Side Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4C-1, Duplex, Side-by-Side Building Type



Lot^{[3][4]}

A	Lot Width (<i>min.</i>)	Front/ Alley Vehicle Access: 50' Side/Rear Vehicle Access: 55' 0 lot line: 20'
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B	Lot Area (<i>min.</i>)	4,500 SF
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Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	60%
D	Front Setback (<i>min.</i>)	Alley: 10'; No Alley: 15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>) ¹	Alley: 10; No Alley: 20'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Parking and Garage ^[1] Location	See Table 21-4310 -1, <i>Off-Street Parking Requirements</i> .



Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
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Pedestrian Access	Entrance shall be covered and contain at least one of the following: ■ Awning, ■ Portico, ■ Overhang, ■ Minimum one foot recess or projection, ■ Arcade, ■ Raised corniced parapet above the door, ■ Peaked roof form, or ■ Arch.
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Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.
- [3] Lot ownership may affect location of lot lines. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.
- [4] If each dwelling unit is on its own lot, then a setback of 0' on the side with the common wall is permitted. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.

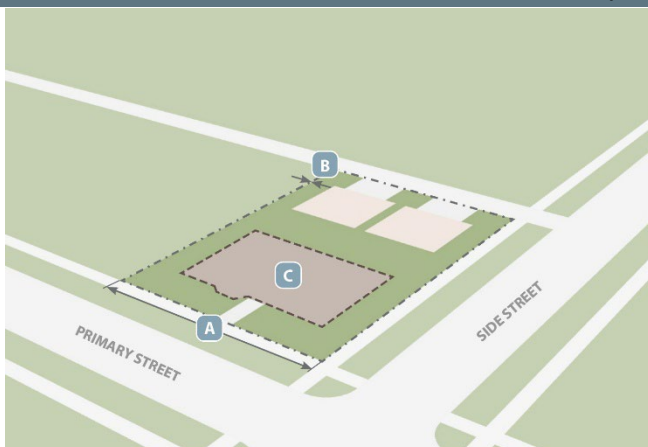
Effective on: 8/18/2025

Subsec. 21-2200.4D Duplex Stack



- A. **Generally.** This Subsection provides design standards for the Duplex, Stack building type. The illustration of a Duplex, Stack building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type contains two dwelling units stacked on top of each other on one lot. This building type is a small-scale, freestanding dwelling. The primary entrance is defined by a porch, stoop, or recessed entry. A detached garage with a pitched roof may be present on the rear elevation in some contexts but is secondary to the principal building. Table 21-2200.4D-1, *Duplex, Stack Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4D-1, Duplex, Stack Building Type



Lot^{[3][4]}

A	Lot Width (<i>min.</i>)	Front/ Alley
		Vehicle Access: 30' Side/Rear Vehicle Access: 35'

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	70%
D	Front Setback (<i>min.</i>)	Alley: 10'; No Alley:15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>) ¹	Alley: 10'; No Alley: 20'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Parking and Garage ^[1] Location	See Table 21-4310-1, <i>Off-Street Parking Requirements.</i>



Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
Pedestrian Access	Entrance shall be covered and contain at least one of the following: ■ Awning, ■ Portico, ■ Overhang, ■ Minimum one foot recess or projection, ■ Arcade, ■ Raised corniced parapet above the door, ■ Peaked roof form, or ■ Arch.

Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.
- [3] Lot ownership may affect location of lot lines. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.
- [4] If each dwelling unit is on its own lot, then a setback of 0' on the side with the common wall is permitted. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.

Effective on: 8/18/2025

Subsec. 21-2200.4D Townhouse



- A. **Generally.** This Subsection provides design standards for the Townhouse building type. The illustration of a Townhouse building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type accommodates three to eight single-unit that are on their own lot, are attached to one another side-by-side, and are oriented to the street. They are to be compatible in mass and scale with nearby residential structures of a lower scale. The facade is designed to express each individual unit. Each unit has a principal entrance on the ground floor defined by a porch, stoop, or recessed entry. End units have window openings on three sides, while interior units have window openings only in the front and back. Parking is located in the rear. Table 21-2200.4D-1, *Townhouse Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4D-1, Townhouse Building Type



Lot^{[3][4]}

A	Lot Width that is not subdivided with 0 lot line (<i>min.</i>)	Alley Vehicle Access: 60' Rear Vehicle Access: 65'
	Lot Width that is subdivided with 0 lot line (<i>min.</i>)	16'
B	Lot Area that is not subdivided with 0 lot line (<i>min.</i>)	5,250 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	70%
D	Front Setback (<i>min.</i>)	Alley: 10'; No Alley: 15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>) ¹	Alley: 10'; No Alley: 20'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Parking and Garage ^[1] Location	Side / Rear See Table 21-4310-1, <i>Off-Street Parking Requirements</i> .



Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
Pedestrian Access	Entrance shall be covered and contain at least one of the following: ■ Awning, ■ Portico, ■ Overhang, ■ Minimum one foot recess or projection, ■ Arcade, ■ Raised corniced parapet above the door, ■ Peaked roof form, or ■ Arch.
Dwelling Units Oriented to the Street	Required if any portion of the Dwelling Unit is located within 20' of Primary or Side Street Lot Line

Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.
- [3] Lot ownership may affect location of lot lines. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.
- [4] If each dwelling unit is on its own lot, then a setback of 0' on the side with the common wall is permitted. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.

Effective on: 8/18/2025

Subsec. 21-2200.4F Rowhouse



- A. **Generally.** This Subsection provides design standards for the Rowhouse building type. The illustration of a Rowhouse building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type accommodates three to eight residential units that are on their own lot, are attached to one another side-by-side, and are oriented to the street. The facade is designed to express each individual unit. Each unit has a principal entrance on the ground floor defined by a porch, stoop, or recessed entry. End units have window openings on three sides, while interior units have window openings only in the front and back. Parking is located in the rear or tucked under the residential unit. This building type accommodates three to eight residential units on a single lot, within a single structure. Table 21-2200.4F-1, *Rowhouse Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4F-1, Rowhouse Building Type



Lot

A	Lot Width that is not subdivided with 0 lot line (<i>min.</i>)	Alley Vehicle Access: 60' Rear Vehicle Access: 65'
	Lot Width that is subdivided with 0 lot line (<i>min.</i>)	16'
B	Lot Area that is not subdivided with 0 lot line (<i>min.</i>)	5,250 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	70%
D	Front Setback (<i>min.</i>)	Alley: 10'; No Alley: 15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>) ¹	Alley: 10'; No Alley: 20'

Building Height

H	Building Height (<i>max.</i>)	45'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Parking and Garage ^[1] Location	Side / Rear See Table 21-4310-1, <i>Off-Street Parking Requirements</i> .

Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
Pedestrian Access	Entrance shall be covered and contain at least one of the following: - Awning, - Portico, - Overhang, - Minimum one foot recess or projection, - Arcade, - Raised corniced parapet above the door, - Peaked roof form, or - Arch.
Dwelling Units Oriented to the Street	Required if any portion of the Dwelling Unit is located within 20' of Primary or Side Street Lot Line

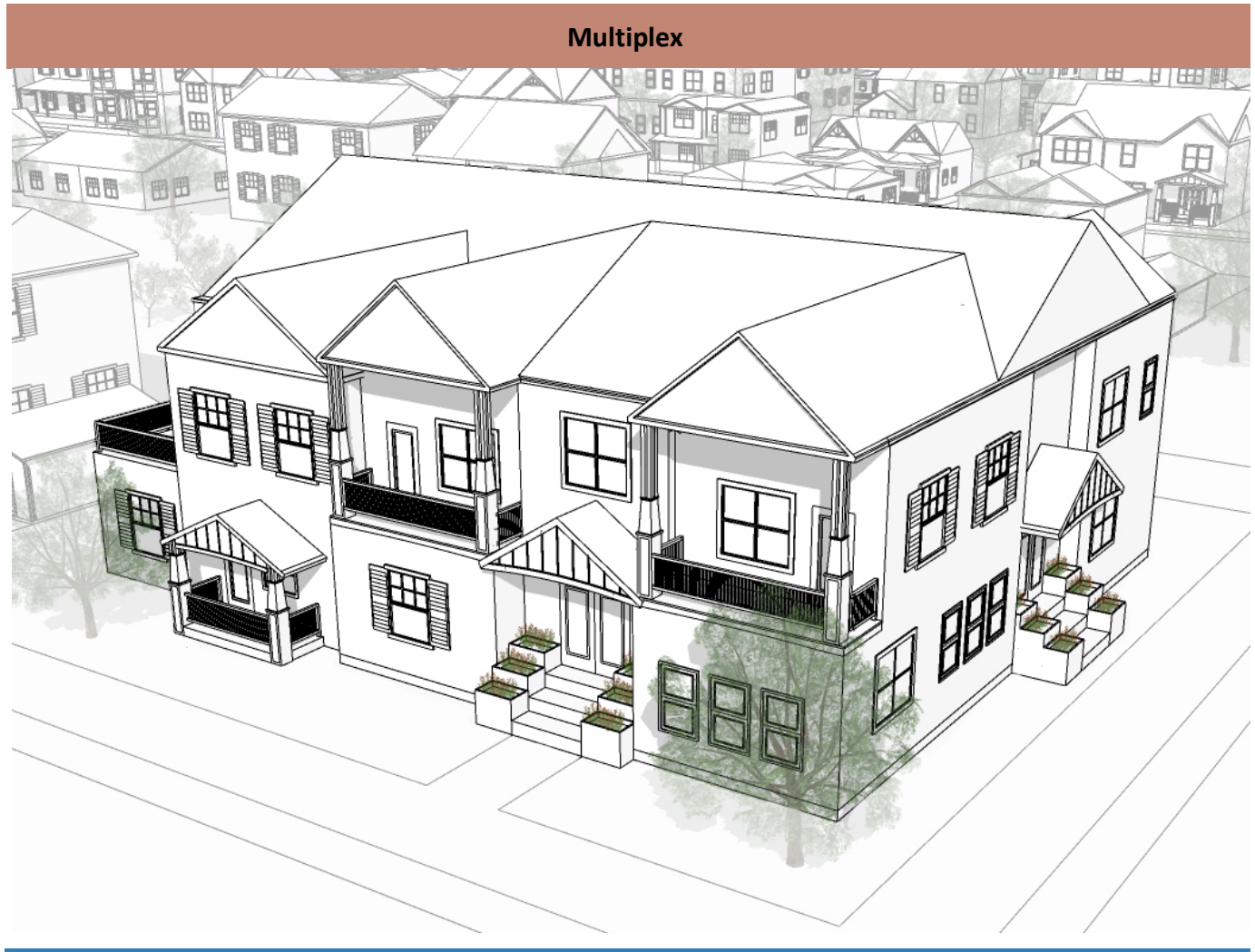
Table Notes:

[1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.

[2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

Effective on: 8/18/2025

Subsec. 21-2200.4G Multiplex



- A. **Generally.** This Subsection provides design standards for the Multiplex building type. The illustration of a Multiplex building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type accommodates three to six residential units on a single lot, within a single structure. This building type reflects traditional residential structures in form but is larger in scale. It is freestanding. Details include principal entrances in one or more locations. Each is defined by a porch, stoop, or recessed entry. A Multiplex building generally includes a pitched roof. Table 21-2200.4G-1, *Multiplex Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4G-1, Multiplex Building Type



Lot^{[3][4]}

A	Lot Width (<i>min.</i>)	Front/ Alley Vehicle Access: 50' Side/Rear Vehicle Access: 55'
B	Lot Area (<i>min.</i>)	4,500 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	70%
D	Front Setback (<i>min.</i>)	Alley: 10'; No Alley: 15'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>)	Alley: 10'; No Alley: 15'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Parking and Garage ^[1] Location	Rear See Table 21-4310-1, <i>Off-Street Parking Requirements</i> .



Street Level Design^[2]

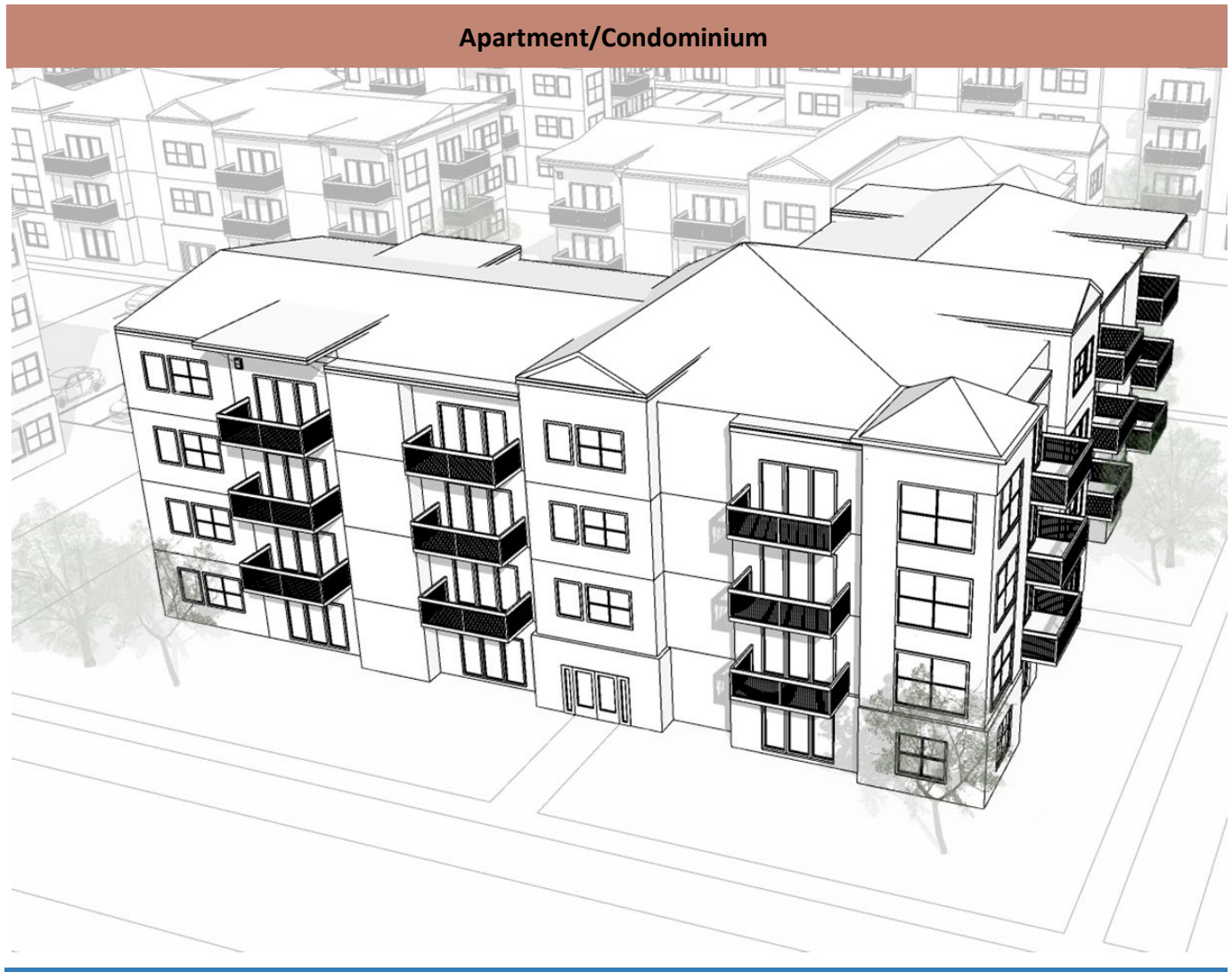
Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
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Pedestrian Access	Entrance shall be covered and contain at least one of the following: ■ Awning, ■ Portico, ■ Overhang, ■ Minimum one foot recess or projection, ■ Arcade, ■ Raised corniced parapet above the door, ■ Peaked roof form, or ■ Arch.
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Table Notes:

- [1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, *Accessory Uses and Structures*, for related standards.
- [2] Refer to Division 4.2, *Building Design Standards*, for additional related standards.
- [3] Lot ownership may affect location of lot lines. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.
- [4] If each dwelling unit is on its own lot, then a setback of 0' on the side with the common wall is permitted. Refer to Sec. 21-52110, *Homeowners' Association and Private Facilities*, and Sec. 21-52120, *Standards for Alternative Ownership Agreements*, for additional standards.

Subsec. 21-2200.4H Apartment/Condominium



- A. **Generally.** This Subsection provides design standards for the apartment/condominium building type. The illustration of an apartment/condominium building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type includes seven or more residential units on multiple floors in a single structure ~~or multiple structures on a single lot~~. The design is intended to be compatible in mass and

scale with the surrounding area and with a pedestrian friendly facade incorporating high quality ground floor design elements, such as transparency and clearly defined entrances. Table 21-2200.4H-1, *Apartment/Condominium Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4H-1, Apartment/Condominium Building Type



Lot

A	Lot Width (<i>min.</i>)	Alley Vehicle Access: 60' Rear Vehicle Access: 65'
B	Lot Area (<i>min.</i>)	5,250 SF

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	60%
D	Front Setback (<i>min.</i>)	Local: 15' Collector/Arterial: 20'
E	Side Setback (<i>min.</i>)	5'
F	Corner Setback (<i>min.</i>)	10'
G	Rear Setback (<i>min.</i>)	Alley: 10'; No Alley: 20'

Building Height

H	Building Height (<i>max.</i>)	50'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	Front, Street: 20' Alley: 5'
Street Access, Parking Location	Rear See Table 21-4310-1, <i>Off-Street Parking Requirements</i> .

Street Level Design^[1]

Garages and Carports	See Sec. 21-4210, <i>Residential Building Standards</i>
Pedestrian Access	Entrance shall be covered and contain at least one of the following: - Awning, - Portico, - Overhang, - Minimum one foot recess or projection, - Arcade, - Raised corniced parapet above the door, - Peaked roof form, or - Arch.

Table Notes:

[1] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

Subsec. 21-2200.4I Tiny Home

Tiny Home



- A. **Generally.** This Subsection provides design standards for the Tiny Home building type. The illustration of a Tiny Home development type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** A single-unit detached dwelling unit that is 400 square feet or less in total floor area, excluding lofts, designed for permanent, year-round occupancy. Tiny homes shall be constructed on a permanent foundation. Tiny homes shall include a kitchen, bathroom, and sleeping area, and shall be connected to utilities where required. Table 21-2200.4I-1, *Tiny Home Development Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4I-1, Tiny Home Building Type



Lot

A	Lot Width (<i>min.</i>)	--
B	Lot Area (<i>min.</i>)	--

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	60%
D	Setback from local or private street (<i>min.</i>)	15'
E	Side Setback (<i>min.</i>)	5'
F	Setback from collector or arterial street (<i>min.</i>)	30'
G	Rear Setback (<i>min.</i>)	20'

Maximum Gross Floor Area	400 sf
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Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
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Parking Setback (<i>min.</i>)	--
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Street Access, Parking Location	Side See Table 21-4310-1, <i>Off-Street Parking Requirements</i>
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Street Level Design^[1]

Primary Street-Facing Attached Garage ^[1] Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
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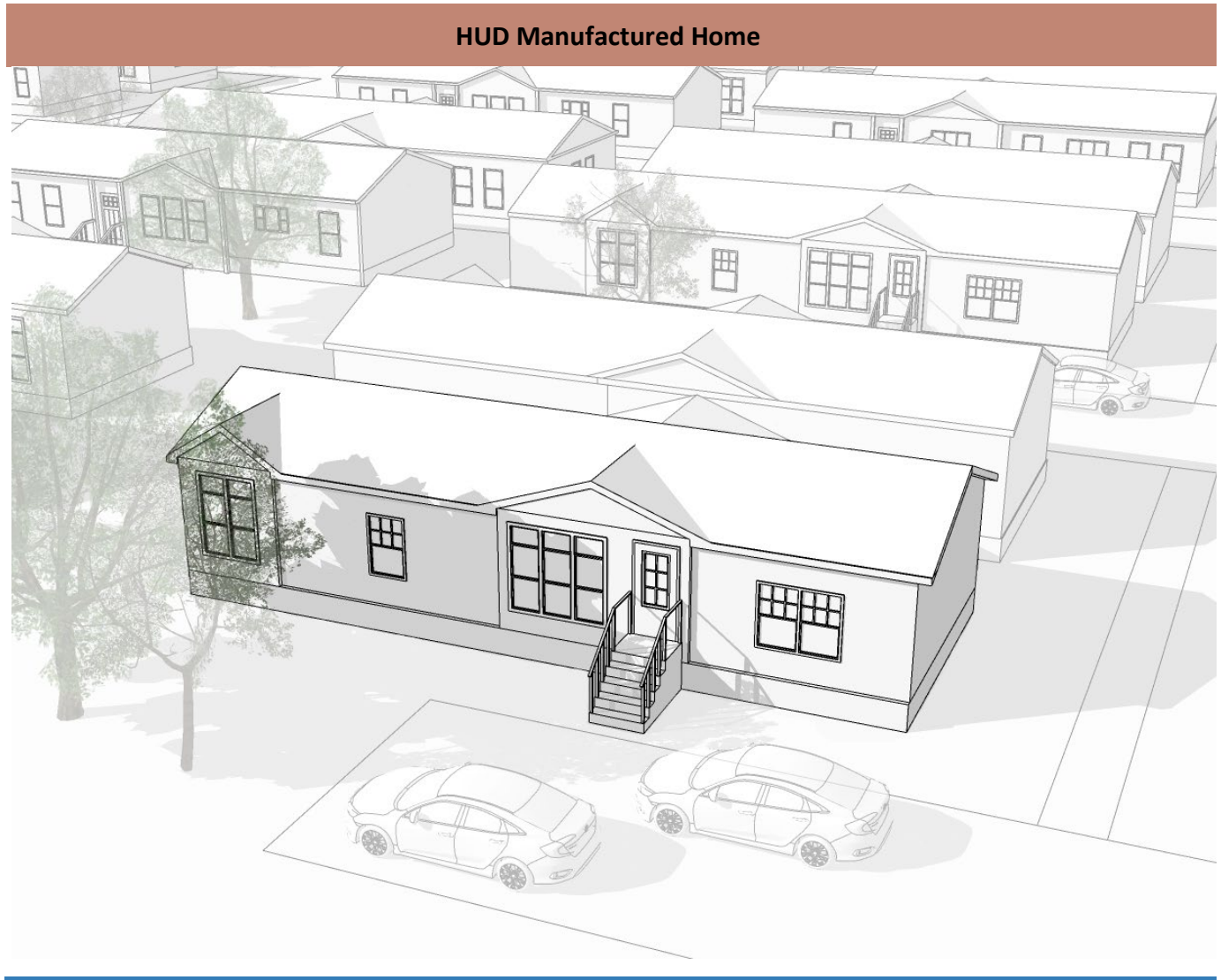
Pedestrian Access	--
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Table Notes:

[1] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

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Subsec. 21-2200.4J HUD Manufactured Home



- A. **Generally.** This Subsection provides design standards for the HUD Manufactured Home building type. The illustration of a HUD Manufactured Home building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** A structure, constructed on or after June 15, 1976, in compliance with the rules and definitions of the United States Department of Housing and Urban Development, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities for occupancy. This term does not include recreational vehicles. This building type is a small-scale, freestanding form. The primary entrance is defined by a porch, stoop, or recessed entry. A detached garage with a pitched roof may be present and is secondary to the principal building. Table 21-2200.4J-1, *HUD Manufactured Home Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4J-1, HUD Manufactured Home



Lot

A	Lot Width (<i>min.</i>)	280'
B	Lot Area (<i>min.</i>)	5 acres

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	60%
D	Setback from local or private street (<i>min.</i>)	15'
E	Side setback (<i>min.</i>)	5'
F	Setback from collector or arterial street (<i>min.</i>)	30'
G	Rear Setback (<i>min.</i>)	20'

Building Height

H	Building Height (<i>max.</i>)	35'
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Access and Parking

Vehicle Access	From Alley; or Street access allowed when alley is unimproved or not present
Parking Setback (<i>min.</i>)	--
Street Access, Parking Location	Side See Table 21-4310 -1, <i>Off-Street Parking Requirements</i> .



Street Level Design^[1]

Primary Street-Facing Attached Garage Door Width (<i>max per unit</i>)	No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.
Pedestrian Access	--

Table Notes:

[1] Refer to Division 4.2, *Building Design Standards*, for additional related standards.

Sec. 21-2210. - Mixed Use and Commercial Districts

Subsec. 21-2210.1 Use Table

- A. **Use Table.** All uses of land and buildings within the nonresidential and mixed use zoning districts shall be as set forth in Table 21-2210.1-1, *Mixed Use and Commercial; District Use Table*.
- B. **Permitted Land Uses.** The land uses in Table 21-2210.1-1, *Mixed Use and Commercial District Use Table*, below are classified and symbolized by the following:
1. "P" means the use is permitted by-right and is not subject to further use-specific review; however, is subject to other design standards and review procedures of this LDC.
 2. "L" means the use is permitted subject to approval by the Community Development Director (Director), Sec. 21-3200, *Limited Use Standards*, and Sec. 21-7400, *Limited Use Permit*.
 3. "C" means the use requires a public hearing and conditional use approval subject to Sec. 21-3210, *Conditional Use Standards*, and Sec. 21-7130, *Conditional Use Permit*.
 4. "--" means the use is prohibited.
- C. **New and Unlisted Uses.** Refer to Sec. 21-3250, *New and Unlisted Uses*.
- D. **Use Categories.** The Use Categories in the use table below are further described in Division 4.1, *Use Categories*. Division 4.1, *Use Categories*, provides the characteristics of each use category and identifies the specific uses that make up each category.

Table 21-2210.1-1, Mixed Use and Commercial District Use Table							
Use Category	Specific Use	C-1	C-2	MU-C	MU-1	C-C	Standards
Residential Uses ⁽¹⁾							
Household Living	Multi-Unit	L	L	P	P	P	Sec. 21-3200.C.2
	Dwelling, Two-Unit	--	--	--	--	--	--
	Dwelling, Single-Unit	--	--	--	--	--	--
	Live-Work	--	P	P	P	P	--
	Mobile or Manufactured Home	--	--	--	--	--	--
Group Living	Assisted Living Facility	P	P	P	P	--	--
	Boarding, Lodging, or Rooming House	--	--	P	P	--	--
	Group Home, Type A	--	--	L	L	--	Sec. 21-3200.C.1
	Group Home, Type B	--	--	--	--	--	--
	Nursing Home	P	P	P	P	--	--
Public, Institutional, and Civic Uses							
Community Service	All Community Service Uses	L	L	L	L	L	Sec. 21-3200.D.1
Day Care	All Day Care Uses	L	L	L	L	L	Sec. 21-3200.D.2
Educational Facilities	Nursing or Medical School not Associated with a Hospital	--	C	P	P	P	Sec. 21-3210.C

Table 21-2210.1-1, Mixed Use and Commercial District Use Table

Use Category	Specific Use	C-1	C-2	MU-C	MU-1	C-C	Standards
	University or College	--	C	P	P	P	Sec. 21-3210.C
	All Educational Facilities Other than Listed	L	L	L	L	L	Sec. 21-3200.D.4
Government Facilities	All Government Facilities	P	P	P	P	P	--
Medical Facilities	Hospital	--	C	--	--	C	Sec. 21-3210.C
	All Medical Facilities Other than Listed	P	P	P	P	P -	--
Parks and Open Areas	Dog Park, Public	L	L	L	L	L	Sec. 21-3200.D.3
	All Park and Open Areas Other than Listed	P	P	P	P	P	--
Passenger Terminals	All Passenger Terminal Uses	--	--	--	--	--	--
Places of Worship	All Places of Worship	L	L	L	L	L	Sec. 21-3200.D.1
Social Service Establishments	All Social Service Establishment Uses Other than Listed	--	--	--	--	--	--
Utilities, Major	Electric Substation and Gas Regulator Station	C	C	C	C	C	Sec. 21-3210.F.2
	All Major Utilities	C	C	C	C	C	Sec. 21-3210.C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	L	Sec. 21-3200.D.5
	All Minor Utilities Other than Listed	P	P	P	P	P	--
Commercial Uses							
Commercial, Drive-Through	All Commercial Drive-Through Uses	L	L	L	L	L	Sec. 21-3200.E.5
Marijuana Use	Marijuana Store	--	L	--	--	--	Sec. 21-3200.E.8
	All Marijuana Uses Other than Listed	--	--	--	--	--	--
Office Uses	Bail Bond Office	--	L	--	--	--	Sec. 21-3200.E.3
	Natural Medicine Healing Center	L	L	L	L	L	
	All Office Uses Other than Listed	P	P	L	L	L	Sec. 21-3200.E.9
Overnight Accommodations	Bed and Breakfast	P	--	--	--	--	Sec. 21-3200. E.1

Table 21-2210.1-1, Mixed Use and Commercial District Use Table

Use Category	Specific Use	C-1	C-2	MU-C	MU-1	C-C	Standards
	All Overnight Accommodation Uses Other than Listed	P	P	P	P	P	--
Parking, Commercial	All Commercial Parking Uses	--	--	C	C	C	Sec. 21-3210.C
Recreation, Indoor	Indoor Gun Clubs	--	L	L	L	L	Sec. 21-3200.E.12
	All Indoor Recreation Uses	P	P	P	P	P	Sec. 21-3200.E.12
Recreation, Outdoor	All Outdoor Recreation Uses	P	P	--	--	--	--
Restaurant	Brewpub	L	L	L	L	L	Sec. 21-3200.E.4
	All Restaurant Uses Other than Listed	P	P	P	P	P	--
Retail Repair, Sales, and Service	Age-Restricted Retail	--	L	L	L	L	Sec. 21-3200.E.6
	All Retail Repair, Sales, and Service Uses Greater than 25,000 Square Feet in Floor Area	--	PG	PG	PG	PG	Sec. 21-3210.C
	Doggie Day Care	L	L	L	L	L	Sec. 21-3200.G.3
	Flea Market	--	--	--	--	--	--
	Pawn Shop	--	L	--	--	--	Sec. 21-3200.E.11
	All Retail Repair, Sales, and Service Uses Other than Listed	P	P	P	P	P	--
Vehicle Sales and Service	Car Wash	--	L	L	--	L	Sec. 21-3200.E.2
	Fuel Sales	--	L	L	--	L	Sec. 21-3200.E.7
	Heavy Vehicle Sales and Rental	--	--	--	--	--	--
	Transportation Terminal and Truck Stop	--	--	--	--	--	--
	Vehicle Sales and Rental less than 3 Acres in Site Area	--	L	--	--	L	Sec. 21-3200.E.15
	Vehicle Sales and Rental Greater than 3 Acres in Site Area	--	C	--	--	C	Sec. 21-3210.C
	Vehicle Repair, Major	--	--	--	--	--	--
	Vehicle Servicing, Minor	--	L	L	L	L	Sec. 21-3200.E.14

Table 21-2210.1-1, Mixed Use and Commercial District Use Table							
Use Category	Specific Use	C-1	C-2	MU-C	MU-1	C-C	Standards
	All Vehicle Sales and Service Uses Other than Listed	--	L	--	--	L	Sec. 21-3200.E.14
Industrial Uses							
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--	--
Light Industrial	Artisan/Handcrafted Manufacturing	L	L	L	L	P	Sec. 21-3200.F.2
	All Light Industrial Uses Other than Listed	--	--	--	--	--	--
Warehousing	All Warehousing Uses Other than Listed	--	--	--	--	--	--
Waste-Related	All Waste-Related Uses Other than Listed	--	--	--	--	--	--
Wholesale and Distribution	All Wholesale Distribution Other than Listed	--	--	--	--	--	--
Open Use Categories							
Agriculture and Animal-Oriented Uses	Community Garden	L	L	L	L	L	Sec. 21-3200.G.2
	Greenhouse/Nursery/Tree Production (With Outdoor Storage)	L	L	L	--	L	Sec. 21-3200.G.4
	Kennel	--	--	--	--	--	--
	Agriculture Uses Other than Listed	--	--	--	--	--	--
Resource Extraction	All Resource Extraction Uses Other than Listed	--	--	--	--	--	--

Table Notes:

1. No new residential use shall be established on any property that lies within an airport noise contour of 55 DNL (day-night noise level) or higher.

Subsec. 21-2210.2 Development Options

Table 21-2210.2-1, Mixed Use and Commercial Development Options

Development Option	Intent Statement	Applicable Zoning District	Open or Amenity Space (Min.)
Mixed Use, Commercial	Promote pedestrian-friendly, high-quality development and gathering spaces that support both neighborhood-scale development and oriented businesses that serve local residents.	C-1, C-2, MU-C	10%
Mixed Use, Neighborhood	Promote pedestrian-friendly, mixed use centers where housing, businesses, and public spaces are seamlessly integrated. Encourage neighborhood-scaled buildings and walkable streets, human-scaled design, and a mix of uses that support daily needs.	MU-1, C-1	20%
Mixed Use, Regional	Promote pedestrian-friendly, mixed use centers where housing, businesses, and public spaces are seamlessly integrated. Encourage larger-scaled buildings and walkable streets, human-scaled design, and a mix of uses that support needs. These areas should also accommodate regional destinations that attract visitors.	C-2, C-C	10%

Subsec. 21-2210.2A Mixed Use, Commercial

- A. **General.** Promote pedestrian-friendly, high-quality development and gathering spaces that support both neighborhood-scale development and oriented businesses that serve local residents.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2210.1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2210.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2210.2A-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Mixed Use, Commercial; development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2210.2A-1, Mixed Use Commercial



Table 21-2210.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types		C-1	C-2	MU-C	Specific Standards
	Apartment/Condominium	--	●	●	Subsec. 21-2200.4H
	Multiplex	--	●	●	Subsec. 21-2200.4G

Table 21-2210.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

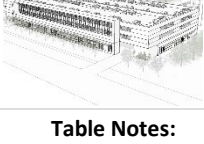
Building Types		C-1	C-2	MU-C	Specific Standards
	Townhouse ¹	--	●	●	Subsec. 21-2200.4D
	Rowhouse ¹	--	●	●	Subsec. 21-2200.4F
	Live-Work	●	●	●	Subsec. 21-2210.4A
	Mixed Use	●	●	●	Subsec. 21-2210.4B
	Commercial (Single-Tenant)	●	●	●	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	●	●	Subsec. 21-2210.4D
	Commercial (Drive Through)	●	●	●	Subsec. 21-2210.4E
	Office-Institutional	●	●	●	Subsec. 21-2210.4F
	Parking Structure		--	●	Subsec. 21-2210.4G

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

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Subsec. 21-2210.2B Mixed Use, Neighborhood

- A. **General.** Promote pedestrian-friendly, mixed use centers where housing, businesses, and public spaces are seamlessly integrated. Encourage neighborhood-scaled buildings and walkable streets, human-scaled design, and a mix of uses that support daily needs.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2210.1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2210.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2210.2B-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Mixed Use, Neighborhood development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2210.2B-1, Mixed Use, Neighborhood



Table 21-2210.2B-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

	Building Types	C-1	MU-1	Specific Standards
	Apartment/Condominium	--	●	Subsec. 21-2200.4H
	Multiplex	--	●	Subsec. 21-2200.4G
	Townhouse ¹	--	●	Subsec. 21-2200.4D
	Rowhouse ¹	--	●	Subsec. 21-2200.4F
	Live-Work	●	●	Subsec. 21-2210.4A
	Mixed Use	●	●	Subsec. 21-2210.4B
	Commercial (Single-Tenant)	●	●	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	●	Subsec. 21-2210.4D
	Commercial (Drive Through)	●	●	Subsec. 21-2210.4E
	Office-Institutional	●	●	Subsec. 21-2210.4F

Table 21-2210.2B-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types	C-1	MU-1	Specific Standards
 Parking Structure	--	●	Subsec. 21-2210.4G

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

Subsec. 21-2210.2C Mixed Use, Regional

- General.** Promote pedestrian-friendly, mixed use centers where housing, businesses, and public spaces are seamlessly integrated. Encourage larger-scaled buildings and walkable streets, human-scaled design, and a mix of uses that support needs. These areas should also accommodate regional destinations that attract visitors.
- Zoning Districts.** The applicable zoning districts can be found in Table 21-2210.1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2210.3, *Zoning Districts*.
- Building Forms.** Table 21-2210.2C-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Mixed Use, Regional development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2210.2C-1, Mixed Use, Regional



Table 21-2210.2C-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

	Building Types	C-2	MU-1	C-C	Specific Standards
	Apartment/Condominium	●	●	●	Subsec. 21-2200.4H
	Multiplex	●	●	●	Subsec. 21-2200.4G
	Townhouse ¹	●	●	●	Subsec. 21-2200.4D
	Rowhouse ¹	●	●	●	Subsec. 21-2200.4F
	Live-Work	●	●	●	Subsec. 21-2210.4A
	Mixed Use	●	●	●	Subsec. 21-2210.4B
	Commercial (Single-Tenant)	●	●	●	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	●	●	Subsec. 21-2210.4D
	Commercial (Drive Through)	●	--	--	Subsec. 21-2210.4E
	Office-Institutional	●	●	●	Subsec. 21-2210.4F

Table 21-2210.2C-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

Building Types	C-2	MU-1	C-C	Specific Standards
 Industrial	--	--	●	Subsec. 21-2220.3A
 Parking Structure	--	●	●	Subsec. 21-2210.4G

Table Notes:

1. Building form is permitted within Court developments, which are further defined and regulated in Subsec. 21-2200.2, *Development Options*, and Article IV, *Design Standards*.

Sec. 21-2220. - Industrial Districts

Subsec. 21-2220.1 Use Table

- Use Table.** All uses of land and buildings within the industrial zoning districts shall be as set forth in Table 21-2220.1-1, *Industrial District Use Table*.
- Permitted Land Uses.** The land uses in Table 21-2220.1-1, *Industrial District Use Table*, below are classified and symbolized by the following:
 1. "P" means the use is permitted by-right and is not subject to further use-specific review; however, is subject to other design standards and review procedures of this LDC.
 2. "L" means the use is permitted subject to approval by the Community Development Director (Director), Sec. 21-4200, *Limited Use Standards*, and Sec. 21-7400, *Limited Use Permit*.
 3. "C" means the use requires a public hearing and conditional use approval subject to Sec. 21-4210, *Conditional Use Standards*, and Sec. 21-7250, *Conditional Use Permit*.
 4. "--" means the use is prohibited.
- New and Unlisted Uses.** Refer to Sec. 21-3250, *New and Unlisted Uses*.
- Use Categories.** The Use Categories in the use table below are further described in Division 4.1, *Use Categories*. Division 4.1, *Use Categories*, provides the characteristics of each use category and identifies the specific uses that make up each category.

Table 21-2220.1-1, Industrial District Use Table

Use Category	Specific Use	I-A	I-1	I-2	I-3	Standards
Residential Uses ⁽¹⁾						
Household Living	Apartment/Condominium	--	--	--	--	--
	Dwelling, Two-Unit	--	--	--	--	--
	Dwelling, Single-Unit	--	--	--	--	--

Table 21-2220.1-1, Industrial District Use Table

Use Category	Specific Use	I-A	I-1	I-2	I-3	Standards
	Live-Work	--	--	--	--	--
	Assisted Living Facility	--	--	--	--	--
	Boarding, Lodging, or Rooming House	--	--	--	--	--
	Foster Care Home	--	--	--	--	--
Group Living	Group Home, Type A	--	L	--	--	Sec. 21-3200.C.1
	Group Home, Type B	--	C	--	--	Sec. 21-3210.D.1
	Nursing Home	--	--	--	--	--
Public, Institutional, and Civic Uses						
Community Service	All Community Service Uses	--	L	--	--	Sec. 21-3200.D.1
Day Care	All Day Care Uses	--	L	--	--	Sec. 21-3200.D.2
	Nursing or Medical School not Associated with a Hospital	C	C	--	--	Sec. 21-3210.C
Educational Facilities	University or College	C	C	--	--	Sec. 21-3210.C
	All Educational Facilities Other than Listed	L	L	--	--	Sec. 21-3200.D.4
Government Facilities	All Government Facilities	--	--	--	--	--
	Hospital	--	C	--	--	Sec. 21-3210.C
	All Medical Facilities Other than Listed	P	P	--	--	--
	Campground	--	--	--	--	--
Parks and Open Areas	Cemetery or Mausoleum	--	--	--	--	--
	Dog Park, Public	--	--	--	--	--
	All Park and Open Areas Other than Listed	P	P	P	P	--
	Airport	--	C	C	C	Sec. 21-3210.C
Passenger Terminals	All Passenger Terminal Uses Other than Listed	C	C	P	P	Sec. 21-3210.C
Places of Worship	All Places of Worship	--	--	--	--	--
	Correctional Facility (Private)	--	C	C	C	Sec. 21-3210.C
Social Service Establishments	Halfway House	--	C	C	C	Sec. 21-3210.C
	All Social Service Establishment Uses Other than Listed	P	P	P	P	--

Table 21-2220.1-1, Industrial District Use Table						
Use Category	Specific Use	I-A	I-1	I-2	I-3	Standards
Utilities, Major	Electric Substation and Gas Regulator Station	C	C	C	C	Sec. 21-3210.F.2
	All Major Utilities	C	C	C	C	Sec. 21-3210.C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	Sec. 21-3200.D.5
	All Minor Utilities Other than Listed	P	P	P	P	--
Commercial Uses						
Marijuana Use	All Marijuana Uses	--	L	L	L	Sec. 21-3200.E.8
Office Uses	Bail Bond Office	--	L	--	--	Sec. 21-3200.E.3
	All Office Uses	P	P	P	--	--
Overnight Accommodations	Bed and Breakfast	--	--	--	--	--
	All Overnight Accommodation Uses Other than Listed	P	--	--	--	--
Parking, Commercial	All Commercial Parking Uses	L	--	--	L	Sec. 21-3200.B.10
Recreation, Indoor	Sexually-Oriented Business	--	L	L	L	Sec. 21-3200.E.13
	All Indoor Recreation Uses	--	P	--	--	--
Recreation, Outdoor	All Outdoor Recreation Uses	P	P	--	--	--
Restaurant	Brewpub	L	--	--	--	Sec. 21-3200.E.4
	Restaurant, Fast Food	P	--	--	--	--
	All Restaurant Uses Other than Listed	P	--	--	--	--
Commercial Drive-Through	All Commercial Drive-Through Uses	L	--	--	--	Sec. 21-3200.E.5
Retail Repair, Sales, and Service	Age-Restricted Retail	L	L	L	L	Sec. 21-3200.E.6
	All Retail Repair, Sales, and Service Uses Greater than 25,000 Square Feet in Floor Area	P	--	--	--	--
	Doggie Day Care	L	L	--	--	Sec. 21-3200.G.3
	Flea Market	--	C	C	--	Sec. 21-3210.C
	Pawn Shop	--	L	--	--	Sec. 21-3200.E.11
	All Retail Repair, Sales, and Service Uses Other than Listed	P	P	--	--	--

Table 21-2220.1-1, Industrial District Use Table

Use Category	Specific Use	I-A	I-1	I-2	I-3	Standards
Vehicle Sales and Service	Car Wash	--	--	--	--	--
	Fuel Sales	--	L	L	--	Sec. 21-3200.E.7
	Heavy Vehicle Sales and Rental	--	L	L	L	Sec. 21-3200.E.15
	Transportation Terminal and Truck Stop	C	C	C	C	Sec. 21-3210.F.10
	Vehicle Sales and Rental Less than 3 Acres in Site Area	--	L	--	--	Sec. 21-3200.G.15
	Vehicle Sales and Rental Greater than 3 Acres in Site Area	--	C	--	--	Sec. 21-3210.C
	Vehicle Repair, Major	--	L	L	L	
	Vehicle Servicing, Minor	L	L	L	L	Sec. 21-3200.E.14
	All Vehicle Sales and Service Uses Other than Listed	L	L	L	L	Sec. 21-3200.E.14
Industrial Uses						
Heavy Industrial	Transportation Terminal where Vehicles Carry Flammable, Explosive, Hazardous, or High Toxic Materials	--	--	--	C	Sec. 21-3210.F.9
	All Heavy Industrial Uses	--	--	--	C	Sec. 21-3210.C
Light Industrial	Artisan/Handcrafted Manufacturing	L	L	--	--	Sec. 21-3200.F.2
	All Light Industrial Uses Other than Listed	P	P	P	--	--
Warehousing	Above-Ground Storage Tank, Less than 48,000 Gallons	--	L	L	L	Sec. 21-3200.F.1
	Above-Ground Storage Tank, More than 48,000 Gallons	--	--	--	C	Sec. 21-3210.F.1
	Bulk Grain Transfer Facility	--	--	L	L	Sec. 21-3200.F.3
	Data Center	C	C	C	C	Sec. 21-3210.C
	Outdoor Storage	--	--	L	L	Sec. 21-3200.F.5
	Self-Service Storage	--	L	L	--	Sec. 21-3200.F.4
	All Warehousing Uses Other than Listed	P	P	P	P	--
Waste-Related	Hazardous Waste Collection, Treatment, and Disposal	--	--	--	C	Sec. 21-3210.F.3

Table 21-2220.1-1, Industrial District Use Table						
Use Category	Specific Use	I-A	I-1	I-2	I-3	Standards
	Landfill, Construction/Demolition or Solid Waste	--	--	--	C	Sec. 21-3210.F.4
	Material Resource Recovery Facilities	--	--	--	C	Sec. 21-3210.F.6
	Recycling Collection Area, Large	--	--	--	C	Sec. 21-3210.F.5
	Recycling Collection Area, Small	--	--	--	L	Sec. 21-3200.F.5
	Refuse Transfer Facility and/or Transfer Facility	--	--	--	C	Sec. 21-3210.F.7
	Scrap Tire Facility	--	--	--	C	Sec. 21-3210.F.8
	Towing Service with Impound Yard	--	--	L	L	Sec. 21-3200.F.6
	All Waste-Related Uses Other than Listed	--	--	C	C	Sec. 21-3210.C
Wholesale and Distribution	Groceries and Related Products	--	P	P	P	--
	All Wholesale and Distribution Other than Listed	--	--	P	P	--
Open Use Categories						
Agriculture and Animal-Oriented Uses	Agricultural and Animal Production Support, Sales, and Service	--	--	C	C	Sec. 21-3210.C
	Feedlot, Stockyard, and the Commercial Sale of Livestock	--	--	C	C	Sec. 21-3210.G.3
	Community Garden	L	L	L	L	Sec. 21-3200.G.2
	Greenhouse/Nursery/Tree Production (With Outdoor Storage)	--	--	L	L	Sec. 21-3200.G.4
	Kennel	--	L	L	L	Sec. 21-3200.G.5
	Agriculture Uses Other than Listed	--	--	--	--	--
Resource Extraction	Borrow Pit	--	--	--	C	Sec. 21-3210.G.1
	Subsurface Extraction (Including Oil and Natural Gas Extraction)	--	--	C	C	Sec. 21-3210.G.2
	All Resource Extraction Uses Other than Listed	--	--	--	C	Sec. 21-3210.C

Table Notes:

1. No new residential use shall be established on any property that lies within an airport noise contour of 55 DNL (day-night noise level) or higher.

Subsec. 21-2220.2 Development Options

Table 21-2220.2-1, Industrial Development Options			
Development Option	Intent Statement	Applicable Zoning District	Open or Amenity Space (Min.)
Urban, Business and Employment	Create a balanced employment district where light industrial, commercial service and business park uses coexist seamlessly, fostering economic growth, innovation, and job opportunities while remaining compatible with surrounding areas. This includes smaller industrial sites that are located in a more urban setting and may be adjacent to or in close proximity to commercial and residential uses. This requires effective management of industrial uses to minimize their impact on nearby residents and businesses to ensure a balance between economic vitality and community well-being.	I-1, I-2	5%
Suburban, Business and Employment	Create a balanced employment district where light industrial, commercial service and business park uses coexist seamlessly, fostering economic growth, innovation, and job opportunities while remaining compatible with surrounding areas. This requires effective management of industrial uses to minimize their impact on nearby residents and businesses to ensure a balance between economic vitality and community well-being.	I-1, I-A, CC	10%
Heavy Manufacturing	Ensure the effective management and containment of the city's most established and impactful industrial uses, minimizing their effects on nearby residents and businesses. This may require greater separation and buffering to balance economic vitality with community well-being. Over time, introduce new employment uses—such as business parks, offices, and light manufacturing—at the edges to create a more compatible transition.	I-1, I-2, I-3	5%

Subsec. 21-2220.2A Urban, Business and Employment

- A. **General.** Create a balanced employment district where light industrial, commercial service and business park uses coexist seamlessly, fostering economic growth, innovation, and job opportunities while remaining compatible with surrounding areas. This requires effective management of industrial uses to minimize their impact on nearby residents and businesses, which may include greater separation and buffering for more urban settings to ensure a balance between economic vitality and community well-being.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2220.1-1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2220.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2220.2A-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Urban, Business and Employment development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2220.2A-1, Urban, Business and Employment



Table 21-2220.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

	Building Types	I-1	I-2	Specific Standards
	Commercial (Single-Tenant)	●	●	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	●	Subsec. 21-2210.4D
	Office-Institutional	●	●	Subsec. 21-2210.4F
	Industrial	●	●	Subsec. 21-2220.3A

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Subsec. 21-2220.2B Suburban, Business and Employment

- A. **General.** Create a balanced employment district where light industrial, commercial service and business park uses coexist seamlessly, fostering economic growth, innovation, and job opportunities while remaining compatible with surrounding areas. This requires effective management of industrial uses to minimize their impact on nearby residents and businesses to ensure a balance between economic vitality and community well-being.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2220.1-1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2220.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2220.2B-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Suburban, Business and Employment development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2220.2B-1, Suburban, Business and Employment

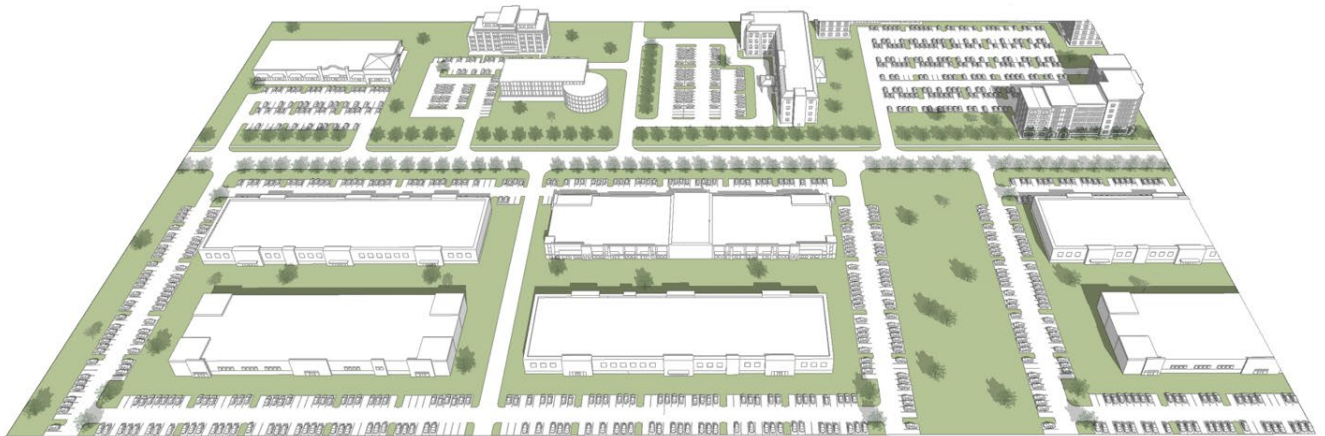


Table 21-2220.2B-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

	Building Types	C-C	I-1	I-A	Specific Standards
	Live-Work	●	--	--	Subsec. 21-2210.4A
	Mixed Use	●	--	--	Subsec. 21-2210.4B
	Commercial (Single-Tenant)	●	●	●	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	●	●	Subsec. 21-2210.4D
	Commercial (Drive Through)	●	--	●	Subsec. 21-2210.4E
	Office-Institutional	●	●	●	Subsec. 21-2210.4F
	Industrial	●	●	●	Subsec. 21-2220.3A
	Parking Structure	●	--	●	Subsec. 21-2210.4G

Effective on: 8/18/2025

Subsec. 21-2220.2C Heavy Manufacturing

- A. **General.** Ensure the effective management and containment of the city's most established and impactful industrial uses, minimizing their effects on nearby residents and businesses. This may require greater separation and buffering to balance economic vitality with community well-being. Over time, introduce new employment uses—such as business parks, offices, and light manufacturing—at the edges to create a more compatible transition.
- B. **Zoning Districts.** The applicable zoning districts can be found in Table 21-2220.1-1, *Development Options*. Additional standards for each zoning district can be found in Subsec. 21-2220.3, *Zoning Districts*.
- C. **Building Forms.** Table 21-2220.2C-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Heavy Manufacturing development option. Standards for each building type can be found in Subsec. 21-2200.4, *Building Forms*.

Figure 21-2220.2C-1, Heavy Manufacturing

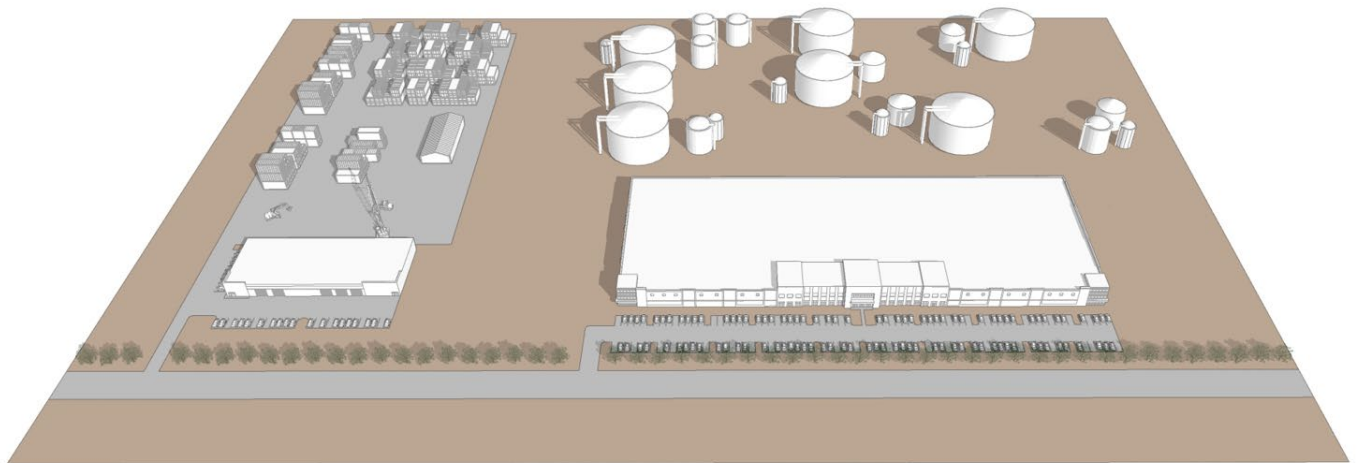


Table 21-2220.2C-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited

	Building Types	I-1	I-2	I-3	Specific Standards
	Commercial (Single-Tenant)	●	--	--	Subsec. 21-2210.4C
	Commercial (Multi-Tenant)	●	--	--	Subsec. 21-2210.4D
	Office-Institutional	●	●	--	Subsec. 21-2210.4F
	Industrial	●	●	●	Subsec. 21-2220.3A

Effective on: 8/18/2025

Subsec. 21-2220.3 Zoning Districts

Subsec. 21-2220.3A Industrial Innovation (I-1)

Purpose. The Light Intensity Industrial (I-1) district provides for office, light industrial, and commercial uses such as advanced manufacturing, business incubator, commercial service, data storage/processing, incubation, office/industrial flex, overnight accommodations, professional services, and research laboratories.

Figure 21-2220.3A-1, I-1 District Illustrative Example



- A. **Applicability.** The I-1 district is appropriate for office, light industrial, and commercial uses as designated in the Innovation Character Area of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2220.3A-1, *I-1 District Illustrative Example*, depicts an example of a typical industrial layout in the I-1 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2220.3A-1, *I-1 References to Related Standards*.

Table 21-2220.3A-, I-1 References to Related Standards

Topic	Location in LDC
Land Uses	Sec. 21-2230
Development Options	Subsec. 21-2220.2
Building Forms	Subsec. 21-2220.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2220.3B Medium Intensity (I-2)

Purpose. The Medium Intensity Industrial (I-2) district provides for medium industrial and heavy commercial uses with outdoor storage and operation areas that may generate noise, odor, or other nuisances. The character of development within the I-2 typically consists of moderate areas of land and moderate buildings with heavy equipment and facilities. Uses within I-2 developments may involve significant truck traffic requiring access to major roadways.

Figure 21-2220.3B-1, I-2 District Illustrative Example



- A. **Applicability.** The I-2 district is appropriate for medium industrial and heavy commercial uses as designated in the Northern Business District, Fusion District (Irondale) and Fusion District (South Rose Hill) Character Areas, and Business and Employment Parks Economic Development Framework Area of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2220.3B-1, *I-2 District Illustrative Example*, depicts an example of a typical industrial layout in the I-2 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2220.3B-1, *I-2 References to Related Standards*.

Table 21-2220.3B-1, I-2 References to Related Standards

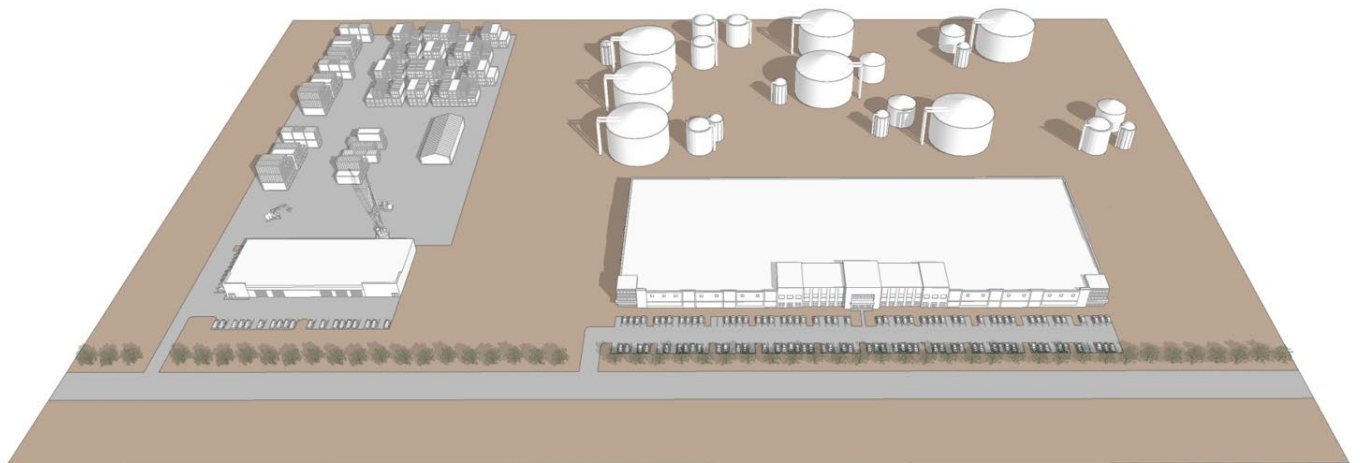
Topic	Location in LDC
Land Uses	Sec. 21-2230
Development Options	Subsec. 21-2220.2
Building Forms	Subsec. 21-2220.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2220.3C Heavy Intensity (I-3)

Purpose. The Heavy Intensity Industrial (I-3) district provides for areas for heavy industrial and manufacturing uses that may generate noise, odor, or other nuisances. The character of development within the I-3 typically consists of large areas of land and large buildings with heavy equipment and facilities. Uses within I-3 developments may involve significant truck traffic or rail service requiring access to major roadways and rail spurs.

Figure 21-2220.3C-1, I-3 District Illustrative Example



- A. **Applicability.** The I-3 district is appropriate for industrial manufacturing, processing, storage and transport uses as designated in the 270 Industrial District Character Area of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2220.3C-1, *I-3 District Illustrative Example*, depicts an example of a typical industrial layout in the I-3 District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2220.3C-1, *I-3 References to Related Standards*.

Table 21-2220.3C-1, I-3 References to Related Standards

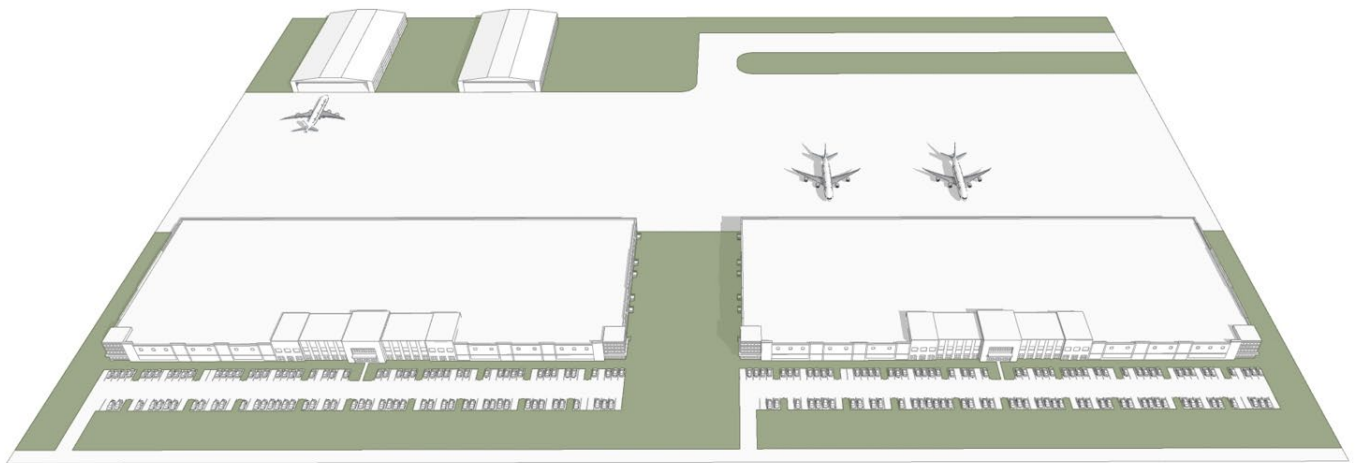
Topic	Location in LDC
Land Uses	Sec. 21-2230
Development Options	Subsec. 21-2220.2
Building Forms	Subsec. 21-2220.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

Subsec. 21-2220.3D Industrial Airport (I-A)

Purpose. The Industrial Airport (I-A) district provides for Light industrial uses, such as manufacturing, assembly, fulfillment centers, warehousing and distribution facilities that benefit from large land areas, proximity to the airport, and easy access to the interstate. Commercial retail and service uses can play a supporting role and provide goods and services to district employees.

Figure 21-2220.3D-1, I-A District Illustrative Example



- A. **Applicability.** The I-A district is appropriate for large land holdings with light to medium industrial warehouses, distribution centers, and commercial business park uses as designated in the DEN Gateway District Character Area and Airport Employment Economic Development Framework Area of the Comprehensive Plan.
- B. **District Illustrative Example.** Figure 21-2220.3D-1, *I-A District Illustrative Example*, depicts an example of a typical industrial layout in the I-A District.
- C. **Related Standards.** All sites and buildings shall comply with Table 21-2220.3D-1, *I-A References to Related Standards*.

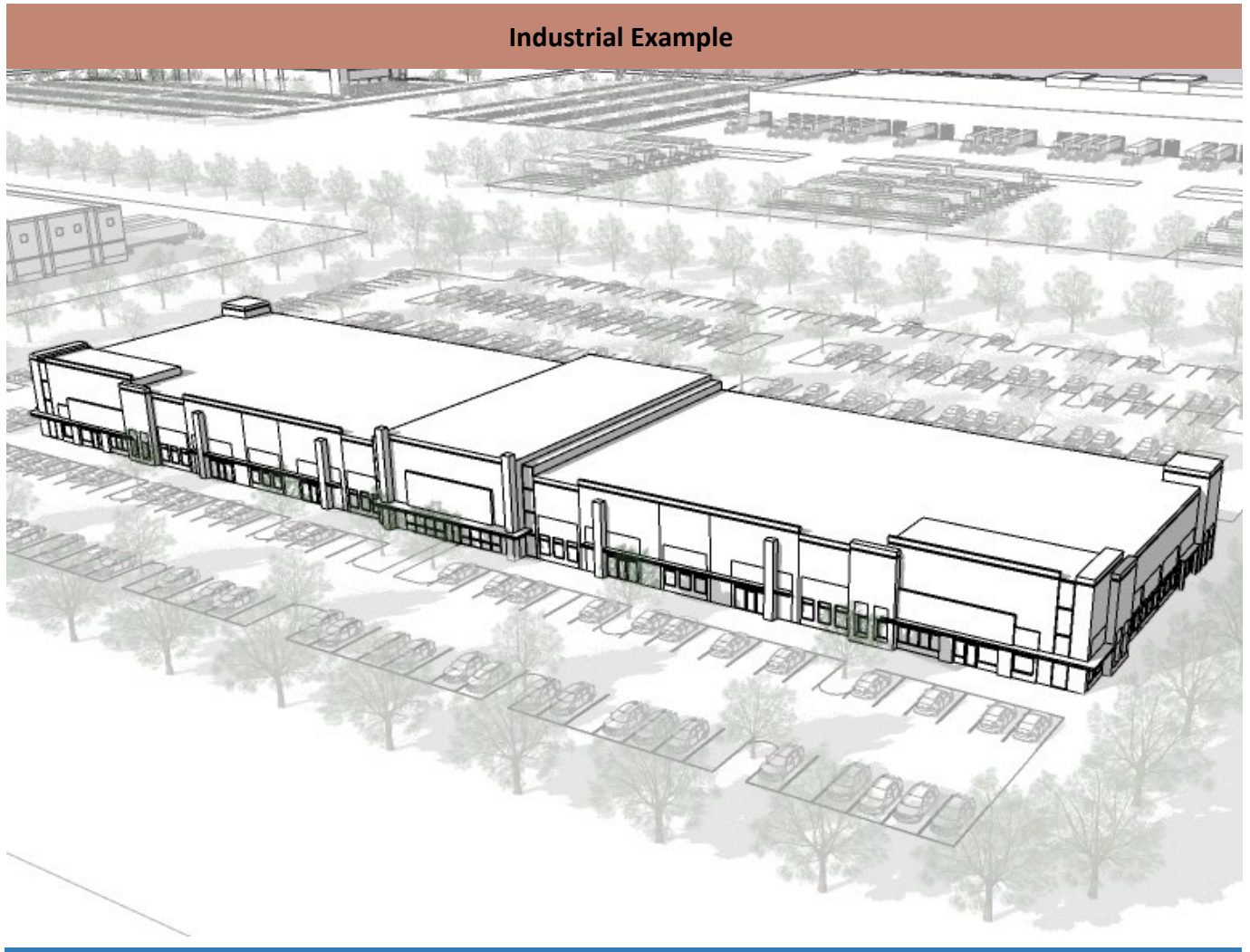
Table 21-2220.3D-1, I-A References to Related Standards

Topic	Location in LDC
Land Uses	Sec. 21-2230
Development Options	Subsec. 21-2220.2
Building Forms	Subsec. 21-2220.4
Use Standards	Article III
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Effective on: 8/18/2025

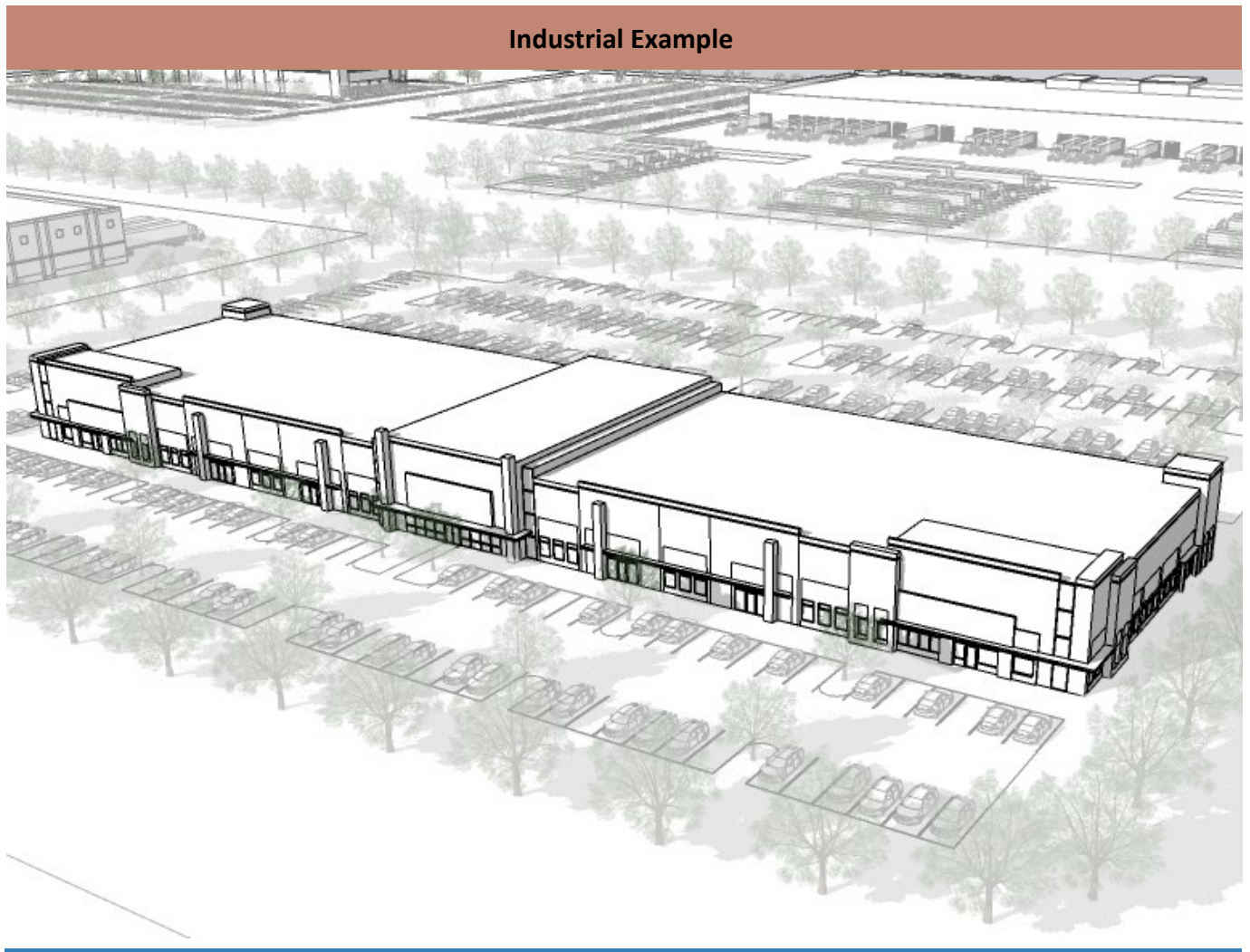
Subsec. 21-2220.4 Building Forms

Subsec. 21-2220.4A Industrial



- A. **Generally.** This Subsection provides design standards for the Industrial building type. The illustration of an Industrial building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type is a large-scale, freestanding form that is typically one story, but can be up to two- stories in height. The primary entrance is defined by a canopy, awning, or a full height glass structure. Table 21-2220.4A-1, *Industrial Building Type*, illustrates this building type and establishes the dimensional standards.

Subsec. 21-2220.4 Building Forms



- C. **Generally.** This Subsection provides design standards for the Industrial building type. The illustration of an Industrial building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- D. **Description.** This building type is a large-scale, freestanding form that is typically one story, but can be up to two- stories in height. The primary entrance is defined by a canopy, awning, or a full height glass structure. Table 21-2220.4A-1, *Industrial Building Type*, illustrates this building type and establishes the dimensional standards.

Table 21-2220.4A-1, Industrial Building Type^[3]



Lot

A	Lot Width (<i>max.</i>)	N/A
B	Lot Area (<i>max.</i>)	N/A

Setbacks and Building Coverage

C	Building Coverage (<i>max.</i>)	75%
	Floor Area (<i>min.</i>)	1,500 SF
D	Front Setback (<i>min.</i>)	20'
E	Side Setback (<i>min.</i>)	UBE/SBE: 20' HM: 25'
F	Corner Setback ^[2] (<i>min.</i>)	25'
G	Rear Setback (<i>min.</i>)	UBE/SBE: Alley: 15'; No Alley: 20' HM: 40'

Building Height

H	Building Height (<i>max.</i>)	UBE/SBE: 55' HM: 75'
----------	---------------------------------	---------------------------------------

Access and Parking^[4]

Vehicle Access	From Alley; or Street access allowed when no Alley present
Parking Setback (<i>min.</i>)	<u>Front:</u> 20'
Street Access, Parking Location	UBE Primary: Rear/Side UBE Secondary: Front (62' width <i>max.</i>) SBE/HM: Front/Rear/Side

Street Level Design^[1]

Windows (*min.*)

Front:	10%
Corner Side:	10%
Side:	5%
Rear:	5%

Legend

UBE = Urban, Business and Employment | **SBE** = Suburban, Business and Employment | **HM** = Heavy Manufacturing

Table Notes:

- [1] Refer to Division 4.2, *Building Design Standards*, for additional related standards.
- [2] For corner lots, the dumpster enclosure shall not be located between the building and the street.
- [3] Building types less intense than Mixed Use are any residential building type and Live-Work.
- [4] Refer to Division 4.3, *Parking, Loading, Stacking, and Pedestrian Circulation*, for additional related standards.

Sec. 21-2230. - Special Purpose and Overlay Districts**Subsec. 21-2230.1 Use Table**

- A. **Use Table.** All uses of land and buildings within the special purpose and overlay zoning districts shall be as set forth in Table 21-2230.1-1, *Special Purpose and Overlay District Use Table*.
- B. **Permitted Land Uses.** The land uses in Table 21-2230.1-1, Special Purpose and Overlay District Use Table, below are classified and symbolized by the following:
1. "P" means the use is permitted by-right and is not subject to further use-specific review; however, is subject to other design standards and review procedures of this LDC.
 2. "L" means the use is permitted subject to approval by the Community Development Director (Director), Sec. 21-3200, *Limited Use Standards*, and Sec. 21-7400, *Limited Use Permit*.
 3. "C" means the use requires a public hearing and conditional use approval subject to Sec. 21-3210, *Conditional Use Standards*, and Sec. 21-7130, *Conditional Use Permit*.
 4. "--" means the use is prohibited.
- C. **New and Unlisted Uses.** Refer to Sec. 21-3250, *New and Unlisted Uses*.
- D. **Use Categories.** The Use Categories in the use table below are further described in Division 4.1, *Use Categories*. Division 4.1, *Use Categories*, provides the characteristics of each use category and identifies the specific uses that make up each category.

Table 21-2230.1-1, Special Purpose and Overlay District Use Table						
Use Category	Specific Use	P	OS	F-P	AG	Standards
Residential Uses ⁽¹⁾						
Household Living	Apartment/Condominium	--	--	--	--	--
	Two-Unit Dwelling	--	--	--	--	--
	Single-Unit Dwelling	--	--	--	P	--
	Live-Work	--	--	--	--	--
	All Household Living Other than Listed	--	--	--	--	--
Group Living	Assisted Living Facility	C	--	--	--	Sec. 21-3210.C
	Boarding, Lodging, or Rooming House	C	--	--	--	Sec. 21-3210.C
	Group Home, Type A	L	--	--	--	Sec. 21-3200.C.1
	Group Home, Type B	C	--	--	--	Sec. 21-3210.D.1

Table 21-2230.1-1, Special Purpose and Overlay District Use Table

Use Category	Specific Use	P	OS	F-P	AG	Standards
	Nursing Home	C	--	--	--	Sec. 21-3210.C
	All Group Living Other than Listed	--	--	--	--	--
Public, Institutional, and Civic Uses						
Community Service	All Community Service Uses	P	--	--	--	--
Day Care	All Day Care Uses	L	--	--	L	Sec. 21-3200.D.2
Educational Facilities	Nursing or Medical School not Associated with a Hospital	C	--	--	--	Sec. 21-3210.C
	University or College	C	--	--	--	Sec. 21-3210.C
	All Educational Facilities Other than Listed	L	--	--	--	Sec. 21-3200.D.4
Government Facilities	All Government Facilities	P	--	--	--	--
Medical Facilities	Hospital	--	--	--	--	--
	All Medical Facilities Other than Listed	--	--	--	--	--
Parks and Open Areas	Campground	C	--	--	P	Sec. 21-3210.C
	Cemetery or Mausoleum	C	--	--	--	Sec. 21-3210.C
	Dog Park, Public	L	L	--	--	Sec. 21-3200.D.3
	All Park and Open Areas Other than Listed	P	P	P	P	--
Passenger Terminals	Airport	C	--	--	--	Sec. 21-3210.C
	Transportation Terminal where Vehicles Carry Flammable, Explosive, Hazardous, or High Toxic Materials	C	--	--	--	Sec. 21-3210.F9
	All Passenger Terminal Other than Listed	P	--	--	--	Sec. 21-3210.F10
Places of Worship	All Places of Worship	L	--	--	L	Sec. 21-3200.D.1
Social Service Establishments	Correctional Facility (Private)	C	--	--	--	Sec. 21-3210.C
	Halfway House	C	--	--	--	Sec. 21-3210.C
	All Social Service Establishment Uses Other than Listed	P	--	--	--	--
Utilities, Major	Electric Substation and Gas Regulator Station	C	C	--	--	Sec. 21-3210.F.2

Table 21-2230.1-1, Special Purpose and Overlay District Use Table

Use Category	Specific Use	P	OS	F-P	AG	Standards
	All Major Utilities Other than Listed	C	C	C	C	Sec. 21-3210.C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	Sec. 21-3200.D.5
	All Minor Utilities Other than Listed	P	P	P	P	--
Commercial Uses						
Marijuana Use	All Marijuana Uses	--	--	--	--	--
Office Uses	Bail Bond Office	--	--	--	--	--
	All Office Uses Other than Listed	P	--	--	--	--
Overnight Accommodations	Bed and Breakfast	--	--	--	P	---
	All Overnight Accommodation Uses Other than Listed	--	--	--	--	--
Parking, Commercial	All Commercial Parking Uses	P	--	--	--	--
Recreation, Indoor	All Indoor Recreation Uses Other than Listed	P	--	--	--	--
Recreation, Outdoor	All Outdoor Recreation Uses	P	--	--	P	--
Restaurant	All Restaurant Uses Other than Listed	--	--	--	--	--
Retail Repair, Sales, and Service	All Retail Repair, Sales, and Service Uses Other than Listed	--	--	--	--	--
Vehicle Sales and Service	All Vehicle Sales and Service Uses Other than Listed	--	--	--	--	--
Industrial Uses						
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--
Light Industrial	All Light Industrial Uses	--	--	--	--	--
Warehousing	All Warehousing Uses	--	--	--	--	--
Waste-Related	All Waste-Related Uses	--	--	--	--	--
Wholesale and Distribution	All Wholesale and Distribution	--	--	--	--	--
Open Use Categories						
Agriculture and Animal-Oriented Uses	Agricultural and Animal Production Support, Sales, and Service	--	--	--	L	Sec. 21-3200.G.1
	Feedlot, Stockyard, and the Commercial Sale of Livestock	--	--	--	C	Sec. 21-3210.G.3
	Community Garden	L	L	L	P	Sec. 21-3200.G.2
	Greenhouse/Nursery/Tree Production (With Outdoor Storage)	--	--	L	L	Sec. 21-3200.G.4
	Kennel	--	--	--	L	Sec. 21-3200.G.5

Table 21-2230.1-1, Special Purpose and Overlay District Use Table						
Use Category	Specific Use	P	OS	F-P	AG	Standards
Resource Extraction	Rodeo	--	--	--	C	Sec. 21-3210.G.4
	Agriculture Uses Other than Listed	--	--	--	P	--
	All Resource Extraction Uses	--	--	--	--	--

Table Notes:

1. No new residential use shall be established on any property that lies within an airport noise contour of 55 DNL (day-night noise level) or higher.

Sec. 21-2230. - Special Purpose and Overlay Districts

Subsec. 21-2230.1 Use Table

- E. **Use Table.** All uses of land and buildings within the special purpose and overlay zoning districts shall be as set forth in Table 21-2230.1-1, *Special Purpose and Overlay District Use Table*.
- F. **Permitted Land Uses.** The land uses in Table 21-2230.1-1, Special Purpose and Overlay District Use Table, below are classified and symbolized by the following:
5. "P" means the use is permitted by-right and is not subject to further use-specific review; however, is subject to other design standards and review procedures of this LDC.
 6. "L" means the use is permitted subject to approval by the Community Development Director (Director), Sec. 21-3200, *Limited Use Standards*, and Sec. 21-7400, *Limited Use Permit*.
 7. "C" means the use requires a public hearing and conditional use approval subject to Sec. 21-3210, *Conditional Use Standards*, and Sec. 21-7130, *Conditional Use Permit*.
 8. "--" means the use is prohibited.
- G. **New and Unlisted Uses.** Refer to Sec. 21-3250, *New and Unlisted Uses*.
- H. **Use Categories.** The Use Categories in the use table below are further described in Division 4.1, *Use Categories*. Division 4.1, *Use Categories*, provides the characteristics of each use category and identifies the specific uses that make up each category.

Table 21-2230.1-1, Special Purpose and Overlay District Use Table						
Use Category	Specific Use	P	OS	F-P	AG	Standards
Residential Uses ⁽¹⁾						
Household Living	Apartment/Condominium	--	--	--	--	--
	Two-Unit Dwelling	--	--	--	--	--
	Single-Unit Dwelling	--	--	--	P	--
	Live-Work	--	--	--	--	--
	All Household Living Other than Listed	--	--	--	--	--
Group Living	Assisted Living Facility	C	--	--	--	Sec. 21-3210.C
	Boarding, Lodging, or Rooming House	C	--	--	--	Sec. 21-3210.C

Table 21-2230.1-1, Special Purpose and Overlay District Use Table

Use Category	Specific Use	P	OS	F-P	AG	Standards
	Group Home, Type A	L	--	--	--	Sec. 21-3200.C.1
	Group Home, Type B	C	--	--	--	Sec. 21-3210.D.1
	Nursing Home	C	--	--	--	Sec. 21-3210.C
	All Group Living Other than Listed	--	--	--	--	--
Public, Institutional, and Civic Uses						
Community Service	All Community Service Uses	P	--	--	--	--
Day Care	All Day Care Uses	L	--	--	L	Sec. 21-3200.D.2
Educational Facilities	Nursing or Medical School not Associated with a Hospital	C	--	--	--	Sec. 21-3210.C
	University or College	C	--	--	--	Sec. 21-3210.C
	All Educational Facilities Other than Listed	L	--	--	--	Sec. 21-3200.D.4
Government Facilities	All Government Facilities	P	--	--	--	--
Medical Facilities	Hospital	--	--	--	--	--
	All Medical Facilities Other than Listed	--	--	--	--	--
Parks and Open Areas	Campground	C	--	--	P	Sec. 21-3210.C
	Cemetery or Mausoleum	C	--	--	--	Sec. 21-3210.C
	Dog Park, Public	L	L	--	--	Sec. 21-3200.D.3
	All Park and Open Areas Other than Listed	P	P	P	P	--
Passenger Terminals	Airport	C	--	--	--	Sec. 21-3210.C
	Transportation Terminal where Vehicles Carry Flammable, Explosive, Hazardous, or High Toxic Materials		--	--	--	Sec. 21-3210.F9
	All Passenger Terminal Other than Listed	P	--	--	--	Sec. 21-3210.F10
Places of Worship	All Places of Worship	L	--	--	L	Sec. 21-3200.D.1
Social Service Establishments	Correctional Facility (Private)	C	--	--	--	Sec. 21-3210.C
	Halfway House	C	--	--	--	Sec. 21-3210.C

Table 21-2230.1-1, Special Purpose and Overlay District Use Table

Use Category	Specific Use	P	OS	F-P	AG	Standards
	All Social Service Establishment Uses Other than Listed	P	--	--	--	--
Utilities, Major	Electric Substation and Gas Regulator Station	C	C	--	--	Sec. 21-3210.F.2
	All Major Utilities Other than Listed	C	C	C	C	Sec. 21-3210.C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	Sec. 21-3200.D.5
	All Minor Utilities Other than Listed	P	P	P	P	--
Commercial Uses						
Marijuana Use	All Marijuana Uses	--	--	--	--	--
Office Uses	Bail Bond Office	--	--	--	--	--
	All Office Uses Other than Listed	P	--	--	--	--
Overnight Accommodations	Bed and Breakfast	--	--	--	P	---
	All Overnight Accommodation Uses Other than Listed	--	--	--	--	--
Parking, Commercial	All Commercial Parking Uses	P	--	--	--	--
Recreation, Indoor	All Indoor Recreation Uses Other than Listed	P	--	--	--	--
Recreation, Outdoor	All Outdoor Recreation Uses	P	--	--	P	--
Restaurant	All Restaurant Uses Other than Listed	--	--	--	--	--
Retail Repair, Sales, and Service	All Retail Repair, Sales, and Service Uses Other than Listed	--	--	--	--	--
Vehicle Sales and Service	All Vehicle Sales and Service Uses Other than Listed	--	--	--	--	--
Industrial Uses						
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--
Light Industrial	All Light Industrial Uses	--	--	--	--	--
Warehousing	All Warehousing Uses	--	--	--	--	--
Waste-Related	All Waste-Related Uses	--	--	--	--	--
Wholesale and Distribution	All Wholesale and Distribution	--	--	--	--	--
Open Use Categories						
Agriculture and Animal-Oriented Uses	Agricultural and Animal Production Support, Sales, and Service	--	--	--	L	Sec. 21-3200.G.1
	Feedlot, Stockyard, and the Commercial Sale of Livestock	--	--	--	C	Sec. 21-3210.G.3
	Community Garden	L	L	L	P	Sec. 21-3200.G.2

Table 21-2230.1-1, Special Purpose and Overlay District Use Table

Use Category	Specific Use	P	OS	F-P	AG	Standards
	Greenhouse/Nursery/Tree Production (With Outdoor Storage)	--	--	L	L	Sec. 21-3200.G.4
	Kennel	--	--	--	L	Sec. 21-3200.G.5
	Rodeo	--	--	--	C	Sec. 21-3210.G.4
	Agriculture Uses Other than Listed	--	--	--	P	--
Resource Extraction	All Resource Extraction Uses	--	--	--	--	--

Table Notes:

- No new residential use shall be established on any property that lies within an airport noise contour of 55 DNL (day-night noise level) or higher.

Subsec. 21-2230.2 Zoning Districts

Subsec. 21-2230.2A - Planned Unit Development (PUD) Overlay District

Purpose. The purpose of the Planned Unit Development Overlay District (PUD Overlay) is to allow projects of innovative design and layout that would not otherwise be permitted under this LDC because of the strict application of zoning district or general development standards.

Typically, the PUD Overlay consists of a combination of land uses that provides a higher level of standards through innovative land planning and site design concepts. The PUD Overlay shall not be used merely as a mechanism to avoid the application of the requirements of other zone districts. The PUD Overlay's purpose is to:

- Promote more economical and efficient use of land while providing a harmonious grouping of a variety of land uses;*
- Promote innovative design of residential areas and allow for greater densities when additional site amenities are included in the development;*
- Create physical connections between existing and proposed developments to achieve an integrated community with common open space, transportation, transit, and public service networks; and*
- Allow for innovative development projects that assist in the implementation of the Comprehensive Plan and not as a device to circumvent development regulations, standards, and good planning practice.*

A. Standards.

- Relationship to Base Zoning.** The PUD overlay is applied in conjunction with an underlying base zoning district. The base zoning remains in place and governs any standards or uses not modified by the PUD Overlay.
- PUD Zone Document.** The standards of a PUD Overlay are set forth in its respective PUD Zone Document.
- Site Area.** No PUD shall be less than 20 acres in size unless the following conditions are met and approval is granted by the Community Development Director:
 - Primarily mixed use development is proposed; or

- b. The PUD Zone Document, as implemented, will catalyze economic development by meeting at least two of the Comprehensive Plan Economic Development goals.
- 4. *Prohibitions.* A PUD Overlay shall not contain a street design or a design of other public improvements that are contrary to the standards in Article V, *Subdivision Standards*, or the Storm Drainage Design and Technical Criteria Manual (henceforth referred to as the "Criteria Manual").
- 5. *Modifiable Standards.* The PUD Overlay may modify standards from the underlying zoning district, subject to approval through the PUD Zone Document. Any modification must demonstrate a superior outcome compared to strict application of the base zoning standards. Modifications may include, but are not limited to:
 - a. Dimensional standards, including lot area, setbacks, and height;
 - b. Parking and loading requirements;
 - c. Landscaping, screening, and buffer requirements;
 - d. Block length or street connectivity;
 - e. Building design and form standards;
 - f. Permitted use mix and arrangement;
 - g. Signage regulations.
- B. **Exemptions.** Amendments to previously approved and recorded PUD Zone Documents shall be exempt from the minimum size standard of this LDC.
- C. **Zoning Map.** An approved PUD Overlay shall be mapped as an overlay on the Official Zoning Map.

Effective on: 8/18/2025

Subsec. 21-2230.2B - Public District (P)

Purpose. The purpose of the Public District (P) is to protect established public lands and to provide an area in the City for location of parks, public open space, government buildings and facilities, schools and school grounds, and quasi-public buildings and facilities.

- A. **Standards.** It shall be unlawful for any person to build, own, or occupy any structure within the Public; zoning district that deviates from the standards set forth in Table 21-2230.2B-1, *Public District Standards*.

Table 21-2230.2B-1, Public District Standards	
Bulk Standard	Requirement
Minimum gross floor area	N/A
Minimum density	N/A
Maximum density	N/A
Minimum floor area ratio	N/A
Maximum floor area ratio	N/A
Minimum lot area	20,000 square feet
Minimum lot width	70 feet
Minimum front yard setback	20 feet
Maximum front yard setback	N/A
Minimum side yard setback (interior lot)	5 feet on either side with a minimum of 30 feet total for both setbacks
Maximum side yard setback (interior lot)	N/A
Minimum side yard setback (corner lot)	15 feet
Maximum side yard setback (corner lot)	N/A
Minimum side yard setback (corner lot) collector or arterial	20 feet
Maximum side yard setback (corner lot) collector or arterial	150 feet
Minimum rear yard setback	20 feet
Minimum building height.	N/A
Maximum building height	50 feet
Minimum open space	N/A
Building location	N/A
Building separation	N/A

Effective on: 8/18/2025

Subsec. 21-2230.2C - Open Space District (OS)

Purpose. The purpose of the Open Space (OS) District is to preserve and enhance natural resources, environmentally sensitive areas, and recreational lands, while allowing for limited, compatible development that supports conservation objectives. The OS District is intended to provide a zoning category that permanently maintains land for open space, passive recreation, or resource protection.

The OS District is further intended to:

- *Protect significant environmental features, including floodplains, wetlands, riparian areas, steep slopes, and native habitats;*
- *Provide opportunities for public or private open space uses such as parks, greenways, nature preserves, and trails;*
- *Minimize environmental impacts through limited and low-intensity development;*
- *Preserve scenic viewsheds, rural character, and natural features;*
- *Encourage stewardship of land and the integration of open space into broader community and regional conservation networks; and*
- *Implement goals and policies of the Comprehensive Plan related to green infrastructure, natural resource protection, and recreational access.*

A. **Permitted Uses.** The permitted uses in the OS District shall comply with Sec. 21-2230, *Special Purpose and Overlay District*.

B. **Development Standards.**

1. *Minimum Site Area.* The site shall have a minimum of 5 acres, unless the designated open space is part of a larger approved development.
2. *Maximum Impervious Surface Coverage.* The maximum impervious surface coverage shall be a maximum of 10% of the total site area.
3. *Minimum Open Space.* The minimum open space shall be 80% of the site area and must be retained in a natural or undeveloped state.
4. *Setbacks and Buffers.*
 - a. Structures must be set back a minimum of 100 feet from any protected natural feature (wetlands, creeks, etc.); and
 - b. A vegetative buffer of at least 50 feet is required along any public road frontage.
5. *Building Height.* The building height shall be a maximum of 25 feet unless otherwise approved for essential public facilities.

C. **Zoning Map.** The OS District shall be shown on the Official Zoning Map and may be applied to public or private land that meets the intent of this district.

Effective on: 8/18/2025

Subsec. 21-2230.2D - Floodplain Overlay District (F-P)

Purpose. The purpose of this district is to promote public health and minimize losses due to flood.

- A. **Applicability.** This district includes all special flood hazard areas as defined by a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), FEMA Letter of Map Amendments (LOMA), FEMA Letter of Map Revisions (LOMR), Flood Boundary-Floodway Maps (FBFM), or Mile High Flood District (MHFD) Flood Hazard Area Delineation (FHAD) studies approved by the City and within the city boundaries, and are hereby adopted by reference and declared to be a part of this Code. These special flood hazard areas identified by the above are the minimum area of applicability of this subsection and may be supplemented by studies designated and approved by the City. These special flood hazard areas identified by FIRM, FBFM, LOMA, LOMR, FIS, FHAD, and attendant mapping are the minimum area of applicability of this subsection and may be supplemented by best available data designated and approved by the City. A copy of these studies and data is on file with the City and available for public inspection.
- B. **Use-by-Right.** Agricultural uses not requiring structures, such as general farming and the raising of plants, flowers, livestock, and nursery stock, shall be a use-by-right in the floodway fringe to the extent such use is permitted by the underlying zoning district classification.
- C. **Uses Allowed with a Floodplain Permit.** The following uses shall be permitted to occur within the floodway fringe area of the district only and to the extent that they are permitted by the underlying zoning district classification. These uses require a floodplain permit as outlined in Sec. 21-7460, *Floodplain Development Permit* of this Land Development Code. In cases where the floodway and floodway fringe are not delineated on the zoning map, the Floodplain Administrator may require the applicant to demonstrate, through documentation provided by a registered professional engineer, that the proposed use is within the floodway fringe.
 - 1. Public or private recreational uses, such as parks and recreation fields; golf courses; hiking, biking, and horse trails; and accessory parking lots;
 - 2. Public or private utility facilities, not requiring buildings, such as transmission lines, pipelines, utility lines, roadways, railroad spurs, and bridges;
 - 3. Wildlife and nature preserve, game farms, and fish hatchery uses not requiring buildings;
 - 4. Regional public facilities, including detention or retention or water quality enhancement facilities; or
 - 5. Barbed wire and split rail fences. Other types of fences such as chain link or solid screen types are allowed as a use by right only if necessary for safety or security reasons provided the fence is specially designed to minimize impeding the flow of flood waters, accumulation of debris, or being subject to being easily moved during flood periods. Fence designs that meet the above criteria, such as certain breakaway fencing or fencing with slatted design allowing water to pass through, will be allowed if properly certified by a registered professional engineer as meeting the identified performance standards. Fences shall require a floodplain permit, as outlined in Sec. 21-7460.
- D. **Exclusions.** The following are prohibited in the Floodplain Overlay District:
 - 1. New residential buildings and structures; and
 - 2. New commercial buildings and structures.

- E. **Uses Not Identified.** Uses not identified in this section shall be submitted to the Floodplain Administrator for review. If approved, the Floodplain Administrator may require any conditions and restrictions deemed necessary to protect the public health, safety, and welfare provided they are consistent with these standards and regulations.
- F. **General Standards.** The design shall comply with the Storm Drainage Design and Technical Criteria Manual and the following:
1. When allowed, all new construction or substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting hydrodynamic and hydrostatic loads.
 2. All new construction or substantial improvements shall be constructed:
 - a. With materials and utility equipment resistant to flood damage;
 - b. Using methods and practices that minimize flood damage; and
 - c. With electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located to prevent water from entering or accumulating within the components during conditions of flooding.
 3. The design of utilities shall include:
 - a. All new and replacement water supply systems that shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. New and replacement sanitary sewage systems that shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- G. **Structures.**
1. *Generally.* Residential structures are prohibited in the floodplain. Nonresidential structures, if permitted, shall either have the lowest floor (including the basement) elevated to one foot above the base flood elevation or, together with the attendant utility and sanitary facilities, comply with the following standards:
 - a. Be flood-proofed so that below the required elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a licensed engineer or architect that the design and method of construction are in accordance with the accepted standards of practice for meeting the provisions of this code. Such certification shall be provided to the floodplain administrator.
 2. *Critical Facilities.*
 - a. No new, substantially improved, or additions to critical facilities shall be permitted in the floodplain unless the lowest floor or floodproofing of the structure, together with attendant utility and sanitary facilities, are at least two feet above the Base Flood Elevation.
 - b. New critical facilities shall, when practicable as determined by the City, have continuous non inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.
- H. **Floodways.**

1. Floodways are extremely hazardous areas due to the velocity of flood waters that carry debris, potential projectiles and erosion potential. Accordingly, all encroachments are prohibited. Specifically, but without limitation, this means that no fill, construction, substantial improvements or other development shall be permitted within the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the boundaries of the City during the occurrence of the base flood discharge. If so demonstrated, any new construction or substantial improvements shall comply with the standards contained in this section.
 2. The following uses shall be permitted upon approval of a floodplain permit:
 - a. Public recreation uses such as parks, golf courses; and hiking, biking, and horse trails;
 - b. Public/utility facilities such as transmission lines, pipelines, roadways, and bridges.
- I. **Properties Removed from the Floodplain by Fill.** If permitted, new structures and additions to existing structures shall comply with the following:
1. In residential structures the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities (including ductwork), must be elevated to one foot above the base flood elevation that existed prior to the placement of fill.
 2. In nonresidential structures the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities (including ductwork), must be elevated to one foot above the base flood elevation that existed prior to the placement of fill, or together with attendant utility and sanitary facilities be designed so that the structure or addition is watertight to at least one foot above the base flood level that existed prior to the placement of fill with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

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Subsec. 21-2230.2E - Agriculture (AG)

Purpose. The Agriculture (AG) district provides for low-density residential, agricultural, and supporting uses on large lots with multiple options for open space and densities. The character of developments within AG consists of rural, semi-natural landscapes with an abundance of open space and are found on the edges of the City limits where access to public facilities may be limited.

- A. **Applicability.** The AG district is appropriate for large lot residential and agricultural uses such as ranchland, farms, and cropland and is designed to be utilized in the Innovation District and Northern Airport District Character Areas of the Comprehensive Plan. This zone district is also intended to be utilized as a holding district for incorporated areas not yet ready for urbanized development.
- B. **Related Standards.** All sites and buildings shall comply with Table 21-2230.2E-1, *AG References to Related Standards*.

Table 21-2230.2E-1, AG References to Related Standards	
Topic	Location in LDC
Land Uses	Sec. 21-2230
Design Standards	Article IV
Floodplain and Floodway Development	Sec. 21-5280
Parking Design Standards	Division 4.3
Streets and Transportation	Article V
Amenity Space	Division 4.8

Sec. 21-3140. Industrial Use Categories

The following tables set forth the primary uses and accessory uses included in each industrial use category:

- A. **Heavy Industrial.**

Table 21-3140-1, Heavy Industrial Use Category

Characteristics: Uses engaged in the manufacturing, assembly or processing of chemicals, animal products and metals, the activities of which are likely to have characteristics that discourage adjacency to residential uses. Factory production and industrial yards are located here. Sales to the general public are rare.

Primary Uses	Accessory Uses	Uses Not Included
Manufacture, assembly, or processing of:		

Abrasives, asbestos and miscellaneous mineral products; acid; acetylene gas; alcoholic beverages (wholesale); ammonia; ammunition and explosives; aircraft; animal food; animal products, packing, and processing; automobiles and other motor vehicles; automotive and other motor vehicle equipment; batteries; bones; boxes, crates, or pallets; brick and/or masonry, tile, or terra cotta; building paper and building board; building materials; celluloid; cement and/or concrete products; ceramic tile and other ceramic products; chalk; charcoal; chemicals; chlorine; coffins; corrugated metal; cotton oil; creosote; disinfectant; dyes or inks; engines and turbines; farm machinery and equipment; fat; fertilizer; fiberglass; fireworks; gas; gelatin; glass and glass products; glue; graphite; grease; guns, howitzers, mortars, explosives, and related equipment; gunpowder; gypsum; hazardous materials; heating and air conditioning supplies and equipment; hemp; insecticide, fungicides, disinfectants, and related industrial and household chemical compounds; lacquer; lard; leather and leather products; lime; linoleum; lubricating oils and greases; machinery and equipment (industrial); manufactured homes or mobile homes; metal working machinery, equipment and products; motor vehicles, related equipment, and accessories; nitrate; paint, coating, and adhesive; paraffin; paving mixtures and blocks; plaster of Paris; pharmaceuticals and medical products; plastics and synthetic materials; plumbing supplies and equipment; poison; porcelain and porcelain products; pottery and related products; prefabricated structures and their components; railroad vehicles and equipment; recreational vehicles; rendering and meat byproduct processing; rubber and fabricated rubber products; salt; shellac; soap and cleaners; tallow; tanks and tank components; tar; tires; tobacco; trailers (camping, travel, livestock, and other); turpentine; varnish; vinegar; wax; or yeast

- Arsenal
- ~~Artisan/Handcrafted Manufacturing~~
- Boiler Works
- Bulk Grain Transfer
- Bulk Storage of Explosive or Hazardous Materials
- Coke Oven
- Concrete Batching and Asphalt Processing and Manufacturing
- Feed Milling
- Fertilizer Storage
- Grain Elevator
- House Wrecking and Demolition

- Associated Office And Storage
- Associated Retail Sales Related To The Primary Use
- Day Care For Children Of Employees
- Dumpster or Trash Container (Sec. 21-3220.D.4)
- Fleet Maintenance
- Food Preparation And Dining Facility
- Fueling Facility
- Medical Clinic For Employees
- Meeting Space
- Minor Utilities
- Night Watchman's Quarters (Sec. 21-3220.D.7)
- Outdoor Storage (Sec. 21-4520)
- Recreation Facility
- Semi-Trailer Parking
- Solar Panel Array, Small (Sec. 21-3220.D.11)
- Storage Shed
- Warehouse
- Wind Turbine, Small (Sec. 21-3220.D.12)

- Microbrewery (see Restaurants)
- Recycling facility (see Waste-Related Service)

Table 21-3140-1, Heavy Industrial Use Category

Characteristics: Uses engaged in the manufacturing, assembly or processing of chemicals, animal products and metals, the activities of which are likely to have characteristics that discourage adjacency to residential uses. Factory production and industrial yards are located here. Sales to the general public are rare.

Primary Uses	Accessory Uses	Uses Not Included
▪ Incinerator for Reduction of Garbage, Dead Animals, Offal, Refuse, or Automobile Bodies ▪ Railroad Yard or Repair Shop ▪ Metal Smelting, Processing, and Products (Ferrous and Nonferrous) ▪ Slaughtering, Packaging Or Processing of Animals ▪ Transportation Terminals where Vehicles Carry Flammable, Explosive, Hazardous, or High Toxic Materials ▪ Wool Scouring and Pulling ▪ Other uses meeting the characteristics of the Heavy Industrial Use Category		

B. Light Industrial.

Table 21-3140-2, Light Industrial Use Category

Characteristics: Uses engaged in the manufacturing, assembly, or processing of industrial, business, or consumer goods, usually from basic finished inputs such as metal, stone, glass, plastic, or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Primary Uses	Accessory Uses	Uses Not Included
Fabrication (Light) and Assembly of: (See generally, the definition of Light Manufacturing and Assembly) Appliances; bakery products (wholesale distribution); beds; blinds; books; bottling and canning soft drinks and carbonated waters; brooms; buses; canvas; clothing and apparel accessories; communication equipment; confectionery and related products (wholesale distribution); cut stone and stone products; dairy products; drugs, druggists supplies and sundries; electrical lighting and wiring equipment; electrical supplies and equipment; electrical transmission and distribution equipment; electronic components and accessories; engineering, scientific and research equipment; floor coverings, rugs and carpets; food and beverage products (including frozen foods); furniture and home furnishings; hardware; ice; jewelry, costume novelties, buttons, and miscellaneous notions; medical, optical, or dental instruments or supplies; mirrors; musical instruments; monuments and tombstones; motorcycles, bicycles, and parts; office, computing, and accounting machines; paper and paper products (see also building paper); perfumes; radio and television receiving sets and communication equipment; shoes; signs and advertising displays; sporting and athletic goods; toys, amusements, and novelty items; window coverings; wood products Building Trade and Development Contractors who perform services off-site, but store equipment and materials on-site including:		▪ Catering Establishment, Small Scale (see Restaurant) ▪ Mining Or Excavating (see Resource Extraction) ▪ Outdoor Storage Yard (see Warehousing and Freight Movement) ▪ Recycling Facility (see Waste Related Service) ▪ Sale or Rental of Machinery, Equipment, Building Materials, Special Trade Tools, Welding Supplies, Machine Parts, Electrical Supplies, Janitorial Supplies, Restaurant Equipment, and Store Fixtures (see Wholesale and Distribution)

Table 21-3140-2, Light Industrial Use Category

Characteristics: Uses engaged in the manufacturing, assembly, or processing of industrial, business, or consumer goods, usually from basic finished inputs such as metal, stone, glass, plastic, or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Primary Uses	Accessory Uses	Uses Not Included
- General Contractor with Storage Yard - Carpenter and Wood Flooring Services - Electrical Services - Grading and Excavation Services - Heating, Ventilation, Air Conditioning Services - Landscaping Services - Painting, Paperhanging Services - Plumbing Services - Roofing and Sheet Metal Services - Woodworking Including Cabinet Makers and Furniture Manufacturing		
Other Uses:		
Boat Building and Repairing		

▪ Bus Equipment Maintenance, Repair, and Storage ▪ Brewery, Winery, or Distillery ▪ Catering Establishment, Large Scale ▪ Crematorium ▪ Electric Motor Repair ▪ Engraver ▪ Exterminator, Maintenance Yard, or Facility ▪ Food Processing ▪ Industrial and Manufacturing Product Sales and Supply ▪ Janitorial and Building Maintenance Service ▪ Laundry, Dry-Cleaning, and Carpet Cleaning Plants ▪ Lithography ▪ Publishing and Printing (Newspaper, Periodicals) ▪ Repair of Scientific or Professional Instruments ▪ Research, Testing, and Development Laboratory ▪ Smoking or Processing of Meat Products ▪ Welding, Tool Repair, or Machine Shop ▪ Other uses meeting the characteristics of the Light Industrial Use Category	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Associated Showroom ▪ Day Care for Children of Employees ▪ Dumpster or Trash Container (Sec. 21-3220.D.4) ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility ▪ Fueling Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Night Watchman's Quarters (Sec. 21-3220.D.7) ▪ Outdoor Storage (Sec. 21-4520) ▪ Recreation Facility ▪ Semi-Trailer Parking ▪ Solar Panel Array, Small (Sec. 21-3220.D.11) ▪ Storage Shed ▪ Warehouse
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Table 21-3140-2, Light Industrial Use Category

Characteristics: Uses engaged in the manufacturing, assembly, or processing of industrial, business, or consumer goods, usually from basic finished inputs such as metal, stone, glass, plastic, or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Primary Uses	Accessory Uses	Uses Not Included
	▪ Wind Turbine, Small (Sec. 21-3220.D.12)	

C. Warehousing.

Table 21-3140-3, Warehousing Use Category

Characteristics: Uses involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

Primary Uses	Accessory Uses	Uses Not Included
▪ Above-Ground Storage Tank ▪ Bulk Grain Transfer Facility ▪ Bulk Storage of Non-Hazardous Freight or Goods ▪ Bus Garage or Storage ▪ Data Center ▪ Express Freight Transportation ▪ Food Packing and Distribution ▪ Freight Hauling Service ▪ Hazardous Materials Shipping ▪ Motor Freight Garaging and Equipment Maintenance ▪ Moving and Storage (Household Goods) ▪ Outdoor Storage Yard ▪ Parcel Delivery Station ▪ Railroad Switching and Marshalling Yard ▪ Self-Service Storage ▪ Trucking Company ▪ Vehicles Carrying Flammable, Explosive, Hazardous, or High Toxic Materials ▪ Other uses meeting the characteristics of the Warehousing Use Category	▪ Associated Office and Storage ▪ Day Care For Children of Employees ▪ Dumpster or Trash Container (Sec. 21-3220.D.4) ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility ▪ Fueling Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Night Watchman's Quarters (Sec. 21-3220.D.7) ▪ Outdoor Storage (Sec. 21-4520) ▪ Recreation Facility ▪ Semi-Trailer Parking ▪ Solar Panel Array, Small (Sec. 21-3220.D.11) ▪ Storage Shed ▪ Wind Turbine, Small (Sec. 21-3220.D.12)	▪ Bulk Storage of Flammable Liquids, Fats or Oils (see Heavy Industrial) ▪ Mini-Warehouse or Multistory Enclosed Storage Facility (see Self-Service Storage)

D. **Waste-Related.**

Table 21-3140-4, Waste-Related Use Category

Characteristics: Uses characterized by receiving solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material.

Primary Uses	Accessory Uses	Uses Not Included
▪ Animal Waste Processing ▪ Animal Waste Energy Converter ▪ Composting Facility ▪ Landfill ▪ Manufacture and Production of Goods from Composting ▪ Recycling Collection Facility ▪ Scrap Yards for Waste Material ▪ Solid Waste Facility ▪ Tire Recycling or Recapping ▪ Towing Service with Impound Yard ▪ Towing Service without Impound Yard ▪ Wood Chipping ▪ Other uses meeting the characteristics of the Waste-Related Use Category	▪ Associated Office and Storage ▪ Dumpster or Trash Container (Sec. 21-3220.D.4) ▪ Fleet maintenance ▪ Fueling Facility ▪ Minor Utilities ▪ Outdoor Storage (Sec. 21-4520) ▪ Night Watchman's Quarters (Sec. 21-3220.D.7) ▪ Repackaging and Shipment of by-products ▪ Semi-Trailer Parking ▪ Solar Panel Array, Small (Sec. 21-3220.D.11) ▪ Storage Shed ▪ Wind Turbine, Small (Sec. 21-3220.D.12)	▪ Stockpiling of Sand, Gravel, Or Other Aggregate Materials (see Resource Extraction) ▪ Water Treatment Plant (see Utilities)

E. Wholesale and Distribution.

Table 21-3140-5, Wholesale and Distribution Use Category		
Characteristics: Uses involved in the sale, lease, or rental of products to industrial, institutional, or commercial businesses only. The uses emphasize on-site sales or order-taking and often include display areas. Business may or may not be open to the general public. Products may be picked up on-site or delivered to the customer.		
Primary Uses	Accessory Uses	Uses Not Included
▪ Auction, Wholesale (On-Premises) ▪ Bulk Fuel Sales ▪ Mail-Order Business		
Wholesale or Bulk Sale of:		

Table 21-3140-5, Wholesale and Distribution Use Category

Characteristics: Uses involved in the sale, lease, or rental of products to industrial, institutional, or commercial businesses only. The uses emphasize on-site sales or order-taking and often include display areas. Business may or may not be open to the general public. Products may be picked up on-site or delivered to the customer.

Primary Uses	Accessory Uses	Uses Not Included
(See generally, the definition of Wholesale Establishment.) ▪ Appliances ▪ Candy and Related Products ▪ Clothing and Apparel ▪ Dairy Products ▪ Commercial and Industrial Machinery, Equipment and Supplies ▪ Drugs and Druggist Supplies ▪ Electrical Equipment, Wiring Supplies, and Similar Construction Material ▪ Electronic Parts and Equipment ▪ Fabric ▪ Farm Machinery and Equipment and Farm Products (Raw Materials) ▪ Furniture and Home Furnishings ▪ Groceries and Related Products ▪ Hardware ▪ Heating, Ventilation, and Air Conditioning Equipment ▪ Janitorial Supplies ▪ Liquor ▪ Livestock ▪ Lumber and Other Building Materials ▪ Machine Parts ▪ Meat and Meat Products ▪ Medical and Dental Supplies and Equipment ▪ Oil Field Equipment ▪ Produce ▪ Special Trade Tools ▪ Store Fixtures ▪ Textile and Textile Products ▪ Vending Machines and Vending Machine Merchandise ▪ Welding Supplies ▪ Other uses meeting the characteristics of the Wholesale and Distribution Use Category	▪ Associated Office and Storage ▪ Associated Showroom ▪ Day Care For Children of Employees ▪ Dumpster or Trash Container (Sec. 21-3220.D.4) ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Fabrication ▪ Minor Utilities ▪ Night Watchman's Quarters (Sec. 21-3220.D.7) ▪ Outdoor Storage (Sec. 21-4520) ▪ Product Repair ▪ Recreation Facility ▪ Repackaging of Goods ▪ Semi-Trailer Parking ▪ Solar Panel Array, Small (Sec. 21-3220.D.11) ▪ Storage Shed ▪ Warehouse ▪ Wind Turbine, Small (Sec. 21-3220.D.12)	▪ Warehousing Use (see Warehousing) ▪ Wholesale club (see Retail Sales and Service)

Sec. 21-3200. - Limited Use Standards

- A. **Purpose.** The standards in this Section establish special regulations for the limited uses as noted in the land use tables in Sec. 21-2200, Sec. 21-2210, Sec. 21-2220, and Sec. 21-2230. These uses may affect adjacent properties, the neighborhood, or community, even if the site planning and development standards of the applicable zoning district are satisfied. The regulations contained in these Sections are intended to mitigate potential problems and hazards, and to ensure consistency with the Comprehensive Plan.
- B. **Applicability.**
1. *Generally.* Uses shown as limited may be approved only if they meet the standards of this Section and other applicable standards and requirements of the LDC.
 2. *Timing of Compliance.* These standards apply at the time a limited use is requested for an existing or new structure, or when an existing limited use is proposed to be expanded by more than 10 percent, cumulatively, over a five-year period, of the gross square footage currently devoted to the use.
 3. *Expansions.* This Section is applicable when there is an expansion of the use whether it is to or within an existing building, an outdoor area devoted to the use, or a combination of thereof.
 4. *Distance Requirements.* Unless otherwise stated within this Section, all distance requirements for limited uses are interpreted to be measured from the property line of the subject property to the nearest property line of the property from which the limited use is to be separated.
 5. *Procedures.* For limited uses, the Community Development Director shall use the criteria set out in this Section to determine whether to authorize a land use requested by an applicant, subject to the Appeal of Administrative Decision of Sec. 21-7310.
 6. *Approval Runs with Land.* The approval of a Limited Use Permit remains valid regardless of ownership, tenant, or name of business or institution, provided that the approved limited use remains continually in place and in operation.
 7. *Other Applicable Standards.* The standards of this Section are applied in addition to the other applicable standards and procedures of this LDC, specifically including:
 - a. Article II: Zoning Districts and Development Standards;
 - b. Article IV: Design Standards;
 - c. Article V: Subdivision Standards; and
 - d. Article VII: Review Procedures.
- C. **Residential Uses.**
1. *Group Home, Type A.* This use is permitted provided that:
 - a. Group homes shall be licensed and operated in conformance with all applicable governmental regulations. If a license is pending, the City may issue a permit but such permit shall not take effect until the applicable license is obtained,
 - b. The proposed group home shall be designed, operated, and maintained in a manner that is compatible with the surrounding residential context. Specifically, it shall not result in excessive traffic, on-street parking, noise, or visual impacts that significantly differ from those associated with typical residential uses. While neighborhood opposition may be considered during the review process, an application shall not be denied solely on the basis

of public opposition unless valid, substantiated evidence is presented demonstrating a material adverse impact on the neighborhood's residential character or quality of life.

- c. No group home shall be located closer than 750 feet from another group home.
 - d. No group home shall provide housing to any individual whose tenancy would constitute a direct threat to the health or safety of any other individual or would result in substantial physical danger to the property of others.
 - e. No group home shall provide housing to more than one person required to register as a sex offender pursuant to state law.
2. *Multi-Unit*. This use is permitted in the C-1 and C-2 *zoning districts* subject to the following limitations:
- a. In the C-1 District, multi-unit residential is permitted only if the use is contained within a Mixed Use [or Live-Work](#) Building Form.
 - b. In the C-2 District, multi-unit residential is permitted only if:
 - i. The use is not located within 600 feet of an arterial or collector street; or
 - ii. The use is contained within a Mixed Use [or Live-Work](#) Building Form.

D. Public and Institutional Uses.

1. *Community Service and Places of Worship Uses*.
- a. *Access, Buffering, and Separation*. The facility shall, if newly developed:
 - i. Take access from a collector or arterial level street unless the use is located in the MU-C or MU-1 district where pedestrian access is prioritized and traffic impacts are minimal;
 - ii. Provide a Type B bufferyard when adjoining a residential use; and
 - iii. Locate buildings and parking areas at least 50 feet from a residential use.
 - b. *Location*. The use shall be located in a permanent structure.
 - c. *Parking and Traffic Congestion*. The use shall not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding residences.
 - d. *Outdoor Activity Areas*. Outdoor gathering or activity areas (such as playgrounds, courtyards, or event spaces) must be set back at least 25 feet from any residential property line and screened with landscaping or fencing.
 - e. *Minimum Lot Size*. The minimum lot size shall be one acre, unless located in a zoning district that allows smaller lots and the proposed use can demonstrate compliance with parking, buffering, and circulation requirements without adverse impacts to adjacent properties.
2. *Day Care Uses*. This use is permitted provided that:
- a. All Day Care Uses shall be licensed and operated in conformance with all applicable federal and state regulations.
 - b. An off-street vehicular loading area or driveway shall be provided for the purpose of loading and unloading clientele.
 - c. Outdoor play areas shall be:
 - i. Fully enclosed with a fence a minimum of four to six feet in height;

- ii. Located in the rear or side yard whenever feasible to reduce impacts on adjacent residential properties; and
 - iii. Designed to minimize noise and visual impacts through landscaping, screening, or setbacks from property lines.
 - d. Day care uses located in residential zoning districts shall limit operating hours to 7:00 a.m. to 7:00 p.m.
3. *Dog Park.*
- a. *Location.*
 - i. The dog park shall not be located in a detention basin.
 - ii. The dog park shall include an adequate buffer to minimize noise and odor impacts on neighboring properties.
 - b. *Fencing.* The dog park shall utilize security fencing at least four feet in height around the entire perimeter of the park to prevent off-leash dogs from escaping the park enclosure.
 - c. *Gates.*
 - i. A minimum of one pedestrian and dog entry gate shall be installed.
 - ii. The gate shall be a double gate with an eight-foot by eight-foot concrete pad to provide a transition area for dogs and people to enter and exit the facility.
 - d. *Signage.*
 - i. A minimum of one sign shall be posted at the entrance gate of the facility and shall include a minimum of the following information:
 - (A) Rules for the use of the facility;
 - (B) Hours of operation; and
 - (C) Requirement to pick up and properly dispose of dog waste.
 - e. *Trash Receptacles.*
 - i. A minimum of two trash receptacles shall be required.
 - ii. At least one trash receptacle shall be located inside the gate and one shall be located outside the gate.
 - f. *Dog Bag Dispenser.*
 - i. A minimum of two dog bag dispensers shall be required.
 - ii. At least one of the dog bag dispensers shall be located within 10 feet of a trash receptacle.
4. *Educational Facilities.*
- a. *Setback.* All structures and buildings shall be set back at least 50 feet from side property lines and 100 feet from front property lines.
 - b. *Drainage and Access.* All educational facilities shall comply with the drainage and access standards of the City.
5. *Small Wind Energy Conversion System (Windmill).* This use is permitted provided that:
- a. *Purpose.* It is the intent of this Section these standards to encourage the use of small wind energy conversion systems to provide an alternative source of energy. Decorative windmills not used for this purpose shall follow accessory structure criteria, where applicable

- b. *Application Requirements.* In addition to the regular requirements of a standard building permit application, the following must be submitted with the Limited Use Permit application:
 - i. A site plan clearly defining the location of the proposed small wind energy conversion system including any towers, setbacks, and height information. The site plan shall also show the location of all existing structures, above-ground utility lines, and existing vegetation described by size and type.
 - ii. A letter of certification from a registered structural engineer that verifies the structural integrity of the supporting tower for its ability to withstand structural and wind loads in compliance with the City's building code.
- c. *Design Standards.*
 - i. *Maximum height.* The maximum height of a small wind energy conversion structure shall not exceed 50 feet in all residential and agricultural zoning districts and 75 feet in all other zoning districts.
 - ii. *Setback.* A small wind energy conversion structure shall be located at least one times the height of the structure from all property lines and from any overhead utility lines. These wind energy conversion structures may be freestanding or co-located on buildings or other structures.
 - iii. *Noise and frequency emission.* The sound levels of noise radiating from the small wind energy conversion system shall not at any time exceed 45 decibels measured from the nearest property line(s) to the structure, or fluctuate more than ten decibels in a full cycle of the windmill. Generators and alternators shall be rated for, or emit a level of radio-frequency energy emission which will not create electrical interference.
 - iv. *Number limitation.* Small energy conversion systems shall be limited to one structure per parcel of land, or per five acres, whichever is less.
- d. *Electrical Power Limitation.* The electrical power output of the small wind energy conversion system shall not exceed 100 kilowatts or 1½ times the kilowatt needs of the residence or business, whichever is less.
- e. *Safety.* Prior to installation of the system, the applicant shall notify the utility company which has jurisdiction over the property where the proposed system is to be located to prevent unsafe interconnections with the utility company's power grid. The installation shall meet the interconnect requirements of utility company or as is required by the public utilities commission (PUC). The small wind energy conversion structure shall be located on the site such that it allows sufficient access for repair or servicing without trespassing on adjoining property. Unauthorized access to the system's tower shall be prevented. The small wind energy conversion system shall be maintained in a sound working order and sound structural condition.
- f. *Abandonment and Removal.* Any system which is inoperable or abandoned for a period of not less than 180 days shall be disconnected from the public utility and dismantled and removed from the property within 30 days following notice from the building official.

E. Commercial Uses.

- 1. *Bed and Breakfast.*
 - a. *Maximum Stay.* Up to eight individuals are permitted to stay up to 30 days.
 - b. *Maximum Guest Bedrooms.* No more than four guest bedrooms.

- c. *Cooking Facilities.* No individual cooking facilities may be installed in any guest bedroom.
 - d. *Meal Service.* Meal service is limited to residential guests only. Sale of food and beverage to other than overnight guests is strictly prohibited.
 - e. *Parking.* Parking shall comply with Division 5.3, *Parking, Loading, Stacking, and Pedestrian Circulation.*
 - f. *Additions.* Any proposed additions must be compatible with the architectural style and building materials for the dwelling and compliant with city codes.
 - g. *Lighting.* No lighting out of character with a residential area may be used for the bed and breakfast.
2. *Automobile and Truck Wash Facilities.*
- a. *General Standards.* The following standards shall apply to all automobile wash facilities including accessory car wash bays.
 - i. No new wash facility operating as a primary use may be located within one mile of any other existing wash facility operating as a primary use.
 - ii. The wash facility, including all appurtenant structures, shall be set back a minimum of 20 feet from any adjacent street.
 - iii. Drying, vacuuming, and detailing areas may not be placed closer than 50 feet from a residential property line while also being located behind the primary structure.
 - iv. All washing facilities shall be equipped with a water recycling system.
 - v. A bypass lane shall be provided to allow vehicles a way to navigate the site without needing to turn around or travel through a car wash tunnel.
 - vi. Car wash entrances and exits shall be screened from view from adjacent properties and streets.
 - (A) *Methods.* Required screening shall be provided in the form of a Type B bufferyard, screen panels, topographic changes, buildings, horizontal separation, or a combination of these techniques.
 - vii. Where the use abuts a residential zoning district, the hours of operation for the car wash shall be limited to between 7:00 a.m. and 9:00 p.m.
 - b. *Accessory Car Wash.* A fully-enclosed car wash is allowed as an accessory use to convenience stores and gas stations, or for the purpose of washing vehicles associated with the business operations on an industrial zoned site subject to the following design standards:
 - i. The entrance to the car wash shall be screened from view from adjacent properties and streets;
 - (A) *Methods.* Required screening shall be provided in the form of a Type B bufferyard, screen panels, topographic changes, buildings, horizontal separation, or a combination of these techniques.
 - ii. The accessory car wash shall be limited in size to a single vehicle; and
 - iii. In addition to any other off-street parking requirements or vehicles stacking requirements, the car wash shall have its own stacking requirements, found in Sec. 21-5350, *Stacking Requirements.*
3. *Bail Bond Businesses.* This use is permitted provided that:

- a. No bail bond business shall be located within 100 feet of the property line of any lot, tract, or parcel of land within the City which is zoned for residential use, or zoned AG and used for residential purposes.
 - b. No bail bonds business shall be located within 600 feet of the property line of any school or public park. The distance shall be measured in a straight line, without regard to intervening structures, objects or city limits, from the closest exterior wall of the structure in which the bail bonds business is located to the property line of the zone district, school, or park.
- 4. *Brewpub.*
 - a. Not more than 30 percent of the gross floor area of a brewpub shall be used for the production of beer.
- 5. *Restaurant, Drive-Through.*
 - a. *C-1, C-2, and C-C.* This use is permitted in the C-1, C-2, and C-C zoning districts subject to the following limitations:
 - i. *Stacking.* Sufficient stacking areas for vehicles shall be comply with Sec. 21-5350, *Stacking Requirements*
 - ii. *Aisle Width.* All aisles shall be a minimum of 12 feet wide.
 - iii. *Pedestrian Walkways Restricted.* Pedestrian walkways shall only intersect drive-thru, drive-in, or drive-up aisles when there is no other reasonable alternative. In such event, walkways shall have clear visibility and shall be identified by special raised or patterned paving or other treatment.
 - iv. *Screening.* Landscaping, screen walls, berms, placement of the drive aisle, or other site design techniques shall be used to screen cars waiting in the drive-thru, drive-in, or drive-up aisles from the public right-of-way and shall be used to minimize the visual impact of drive-thru, drive-in, or drive-up aisles, menu boards, and directional signs. The entire drive-thru area must be landscaped or bermed with a minimum 36-inch high berm or wall to screen the drive-up facility from view from adjacent streets. Where a 36-inch high berm or wall may not be practical and landscaping can accomplish the desired intent, the berm may be reduced or deleted. Sight-distance triangles shall be maintained.
 - v. *Alcoholic Beverages.* No alcoholic beverages may be sold at drive-up or drive-through windows
 - vi. *Architecture.* Drive-thru, drive-in, or drive-up uses within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-thru, drive-in, or drive-up use shall be compatible with and have minimal adverse impact on the use of surrounding properties
 - b. *MU-C and MU-1.* This use is permitted in the MU-C and MU-1, zoning districts provided that Drive-thru, drive-in, or drive-up uses shall be limited to call-in or mobile orders only. Order placement through on-site exterior equipment, such as speaker boxes or menu boards, shall be prohibited. No component of the facility shall suggest or accommodate on-site order by vehicle, except for the pickup of pre-placed orders.
- 6. *Age-Restricted Retail.*
 - a. *Minimum Distance from Same Use.* In all applicable districts, the use shall be located a minimum of 1,000 feet from property line to property line.

- b. *Minimum Distance from Other Uses.* The use shall be located a minimum of 600 feet from the following uses, measured as a radius from property line to property line.
 - i. Public, private, or denominational schools;
 - ii. Parks or playgrounds;
 - iii. Uses in the Day Care use category;
 - iv. Hospitals; and
 - v. Uses in the Places of Worship use category.
- 7. *Fuel Sales.* This use is permitted provided that:
 - a. *General Standards.* All businesses where fuel sales occur shall comply with the following standards:
 - i. No more than two may be located within 660 feet of an arterial/arterial intersection; however, this separation requirement shall not apply to fuel sales that are accessory to a grocery store;
 - ii. Street access shall conform to the requirements imposed by the engineering division; and
 - iii. Vehicle access and circulation shall be designed so that the impacts to adjacent residential uses or properties from the movement of vehicles or the lights from vehicles are minimized.
 - b. *Pump Islands.*
 - i. A maximum of two pump islands, as depicted in Figure 21-3200-1, *Two Pump Islands*, shall be permitted on a 12,000-square foot lot. One pump island may be added for each additional 2,000 square feet of lot area, provided that the total number of pump islands shall not exceed four per lot.
 - ii. The addition of one pump island may be administratively approved if the Director finds:
 - (A) The on-site circulation will not be negatively impacted;
 - (B) The off-site circulation will not be negatively impacted
 - (C) Access to the property will not be negatively impacted;
 - (D) Appropriate screening and/or landscaping will mitigate the visibility of the pump island; and
 - (E) The total area for fuel pumps is not increased.

Figure 21-3200-1, Two Pump Islands



- c. *Building and Equipment Setbacks and Buffers.*
 - i. The principal building and any accessory structures, except for fuel pumps, pump islands, detached canopies, and similar equipment, shall be set back a minimum of 15 feet from any street right-of-way and a minimum of 20 feet from all property lines abutting a residential zoning district.
 - ii. When the facility abuts a residential district, use, or property, a minimum 20-foot wide landscape buffer shall be provided along the shared boundary in accordance with Division 4.4, *Landscaping, Buffering, and Screening*.
 - iii. Fuel pumps, pump islands, detached canopies, and similar equipment shall be set back a minimum of 40 feet from all street rights-of-way and from all property lines abutting a residential zoning district.
 - iv. Compressed air and vacuum connections shall be setback from public rights-of-way a minimum distance equal to the minimum landscape buffer. They shall be set back from any residential zoned property a minimum of 40 feet.
- d. *Supplemental Development and Design Standards.* In addition to any other development or design standard set forth in Division 5.2, *Building Design Standards*, the following standards shall apply:
 - i. Any fuel pump canopy or accessory structures shall utilize the same architectural treatment as the primary or principal building. The material used on the underside of the canopy shall not be highly reflective.
 - ii. A maximum of 25 percent of each canopy fascia area visible from any public street may be internally illuminated, and no portion of any fascia may be externally illuminated. Each side of a fuel pump canopy shall be considered a separate fascia area.
 - iii. All canopy lighting shall be fully recessed into the canopy structure so that the light source itself is not directly visible from any adjacent street or property.

- iv. Where the use abuts or is across the street from a residential zoning district, sight lighting or other lights illuminating the fuel pumps or other areas of the site shall be extinguished at the close of business.
- e. *Accessory Car Wash Bays.* A fully-enclosed, single-bay car wash is allowed as an accessory use, subject to the following development and design standards:
 - i. To the maximum extent possible, the entrance to the car wash bay shall be sited so as not to be visible from the lot's primary street frontage;
 - ii. The car wash bay shall be limited in size to a single vehicle;
 - iii. The car wash bay shall be located outside of the 20-foot landscape buffer required by 21-3200.E.2.b of this Section;
 - iv. In addition to any other off-street parking requirements or vehicles stacking requirements, the car wash shall have its own stacking requirements, found in Sec. 21-5350.-*Stacking Requirements*;
 - v. Where the use abuts a residential zoning district, the hours of operation for the car wash shall be limited to between 7:00 a.m. and 9:00 p.m.
- 8. *Marijuana Use.* This use category is permitted provided that:
 - a. *Location Restrictions.*
 - i. *General Restrictions.* No marijuana business shall be located within:
 - (A) 1,000 feet of any educational institution or school, either public or private; excluding institutions of post-secondary education;
 - (B) 1,000 feet of any state licensed child care facility;
 - (C) 1,000 feet of any alcohol or drug rehabilitation facility;
 - (D) 1,000 feet of any group home;
 - (E) 1,000 feet of any halfway house or correctional facility;
 - (F) 1,000 feet of any City-owned public park or City-owned recreation center provided, however, that for purposes of this Section, the term park shall exclude any trailer;
 - (G) 1,000 feet of any other marijuana use of any type.
 - ii. *Restrictions Related to Residential Uses.*
 - (A) Retail marijuana stores and medical marijuana centers shall not be located within 2,000 feet of any property in the City that is zoned: mixed use and has a residential entitlement; residential; or agricultural.
 - (B) All other marijuana business and primary caregivers shall not be located within 1,000 feet of any property in the City that is zoned: mixed use and has a residential entitlement; residential; or agricultural.
 - iii. *Retail or Medical Marijuana Store Separation.* No retail or medical marijuana store shall be located within 2,000 feet of any other retail or medical marijuana store.
 - iv. *Applicability.* The location restrictions contained in this Section shall be applicable at the time of initial licensing. For purposes of this Section, an established and licensed marijuana business or primary caregiver may continue operations without being deemed to be in violation of this Section if one of the above-referenced uses locates within an applicable buffer zone. For purposes of this code, the business or caregiver shall be deemed to be a pre-existing use. The business or primary caregiver who

continues to operate does so at its own risk, however, and shall be subject to the enforcement of any applicable non-city provision relating to location

b. *Advertising, Signage, and Design.*

- i. *Advertising Generally.* In addition to this LDC, primary caregivers and all marijuana businesses, regardless of whether they are medical or retail in nature, shall comply with the provisions contained in Part 2 of Article 10 of Title 44 of the Colorado Revised Statutes.
- ii. *Sign Approval Required.* No permanent or temporary sign associated with a marijuana-related business licensed with the City may be installed or located until reviewed and approved by the City via a temporary or permanent Sign Permit
- iii. *Color Restrictions.* Colors for both signage and the overall building that offer low reflectance in subtle, neutral or natural tones are required over the use of high-intensity or reflective colors that draw attention to the business.
- iv. *Prohibitions.* The following activities are prohibited anywhere within the City:
 - (A) Storage of marijuana or marijuana-related products off the site of the licensed premises without a valid off-site storage permit;
 - (B) Marijuana hospitality and retail hospitality;
 - (C) Marijuana membership clubs;
 - (D) Marijuana businesses as home occupations;
 - (E) Marijuana businesses within a mixed use development that includes a residence; and
 - (F) Marijuana vapor lounges.

9. *Office Uses.*

- a. *All Office Uses.* Drive-through facilities are prohibited.
- b. *Healing Center.* Healing Centers may only be open between the hours of 8:00 a.m. and 8:00 p.m. daily.

10. *Parking, Commercial.*

- a. Parking areas shall be screened from the public street. Site walls, landscape berms or a dense shrub hedge at least 36" height shall be incorporated between parking areas and the public street.
- b. A minimum of 50% of the parking shall be covered with a permanent structure type parking canopy.
- c. The design of parking canopies, structures, and enclosures shall be integrated architecturally with the primary structures, if located on the site. Materials and colors can be utilized to integrate covered parking elements with principal buildings located on the site.

11. *Pawn Shop.*

- a. *Separation Requirements.* A pawn shop shall not be located within:
 - i. 1,000 feet of another pawn shop;
 - ii. 500 feet of any school, public park, places of worship, or residentially zoned property; and
 - iii. 300 feet of a bail bond business or similar alternative financial service provider.

- b. *Hours of Operation.* Pawn shops may operate only between 8:00 AM and 8:00 PM, seven days a week.
- c. *Display and Storage.*
 - i. *Outdoor Activities Prohibited.* All activities shall be performed or carried out entirely within an enclosed building.
 - ii. *Outdoor Display Prohibited.* The display of items outdoors is prohibited.
- d. *Tracking Compliance.* Pawn Shop businesses shall participate in the Police Department's stolen merchandise tracking program.
- e. *Vehicle Sales Prohibited.* On-site vehicle sales are prohibited.

12. *Recreation, Indoor.*

- a. *Uses.* The following indoor recreation uses shall be prohibited within a vertical mixed use building:
 - i. Bowling Alley; and
 - ii. Gun Club without Outdoor Range
- b. *Location.* No Gun Club without Outdoor Range shall be located within 1,000 feet of the following:
 - i. The exterior boundary of any residential zoning district;
 - ii. Any Residential Use as listed in Sec. 21-4110; and
 - iii. Any Educational Facility.

13. *Sexually-Oriented Business.* The use is permitted provided that:

- a. *Purpose.* The standards set forth in this Section are intended to promote the health, safety, and general welfare of city residents by establishing reasonable and uniform standards to prevent the deleterious location and concentration of sexually oriented businesses within the City. It is neither the intent nor the effect of this Section to restrict or deny access by adults to sexually oriented entertainment or to deny access to the distributors and exhibitors of sexually oriented entertainment to their intended market.
- b. *Location.* No sexually oriented business shall be located within 1,000 feet of the following:
 - i. The exterior boundary of any public zone district;
 - ii. The exterior boundary of any residential zone district;
 - iii. The exterior boundary of any existing or occupied mobile home;
 - iv. The exterior boundary of any lot on which there is located a single-unit or multi-unit residence, whether located within or outside of the City;
 - v. Any church or religious institution;
 - vi. Any educational institution or school, either public or private;
 - vii. Any licensed child care facility;
 - viii. Any public community center, park, fairground, or recreation center, or any publicly owned or maintained building open for use to the general public; or
 - ix. Any other adult entertainment use whether such other adult entertainment use is located within or outside of the City.
- c. *Urban Renewal Projects.* No sexually oriented business shall be located in any area designated as an urban renewal project pursuant to state law, whether such use is located within or outside of the City.

- d. *Advertisements.* Advertisements, signs, displays, or other promotional material depicting adult entertainment uses shall not be shown or exhibited off the premises where the adult entertainment uses are conducted, in a manner visible to the public, from roadways, pedestrian sidewalks, or walkways, or from other public areas.
 - e. *Indoor Use.* All sexually oriented businesses shall conduct business indoors, and all building openings, entries, and windows shall be located, covered, or screened in such a manner as to prevent a view into the interior; and for new construction, the building shall be constructed so as to prevent any possibility of viewing the interior.
 - f. *Priority of Use.* No sexually oriented business shall be found in violation of Section (b) above based upon a use or land reclassification that occurs after the City approves the sexually oriented business. An existing sexually oriented business shall be given priority over the proposed new use or land reclassification and shall be permitted to continue, so long as it is in compliance, as determined by the City, with all other applicable conditions of its zoning, and so long as it has any such current and validly approved licenses as may be required by this LDC, or by any other applicable statute or ordinance of the City.
14. *Vehicle Servicing, Minor and Vehicle Repair, Major.* This use is permitted provided that:
- a. *General Standards.* All such uses shall comply with the following standards:
 - i. Street access shall conform to the requirements imposed by the engineering division; and
 - ii. Vehicle access and circulation shall be designed so that the impacts to adjacent residential uses or properties from the movement of vehicles or the lights from vehicles are minimized.
 - b. *Equipment, Activity, and Materials.*
 - i. All repair work, vehicle washing, installation of parts, hydraulic hoists, pits, and all lubrications, greasing, automobile detailing, or repairing equipment shall be entirely enclosed within a building. When any such building or portion of a building faces, abuts, or is adjacent to residentially zoned property, the closest, adjacent building wall or face shall consist of a solid wall with no window or door openings other than those required by applicable building codes.
 - ii. All vehicle parts, dismantled vehicles and similar materials, and all discarded materials such as tires, cans, and drums, shall be stored within an enclosed building or meet the criteria for outdoor storage.
 - iii. *Inoperable Vehicles Prohibited.* The storing or keeping of inoperable vehicles on the property is strictly prohibited.
 - c. *Vehicle and Truck Storage.* All vehicles awaiting repair shall be stored on site in approved parking spaces and under no circumstances shall such vehicles be stored outside in an unassembled condition, on an unapproved parking surface, or stored on or obstruct access to a public right-of-way.
 - d. *Accessory Car Wash Bays.* A single-bay tunnel car wash is allowed as an accessory use subject to the following development and design standards:
 - i. To the maximum extent possible, the entrance to the car wash bay shall be sited so as not to be visible from the lot's primary street frontage;
 - ii. The car wash bay shall be limited in size to a single vehicle;

- iii. The car wash bay shall be located outside of the 20-foot landscape buffer required by paragraph 21-3200.E.2.b of this Section;
- iv. In addition to any other off-street parking requirements or vehicles stacking requirements, the car wash shall have its own stacking requirements, found in Sec. 21-5350, *Stacking Requirements*;
- v. Where the use abuts a residential zoning district, the hours of operation for the car wash shall be limited to between 7:00 a.m. and 9:00 p.m.

15. *All Vehicle Sales and Rental.*

- a. Display of vehicles shall be on hot-mix asphalt or concrete and shall not impact existing landscaped areas or encroach into required landscape buffers.
- b. No merchandise shall be placed for sale, display, or storage within any public rights-of-way, or landscaped areas.
- c. Outdoor displays that pose a safety hazard to the general public shall be prohibited.
- d. Outdoor displays of merchandise shall be located in areas that are accessible to and safe for pedestrian access.
- e. Any business engaged in vehicle sales or rentals shall have a principal building consisting of a minimum of 500 square feet in size. The building shall be a permanent structure. Modular or portable buildings, or mobile homes, shall not be permitted.
- f. Outdoor speakers and sound amplification systems shall not be permitted.
- g. There shall be no use of elevated platforms for the display of vehicles.

F. **Industrial Uses.**

- 1. *Above-Ground Storage Tanks, Less than 48,000 Gallons.* This use is permitted provided that:
 - a. All tanks shall meet the applicable building and fire code requirements.
 - b. The tank for the storage of liquids does not exceed 12,000-gallon capacity.
 - c. Tanks for the storage of liquid materials shall be located in side or rear yards.
 - d. The refueling of motorized vehicles from above-ground storage tanks is permitted only to the extent such activity is authorized by the fire and building codes adopted by the City.
- 2. *Artisan/Handcrafted Manufacturing.* The use is permitted provided that:
 - a. The maximum gross floor area shall not exceed 5,000 square feet.
 - b. No outdoor storage is permitted.
 - c. Where such buildings are located within 50 feet of any residential use, no openings facing a residential use are permitted other than stationary windows, fire exits, or garage doors that are open only when necessary to permit immediate vehicle access and then are immediately closed.
- 3. *Bulk Grain Transfer Facilities.* This use is permitted provided that:
 - a. Operations comply with all applicable rules and regulations of State of Colorado and Tri-County Health Department.
 - b. Rodent and pest control programs must be provided and maintained at all times. Upon request, the operator of a bulk grain transfer facility shall submit to the City a written vector control plan.
 - c. No storage of grain is allowed on the property, including in trucks, piles, containers, or within the conveyor system.

4. *Self-Service Storage*. This use is permitted provided that:
- a. All site fencing along public right-of-way shall consist of wrought iron or similar types of decorative fencing materials. Chain link fences are prohibited.
 - b. All mini-storage facilities shall provide a minimum 24-foot wide drive aisle between all buildings and adjacent to all building walls with storage compartment access doors.
 - c. Colors shall generally complement the surrounding development, and shall not be used to attract attention to the facility (i.e., no red roofs, orange doors, etc.).
 - d. Building exteriors shall not be corrugated metal or similar surface, but shall be of finished quality. Metal containers are prohibited.
 - e. Doors to individual units shall be located internal to the development.
 - f. Architectural style shall be compatible with surrounding properties. A minimum of 4:12 pitched roofs are required.
 - g. All storage units shall be located within an enclosed building or buildings.
 - h. Storage units shall only be used for the storage of goods and/or property.
 - i. Storage units shall not be used for activities of any kind, including but not limited to:
 - i. Residences, offices, workshops, studios, hobby, meetings, gathering spaces, or rehearsal areas;
 - ii. Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances, or other electrical equipment, or any other industrial activity;
 - iii. Conducting retail sales of any kind, including garage or estate sales or auctions or to conduct any other commercial activity;
 - iv. Storage of flammable, perishable, or hazardous materials or the keeping of animals.
 - j. Accessory retail uses such as general retail storefronts, or the sale of boxes or packing materials are encouraged and allowed only if they are otherwise permitted in the zoning district in which the facility is located, and meet all applicable use and development standards.
 - k. Hours of operation shall be limited to the hours from 6:00 a.m. to 10:00 p.m. Business activities and tenant access to storage units shall not be permitted from 10:00 p.m. to 6:00 a.m.
 - l. All facilities shall be climate-controlled, whereby both temperature and humidity are regulated.
 - m. No new commercial indoor self-storage facility shall be located within 1,250 feet of any other existing commercial indoor self-storage or traditional mini-storage facility.
 - n. For commercial indoor self-storage facilities, the following standards shall apply in addition to the development standards generally required for all new commercial development in Article IV, *Design Standards*, regarding entrances, materials, landscaping, parking, etc.:
 - i. Commercial indoor self-storage facilities are permitted only within multi-story structures designed to emulate multi-unit residential or office buildings. A minimum of 20% glass or other window openings are required per façade.
 - ii. The site on which a commercial indoor self-storage facility is located shall not have frontage along an arterial street.

- iii. All individual storage units shall gain access only from the interior of the building. The primary facility loading bays, docks, or doors shall not be directly facing any adjacent residential property.
- iv. All fencing shall consist of wrought iron or similar types of decorative fencing materials. Chain link fences are prohibited.
- v. Colors shall compliment the natural characteristics of the site and surrounding development, and shall not be used to attract attention to the facility (i.e., no red roofs, orange doors, brightly colored doors, etc.).

~~5. **Outdoor Storage.** Outdoor storage is prohibited, including outdoor storage of boats, RVs, vehicles, and storage in outdoor storage pods, shipping containers, or similar.~~

6. *Small Recycling Collection Area.* This use is permitted provided that:

- a. The facility shall be no larger than 300 square feet and shall occupy no more than five parking spaces, excluding space that will be periodically needed for removal of materials or exchange of containers, and 1 parking space for an attendant, which shall be located outside the facility.
- b. The facility shall be set back at least ten feet from any public right-of-way and shall be located so that pedestrian or vehicular circulation is not obstructed.
- c. The facility shall accept only glass, aluminum, plastic containers, papers, and similar items.
- d. The facility shall use no power-driven processing equipment, except for reverse-vending machines.
- e. The facility shall use containers that are 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 within an allotted collection schedule.
- f. All recyclable materials shall be stored in the unit and shall not be left outside of the unit when unattended.
- g. The facility shall be maintained in a clean and sanitary manner, free of litter and any other undesirable materials.
- h. With the exception of multi-unit developments, facilities shall not be located within 150 feet, excluding right-of-way, of any residential zoning district or any parcel identified as residential in the comprehensive plan.
- i. Containers shall be clearly marked to identify the type of material, which 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. The facility shall be placed on asphalt or concrete and shall not impact any landscaping or landscaped areas.
- k. The facility shall be completely screened by an opaque fence or wall.

7. *Towing Services with Impound Yard.* This use is permitted provided that:

- a. *Fence and Screening Requirements.* An impound yard must be completely enclosed by a screen style fence that is eight feet in height.
- b. *Vehicle Parts.* Vehicle parts shall not be taken or sold from vehicles stored in an impound yard, nor shall any vehicle parts be stored within an impound yard.

- c. *Temporary Storage.* Except as required by court order or requested by law enforcement conducting an official investigation, no vehicle may be stored in an impound yard in excess of 90 days.
- d. *Rows.* Vehicles stored in an impound yard must be parked neatly in rows.

G. Open Uses.

- 1. *Animal Production.* This use is permitted provided that:
 - a. *Additional Regulations.* Additional regulations regarding number of animals allowed shall be made by the Community Development Director, using the space requirements for horses as a guide.
 - b. *Number of Animals.* One horse/large animal shall be permitted; for the first 12,000 square feet of net lot area (lot area without a structure upon it); one additional horse/large animal shall be permitted for each additional 6,000 square feet of net lot area.
 - c. *Lot Area.* The lot exceeds 12,000 square feet.
- 2. *Community Garden.* This use is permitted provided that:
 - a. *General Standards.*
 - i. The growing and/or cultivation of marijuana, for any purpose, is prohibited.
 - ii. All community gardens shall have on-site irrigation.
 - iii. The keeping of animals is prohibited except for those animals allowed with a valid permit approved in accordance with Chapter 4, Article V of the Municipal Code and kept in accordance with the applicable provisions of the Municipal Code and state laws.
 - iv. No community garden shall be permitted on any property on which a single-unit dwelling, either attached or detached, exists.
 - v. Off-street parking, if any, shall include a dust-free surface approved by the City Engineer.
 - vi. Tools and equipment must be stored in sheds. Hoop houses and greenhouses shall not be used to store tools or equipment.
 - vii. All compost materials shall be kept in an enclosure that limits the negative impacts to adjacent properties.
 - b. *Sign Standards.*
 - i. Identification signs shall be monument type and shall not exceed 20 square feet in area or six feet in height. Each community garden shall be limited to one identification sign per street frontage that is setback a minimum of 10 feet.
 - ii. Each community garden shall be allowed one entrance sign per entrance that is intended to communicate garden information, rules, regulations, or policies. Entrance signs shall not exceed 15 square feet in area or six feet in height. Entrance signs shall be setback a minimum of 10 feet.
 - iii. Signage to communicate and/or distinguish specific crops or garden orientation shall be limited to three square feet and shall not require a permit from the Planning Division.
 - c. *Accessory Structures Limited.* The following accessory structures may be located on property being used as a community garden: sheds, hoop houses, green houses, fences,

compost enclosures, and vertical growing structures. All other accessory structures are prohibited.

d. *Accessory Structure Standards.* Unless a different standard is specified in this Section, all accessory structures must comply with the general standards of this code.

- i. No accessory structure shall exceed 15 feet in height.
- ii. No more than three sheds shall be permitted.
- iii. No more than a combined total of 3three hoop houses and/or greenhouses shall be permitted and the cumulative square footage of all such hoop houses and greenhouses shall not exceed ten percent of the lot area.
- iv. Hoop houses, green houses, and sheds shall be set back ten feet from the front property line, five feet from the side and rear property lines, and ten feet from any property line adjacent to a street.
- v. No more than one compost enclosure shall be permitted on any property that is one acre or less in size. No more than two compost enclosures shall be permitted on any property that is more than one acre in size. Compost enclosures shall be set back ten feet from all property lines and shall not exceed six feet in height. Compost enclosures may consist of multiple sections.

e. *Fences.*

- i. Electric and barbed wire fences are prohibited.
- ii. To the maximum extent feasible, fences shall be compatible in appearance and placement with the fences in the area.

f. *Height and Style.*

- i. Along the right-of-way, fences shall be open style and shall not exceed 42 inches in height.
- ii. Portions not along the right-of-way shall comply with the fence standards of the applicable underlying zone district.

g. *Setbacks.*

- i. *Residential.* Fences along the right-of-way shall be set back a minimum of 30 inches from the property line. Fences that are not along the right-of-way shall comply with the general setback requirements for fences in residential zone districts.
- ii. *Nonresidential.* Fences along the right-of-way shall be set back a minimum of five feet from the property line. Fences that are not along the right-of-way shall comply with the general setback requirements for fences in the applicable underlying zone districts.

3. *Doggie Day Care Facilities.*

- a. *Indoor Use.* Except any outdoor play area, all services provided by a doggie day-care facility shall be conducted within a completely enclosed, soundproof building.
- b. *Design.* All doggie day-care facilities shall be designed and constructed in a manner that minimizes any emission of odor offensive to persons owning, occupying or patronizing properties adjacent to such facilities.
- c. *Fencing.* The premises or portion of the premises upon which the outdoor play area is located shall be enclosed with a fence constructed to a height and of materials sufficient to be reasonably certain of confining the animals placed therein.

- d. *Noise.* Structures and fences shall be constructed of such materials and be of sufficient quality to minimize the possibility of animals creating a nuisance by barking or otherwise creating noise loud enough to disturb neighbors.
- 4. *Greenhouse/Nursery/Tree Production (With Outdoor Storage).* This use is permitted provided that:
 - a. *Agricultural District.* Off-site delivery of plant materials and the use and storage of all vehicles and equipment necessary for those activities are permitted.
 - b. *Display and Storage.* Merchandise, landscaping materials, and equipment shall be displayed or stored within an enclosed building or in an area of the property that has been fenced or landscaped to conceal the area from any public right-of-way. Neither storage nor display shall occur within 25 feet of public right-of-way or occupy required off-street parking spaces.
 - c. *Vehicle Maintenance.* Any repair or servicing of vehicles or equipment used in the operation of the business shall occur within an enclosed building. Repair and servicing shall be limited to normal maintenance and shall not include body repair or modification.
 - d. *Growing Areas.* Areas for the growing of plants and nursery stock may be permitted in greenhouses or in open areas as designated by the applicant.
 - e. *Outdoor Storage.* Outdoor storage shall meet all requirements for outdoor storage established in Division 4.5, *Outdoor Display and Storage*. The type and location of any materials to be stored on any site shall be determined at the time of development plan approval. Any materials approved for outdoor storage shall not cause a hazard or nuisance to the health, safety, or welfare of humans or animals
- 5. *Kennels.* This use is permitted provided that:
 - a. *Existing Kennels.* Any kennel licensed and in operation as of the date of adoption of this LDC shall be exempt from provision e, *Structures, Space Requirements, and Setbacks*, of this Section. Such pre-existing uses shall be considered legal nonconforming uses and shall be governed by Article X: *Nonconformities*.
 - b. *Containment and Noise.* Fencing and landscaping should be used to minimize noise, glare, and other nuisances. The portion of the premises upon which a kennel is located shall be enclosed with a fence constructed to a height and of materials sufficient to be reasonably certain of confining the animals placed therein, or the animals shall be restrained by other means consistent with the size, weight, and abilities of the animals restrained to be reasonably certain to prevent them from being able to escape and run at large. Animals running at large will be prevented. Structures and fences will be constructed of such materials and quality to minimize the possibility of animals creating a nuisance by barking or other noise loud enough to disturb neighbors.
 - c. *Structures, Space Requirements, and Setbacks.*
 - i. All places where the animals are kept including structures, pens, yards, and runs shall be located a minimum distance of 100 feet or a distance equal to 1½ times the width of the parcel of land occupied by the shelter, whichever is the lesser of the two distances from any residence or primary structure located on parcels of land adjoining the parcel. New construction on adjoining parcels of land will not affect existing structures, pens, runs, yards, and other places where animals are kept.
 - ii. Dog kennels shall be situated on not less than a five-acre parcel of land.

- iii. All shelters shall be of sufficient height and width to permit each animal or animals to stand up and turn around when fully grown. If cages are used, they shall be of sufficient height and width to permit each animal or animals to stand up and turn around when fully grown, but minimum cage sizes shall be as follows:
 - (A) Small breeds and cats: 21 inches wide, 29 inches deep, and 24 inches high.
 - (B) Medium breeds: 29 inches wide, 32 inches deep, and 33 inches high
 - (C) Large breeds: 29 inches wide, 45 inches deep, and 33 inches high.
 - d. *Dust.* Adequate provision shall be made to prevent dust.
 - e. *Traffic.* All kennel traffic shall be diverted from residential areas to the maximum extent feasible.
 - f. *Licensure.* All kennels shall be licensed and operated in conformance with all applicable governmental regulations.
 - g. *Health and Sanitation.* All kennels shall be maintained in a clean and sanitary condition at all times in order to prevent health hazards, odors, and other nuisances. Kennels shall be operated in accordance with the following standards:
 - i. Excreta shall be removed from enclosures, pens, and runs as often as necessary to reduce disease hazards and odors and to prevent its accumulation from constituting a nuisance. At a minimum, daily removal of excreta is required. All premises shall be kept clean and in good repair, and all animal and food wastes shall be handled and disposed of in a sanitary manner.
 - ii. Adequate shelter from the elements shall be provided. Adequate shelter includes, but is not limited to, proper ventilation, heating, cooling, and lighting.
 - iii. Lavatory and washroom facilities sufficient for use by all kennel caretakers and employees shall be provided.
 - iv. Drainage shall be constructed to protect adjacent bodies of water from pollution.
 - v. The premises shall be maintained so as to meet Tri-County District Health Department standards and not constitute a nuisance.
 - vi. All kennels shall contain an isolation ward for animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals.

Sec. 21-3220. - Accessory Uses and Structures

- A. **Purpose.** This Section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to primary uses and structures, provided that the accessory use or structure complies with all applicable standards in this Section.
- B. **Applicability.**
 - 1. *Where Permitted.* The standards of this Section are for accessory uses and structures that are permitted in any zoning district, unless otherwise noted in the standards below, in association with a primary use or uses.
 - 2. *Interpretation of Unlisted Accessory Use.* The Community Development Director shall evaluate applications for accessory uses that are not defined in this Section on a case-by-case basis, based on the following standards:

- a. The definition of "accessory use" and the general accessory use standards and limitations established in this Section;
- b. The purpose and intent of the district in which the accessory use is located;
- c. Potential adverse impacts that the accessory use or structure may have on other lots, compared with other accessory uses permitted in the district; and
- d. The compatibility of the accessory use with other principal and accessory uses permitted in the district.

C. **General Standards.** All accessory uses shall comply with the following general standards:

1. *Incidental to Principal Use.* The accessory use or structure shall be clearly incidental and customarily found in connection with the primary use. No accessory use or structure is permitted on a lot or parcel without a primary use or structure.
2. *Commercial Use Restricted.* No accessory structure on a residentially zoned property shall be used for any commercial purpose other than a short-term rental located in a permitted accessory dwelling unit.
3. *Lot Restriction.* The accessory uses or structures shall be conducted and/or located on the same lot and within the same zone district as the primary use.
4. *Unity of Ownership.* There shall be unity of ownership and unity of user between the primary use and accessory use.
5. *Prohibition on Subdivision and Separate Utilities.* Accessory uses and structures shall not be subdivided from the principal lot and shall not be served by separate utility meters or utility connections, including but not limited to water, sewer, and electric services. Accessory uses and structures shall share utility service with the primary use unless otherwise approved by the City in accordance with applicable utility policies and regulations.
6. *Time of Establishment.* No accessory use shall be conducted and no accessory structure shall be erected on a lot until after all required permits and approval of the primary use or activity has been obtained.
7. *Nonconforming Use.* No new accessory structures shall be permitted on a lot with a legal nonconforming use.
8. *Sight Distance.* No accessory structure or use shall be located within a sight-distance triangle.
9. *Location of Accessory Structures.*
 - a. *City Easements.* No accessory structure shall be located within any platted or recorded easement of the City's, except as expressly agreed to in writing by the City. The applicant shall be responsible for correctly identifying easements and their ownership on the Site Plan provided with the Building Permit for the accessory structure.
 - b. *Easements Not Belonging to the City.* The applicant and property owner shall be responsible for any accessory structures placed within an easement.
10. [*Design of Accessory Structures.* All accessory structures shall meet the standards as outlined in Division 4.2](#)

D. **Standards Applicable to Specific Accessory Uses.**

1. *Home Occupation.* This use is permitted provided that:
 - a. *Licensure.* A City business license shall be required for all home occupations.
 - b. *Standards.* Home occupations shall comply with the following standards:

- i. Home occupations shall be clearly incidental and accessory to the use of the residence as a dwelling;
 - ii. No more than eight patron visits per day shall be permitted and all visits shall occur between the hours of 7:00 a.m. and 7:00 p.m.;
 - iii. Delivery to or pick-up from the premises, except postal and small parcel, is prohibited. No more than four small parcel deliveries shall be permitted each day;
 - iv. No persons, other than residents of the household, shall be permitted to perform any work at the residence in conjunction with the home occupation; and
 - v. Signs associated with home occupations shall be regulated in Division 4.7, *Signs*.
- c. *Prohibited Activities, Equipment, and Materials*. The following uses and activities are prohibited as part of any home occupation:
 - i. Use of equipment or machinery that is not customarily incidental to domestic use (e.g., cement mixers, tractors, and paint booths);
 - ii. Equipment, machinery, or processes that create noise, smoke, glare, fumes, odor, or vibration (e.g., assembly requiring power tools, carpentry) offensive to a reasonable person at the property line;
 - iii. Uses that involve activities or use of equipment or materials on more than an intermittent basis so as to change the fire safety or occupancy classification of the premises (e.g., welding);
 - iv. Activities that cause electromagnetic (e.g., radio, television, etc.) interference to surrounding properties;
 - v. Use or storage of chemicals or processes that are not customarily associated with domestic use; and
 - vi. Repair of motor vehicles.
- d. *Exterior Evidence of Use Prohibited*. To ensure that dwellings for which home occupations have been approved remain compatible with surrounding residential use, the following regulations shall apply:
 - i. The home occupation shall be conducted entirely within the principal dwelling;
 - ii. Incidental storage in a garage or any activities associated with the home occupation shall not displace any required parking in a currently usable garage;
 - iii. The home shall not require any alteration not customarily associated with residential use. Home occupation activities shall not be visible from the public rights-of-way or neighboring properties;
 - iv. Outdoor storage or storage in any accessory building or structure is prohibited;
 - v. No off-site sign shall be placed as to denote the location of the home occupation;
 - vi. No home occupation shall produce quantities or types of refuse not customarily associated with a residential use;
 - vii. The entrance to the space devoted to such use shall be from within the dwelling, unless otherwise required by state law or regulation; and
 - viii. The use shall not change the character of the dwelling or create outside the dwelling any external evidence, either on the property or on the street, of the operation of the home occupation.
- e. *Firearms Sales*.

- i. No firearms, ammunition, or accessories shall be sold or offered for sale on the premises.
- ii. The exchange of firearms shall only be conducted at gun shows.
- iii. No firearm-related services shall be conducted on the premises.
- iv. No business shall keep more than 12 firearms for business purposes on the premises at any time.
- f. *Vehicles, Parking, and Traffic.* No vehicle shall be allowed in conjunction with a home occupation that has been manufactured or altered to provide mobile services. Examples of vehicles that have been manufactured or altered to provide mobile services include, but are not limited to, ice cream trucks, catering trucks, or tow trucks. Parking needs and traffic volumes generated by the home occupation shall not exceed that typically generated by a residential use.

2. *Accessory Parking Canopy.*

- a. *Location.* This accessory use is permitted in all zoning districts except for R-1 and R-2.
 - i. *Front.* The entry to an accessory parking canopy shall not be located forward of the front wall of the principal building.
 - ii. *Side.* An accessory parking structure may be located in a side yard, but shall be no closer to the street than the front facade of the nearest primary structure, but in no case closer than 20 feet from the right-of-way.
 - iii. *Setbacks.* The accessory parking structure shall be a minimum of five feet from the side and rear property lines.
- b. *Height.* An accessory parking structure shall be no more than:
 - i. 15 feet tall in a residential zoning district; or
 - ii. 25 feet tall in a non-residential zoning district.
- c. *Additional Regulations.*
 - i. An accessory parking structure shall be allowed only for the storage of operable vehicles used in conjunction with the primary use.
 - ii. Any accessory parking structure serviced by a right-of-way shall be provided access by a driveway consisting of concrete, asphalt, or similar hard-surface material.
 - iii. Nothing in this section shall supersede any garage requirements for any underlying zone district.
 - iv. Accessory parking structures may be used in addition to and not in place of any garage requirement.
 - v. Accessory parking structures shall only be used to cover permanent and approved parking spaces.
 - vi. Accessory parking structures shall be constructed as one structure. At no time shall a series of structures be attached to one another to create an accessory parking structure.
 - vii. *Design.*
 - (A) The color, style, and type of materials used in the construction of the exterior portions of an accessory parking structure shall match those of the principal structure.

- (B) The use of prefabricated metal structures, corrugated metal, fiberglass, or similar panels is not allowed.
 - (C) For an accessory parking structure to match the principal structure, the following criteria shall apply:
 - (1) The roofline, the type of roofing material, and the color of the roofing material shall be the same or similar to the principal structure. If the principal structure has a flat roof, the accessory parking structure may be allowed to have a pitched roof if approved by the Community Development Director.
 - (2) Any painted surface shall be the same, similar, or complementary color as the principal structure.
 - (3) Any enclosed sides of the accessory parking structure shall meet the architectural requirements for a garage.
- 3. *Amateur Radio Facilities.* The following standards apply where this structure is associated with a Household Living or Group Living Use.
 - a. Roof mounted facilities shall not increase the height of the structure by more than 20 feet.
 - b. Antennas shall be setback at a ratio of 1:1 from all property lines.
 - c. Neither guy wires nor their foundation shall be located within five feet of any property line.
 - d. Only one facility shall be permitted on any legally subdivided parcel or lot.
 - e. An amateur radio facility and any accessory equipment shall, to the maximum extent feasible, use materials, colors, textures, screening, and landscaping that will blend the amateur radio facility to the surrounding natural setting and built environment.
 - f. When installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment shall be of a neutral color so as to make the antenna and related equipment as visually unobtrusive as possible.
 - g. No antenna or support structure may be located so as to extend, move or swing beyond the plane of the property boundary at any time.
 - h. Crank-up antennas are encouraged to provide enhanced radio capability with minimized neighborhood impact. The crank-up tower shall be kept in its lowest extension whenever it is not being used.
 - i. Antenna or support structures attached to roofs, chimneys, and other structures shall be screened to the greatest extent possible as determined by the City.
 - j. No commercial uses shall be allowed to co-locate on any amateur radio facility or related facility. However, amateur radio facilities shall be allowed to co-locate on properly permitted commercial telecommunications facilities.
 - k. Facilities shall be located in the rear yard of property in which it is located or on the rear ½ of the principal structure.
 - l. Amateur radio facilities shall not be used for commercial purposes.
- 4. *Dumpster or Trash Container.*
 - a. Applicability. All of the following uses and developments shall provide for the enclosure and screening of waste equipment, which includes carts on wheels (food waste, trash, and recycling), waste oil containers, compactors, or dumpsters (trash and recycling):
 - i. Multi-unit buildings;

- ii. Business, commercial, or industrial development; and
 - iii. Substantial rehabilitation of such developments, where the cost of such repair or rehabilitation exceeds 150 percent of the property's assessed value.
 - b. Paved Surface. Waste equipment shall be placed on a paved surface of either concrete or asphalt.
 - c. Screening Methods.
 - i. Required waste equipment screening may be achieved by designating an enclosed space for waste equipment within a principal building or within an accessory structure such as a garage.
 - ii. Where waste equipment is not enclosed within a principal or accessory structure, it shall be screened on all sides (except for the gate area) by permanent and durable materials, other than chain-link or woven wire materials, with a minimum height of six feet. One side of the waste equipment area shall be furnished with an opaque, lockable gate.
 - iii. The screening walls required by this Section shall:
 - (A) Be planted with vines;
 - (B) Be architecturally compatible, in material and color, with the principal structure on the property; or
 - (C) Display a mural.
5. *Animal Enclosures and Pens.*
- a. *Location.* This accessory structure is permitted in AG, R-E, and Public R-F zoning districts and by Conditional Use Permit in conjunction with eligible land uses as established in Division 3.1, *Use Categories*. This includes structures such as horse or livestock pens, kennels, or other enclosed areas intended to house or contain animals.
 - i. *Minimum Setback.* All animal enclosures shall abide by the following minimum setbacks:
 - (A) Front setback: 60 feet;
 - (B) Side setback: 25 feet; and
 - (C) Rear setback: 25 feet.
 - ii. *Related to Residential Structures.* Animal enclosures shall be a minimum of 50 feet from any existing residentially used structure on adjacent property.
 - b. *Fencing.* Fencing regulations for the underlying zoning district shall apply.
6. *Mobile Business Operation.* The use of any motor vehicle, trailer, mini-mobile storage container, or shipping container as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other businesses conducted, shall be prohibited in all zoning districts except for:
- a. This accessory use is permitted in association with all Use Categories.
 - b. The sale of goods or merchandise at a city-approved or sponsored event;
 - c. The use of a motor vehicle, trailer, or shipping or storage container in connection with an approved recycling operation;
 - d. The use of a trailer or shipping or storage container in conjunction with construction authorized by a valid building, grading, or construction permit; or

- e. The use of a trailer, shipping, or storage container for the temporary loading and unloading of goods, provided that no individual trailer or container is in place longer than 72 hours.
 - f. No mobile home or recreational vehicle (RV) shall be used for accessory uses.
7. *Night Watchman's Quarters.*
- a. *Location.*
 - i. This accessory structure is permitted in the AG, C-2, I-1, I-2, I-3, P, and OS zoning districts.
 - ii. The location of the structure on the site shall comply with setback standards for the zoning district in which it is located.
 - b. *Number.* Only one residential caretaker unit shall be permitted per property.
 - c. *Use.* The structure shall be used only to house the caretaker of the primary use, plus immediate family members.
 - d. *Prohibited Structures.* Mobile or manufactured homes, recreational vehicles, and buses shall not be used as living quarters.
8. *Swimming Pool, Pool House, Pool Equipment Room, Hot Tub, and Hot Tub House.*
- a. *Location.* These structures shall not be permitted in the front yard.
 - b. *Screening.* Pool equipment shall be screened from neighboring properties.
 - c. *Fencing.* Fencing around the Swimming Pool shall be required with a minimum height of 4 feet. Hot Tubs shall have a locking cover. Consult the building code for specific details.
9. *Family Child Care Home.*
- a. The primary use shall be a Single-Unit Dwelling or Two-Unit dwelling.
 - b. Exterior yard space for child care use shall be enclosed by a fence at least 72 inches tall.
 - c. The family child care home shall not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding residences.
10. *Parking Recreational Vehicles in Residential Districts.* Recreational vehicles may be parked on residentially zoned lots if:
- a. The recreational vehicle does not encroach into any required setback and is fully screened from view from the public right-of-way and neighboring residential properties; or,
 - b. The recreational vehicle is parked within a fully enclosed accessory structure.
11. *Solar Panel Array, Small.*
- a. *Agreement.* If solar panels are to be interconnected to the electric utility grid, proof of an executed interconnect agreement shall be provided to the Planning Director before the system is interconnected. Systems approved pursuant to this Subsection may not generate power as a commercial enterprise.
 - b. *Roof-Mounted.*
 - i. Roof-mounted solar panels may be located on principal and accessory buildings.
 - ii. A roof-mounted array on a pitched roof may not extend more than 12 inches above the roof surface if the roof is visible from the public right-of-way or from a residential property, nor may it extend more than 12 inches beyond any edge of the roof.
 - iii. Where an array is placed atop a flat roof, it may not extend more than five feet above the roof and shall be screened from the public right-of-way with the building's façade parapet or similar mechanism. A roof-mounted solar panel array that cannot meet

these placement standards requires a Conditional Use Permit per Sec. 21-7250, *Conditional Use Permit*.

- c. *Ground-Mounted*. Ground-mounted solar panels shall be:
 - i. Located in the interior side or rear yard and screened from adjacent residential property and all public rights-of-way with Type B Bufferyard; and
 - ii. Set back from lot lines as if they were detached accessory buildings if the highest point on the panels is more than six feet above grade.

12. *Wind Turbine, Small*.

- a. *Setback*. The base of the tower shall be set back from all property lines, public rights-of-way, and public utility lines a distance equal to one and one-half times the total height.
- b. *Tower Height*. The maximum tower height is permitted as follows:
 - i. *Ground-Mounted*. The height limit for a small wind turbine shall be the height limit of the zoning district, as long as the turbine meets the setback established in 25.a., above.
 - ii. *Building-Mounted*. Rooftop turbines shall not exceed a height of 10 feet above the roof or the top of a parapet, whichever is higher. Building-mounted turbines shall be measured from the point at which the turbine is mounted to the maximum arc of a blade at its peak arc. Non-bladed turbines shall be measured from the base of the turbine where it is mounted on the building to the highest point of the turbine.
 - iii. *Exceptions*. Height limitation imposed by the Federal Aviation Administration (FAA) shall supersede Subsections 12.b.i. and 12.b.ii., above.
- c. *Distance Between Turbines*. The distance between the tower support base and any two turbines shall be the minimum of five rotor lengths, determined by the size of the largest rotor.
- d. *Fence*. A fence with a minimum height of six feet with a locking gate shall be placed around any turbine tower base.
- e. *Sound*. Audible noise due to turbine operations shall not exceed 55 dBA or 10 decibels greater than ambient noise levels, measured at the nearest dwelling or otherwise occupied structure. Sound levels may be exceeded during short-term events such as utility outages and/or severe wind storms.
- f. *Lighting*. No illumination of the turbine or tower shall be allowed unless required by the FAA.
- g. *Signage*. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other adjacent structure associated with a turbine visible from any public street or adjacent property shall be prohibited.
- h. *Access*.
 - i. *Freestanding Tower*. Climbing apparatus below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
 - ii. *Lattice or Guyed Towers*. The bottom tower section must be secured such that it cannot readily be climbed.
- i. *Interference*. The turbine operation shall not interfere with radio, television, computer, or other electronic operations on abutting or nearby properties.

- j. *Ownership.* Whenever the turbine and/or property upon which the turbine is sited are transferred to new ownership, all requirements and responsibilities pertaining to the turbine are transferred to the new ownership.
 - k. *Abandonment.* If a turbine is inoperable for six consecutive months, the property owner shall be notified that they must, within six months of received notice, restore their system to operating condition. If the owner fails to restore their system within the required six-month time period, the owner is required at their expense to remove the wind turbine from the tower.
 - l. *Utility Notification.* No turbine shall be installed until the utility company has been informed of the customer's intent to install an interconnected customer-owned generator.
 - m. *FAA Regulations.* No turbine shall be constructed, altered, or maintained so as to project above any of the imaginary airspace surfaces described in FAR Part 77 of the FAA guidance on airspace protection.
 - n. *Compliance with National Electric Code.* Turbine installation shall conform to the National Electric Code, as updated from time to time.
 - o. *Insurance.* Additional insurance beyond property owners' or homeowners' coverage shall not be required.
13. *Short-Term Rental.*
- a. *Primary Uses and Districts.* A short-term rental shall only be permitted as an accessory use to a single-unit detached or duplex dwelling in the PUD, R-1, R-2, R-3, and AG zone districts.
 - b. *Accessory Use Only.* In zone districts, where permitted, short-term rentals shall be clearly incidental and subordinate to the primary use of a single-family detached or single-family attached dwelling unit on the lot on which the short-term rental is located. A short-term rental cannot be the primary use of the dwelling unit. The dwelling unit must otherwise be occupied and utilized as a residential dwelling unit for the majority of the year.
 - c. *License Required.* It is unlawful to operate any short-term rental in the city without first obtaining a short-term rental license that has been duly approved pursuant to Chapter 9, *Business Licenses and Regulations*, of the Municipal Code.
 - d. *Length of Stay.* The length of stay at a short-term rental may not exceed 30 consecutive days for any guest(s).
 - e. *Density Restriction.* There may be no more than one short-term rental within 500 feet of another licensed short-term rental in any residentially zoned district as measured in accordance with Sec. 21-11110, *Measurements*.
 - f. *Accessory Dwellings.* On lots where there is both a single-family dwelling unit and an accessory dwelling unit, short-term rentals are allowed in either dwelling unit; however, a short-term rental cannot be operated in the principal single-family dwelling unit by a person maintaining their primary residence in the accessory dwelling unit only. The principal single-family dwelling unit must be occupied as a long-term residence when not being utilized for a short-term rental per Subsection a, *Primary Uses and Districts*, above.
 - g. *Simultaneous Short-Term Rentals Prohibited.* Short-term rentals shall not include simultaneous rental to more than one party under separate contracts. This limitation is intended to prevent more than one short-term rental contract from operating within the same dwelling unit at the same time, or within a dwelling unit and its associated accessory dwelling unit at the same time.

- h. *Food.* No food shall be prepared for or served to guests of the short-term rental unit by the property owner or the owner's agents or contractors.
 - i. *Maximum Guests Permitted.* The maximum number of persons allowed to occupy a short-term rental shall not exceed two persons per bedroom, plus two persons.
 - j. *Parking.*
 - i. *Location.* Parking intended to serve a short-term rental shall be located on the same lot as the short-term rental.
 - ii. *Amount.* No additional parking, other than what has been permitted and exists with the dwelling unit on the lot is required. If there is no legally established parking on the lot no more than two vehicles are permitted to park on the street that are associated with the short-term rental.
 - k. *Allowed Signage.* A short-term rental may not have any exterior signage.
 - l. *HOA Rules and Covenants.* Nothing in this division shall be interpreted as preventing a functional homeowners association from promulgating additional HOA rules and covenants to govern the operation of short-term rental units.
- E. **Standards Applicable to Accessory Dwelling Units.** Accessory Dwelling Unit (ADU). Attached, contained, and detached ADUs, as depicted in Figure 21-3220-1, *ADU Types*, are permitted according to the following standards.
- 1. *Standards Applicable to Certain ADUs.*
 - a. *Attached ADU and Contained ADU.*
 - i. The principal dwelling unit shall not be altered in any way so as to appear from a public or private street to be multi-unit housing. Prohibited alterations include multiple doorways and walkways that connect to the sidewalk (except from an alley) or multiple mailboxes.
 - ii. Access to the ADU shall be by means of an existing side or rear door, except where a new entrance is required by the Building Code. No new doorways or stairways to upper floors are permitted if they are attached to the side of a building facing a public or private street.
 - iii. ~~Water, sanitary sewer, and electrical utilities shall not be separately provided to an attached, detached, or contained ADU.~~
 - b. *Detached ADU.*
 - i. The address of the principal dwelling shall remain the same and the ADU shall be assigned a unit designation.
 - ii. A vehicular access shall not serve the ADU separate from that serving the principal dwelling unless the accessory dwelling is accessed from an alley and the principal dwelling is accessed from a street.
 - iii. The detached ADU shall:
 - (A) Be sited so that the front wall of the ADU is located behind the rear wall of the principal building;
 - (B) Be less than the height of the principal building, or a maximum of 22', whichever is less.
 - 2. *Standards Applicable to All ADUs.*
 - a. *Number.* Only one ADU shall be permitted per lot.

- b. *Use.* An accessory dwelling unit may be owner-occupied or occupied by a person who is not the property owner.
- c. *Size of Unit.* The floor area of the ADU shall not exceed 75 percent of the floor area of that of the principal unit or 1,000 square feet, whichever is less. However, a minimum of 750 square feet of floor area is permitted, regardless of the size of the principal unit.
- d. *Residential Building Code.* The ADU shall comply with the requirements of the City's Building Code.
- e. *Associated Building Type.* An ADU is permitted where a single-unit dwelling is allowed.
 - i. *Planned Unit Developments Included.* An ADU is allowed in Planned Unit Development zone districts where a single-unit dwelling is allowed.

Figure 21-3220-1, ADU Types

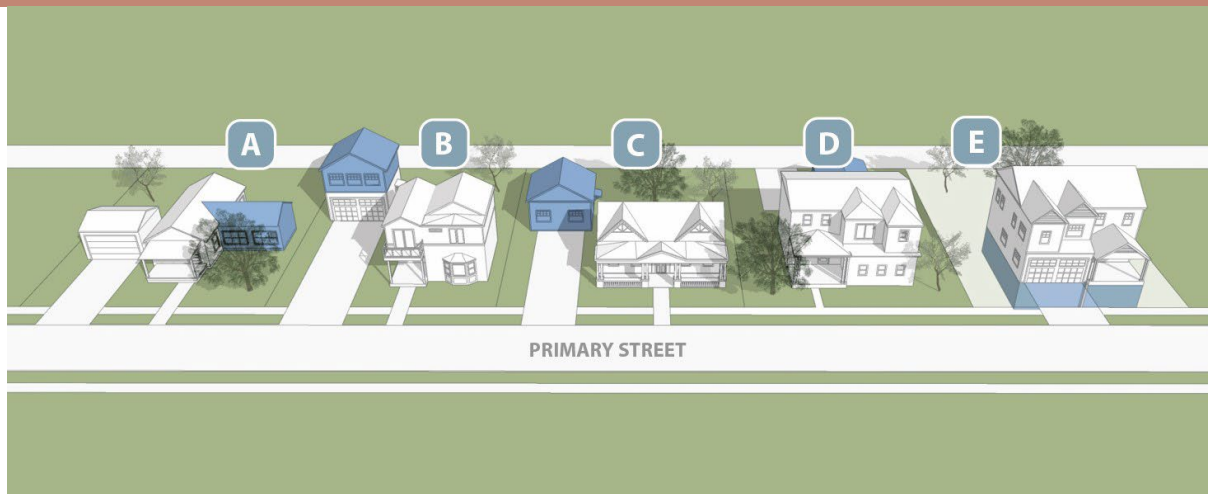


FIGURE NOTES:

A = Attached | B = Detached (Garage Conversion) | C = Detached | D = Detached (Alley Loaded) | E = Contained

- F. **Detached Accessory Structures.** A detached accessory structure is an accessory structure that is not attached to the principal structure and does not qualify as a Minor Accessory Structure. Such structures are subject to the standards as outlined in [Table 21-3220-2 Detached Accessory Structure Standards](#). The columns in [Table 21-3320-2](#) are categorized by the use of the land.

Table 21-3220-2, Detached Accessory Structure Standards					
	Agricultural	Residential	Commercial and Mixed Use	Industrial	Public and Open Space
Maximum Number of Structures ¹	5	3	2	3	N/A
Maximum Size (footprint)	N/A	Not to exceed 400 square feet ²	Not to exceed 600 square feet ²	Not to exceed 1000 square feet ²	Not to exceed 1000 square feet ²
Maximum Height	30 feet	15 feet	Not to exceed the existing principal structure	Not to exceed more than 10% of the existing principal structure	Not to exceed the existing principal structure
Front Setback	Same as primary building type				
Side Setback	5 feet				
Street Side Setback	Same as primary building type				
Rear Setback	5 feet				

Table Notes:

1. The maximum number of structures includes Minor, Detached and Attached structures.
2. Not to exceed the footprint of the principal structure.

G. **Minor Accessory Structures.** A minor accessory structure is a detached accessory structure that is less than or equal to 120 square feet in area and less than or equal to 8 feet in height, or uncovered decks, flatwork, patio, or sport courts of any size. If it exceeds either threshold of size or height it defers to the appropriate table.

1. *Design Standards.* Minor accessory structures shall comply with the following and Table 21-3220-2, *Minor Accessory Structure Standards*:
 - a. Count towards the maximum number of accessory structures for a site;
 - b. Count towards the maximum lot coverage/maximum impervious area;
 - c. Cannot be located in the front or street side setback;
 - d. Cannot be located within the front or side yard;

- e. Must be setback a minimum of 2 feet from all side and rear property lines;
 - f. Do not need a building permit; and
 - g. Require an approved Zoning Construction Permit.
2. *Exemptions.* The following are exempted from the minor accessory structure standards:
- a. Arbors;
 - b. Play structures;
 - c. Mechanical equipment such as air conditioning units and heat pumps; and
 - d. Other structures that are similar in impact, height, and footprint.
3. *Exceptions From Maximum Number of Accessory Structures.*
- a. A PUD Zone Document specifically regulates the number of accessory structures permitted within the PUD; the number of accessory structures shall comply with the provisions of this section unless a Variance is approved by the Board of Adjustment.
 - b. Trash enclosures, flagpoles, satellite dishes, clotheslines, and driveways shall not count toward the maximum number of accessory structures permitted by this section.
 - c. All other detached accessory structures shall count towards the maximum number of accessory structures permitted by this Section.
- H. [Attached Structures. Structures that are attached to the principal structure must follow the same bulk and design standards as the primary building type.](#)

Effective on: 8/18/2025

Sec. 21-4310. - Parking Ratios

- A. **Minimum Parking.**
- 1. Table 21-4310-1, *Off-Street Parking Requirements*, establishes the minimum number of off-street parking spaces required for each listed use.
 - 2. In addition to land uses in Table 21-4310-1 with "--" in the Minimum Off-Street Parking Column, the following land uses shall have no minimum parking requirement:
 - a. Applicable Transit Service Area, as regulated in Sec. 21-4320.G, *Parking Exemptions*; and
 - b. Accessory Dwelling Units.
- B. **Maximum Parking.** Except for single-unit residential uses, the number of surface parking spaces provided per use shall not exceed 150 percent of the minimum number of spaces prescribed by Table 21-4310-1.

Table 21-4310-1, Off-Street Parking Requirements		
Use Classification	Specific Use Type	Minimum Off-Street Parking
Agricultural Uses		
Agriculture	Fish hatchery	--
	Poultry house or pigeon coop	--
	Roadside stand	--

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
	Rodeo	1 space/6 seats or 1/50 SF if no permanent seats
	Stable, riding ring, dairying, or stock raising	1 space/1,500 SF
	Stockyard, feedlot, and the commercial sale of livestock	--
Agricultural Services	Agricultural support businesses and services	1 space/500 SF
Horticulture & Nurseries	Greenhouse/Nursery	1 space/500 SF of enclosed area plus outdoor seasonal sales requirement
Commercial Uses		
Adult Businesses	Adult entertainment	1 space/300 SF
Animal Services	Animal Boarding (kennels) and training	1 space/employee + 1 space/500 SF, including runs
	Veterinary offices or clinics	1 space/500 SF
	Doggie day care centers	1 space/employee + 1 space/400 SF including runs
Building Materials & Services (Retail)	Landscape equipment, hardscape materials	1 space/500 SF of enclosed area plus outdoor seasonal sales requirement
	All others (plumbing, electrical, lumber & building equipment)	1 space/500 SF of enclosed area plus outdoor seasonal sales requirement
Eating and Drinking Establishments	Bar, tavern, nightclub	1 space/300 SF
	Catering services	1 space/300 SF
	Restaurant	1 space/100 SF
Financial Institutions	Bank or financial institution	1 space/600 SF
Food and Beverage Sales	Convenience store without fuel sales	1 space/300 SF
	Grocery store (>5,000 s.f.)	1 space/400 SF
	Liquor store	1 space/300 SF
	All others (e.g., delicatessen, retail bakery, specialty food market, coffee shop)	1 space/200 SF
Funeral and Internment Services	Cemetery/Pet cemetery	--
	Crematory or mausoleum when incidental or supplemental to primary cemetery use	1 space/employee
	Crematory as principal use	1 space/employee
	Funeral home	1 space/4 seats in main chapel or 1 space/50 SF if no permanent seats + 1/employee + 1/vehicle used in operation

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
Office	Business or professional office	1 space/500 SF
	Courier services	1 space/500 SF
	Medical and dental office and clinic	1 space/300 SF
Outdoor Sales	Short term sales event	1 space/500 SF of open sales and display area, minimum of 3 spaces
	Seasonal or holiday sales	1 space/500 SF of open sales and display area, minimum of 3 spaces
Personal Services	Instructional services, studios	1 space/300 SF
	All others	1 space/300 SF
Recreation or Amusement Facilities, Private	Bingo establishments/social gaming outlet/performance centers	1 space/3 seats
	Bowling, billiards, & similar uses	2 spaces/lane + 2 spaces/billiard table + 1 space for every 5 seats
	Fitness/Recreation centers	1 space/250 SF
	Movie theaters	1 space/ 4 seats
	Outdoor recreation	1 space/1,000 SF outdoor recreation area
	Drive-in theater	1 space/stall + 6 additional spaces
	Racetrack (animal or vehicle)	1 space/ 4 seats + 1 space/employee
Retail Establishments	Pawn shop	1 space/300 SF
	Retail store	1 per 300 SF up to 35,000 SF + 1 per 600 SF above 35,000 SF
	Flea markets, indoor and outdoor	1 space/300 SF
	Thrift store	1 space/300 SF
Telecommunications Facilities and Satellite Dish Antennas	Radio or television broadcasting facilities	1 space/500 SF
Vehicle/Equipment Sales and Services	Car wash	1 space/2 self-service stalls; 1 space/ unattended, automated wash; 5 spaces per attended, automated wash with detail or hand-finishing services

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
	Fueling plaza or convenience store with fuel sales	1 space/200 SF area, excluding pump islands
	Minor vehicle repair (Lube shops, oil changes, brake service, accessory service to a gas station, etc. where vehicles are not stored overnight in an inoperable condition)	1 space per 500 SF
	Major vehicle/equipment repair (includes auto body repair, paint shops, and incidental sales of parts)	1 space per 500 SF
	Motor vehicle and equipment rentals	1 space/500 SF
	Motor vehicle and equipment sales (outside display area)	1 space/ 250 SF of sales/office, repair, or maintenance space
	Motor vehicle and equipment sales showroom (interior display)	1 space/ 250 SF of sales/office, repair, or maintenance space
Visitor Accommodations	Bed and breakfast establishment	1 space/ room for rent (in addition to the residential requirement)
	Hotel or motel	1 space/rooming unit + 1 space/300 of SF restaurant or bar + 1 space/300 SF of meeting room floor area + 10 spaces for visitor parking
	Overnight campground	--
Table Note: ¹ Bars, restaurants, and eating establishments with outdoor seating areas equal to 20% or more of the gross floor area of indoor seating area shall provide additional parking of 1 space per 400 SF of indoor seating area.		
Industrial Uses		
Auction House or Yard	Auction house (interior space)	1 space/500 SF
	Auction yard (outdoor space)	1 space/1,000 SF
General Industrial	Industrial shell building (User to be determined)	1 space/500 SF
	Firewood; commercial storage and sales	1 space/1,000 SF
	Mill or foundry	--
	Junkyard, scrap yard, or salvage yard	--
	Outdoor storage yard	1 space/2,500 SF with minimum of 3 spaces
	Lumber and building supply yard	1 space/500 SF
	Railroad yard together with buildings, structures, and facilities related thereto	--

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
	Refinery/Oil and gas production	--
	Slaughterhouse, packinghouse, meat processing, or fat rendering	--
	Testing laboratory	1 space/500 SF
	Production, manufacturing, processing, storage, shipping, and handling of goods	1 space/1,000 SF
	Light industrial and manufacturing (I-1 and I-2 uses)	1 space/1,000 SF of manufacturing floor + 1 space/300 SF for office
	Intense industrial manufacturing and processing (I-3 uses)	1 space/1000 SF of manufacturing floor + 1 space/300 SF for office
	Research and development	1 space/500 SF
Truck/Transportation Services	Transportation terminal	1 space/ 1,000 SF of indoor space
	Transportation terminal where vehicles carry flammable, explosive, hazardous, or high toxic materials	--
	Truck stop	1 space/250 SF building area
	Trailer sales and service limited to use for private passenger motor vehicles	1 space/500 SF including service bays, wash tunnels, and retail areas
	Truck trailer sales, repair, and maintenance (including oil, lube, and wash)	1 space/500 SF including service bays, wash tunnels, and retail areas
Vehicles	Vehicle or automobile wrecking or salvage yard (includes outdoor storage or inoperable vehicles)	--
	Vehicle towing services	1 space/ 300 SF office; minimum of 4 spaces
Wholesaling, Warehousing & Distribution	Mini-storage	Minimum 3 spaces + 2 spaces for office/residential use
	Retail sales accessory to warehouse or wholesaling establishment	1 space/500 SF
	Office space accessory to warehouse or wholesaling establishment	1 space/300 SF
	Warehousing	1 space/500 SF; minimum of 3 spaces
	Industrial office	1 space/500 SF
	Wholesale establishments incidental to other principal uses	--

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
Waste-Related Uses	Landfill operation	--
Public, Institutional, and Civic Uses		
Airport/Heliport	Public or Private Airport, Heliport	--
	Facilities providing aviation transport and services including aircraft repair, sales, and similar services	--
Ambulance Service	Garage and office for ambulance service	1 space/ambulance + 1/300 SF
Clubs and Lodges	Private lodge or club	1 space/400 SF
	Gun club	1 space/platform + 1 space/300 SF office
Community Services	Events center	1 space/4 seats or 1/50 SF if no permanent seats
Day Care Facilities, Adult or Child	Childcare center	1 space/10-person capacity + 1 space/employee + drop off area
	Adult day care center	1 space/10-person capacity + 1 space/employee
Golf Course	Golf course/Driving range	5 spaces/hole, + 1 space/employee
Hospitals	Hospital	1 space/2 beds + 1 space/2 employees + 1 space/2 staff doctors + 30 spaces for emergency
Educational Facilities	Public, charter, or private educational institutions for Elementary and Junior high	1 space/3 fixed seats + 10 spaces for visitor parking
	Senior high school	2 spaces/classroom + 1 space/employee + 1 space/3 fixed seats of auditorium capacity + 10 spaces for visitor parking
Religious Institutions	Church or religious institution	1 space/6 seats in the principal assembly area or 1/50 SF if no permanent seats
Residential Uses		
Group Living Facilities	Group home	1 space/2 residents + 1 space/employee
	Correctional institution or halfway house	1 space/2 residents + 1 space/employee
	Boarding or rooming house	2 spaces/dwelling unit

Table 21-4310-1, Off-Street Parking Requirements

Use Classification	Specific Use Type	Minimum Off-Street Parking
Household Living	Foster care home	Same as residential dwelling type
	Mobile home	2 spaces/dwelling unit
	Apartment/Condominium or Multiplex	1.5 spaces/1 br units + 1.75 spaces/2 br units + 2 spaces/3 br or more units + 15% of total required spaces for visitor parking
	Single-unit dwelling	2 spaces/dwelling unit
	Two-unit dwelling	2 spaces/dwelling unit
	Townhouse or Rowhouse	2 spaces/dwelling unit
	Home occupation	Same as residential dwelling type
Senior Housing	Assisted living facility	1 space/2 units if residents are allowed to operate personal vehicles + 1 space/employee
	Nursing homes	1 space/3 beds + 1 space/employee

Effective on: 8/18/2025

Sec. 21-4400. - General Provisions

A. Plant Material Standards.

1. *Plant Variety and Quality.* All plants shall be of the type and species appropriate for the climate of Commerce City. All plants shall be A-Grade or No. 1 Grade, free of any defects, and shall be of normal health, height, leaf density, and spread appropriate to the species as defined by American Association of Nurserymen Standards. The extensive use of a single species of trees or shrubs shall be limited as outlined in Table 21-4400-1, *Monoculture Restrictions*, below, to minimize the potential for disease or pests to strike a particular species resulting in significant same-species loss.
2. *Permitted and Prohibited Plants.* Plant materials shall be selected from Appendix A, *Plant List*. Invasive species, and prohibited species referenced in the Plant List are not allowed in the City.
3. *Sizes.* All required plants shall meet the size ~~and variety~~ requirements in Table 21-4400-1, *Minimum Plant Sizes* ~~and Varieties~~.
4. *Variety.* All required plants shall meet the variety requirements in Table 21-4400-2, *Monoculture Restrictions*.

Table 21-4400-1, Minimum Plant Sizes Monoculture Restrictions

<u>Plant Type</u>	<u>Minimum Size</u>
<u>Shade Tree</u>	<u>2-inch caliper</u>
<u>Evergreen</u>	<u>6-foot height</u>
<u>Fruit Tree</u>	<u>5-foot height</u>
<u>Ornamental Tree</u>	<u>1.5-inch caliper</u>
<u>Shrubs</u>	<u>5 gallon</u>
<u>Ornamental Grasses/Perennials</u>	<u>1 gallon</u>

Table 21-4400-2, Monoculture Restrictions

Number of Tree Plantings	Maximum Use of Same Species
10-19	50%
20-39	33%
40-59	25%
Over 60	15%

B. Plant Locations. All plantings shall comply with the following:

1. *Public Right-of-Way.* A person shall obtain a permit prior to planting any landscape material in the public right-of-way, and shall comply with all requirements established in the Standards and Specifications.
2. *Sight Distance Triangle.* No landscaping shall violate the visibility triangle established in Sec. 21-11110, *Measurements and Allowances*. The property owner shall keep corner lots and locations where driveways and alleys intersect with street rights-of-way free of plant materials that interfere with the vision of a motorist or pedestrian.
3. *Easements.* Required trees, and other deep-rooted vegetation, shall not be planted within public water and/or wastewater easements. In particular circumstances where no other area within the required location can accommodate the required planting, the Community Development Director may waive this requirement.
4. *Fire Safety.* Landscaping shall meet minimum clearances from all fire hydrants as required by the South Adams County Fire Marshal.
5. *Spacing.* In general, all plants shall be sited and spaced in a manner to allow for appropriate growth to mature size.

C. Plant Substitutions.

1. *Tree Types.* The following substitution of tree planting requirements may be made to meet the tree canopy, interior parking lot landscaping, and bufferyard requirements of this Division according to the below ratios:
 - a. *Shade Tree.* One shade tree to three required ornamental trees.
 - b. *Ornamental.* One ornamental tree to five required shrubs.
 - c. *Shrubs.* One shrub to three ornamental grasses.
 - d. *Overhead and Underground Utilities.* Where shade trees are required beneath an overhead utility line or over an underground utility where roots could cause damage, it shall be

substituted with three ornamental trees. Ornamental trees planted over underground utilities shall have non-invasive roots.

2. *Limit on Substitutions.* An applicant may replace with substitution trees a maximum of 50 percent of the required tree types on a site. For example, if the tree canopy, interior parking lot landscaping, and bufferyard standards require a total of 30 shade trees, then a maximum of 15 of such required trees may be replaced with the allowed number of ornamental trees.

D. Low Impact Development (LID). LID techniques shall be included in a development.

1. Once the Water Quality Capture Volume (WQCV) has been calculated in accordance with the specifications provided in Chapter 14 of the City's Criteria Manual, the total WQCV must be treated by one or more of the Low Impact Development methods outlined in the Criteria Manual. In addition, the requirements set forth below in this Section, referred to as Low Impact Development (LID) Criteria, must be met. For the purposes of this Section, the LID methods and techniques described in the Criteria Manual, together with any methods or techniques determined by the City Engineer to be functionally equivalent, shall, be considered LID techniques
2. The LID Criteria are as follows:
 - a. No less than 75 percent of total disturbed project area for which either a Grading Permit or Development Infrastructure Permit is required under this Code or the City Code must be treated using one or a combination of LID techniques on new developments, redevelopment; or
 - b. If, in the judgment of the City Engineer, one or more requirements of this Section cannot be met due to site engineering constraints, then a design alternative may be allowed, provided that the design results in equal or better storm water quality than by compliance with the otherwise applicable requirement.
 - c. The City may establish requirements for construction activities and facility operations of development and redevelopment projects to comply with the current MS4 Permit, lessen the water quality impacts of development by using smart-growth practices, and integrate LID practices and standards for stormwater pollution mitigation through means of infiltration, evapotranspiration, biofiltration, and rainfall harvest and use. LID shall be inclusive of new development or redevelopment requirements.
 - d. The City may further define and adopt stormwater control measures, and to develop LID principles and requirements, including, but not limited to the objectives and specifications for integration of LID strategies.

E. Landscape Upgrade.

1. *Generally.* Lawfully established landscaping conditions on developed sites that existed prior to the adoption of this LDC may be continued until such time as development activity on the property triggers compliance with this Section in accordance with Sec. 21-4110, *Applicability*. If compliance with this Section is required on a site with existing landscaping, the existing landscaping shall be upgraded as provided in Table 21-4400-2, *Landscaping Upgrades*, below, if such landscaping does not already meet the requirements of this Section.

Table 21-4400-2, Landscape Upgrades	
Building Addition (Gross Floor Area—GFA) ¹	Landscape Area Upgrade
0—25% change in GFA; or change in use with no increased GFA	Upgrade area by 25% of base standard
26—50% change in GFA	Upgrade area by 50% of base standard

Table 21-4400-2, Landscape Upgrades

Building Addition (Gross Floor Area—GFA)¹	Landscape Area Upgrade
Over 50% change in GFA	Upgrade area by 100% of base standard

TABLE NOTES:

1. For the purposes of this table, outdoor display shall be treated as GFA.
2. *Calculations.* The amount of landscaping necessary to satisfy the percentage of upgrade shall be calculated by first determining the total amount of landscaping required under each Section of this Division. The upgrade percentage shall then be applied to the amount of landscaping required in each Section except that a reduction in zoning district bufferyard requirements shall not be permitted.
 3. *Landscaping Priorities.* The landscaping upgrades required in the table above shall be accomplished in the following order of priority unless otherwise determined by the City:
 - a. Street and parking area bufferyards;
 - b. Interior parking area landscaping; then
 - c. Other landscaping interior to the site.
 4. *Exceptions.* Single-family residences are required to upgrade the landscape area by 100 percent of base standard for any addition over 200 square feet.
- F. **Landscape Standards Cumulative.** The landscape standards set forth in this Division shall be cumulative in nature. As an example, the landscape plan of a parking lot that is located next to an arterial street must meet the parking lot landscape requirements in addition to the street bufferyard requirements established for lots adjoining arterial streets.
- G. **Landscape Plans Required.** Landscape Plans are required for the following development applications and are subject to the review procedures for the type of development application involved: Conditional Use Permit, Development Plan, Site Development Plans, Limited Use Permit, Variance, and Rezoning or Zone Change.
- H. **Approved Landscape Plan Compliance.** The landscaping, as planted, shall comply with the approved Landscape Plan. Amendments to an approved landscape plan must be approved in writing by the Director.
- I. **Consideration Criteria.** Upon review of the Landscape Plan, the Community Development Director shall make affirmative findings that the Plan:
1. Reinforces and extends any existing patterns of outdoor spaces and vegetation where practicable;
 2. Supports functional purposes such as spatial definition, visual screening, creation of privacy, management of microclimate or drainage;
 3. Enhances the appearance of the development and neighborhood;
 4. [Provide a mix of deciduous and evergreen trees and shrubs to create year-round interest](#)
 5. Protects significant trees, natural systems, and habitat;
 6. Enhances the pedestrian environment;
 7. Identifies all landscape areas and all landscaping elements within each landscape area;
 8. Contains plants that are well suited for healthy growth along the Colorado front range; and

9. Supports water efficiencies by using plants from Appendix A, *Plant List*, and appropriate irrigation techniques, as outlined in Sec. 21-4470, *Installation and Maintenance*.

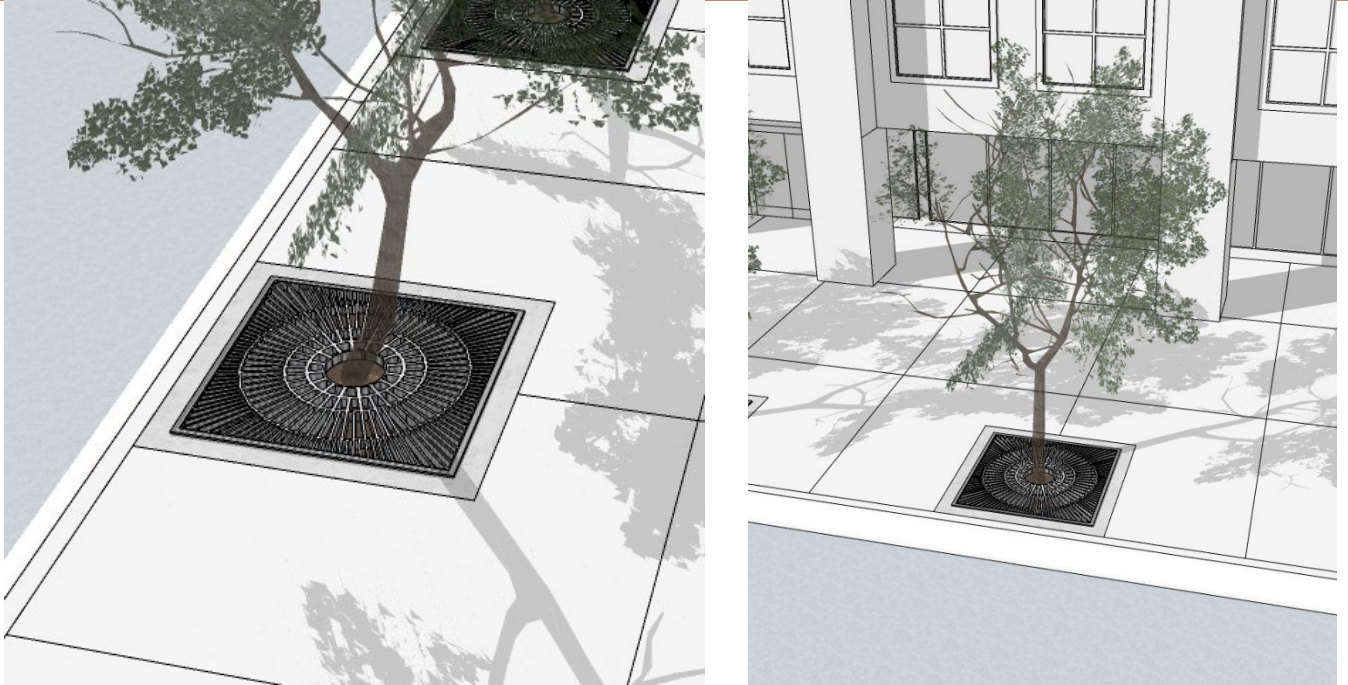
J. **Water Conservation Requirement.**

1. *Materials and Techniques.* All required landscaping shall be designed to incorporate water conservation materials and techniques. Xeriscape landscaping is incentivized in the Sustainability Index established in Sec. 21-4460. Xeriscaping does not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed-covered or -infested surfaces, or any landscaping that does not comply with the standards of this Section. Smart-water conservation landscaping principles include the following techniques:
 - a. Grouping plants with similar water requirements together on the same irrigation zones as per the Hydrozones criteria in Sec. 21-4470, *Installation and Maintenance*;
 - b. Limiting high-irrigation functional turf and plantings to appropriate high-use areas with high visibility and functional needs;
 - c. Use of low-water demanding plants and functional turf where practicable;
 - d. Use of efficient irrigation systems;
 - e. Incorporation of soil improvements;
 - f. Use of native seeds, where seeding is utilized;
 - g. Use of mulches; and
 - h. Provision of regular and attentive maintenance.
2. *Species.* Native, adapted, and Xeric plant species shall be used in all landscapes with priority consideration of native species. Plant materials shall be grouped according to similar moisture, light, and drainage needs. Landscape improvements shall consist of a variety of species to enhance the visual and functional aspects of the landscaped area, such as shading and windbreaks.

K. **Tree Preservation.**

1. *Identification.* All existing street trees that are located on City rights-of-way abutting the development shall be accurately identified by species, size, location, and condition on required landscape plans, and shall be preserved and protected in accordance with the standards below.
2. *Tree Planting.* All developments shall establish tree lawns and canopies along all City streets, in and around parking lots, and in all landscape treatment areas in order to establish at least a partial urban tree canopy. Trees within a tree lawn shall be of a species denoted in the approved plant list as being appropriate for public rights-of-way. These trees may also be combined or interspersed with other landscape areas in remaining portions of the development to accommodate views and functions such as active recreation and storm drainage. A root barrier is required along all concrete sidewalks, curbs, and the portions of driveways that are within public rights-of-way.
3. *Tree Grates.* Where trees are planted in paved areas, such as patios, pedestrian plazas, or sidewalks, a protective tree grate shall be provided. The soil beneath the tree grate shall be in a condition acceptable to the Community Development Director.

Figure 21-4400-1, Protective Tree Grate Example



4. *Significant Trees.* Existing significant trees (greater than six inches in caliper) shall be preserved to the maximum extent feasible and may help satisfy the landscaping requirements in this Division. Such trees shall be considered "protected" trees within the meaning of this Division, subject to the exceptions contained in Subsection c., *Exceptions*, below. Streets, buildings, and lot layouts shall be designed to minimize the disturbance to significant existing trees. All required landscape plans shall accurately identify the locations, species, size, and condition of all significant trees, each labeled showing the applicant's intent to either remove, transplant, or protect.

a. *Replacement.*

- i. A significant tree that is removed shall be replaced with trees sufficient to mitigate the loss of value of the removed significant tree. The applicant shall select a qualified landscape appraiser to determine such loss based upon an appraisal of the tree to be removed by using the most recent published methods established by the Council of Tree and Landscape Appraisers. Replacement trees shall be planted on the development site and shall meet the minimum size requirements in Table 21-4400-3, *Replacement Tree Minimum Size Requirements*.
- ii. In cases where the total caliper of trees removed in violation cannot be determined, eight replacement trees shall be provided per acre of disturbed area.

Table 21-4400-3, Replacement Tree Minimum Size Requirements

Replacement Tree	Minimum Size Requirements
Shade Tree	1:1 caliper replacement of any removed shade tree
Ornamental Tree	1:1 caliper replacement of any ornamental tree

Table 21-4400-3, Replacement Tree Minimum Size Requirements

Replacement Tree	Minimum Size Requirements
Evergreen Trees	1:1 caliper replacement of any evergreen tree

- b. *Protection.* The following tree protection specifications shall be followed for all projects with protected existing trees:
- Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
 - Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange fencing a minimum of four feet in height, secured with metal T-posts, no closer than six feet from the trunk or ½ of the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
 - Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be ribboned off, rather than erecting protective fencing around each tree as required in subsection (b)(ii) above. This may be accomplished by placing metal t-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
 - During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
 - No damaging attachment, wires, signs or permits may be fastened to any protected tree.
 - The installation of utilities, irrigation lines, or any underground fixture requiring excavation deeper than six inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height, as described in Table 21-4400-4, *Auger Distance for Excavation*, below.

Table 21-4400-4, Auger Distance for Excavation

Tree Diameter at Breast Height (inches)	Auger Distance from Face of Tree (feet)
0—2	1
3—4	2
5—9	5
10—14	10
15—19	12
Over 19	15

- c. *Exceptions.* Trees that meet one or more of the following removal criteria shall be exempt from the requirements contained in this subsection:
 - i. Dead, diseased, or naturally fallen trees, or trees found to be a threat to public health, safety or welfare;
 - ii. Trees that are determined by the City to substantially obstruct clear visibility at driveways and intersections; or
 - iii. Tree species that constitute a nuisance to the public such as cotton-bearing cottonwood, Siberian or Chinese elm, Russian olive and female box-elder. Native cotton-bearing cottonwood trees and female box-elder trees, when located in a natural area buffer zone, are not nuisance tree species.
 - d. *In-Lieu Fee Alternative.*
 - i. Where existing conditions make it impractical to comply with the replacement standards, the applicant may, at the discretion of the Community Development Director, pay in lieu of meeting the requirement for replacement of damaged or removed trees, in whole or in part. The in-lieu fee shall be \$500 per replacement tree.
 - ii. In-lieu fees shall be deposited in a tree reserve account for the purchase and installation of trees and tree-related irrigation systems in City parks, rights-of-way, and other public open spaces in reasonable proximity to the applicant's project.
- L. **Utilities.** Landscape and utility plans shall be coordinated. This Subsection sets forth minimum dimension requirements for the most common tree/utility separations. Exceptions to these requirements may be approved by the Community Development Director where utilities are not located in their standard designated locations. Tree/utility separations shall not be used as a means of avoiding the planting of required street trees.
 - 1. Forty feet of separation is required between shade trees and streetlights. Fifteen feet is required between ornamental trees and streetlights.
 - 2. Ten feet of separation is required between trees and water or sewer mains.
 - 3. Six feet of separation is required between trees and water or sewer service lines.
 - 4. Four feet of separation is required between trees and gas lines.
 - 5. Street trees planted within the utility easement may conflict with utilities. Additional conduit may be required to protect underground electric lines.
 - 6. Additional landscaping may be required in other areas of the site based on specific site conditions.
- M. **Revegetation Required.** When the development causes any disturbance within any natural area, the developer shall restore the land to its original condition, or as close thereto as possible, as determined by the Director.
- N. **Detention/Retention Areas.** The landscaping of detention and retention ponds shall be in accordance with the following standards:
 - 1. *Bufferyards.* Detention/retention areas shall be permitted within bufferyards provided they do not hamper the intent of a bufferyard to provide screening or jeopardize plant material survival.
 - 2. *Plantings.*
 - a. Two deciduous or evergreen tree and 20 shrubs are required per 100 feet of pond perimeter, as measured along the top of the bank elevation, excluding the designated

overflow area. The required landscaping shall be planted in a natural, random pattern, not limited to the top of the pond bank.

- b. Trees must be planted above the freeboard line of the pond. Shrubs planted below the freeboard line of the pond must be tolerant of wet or moist soil conditions. The location of plant material shall consider the need to provide access for and minimize disruption of plant material during routine pond maintenance.
 3. *Views of Pond.* The edge and landforms of the pond shall be sculpted to filter and soften views of the pond.
 4. *Natural Environment.* The pond shall be landscaped to replicate a natural environment with trees and shrubs, in a wide variety, clustered around the basin.
 5. *Safety.* The maximum slope of a bank or side of a pond shall be designed and constructed in a way that protects the general public health, safety, or welfare of the community. Deep ponds with steep slopes will require a 42-inch wrought iron or other decorative fence style to be placed around the perimeter for public safety.
 6. *Mulches.* Wood and synthetic mulches are prohibited from all detention and retention areas.
- O. **Landscaping on Slopes.**
 1. *Steeper Slopes.* Slope banks five feet or greater in vertical height with slopes between 1.5:1 and 2:1 shall, at a minimum, be irrigated and landscaped with an appropriate groundcover for erosion control.
 2. *Moderate Slopes.* Slope banks five feet or greater in vertical height with slopes greater than or equal to 4:1 shall, at a minimum, be irrigated and landscaped with appropriate groundcover for erosion control and to soften their appearance as follows:
 - a. One 15-gallon or larger tree per each 600 square feet of slope area;
 - b. One gallon or larger shrub for each 100 square feet of slope area; and
 - c. Appropriate groundcover.
 3. *Tall Slope Banks.* Slope banks in excess of 8 feet in vertical height with slopes greater or equal to 3:1 shall also provide one five-gallon or larger tree per each 1,000 square feet of slope area in addition to the requirements of this Subsection.
 4. *Planting Arrangement.* All trees and shrubs should be planted in staggered clusters to soften and vary the slope plane. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.
- P. **Optimal Landscape Concepts and Approval.** In reviewing the required Landscape Plan, the Director shall have the authority to approve the optimum placement and interrelationship of required landscape plan elements such as trees, vegetation, functional turf, irrigation, screening, buffering and fencing, based on the following criteria:
 1. Protecting existing trees, natural areas and features;
 2. Enhancing visual continuity within and between neighborhoods;
 3. Providing tree canopy cover;
 4. Creating visual interest year-round;
 5. Complementing the architecture of a development;
 6. Providing screening of areas of low visual interest or visually intrusive site elements;
 7. Establishing an urban context within mixed use developments;
 8. Providing privacy to residents and users;

9. Conserving water;
10. Avoiding reliance on excessive maintenance;
11. Promoting compatibility and buffering between and among dissimilar land uses; and
12. Utilizing curb breaks to capture runoff.

Q. Prohibited Practices and Elements.

1. *Undesirable Design.* The use of undersized landscape materials or landscape in an unnatural spaced design is highly discouraged, unless specifically addressed in this LDC.
2. *Artificial Turf.* Partial or entirely synthetic material designed and manufactured to simulate living turf grass shall be prohibited, with the exception of public or private recreation fields as long as they are not against a building foundation or attempting to function as foundation plantings.
3. *Fruit Trees.* Fruit trees are prohibited in tree lawns, rights-of-way, medians, and landscape islands.
4. *Non-Functional Turf.* Turf that does not meet the definition of “Functional Turf” is not allowed in all nonresidential development, common interest community property, and street right-of-way.
 - a. *Exceptions.* Any improvements that result in a disturbance of 50% or less of the total landscape area.

Effective on: 8/18/2025

Sec. 21-4430. - Bufferyards

- A. **Generally.** The bufferyards required in this Section provide physical barriers and transition between properties of differing land uses, between a parking area and a street, and between a building and a street, to reduce the effects of sound, sight, noise, and other incompatibilities. The district boundary, perimeter parking, and street bufferyards, as depicted in Figure 21-4430-1, *Bufferyards*, are based on the amount of buffering and screening they provide. They are classified from less buffering (Type A) to more buffering (Type D), depending on the abutting zoning districts, parking lot, or street type.

Figure 21-4430-1, Bufferyards

District Boundary Bufferyard - Between Differing Zoning Districts

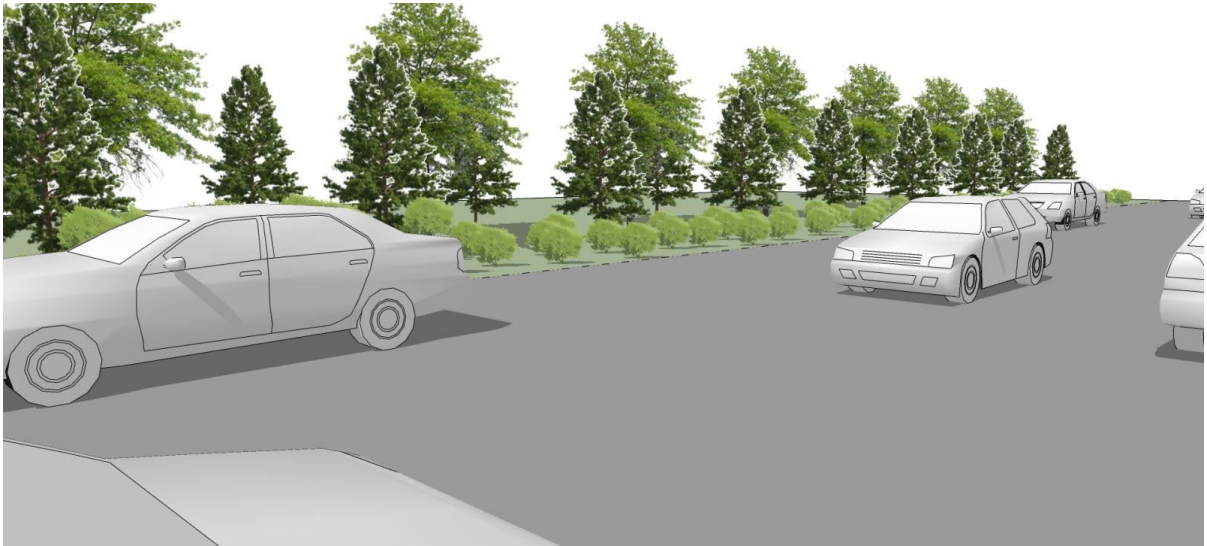


Perimeter Parking Bufferyard - Between a Parking Area and a Street or Adjacent Property



Street Bufferyard - Between a Street and the Remainder of the Property

Figure 21-4430-1, Bufferyards



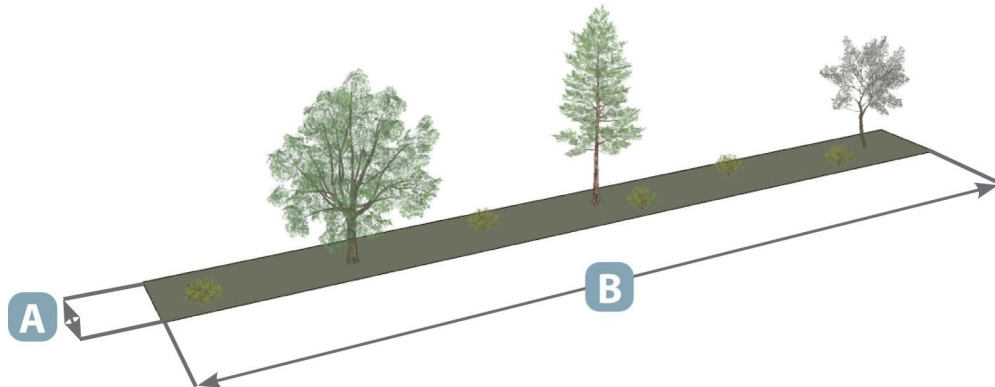
B. General Standards.

1. *Groundcover.* Except as otherwise specified, in addition to the required plantings, walls, fences, and berms, the remaining portions of all bufferyards shall contain groundcover other than turf grass.
2. *Plant Groupings.* Bufferyard trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization.
3. *Earthen Berms.* Berms within a bufferyard may undulate and vary to accommodate drainage and to provide a natural appearance. Incorporation of a berm into a bufferyard may result in a need to increase the width of the bufferyard beyond what is required in Table 21-4430-1, *Bufferyard Classifications and Illustrations*.
4. *Encroachment.* No part of any required bufferyard shall be used for structures, storage, parking, loading, locating refuse containers, or any similar activity.
5. *Access Breaks.* Breaks for pedestrian, bicycle, and vehicle access are permitted on the condition that access shall be designed to cross a bufferyard at as near a perpendicular angle as practical. The existence of access ways or driveways within a bufferyard shall not reduce the minimum requirements for trees and shrubs.
6. *Low Impact Development.* Low impact development and other similar stormwater management features as established in Sec. 21-4400.D, *Low Impact Development*, are permitted in a required bufferyard. Refer to Sec. 21-4460, *Sustainability Index*, for incentives for incorporation of these features.
7. *Relation to Setbacks.* Bufferyards may be provided in the area required for setbacks by the zoning district.
8. *Bufferyards Exceeding Setbacks.* Where the required bufferyard exceeds the setback required by the zoning district the bufferyard required by this Section shall be provided.
9. *Credit for Existing Buffer.* An existing vegetated area proposed to be preserved in accordance with Sec. 21-4400.K, *Tree Preservation*, shall be credited toward these bufferyard requirements.

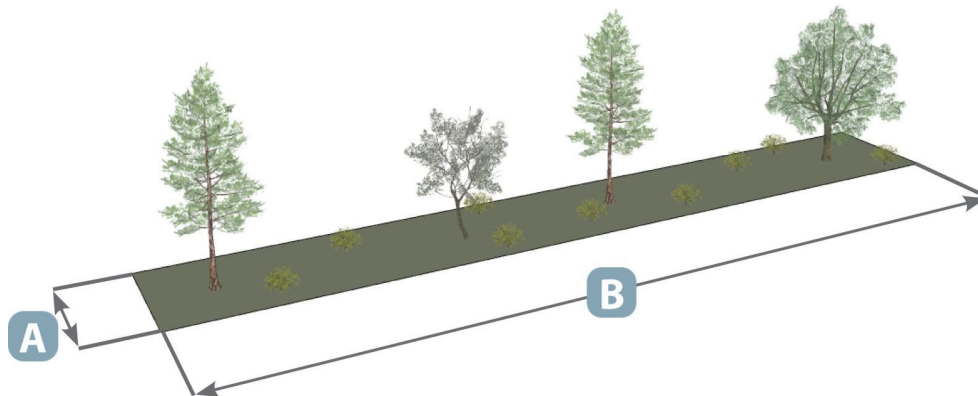
The plant material to be saved shall be listed in Appendix A, *Plant List*, shall be identified and illustrated to show their size and height, and shall be in a healthy condition.

10. *Bufferyards Adjacent to a Vacant Parcel*. Bufferyards adjacent to vacant parcels of property shall only be required to provide one-half of the required bufferyard in this Section. When the vacant property develops, it shall be required to provide the remainder of the required bufferyard.
 11. *Multiple Bufferyards Requirement*. In situations where two or more different types of bufferyards are required (i.e. district boundary and perimeter parking), the wider classification of bufferyard shall be required.
- C. **Bufferyard Types**. There are four types of bufferyards, each of which varies in width and the numbers and types of plants required per 100 linear feet. The minimum planting requirements for each type of bufferyard are specified and illustrated in Table 21-4430-1, *Bufferyard Classifications and Illustrations*.

Table 21-4430-1, Bufferyard Classifications and Illustrations						
Type	Width (A)	Required Plantings per 100 Linear Feet (B)				Height of Berm, Wall, or Fence ¹ (C)
		Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs	
Option 1: Landscape-Only Bufferyard						
Type A	10'	1	1	1	5	N/A



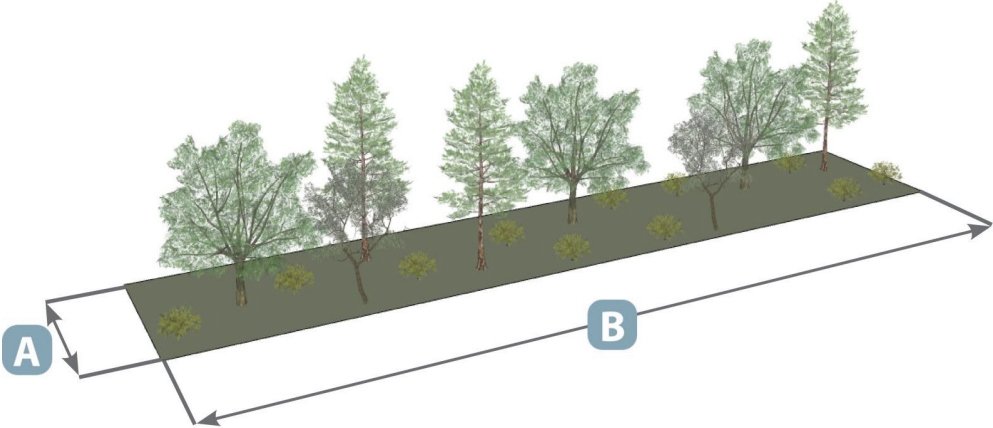
Type B	15'	2	1	2	8	N/A
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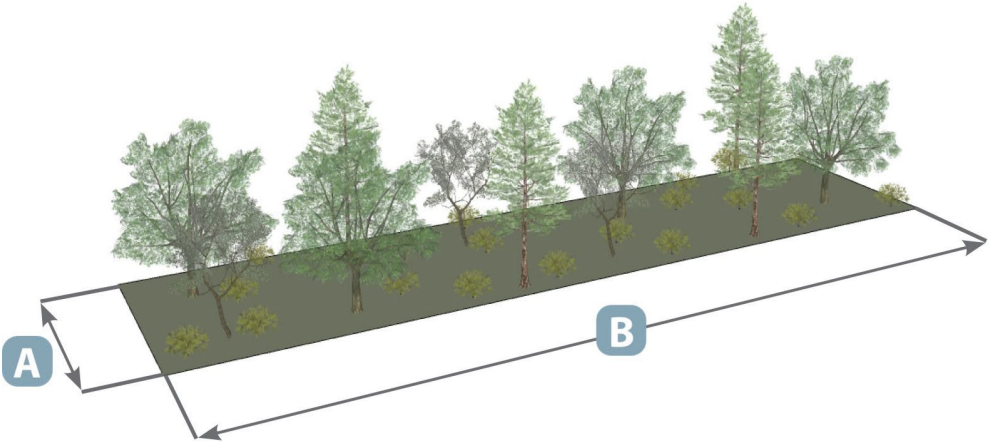
Type C	20'	3	2	3	10	N/A
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Table 21-4430-1, Bufferyard Classifications and Illustrations

Type	Width (A)	Required Plantings per 100 Linear Feet (B)				Height of Berm, Wall, or Fence ¹ (C)
		Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs	



Type D	25'	4	3	4	20	N/A
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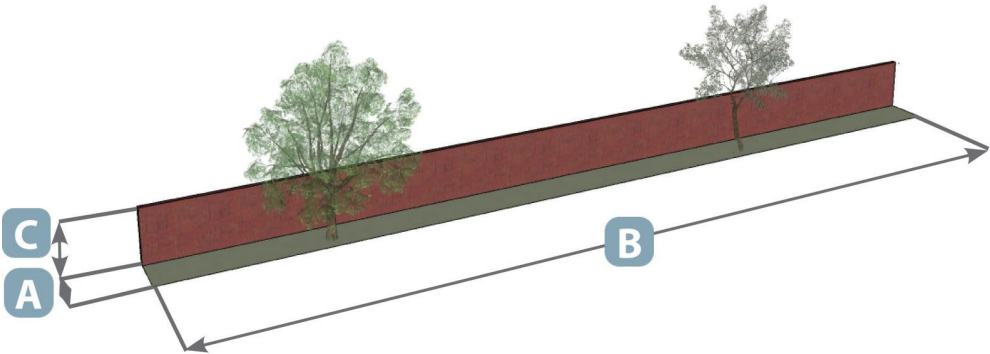


Option 2: Landscape with Berm or Wall²

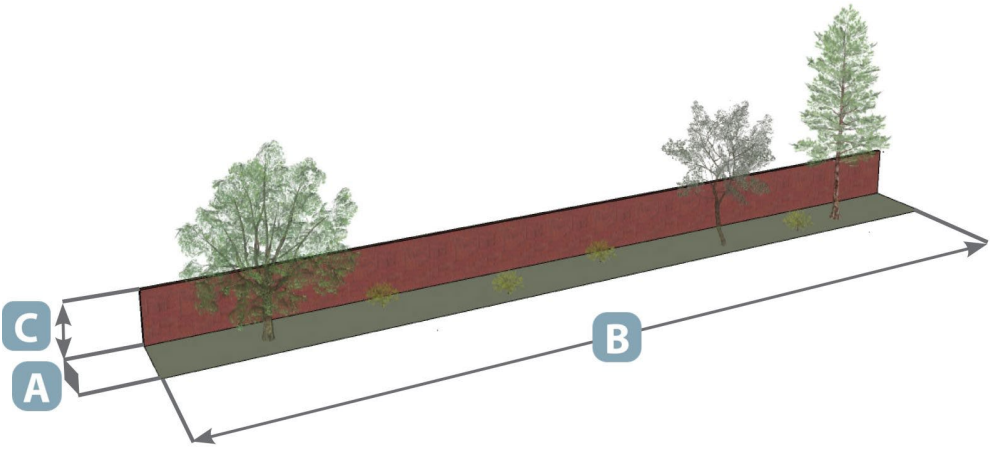
Type A	5'	1	1	0	0	6' tall brick or stone wall / 4' tall berm
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Table 21-4430-1, Bufferyard Classifications and Illustrations

Type	Width (A)	Required Plantings per 100 Linear Feet (B)				Height of Berm, Wall, or Fence ¹ (C)
		Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs	



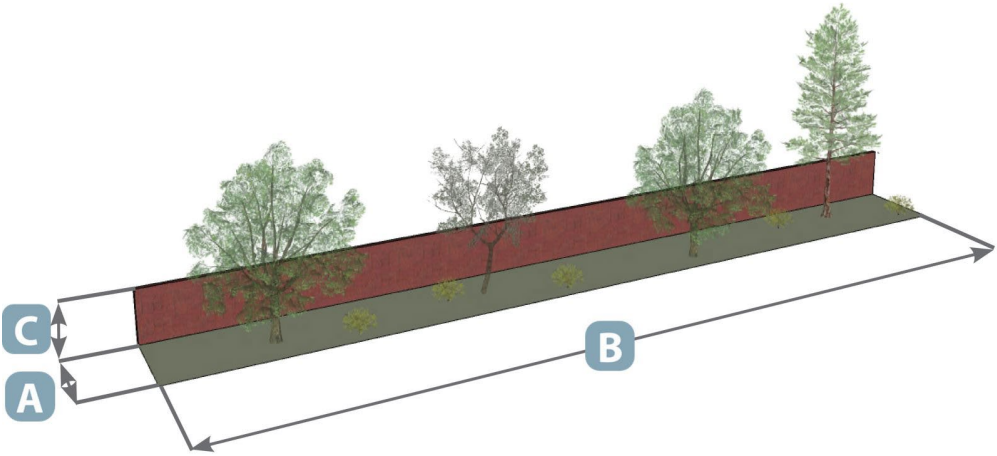
Type B	8'	1	1	1	4	6' tall brick or stone wall / 4' tall berm
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Type C	10'	2	1	1	5	6' tall brick or stone wall / 4' tall berm
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Table 21-4430-1, Bufferyard Classifications and Illustrations

Type	Width (A)	Required Plantings per 100 Linear Feet (B)				Height of Berm, Wall, or Fence ¹ (C)
		Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs	



Type D	13'	2	2	2	10	6' tall brick or stone wall / 4' tall berm
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Table 21-4430-1, Bufferyard Classifications and Illustrations						
Type	Width (A)	Required Plantings per 100 Linear Feet (B)				Height of Berm, Wall, or Fence ¹ (C)
		Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs	

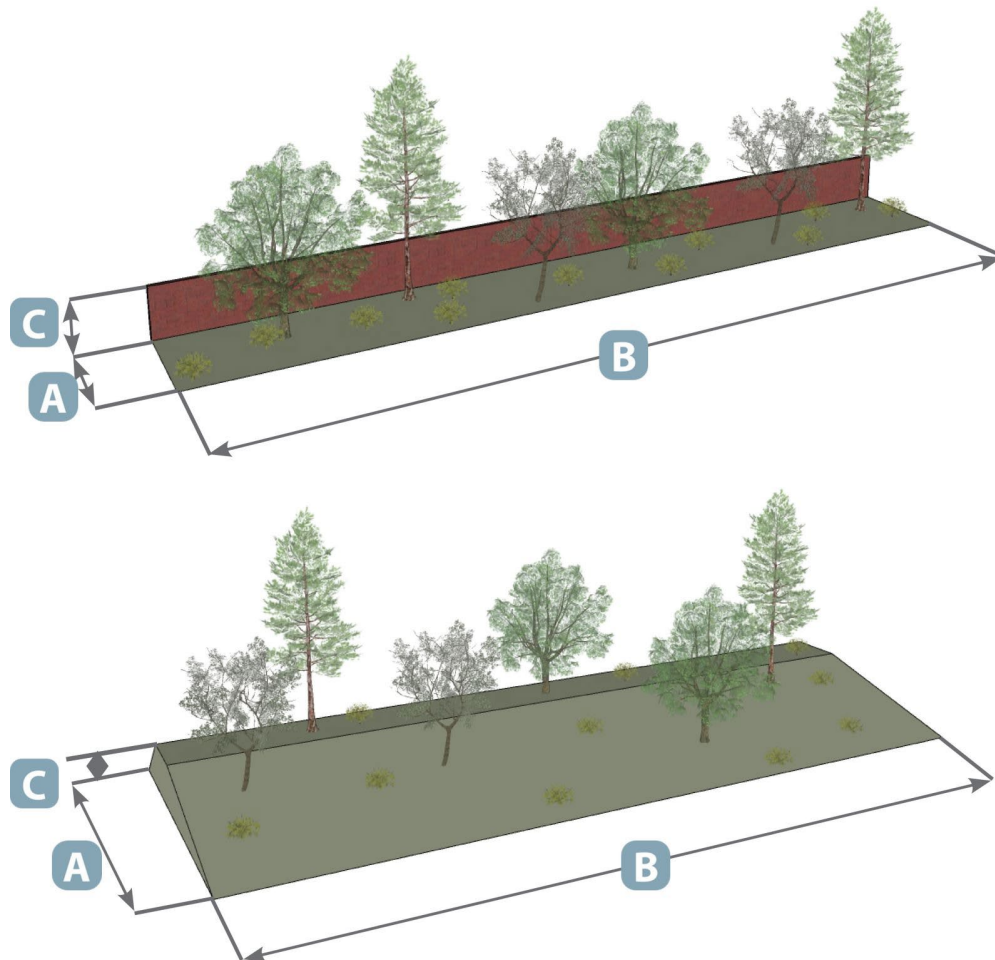


Table Notes:

1. A berm, wall, or fence is not required for landscape-only bufferyards.
2. Plant material may be installed on the inside or outside of the wall or fence facing the abutting properties. Plant material shall be installed on the outside of the wall or fence facing the street.

D. District Boundary Buffer.

1. *Table Instructions.* Table 21-4430-2, *Bufferyard Requirements by Zoning District*, shows all base and special purpose zoning districts. The rows indicate the zoning of the property proposed for development, and columns indicate the zoning of the adjoining land. The letters indicate which type of bufferyard is required to be planted on the parcel proposed for development as detailed in Table 21-4430-1, *Bufferyard Classifications and Illustrations*. Where "--" is found, there is no bufferyard required. Refer to Sec. 21-4480, *Alternative Compliance*, for situations such as infill development, that may allow for a lesser bufferyard than required in the table.

2. *Bufferyard Composition.* Required bufferyards may be with or without a wall or berm as follows:
 - a. *Walls and Fences.* Walls or fences that are part of the required district bufferyard shall:
 - i. Be composed of masonry, stone, or wood only, and if a fence, shall contain brick or masonry columns spaces a maximum of 40 feet apart. Prohibited wall or fence materials include, but are not limited to: wood, plywood, corrugated steel sheets, and chain-link with or without weave mesh or slats;
 - ii. Not encroach into the public right-of-way;
 - iii. Be maintained by the homeowner or homeowners' association, or property owner or property owners' association, as applicable; and
 - iv. Have plans and details designed and sealed by a licensed professional engineer and be approved by the Building Official if required.
 - b. *Berms.*
 - i. Earthen berms that are part of a required district bufferyard shall have:
 - (A) A minimum two-foot-wide flat area on top;
 - (B) Slopes of not less than four feet horizontal for each one foot vertical; and
 - ii. To accommodate a berm, the bufferyard may need to be wider than required in Table 21-4430-1, *Bufferyard Classifications and Illustrations*. For example, a Type A bufferyard would have to be over 34 feet in width to accommodate the berm but will only require the number of plantings required for a Type A bufferyard.

Table 21-4430-2, Bufferyard Requirements by Zoning District					
Zoning District of Parcel Proposed for Development	Zoning District of Abutting Property				
	R-E, R-1, R-2	R-3, MHP	C-1, C-2, C-C, MU-C, MU-1	I-A, I-1	I-2, I-3
R-E, R-1, R-2	N/A	Type A	Type A	Type B	Type C
R-3, MHP	Type A	N/A	Type A	Type B	Type C
C-1, C-2, C-C, MU-C, MU-1	Type B	Type A	N/A	Type A	Type B
I-A, I-1	Type C	Type B	Type B	N/A	Type A
I-2, I-3	Type D ¹	Type D ¹	Type C	Type B	N/A

Table Note:

1. Bufferyard shall be limited to only Option 2.

3. *District Boundary Buffer Standards.*

- a. For purposes of this Section, an adjacent zoning district or land use, as described above, includes all zoning districts or land uses on properties abutting the subject property. Where the property shares a boundary with more than one zone district, the width of the most intense buffer shall be required along that particular property line.
- b. When the AG, Agricultural district is considered for buffer requirements, the future land use designation in the Comprehensive Plan and the associated zoning district that results in the most intense bufferyard shall be used to determine buffer requirements.

- c. Trees and shrubs planted as part of the buffer requirement cannot be used to meet any other landscaping requirement in this LDC, except for the requirements of Sec. 21-4420, *Tree Canopy*.
- d. All areas of the bufferyard outside of trees, shrubs, and/or flowerbeds shall be covered with a City-approved mulch.
- e. The bufferyard requirements of this Section apply whether or not the property in the adjacent zoning district as set forth in the first table is developed.
- f. For reasons of conflicting uses, unfavorable topography, or other unique or extraordinary circumstances, the Director may increase or decrease landscape plantings in any required bufferyard in accordance with Sec. 21-4480, *Alternative Compliance*.
- g. In situations where the Director determines that the arrangement of uses or design of buildings does not adequately mitigate conflicts reasonably anticipated to exist between dissimilar uses or building designs, one or more of the following landscape buffering techniques shall be used to mitigate the conflicts.
 - i. *Separation and Screening with Plant Material*. Planting groups of evergreen trees, shade trees, ornamental trees, or shrubs;
 - ii. *Integration with Plantings*. Incorporating trees, vines, planters, or other plantings into the architectural theme of buildings and their outdoor spaces to subdue differences in architecture and bulk and avoid harsh edges;
 - iii. *Establishing Privacy*. Establishing vertical landscape elements to screen views into or between windows and defined outdoor spaces where privacy is important, such as where larger buildings are proposed next to side or rear yards of smaller buildings;
 - iv. *Visual Integration of Fences or Walls*. Providing plant material in conjunction with a screen panel, arbor, garden wall, privacy fence, or security fence to avoid the visual effect created by unattractive screening or security fences; and
 - v. *Landform Shaping*. Utilizing berming or other grade changes to alter views, subdue sound, change the sense of proximity and channel pedestrian movement.

E. Perimeter Parking Bufferyard.

1. *Type Required*. Except for single-unit dwelling, two-unit dwelling, and multi-unit dwelling development, the perimeter of parking areas shall contain a bufferyard based on the size of the parking area as follows:
 - a. 1 to 10 parking spaces: no bufferyard required;
 - b. 11 to 50 parking spaces: Type A bufferyard;
 - c. 51 to 100 parking spaces: Type B bufferyard;
 - d. 101 to 150 parking spaces: Type C bufferyard; and
 - e. 151 or more parking spaces: Type D bufferyard.
2. *Shrubs and Hedgerows*. In place of shrub planting requirements in a landscape-only bufferyard type, a perimeter parking bufferyard shall contain an evergreen hedgerow a minimum of three feet in height that provide a continuous screen within three years of planting.
3. *Where no District Boundary Bufferyard is Required*. Where a perimeter parking bufferyard is required, but no district boundary bufferyard is required (for example, where a parking area lies along the boundary of identical zoning districts), then the perimeter parking bufferyard shall consist of one of the following types under Option 1.

- a. *Type A with Shrubs.* This option consists of a modified Type A landscape-only bufferyard between the parking area and the adjacent property, excluding access openings. A continual hedgerow of evergreen shrubs that provide a continuous screen within three years of planting shall be required to serve as a screening device.
- b. *Type A with Knee Wall.* This option consists of a modified Type A bufferyard between the parking area and the adjacent property, excluding access openings. A knee wall between three feet and four feet in height shall be required to serve as a screening device.
- c. *Type A with Berm.* This option consists of a modified Type A bufferyard with a berm between the parking area and the adjacent property, excluding access openings. A berm a minimum of two and one-half feet higher than the finished elevation of the parking area and an evergreen hedgerow a minimum of three feet in height that provide a continuous screen within three years of planting shall be required. The berm shall have a rounded crown suitable for planting and stabilized slopes of not less than three feet horizontal for each one-foot vertical.

F. Street Bufferyards.

- 1. *Location.*
 - a. Street bufferyards are required on private property, outside of the existing street right-of-way or, for private streets, the paved roadway, and outside of future rights-of-way, along the entire length of the property excluding driveway openings.
 - b. A street bufferyard shall include an area beginning at the property line adjacent to a street right-of-way or adjacent to an easement line for a private street, extending into the private property to establish the required width as listed in this Subsection.
 - c. The street bufferyard's trees, shrubs, ground cover, and other landscaping shall be placed and maintained so as not to cause a visual obstruction and so as not to violate the visibility triangle established in Sec. 21-11110, *Measurements*.
- 2. *Type Required.* Except for single-unit dwelling, two-unit dwelling, and multi-unit dwelling development, the property shall contain a bufferyard based on the adjacent street classification as follows:
 - a. Local: Type A bufferyard;
 - b. Collector: Type B bufferyard;
 - c. Arterial: Type C bufferyard; and
 - d. Colorado DOT State Highway and Interstate, Pena Boulevard, and E-470 Tollway: Type D bufferyard.
- 3. *Design.* The design of fences or walls in a street bufferyard shall avoid long stretches to the point of visual monotony and shall be varied by using changes in height, different material combinations, offset angles, or other types of articulation.
- 4. *Noise Reduction.* Where a residential subdivision borders a railroad right-of-way, a limited access highway, or a principal arterial, an Option 2, Type D bufferyard shall be provided for adequate reduction of noise pollution. This buffer is in addition to any required right-of-way and exclusive of any lot size requirements.

Effective on: 8/18/2025

Sec. 21-4450. - Screening

A. General Provisions.

1. *Finish.* All fence posts and related supporting members of a fence, whether for required screening purposes or for privacy, shall be erected so that the finished sides of the fence face the adjacent property or public right-of-way.
2. *Maintenance.* Fences and walls, including supports, shall be maintained in a proper state of repair. The property owner shall repair any damage to or deterioration of a fence or wall, whether due to vandalism, weather, age, loss of mortar, or peeling paint. For maintenance of living screening materials, refer to Sec. 21-4470, *Installation and Maintenance*.

B. Screening Areas of Low-Visual Interest.

1. *Loading Docks.*
 - a. Loading docks shall be a minimum of 50 feet from any residentially zoned or used property unless completely enclosed by building walls, or a uniformly solid wall, or any combination of the two, as depicted in Figure 21-4450-1, *Enclosed Loading*.
 - b. Where the Community Development Director determines that an enclosed loading area is not possible, the loading area shall be screened along its length by a district boundary bufferyard that has one additional level of intensity (for example, from a Type B bufferyard to a Type C bufferyard) than required Sec. 21-4430, *Bufferyards*.
 - c. Loading facilities within 25 feet of the nearest point of any street intersection are prohibited.

Figure 21-4450-1, Enclosed Loading



2. *Mechanical Equipment.* For all primary structures except two-unit dwelling, single-unit dwelling, and multi-unit dwelling residential uses, rooftop, wall mounted, and ground mounted mechanical equipment and appurtenances shall be screened from all sides. Screening enclosures shall use at least one of the predominant materials used in the facades of the primary structure and one of the predominant colors used in the primary structure. All air conditioning compressors shall be completely screened. All rooftop and wall vents and flues that extend above the top of the nearest parapet shall be painted to match the roof. Apartment/Condominium air-conditioner units shall be screened to the maximum extent feasible. Any rooftop equipment generating off-site noise also shall be baffled or otherwise attenuated to direct unavoidable noise upward.

3. *Trash and Recycling Receptacles.*

- a. *Screening Device.* For all primary structures except two-unit dwelling and single-unit dwelling residential uses, all trash and recycling receptacles shall be screened in one of the following manners:
 - i. Enclosed with an opaque screening wall or fence that is a minimum of six feet in height on all sides and designed with a gate facing away from streets or adjacent land uses; or
 - ii. Located within a principal structure or within an accessory structure such as a garage, subject to approval by the City Engineer.
- b. *Design Options.* The screening wall or fence required by this Section shall:
 - i. Be planted with vines;
 - ii. Be architecturally compatible, in material and color, with other buildings and structures on the site; or
 - iii. Display a mural compliant with Division 4.7, *Signs*.
- c. *Setbacks.* All trash or recycling receptacles shall be located a minimum of 25 feet from residential zoning districts; however, the Community Development Director is authorized to approve reduced setbacks when site size or other conditions prevent compliance with this setback.
- d. *Maintenance.* All screening materials shall be well maintained at all times.

4. *Miscellaneous Utility Equipment.* Utility meters, electric transformers, and similar equipment, with the exception of water meters and fire hydrants, shall be placed in locations that are not exposed to view from the street, or they should be fully, opaquely screened or painted to match surrounding building surfaces.

C. **Fence Standards.**

1. *Fence and Wall Styles.*

- a. *Open Style Fencing.* Open style fences shall not be designed to completely conceal the interior portion of the lot. An acceptable design for open style fencing shall include open rail, split rail, separated picket, chain link, wrought iron, or similar design approved by the City. With the exception of alternating picket fences, the minimum spacing between pickets shall be two inches. Wire material may be attached to the interior property side of the fence to provide for security and pet containment.
- b. *Screen Style Fence.* Screen fences shall provide an opaque surface designed to conceal the interior portion of a property from an adjacent property and the public right-of-way. Screen fencing is not allowed on a lot without a principal structure.
- c. *Combinations.* A fence which combines the elements of both open and screen style fences may be permitted where a solid masonry base shall have a maximum height of two feet and decorative open-style material built on top of that base. Such fencing shall be classified as open style.
- d. *Electric Fences.* Electrified fences are permitted in agricultural zoned districts for agricultural and security purposes and in industrial districts for security purposes. For purposes of this Section, an electric fence shall include electric systems that use an electrified buried cable, so long as no part of the electrified cable protrudes above the surface of the ground. Except as specifically provided herein, electric fences shall comply with the following standards.

- i. *Agricultural Zone District Requirement.* No electric fence used for the containment of livestock shall have more than two electric strands. Electric fences that are installed for the purpose of securing farm equipment shall be permitted provided that they comply with each of the elements outlined in paragraph ii of this Section relating to electric fences installed in industrial zone districts and further provided that they do not enclose any structure used as a primary residence.
- ii. *Industrial Zone District Requirements.*
 - (A) A perimeter nonelectric fence must surround the exterior of an electric fence. Except for gates, the perimeter fence shall be located not less than six inches from the electric fence. At gates, the perimeter fence shall be located not less than three inches from the electric fence. Perimeter fences shall be regulated by Table 21-4450-1, *Fence and Wall Standards*.
 - (B) Warning signs, notifying the public of the existence of the electric fence, shall be posted in a conspicuous manner on the property and at intervals of not less than 25 feet on any property line that abuts either a residential or public zone district and not less than 50 feet on any property line abutting any other zone district. Warning signs shall be written in English and Spanish and shall include a diagram illustrating the fence is electrified.
 - (C) A key box with an entry key shall be installed at one or more locations, as determined by the fire department.
 - (D) No electric fence shall be installed or operated with a power source other than a storage battery not exceeding 12 volts direct current. Notwithstanding the foregoing, a backup system to maintain security in case of battery failure shall be permitted provided such system will not result in higher voltage being delivered upon contact with the fence.
 - (E) It shall be unlawful to place an electric fence along any property line adjacent to a residential or public zone district or use unless:
 - (1) The electric fence and the perimeter fence required by paragraph (A) above are set back a minimum of 20 feet from the property line and an additional perimeter fence is erected on the property line; or
 - (2) A solid style fence or wall is constructed as the perimeter fence
 - (F) The maximum height for an electric fence in each of the categories contained in Table 21-4450-1, *Fence and Wall Standards* shall be no more than two feet higher than the perimeter fence.
- e. *Barbed Wire and Razor Wire.* Razor wire and fencing with sharp projection tips are prohibited in all zone districts. Barbed wire fencing shall be prohibited in all zone districts with the following exceptions:
 - i. Fences in industrial zone districts may be topped with up to three strands of barbed wire, provided that the wire is installed at least six feet above grade;
 - ii. Barbed wire may be used as a fencing material in agricultural zone districts; and
 - iii. Barbed wire is allowed on rural properties being used for agricultural purposes, but not zoned for such, as determined by the Community Development Director.

2. *General Standards.*

- a. *Finished Side.* The finished side (side without exposed rails) of any fence fronting on a public right-of-way must face the public right-of-way.
- b. *Transitions.* When fences or walls of differing heights are connected on the same property or across property lines there shall be an area of transition between fence heights that shall be approved by the department.
- c. *Sight-Distance.* No fence or wall shall be placed in any location or at any height that unreasonably obstructs the vision of any person exiting a property. The exact amount of unobstructed visibility shall be determined by topography of the site, the traffic speed limit on the street, and the proximity of the driveway to the fence.
- d. *Materials.* Fence materials shall consist of wood, brick, stone, masonry, stucco over concrete block, vinyl, wrought iron, aluminum, fiberglass, composite or chain link materials to be approved by the City. Decorative materials, including but not limited to tile or glass block, may be incorporated into the design of permitted fences or walls. Sheet plastic, sheet metal, and plywood fencing shall not be allowed. Corrugated metal shall only be allowed in industrial zone districts. Chain link fencing with inserts, slats and/or attached fabric screening material are prohibited. All fences shall be constructed of materials of commercial fencing quality.
- e. *Maintenance.* All fences and walls, including those in existence on the effective date of this Section, shall be maintained in good condition so as to meet the intent for which they were installed. Without limiting the foregoing standard, all fences shall be kept in an upright and sturdy condition, free from the appearance of deterioration and graffiti, and painted or stained as needed.
- f. *Openings, Gates, and Driveway Length.* Gates installed as part of the fence must be hinged to open into private property and are prohibited from encroaching into the public right-of-way and public property. Gates located to secure access from a driveway or drive aisle into private property must be set back as provided in Table 21-4450-1, *Fence and Wall Standards*.
- g. *Maximum Length.* Unless otherwise stated in this Section, the maximum continuous length of any wall or fence (regardless of any articulation or changes in the fence plane) shall be 1,500 feet along an arterial street and 1,000 feet along a collector or local street.
- h. *Minimum Articulation.* Fences constructed for screening purposes along the public right-of-way, if greater in length than 200 continuous linear feet, shall include an architectural feature such as a masonry column or pillar every 75 feet. A masonry column must be placed at all corners or turning points. With the exception of single-unit residential front yards, a masonry column or pillar may exceed the height of the fence by one foot. If a column or pillar is not used, then each 24-foot fence Section or fence panel shall be staggered or offset a minimum of four inches, or include a vertical support element that is exposed to the public right-of-way subject to the approval of the City.
- i. *Height Measurement.* The height of a fence or wall shall be the distance from the top of the fence or wall to the highest finished grade of the lot directly under the fence or wall. When a fence is erected on top of a retaining wall, the height of the fence shall be measured from the top of the retaining wall.
- j. *Easements.* Fences may be permitted within city easements. However, the City shall not be responsible for the repair or replacement of fences that must be removed to access such easements.

3. *Fence and Wall Requirements by Land Use.*

- a. *Table.* All fences shall comply with the following standards related to land use in Table 21-4450-1, *Fence and Wall Standards*.

Table 21-4450-1, Fence and Wall Standards					
	Agricultural	Residential	Commercial and Mixed Use	Industrial	Public/Institutional
Height Maximum					
Front Yard	42 inches	42 inches	42 inches	6 feet	8 feet
Rear Yard	6 feet	6 feet	8 feet	8 feet	8 feet
Side Yard	6 feet	6 feet	6 feet	8 feet	8 feet
Side or rear yard along public right-of-way	5 feet	5 feet if screen style; 6 feet if open style	6 feet	6 feet	8 feet
Along a public or private open space, park or trail	5 feet	48 inches	6 feet	8 feet	8 feet
Setback Minimum as measured from property line and/or back of sidewalk					
Front Yard	0	30 inches	10 feet	20 feet	10 feet
Rear Yard	0	0	0	0	0
Side Yard	0	0	0	0	0
Side yard or rear yard along public right-of-way.	0	30 inches	10 feet	20 feet	20 feet
Along a public or private open space or park.	0	0	0	0	0
Fence Style					
Front Yard	Open	Open	Open or Screen	Open or Screen	Open or Screen
Rear Yard	Open or Screen	Open or Screen	Open or Screen	Open or Screen	Open or Screen
Side Yard	Open or Screen	Open or Screen	Open or Screen	Open or Screen	Open or Screen
Side Yard or rear yard along public right-of-way	Open	Open if over 5 feet in height; open or screen if 5 feet in height or less	Open or Screen	Open or Screen	Open or Screen

Table 21-4450-1, Fence and Wall Standards					
	Agricultural	Residential	Commercial and Mixed Use	Industrial	Public/Institutional
Along a public or private open space, park or trail.	Open	Open	Open or Screen as determined by Community Development Director.	Open or Screen as determined by Community Development Director.	Open or Screen as determined by Community Development Director.
Minimum length of driveway or drive aisle between gate to public right-of-way (may be reduced in accordance with ECSS (Engineering Construction Standards & Specifications))					
	20 feet	20 feet	50 feet	50 feet	50 feet

D. Retaining Walls. All retaining walls shall meet the following requirements:

1. *Maximum Height.* The maximum height of any retaining wall that is not attached to a primary structure and not necessary to compensate for a change in grade on the site shall not exceed four feet. The maximum height of any retaining wall that is attached to a primary structure and necessary to compensate for a change in grade (with no artificial fill) shall not exceed six feet. A series of low retaining walls (instead of one taller retaining wall) shall be used whenever possible. Where multiple retaining walls are used, minimum horizontal spacing shall be at least four feet.
2. *Railing Required.* Where the construction of a retaining wall results in a downward vertical drop of more than 30 inches within four horizontal feet of a sidewalk, walkway, or other public circulation area, a railing at least 42 inches high shall be placed along the top edge of the retaining wall to prevent pedestrians from falling over the edge of the retaining wall.
3. *Materials.* Dry-stacked native stone, pre-cast masonry block materials, cast in place concrete, or masonry block walls with stone, brick, or stucco facing should be used for retaining walls. Treated timber walls and railroad tie walls shall not be used for retaining walls, except on single-unit dwelling and two-unit dwelling residential properties. Tires are prohibited from being used as a retaining wall in all zone districts.

E. Courtyard Walls.

1. *Description.* Solid or semi-transparent walls architecturally integrated with the primary structure which are used to create an enclosed or partially enclosed outdoor living space that is open to the sky.
2. *Materials.* Courtyard walls shall utilize similar or complementary materials as the connecting principal structure. Where the principal structure includes masonry, the wall shall incorporate matching masonry materials into the design of the wall. Other acceptable materials include wood, brick, stone, masonry, stucco, decorative metal panels, tile, glass block, composite or fiberglass materials that mimic the appearance of natural wood or stone, or other materials as approved by the City. Any gate or door may be of a complementary material to the rest of the wall, and shall be of an open/semi-transparent design.

3. *Finished Sides.* The courtyard wall shall present a finished appearance on the interior and exterior sides of the wall as well as on the top. This may include a cap of the same or a complementary material as the rest of the wall. Walls designed to be filled as planters are also acceptable.
4. *Setbacks.* All courtyard walls shall comply with the principal structure setbacks for the underlying zone district. The space in front and side yards along a public right-of-way between the courtyard wall and the street shall be landscaped in accordance with Division 4.4, *Landscaping, Buffering, and Screening*.
5. *Height.*
 - a. *Front and Side Yards along a Public Right-of-way or Open Space.* The maximum allowed height is four feet. Walls with an undulating design may be up to five feet at the highest point with an overall average height of four feet. Columns may exceed the wall height by up to one foot, inclusive of any caps or decorative features. An archway or entry feature may be up to eight feet at the highest point and shall not exceed five feet in horizontal width. A maximum of one archway or entryway feature is allowed in the front yard.
 - b. *Side and Rear Yards.* The maximum allowed height is eight feet for all components of the wall, including columns, archways, and any decorative features.

Effective on: 8/18/2025

Sec. 21-4800. - General Provisions

- A. **General.** Open or amenity space is required within each zoning district, as noted in *Article II: ~~Zoning Districts and Development Standards~~*, through the required open or amenity space percentages. For those zoning districts or development options that require open or amenity space, a menu of such options is provided, as shown in Sec. 21-4810, *Open or Amenity Space Standards*.
- B. **Exemptions.** The following types of development are exempt from open or amenity space requirements:
 1. *Infill Development.* Infill development on property that is less than one acre in area, that is not part of a larger phased development, and that meets one or more of the following criteria that delineate infill development.
 - a. *Existing Development.* Where adjacent properties abutting at least 50 percent of the linear feet of the side or rear lot lines of the subject property are developed with single-family dwellings of higher density or intensity uses;
 - b. *Underused Property.* Where the subject property consists of less dense or intense development than what is permitted based on the zoning district;
 - c. *Environmental Constraints.* Where adjacent properties abutting at least 50 percent of the linear feet of the side or rear lot lines of the subject property are encumbered by environmentally sensitive or constrained areas such as floodplains;
 - d. *Utility Easements.* Where adjacent properties abutting at least 50 percent of the linear feet of the side or rear lot lines of the subject property are utility easements that create a substantial break in development or redevelopment potential; or
 - e. *Vacant or Unoccupied.* Where adjacent properties abutting at least 50 percent of the linear feet of the side or rear lot lines of the subject property consist of properties that have been vacant or unoccupied for more than one year.

2. *Single-Unit Residential Development.* Single-unit residential development on lots platted before the effective date of this LDC, where lot consolidation or subdivision is not proposed.

Effective on: 8/18/2025

Sec. 21-7140. - Common Decision Criteria

- A. **Common Review Criteria.** In determining whether to approve, approve with conditions, or deny an application, the development review bodies making a recommendation or taking final action shall consider the basic review criteria denoted in Table 21-7140-1, *Common Review Criteria Applicability*. Additional review criteria may apply and are enumerated in the specific review procedures of this Article.
- B. **Burden of Proof or Persuasion.** In all cases, the burden is on the applicant to show that an application complies with applicable review criteria.
- C. **Continuing Review Process.** In order to be approved, applications that require a pre-application conference shall subsequently undergo the applicable processes established in this Division, starting with Sec. 21-7120, *Application Submittal, Fees, and Completeness*.

Table 21-7140-1 Common Review Criteria Applicability					
Common Review Criteria	LDC and Zoning Map Amendments and Land Use Decisions		Variances and Appeals of Administrative Decisions	Permits	Platting and Site Plan Decisions
	Text Amendments	All Other			
1. The request complies with the applicable standards of the City's Code, this LDC, and any applicable county, state, or federal requirements.		•	•	•	•
2. The request substantially conforms to any associated prior approval for the development, including, but not limited to, a PUD Zone Document, Conditional Use Permit, or Overall Development Plan.		•	•	•	•

Table 21-7140-1 Common Review Criteria Applicability					
Common Review Criteria	LDC and Zoning Map Amendments and Land Use Decisions		Variances and Appeals of Administrative Decisions	Permits	Platting and Site Plan Decisions
	Text Amendments	All Other			
3. The request is consistent with applicable policies of the Comprehensive Plan and applicable sub-area plans and capital improvement plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.	•	•	•		•
4. The request promotes the purposes of this LDC as established in Sec. 21-1120, <i>Purpose</i> , and in other applicable purpose statements in this LDC.	•	•	•		•
5. Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided by either the City or the applicant.		•	•	•	•
6. The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.		•	•		
7. The request will not impede the normal and orderly development and improvement of surrounding property.		•	•		

Effective on: 8/18/2025

Sec. 21-71100. - Development Review Summary

- A. **Generally.** Table 21-71100-1, *Development Review Summary*, compiles the review procedures for applications in this LDC involved in the development review process. Detailed information about general procedures and applications are further discussed in this Article. Refer to Sec. 21-7150, *Public Notice*, for details on public notice.

Table 21-71100-1, Development Review Summary

• = Meeting Required '--' = Not Applicable

P = Published Notice Required M = Mailed Notice Required

S = Signs Notice Required

CDD = Community Development Director PC = Planning Commission CC = City Council

BOA = Board of Adjustment DRT = Development Review Team

[] = Public Hearing Required

Application	Pre-Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross-Reference
		Recommendation	Final Action			
LDC AND ZONING MAP AMENDMENTS AND LAND USE DECISIONS: Require final decisions that establish or change the way the use, design, or development of land will occur on a site-specific, City-wide, or intermediate scale. Elected and appointed development review bodies make final decisions based on general considerations of fostering and preserving the public health, safety, and general welfare. Such final decisions are characterized by the exercise of broad discretion.						
Annexation 21-7200	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	--	--
Comprehensive Plan Amendment 21-7210	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	--	--
Zoning Map Amendment ¹ 21-7220	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ¹ P S ¹	--	--
LDC Text Amendment ¹ 21-7230	--	1st: CDD, DRT 2nd: [PC]	[CC]	P	--	--
Planned Unit Development Zone Document 21-7240	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ¹ P S ¹	--	--
Conditional Use Permit 21-7240	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	180 days	Sec. 21-3210

Table 21-71100-1, Development Review Summary

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Application	Pre-Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross-Reference
		Recommendation	Final Action			
Oil and Gas Permit 21-7260	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ² P S	3 Years; Refer to Sec. 21-7260.H	Sec. 21-3210
VARIANCES AND APPEALS OF ADMINISTRATIVE DECISIONS: Require final decisions that provide interpretation of standards or establish the way design or development will occur on specific sites in manners that either vary from the standards of this LDC or that are contested by an aggrieved party. Such final decisions are characterized by exercise of discretion.						
Variance 21-7300	--	CDD, DRT	[BOA]	M P S	180 days	--
Variance, Floodplain 21-7310	--	Floodplain Administrator		--	2 Years	Subsec. 21-2230.2D
Variance, Engineering 21-7320	--	City Engineer		--	180 days	Engineering Construction Standards & Specifications
Appeal of Administrative Decision 21-7330	--	[BOA] ⁴		M P S	--	--
Administrative Adjustment 21-7340	--	CDD		--	1 year	--
PERMITS: Require final decisions in which City staff apply the standards in this LDC. Permits typically require objective analysis by City staff.						
Limited Use Permit 21-7400	--	CDD	CDD	--	2 years/180 days ⁵	Sec. 21-3200

Table 21-71100-1, Development Review Summary

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Application	Pre-Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross-Reference
		Recommendation	Final Action			
Grading Permit 21-7410	--	CDD	CDD	--	180 Days	--
Early Grading Permit 21-7420	--	CDD	CDD	--	180 Days	--
Development Infrastructure Permit	--	CDD, DRT	CDD	--	180 days	--
Model and Elevation Review 21-7440	--	CDD		--	90 days	--
Building Permit 21-7450	--	CDD	Building Official	--	2 years/180 days ⁶	--
Floodplain Development Permit 21-7460	--	CDD	Floodplain Administrator	--	2 years/180 days ⁶	Subsec. 21-2230.2D
Sign Permit 21-7470	--	CDD	Building Official	--	180 days	Division 4.7
Temporary Use Permit 21-7480	--	CDD ⁸		--	1 Year	Sec. 21-3230
Zoning Construction Permit 21-7490	--	CDD		--	180 days	Sec. 21-3220

PLATTING AND SITE PLAN DECISIONS: Require final decisions related to dividing larger tracts of land into smaller lots. City staff or legislatively appointed administrative bodies make final decision based on regulations in this LDC and on technical requirements of various City departments, local and state agencies, and utilities.

Table 21-71100-1, Development Review Summary

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Application	Pre-Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross-Reference
		Recommendation	Final Action			
Preliminary Plat 21-7510	•	CDD, DRT, [PC]	[CC]	--	2 years	Article V
Consolidation Plat 21-7520	--	CDD		--	60 days if unrecorded; None after recordation	Article V
Overall Development Plan 21-7530	•	CDD, DRT, [PC]	[CC]	M P S	2 Years	Article II, Article III, Article IV
Minor Plat 21-7540	--	CDD, DRT	CDD	--	60 days if unrecorded; None after recordation	Article V
Final Plat 21-7560	--	CDD, DRT	CDD	--	60 days if unrecorded; None after recordation	Article V
Replat 21-7570	--	CDD, DRT	CDD	--	60 days if unrecorded; None after recordation	Article V
Plat Correction 21-7580	--	CDD		--	--	--
Waiver 21-7590	--	CDD	City Engineer	--	Same as associated plat	Article V

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[] = Public Hearing Required

Application	Pre- Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross- Reference
		Recommendation	Final Action			
Vested Property Rights / Site Specific Development Plan 21-75100	--	CDD, DRT, [PC]	[CC]	M P S	3 Years	--
Site Development Plan 21-75110	--	CDD, DRT	CDD	--	2 Years	--
Minor Site Development Plan 21-75120	--	CDD		--	2 Years	--
Vacation of Rights-of-Way 21-75130	--	CDD, DRT, [PC]	[CC]	M P S	60 Days	--
Vacation of Easements 21-75140	--	CDD		--	60 days	--
Comprehensive Sign Program 21-75150	--	CDD		--	--	Division 4.7

Table 21-71100-1, Development Review Summary

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[] = Public Hearing Required

Application	Pre- Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross- Reference
		Recommendation	Final Action			

TABLE NOTES:

1. Signs and mailed notification shall not be required when the City Council or Planning Commission initiates a Zoning Map Amendment ~~affects multiple owners.~~
2. Mailed notice shall be a minimum of 2,500 feet from the affected parcel(s).
3. The time period in the "Expiration" column is measured from the date of the approval. Expiration occurs if the applicant does not commence the work prior to the expiration or does not diligently pursue completion of the project or the subsequent required approval. See Sec. 21-7180, *Expired Approvals and Extensions*.
4. Refer to Subsection 21-7170.B.2, *Appeal Forums*, for a delineation of the types of applications for which the BOA serves as appellate bodies.
5. Two years if construction of a structure is required. 180 days if no structure is required.
6. Two years if not substantially completed. 180 days if the work described in the permit is not commenced.
7. Or within the time-frame set forth in the PUD Zone Document.
8. Refer to Sec. 21-7470, *Temporary Use Permit*, for specific review exceptions related to temporary uses in public parks and public streets.

Sec. 21-7240. - Planned Unit Development Zone Document

- A. **Generally.** A Planned Unit Development (PUD) Zone Document establishes entitlements for property including allowable land use and development and design standards. A PUD Zone Document covers all of the land area to be included in the PUD, or an identified phase of a PUD, and identifies the type and total amount of development to occur within the PUD (dwelling units and nonresidential floor area), as well as the proposed plan for pedestrian and vehicular circulation within and leading to the PUD.
- B. **Specific Review Procedures.** In addition to the Common Review Procedures established in Division 7.1, the following specific review procedures shall apply.
 1. *Optional Design Guidelines.* The Community Development Director may require that the applicant to submit design guidelines along with the application.
 2. *Approval by Ordinance.* Because approval of a PUD Zone Document creates a new zone district in the City which requires an amendment to the City's official Zoning Map, all approvals shall be in the form of ordinances.

3. *Amendment.*

- a. Modifications to an approved PUD Zone Document, other than the minor modifications allowed at the discretion of the Community Development Director, require the submission of a new PUD Zone Document amendment application, which will follow the same process as the approved PUD Zone Document.
- b. Unless restricted by the terms of a development agreement or other entitlement granting vested property rights, any property owner within the PUD district or the City may initiate an amendment to a PUD Zone Document or PUD zone district.
- c. A PUD district, or portions thereof, may be rezoned to another non-PUD zone district or districts in accordance with the procedures and standards for Zoning Map Amendments set forth in this LDC.

C. **Specific Decision Criteria.** In determining whether to approve, approve with conditions, or deny the request, the review bodies shall consider the applicable common decision criteria in Division 7.1, *Common Review Procedures*, and the following:

1. *Compliance.*

- a. The PUD:
 - i. Addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design such that it achieves the purposes set out in Subsec. 21-2230.1, *Planned Unit Development (PUD) District*, and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments; or
 - ii. The PUD is required to avoid completely prohibiting a legal, permitted business use within the City;
- b. The PUD complies with all applicable city standards not otherwise modified or waived by the City;
- c. The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- d. As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and
- e. The same development could not be accomplished through regulations of the base zoning district or the use of other techniques, such as Variances, or Director-approved modifications.

D. **Effect.**

1. *Adoption by Ordinance.* A Planned Unit Development affects the Official Zoning Map or this LDC and shall be approved in the form of an ordinance passed by the City Council.
2. *Legal Description.* The ordinance shall include a legal description of the area rezoned with an overlay and a map of the same;
3. *Record.* The City Clerk will maintain a record of all ordinances that change the zoning classification of real property; and

4. [Map Update. The Community Development Director shall update the Official Zoning Map to reflect the new zoning overlay district for the subject property.](#)

Effective on: 8/18/2025

Sec. 21-7530. - Overall Development Plan

- A. **Generally.** An Overall Development Plan provides a site layout for all large-scale developments [with multiple zoning districts, land uses, and phases of 10 or more acres.](#) Review of the Overall Development Plan shall occur prior to any other development activity for the project taking place. All properties within a single site must be contiguous and immediately adjacent to one another or be the subject of additional development plans and filing fees.
- B. **Specific Review Procedures.** In addition to the Common Review Procedures established in Division 7.1, the following specific review procedures shall apply.
 1. **Binding Characteristics.** Approval of the Overall Development Plan establishes:
 - a. *Context, Transitioning, and Buffering.* The context of the proposed development relative to adjoining and adjacent development and the proposal for transitioning and buffering such uses;
 - b. *General Uses, Scale, and Compatibility.* The locations and types of residential and nonresidential land uses, their scale and design relationships, and methods to ensure compatibility between the various uses and adjacent properties;
 - c. *Density.* Minimum and maximum gross densities, block sizes, lot patterns, and heights of residential uses;
 - d. *Parking and Circulation.* The proposed parking and circulation plans;
 - e. *Transportation.* The patterns, functional classifications, and cross-sections of streets within and adjacent to the development, along with the network of pedestrian, bicycle, and public transit improvements;
 - f. *Amenity and Open Space.* General locations, means of continuity and connectivity, and the extent of amenity and open space to be dedicated for public or private purposes;
 - g. *Environmental Features.* Areas of environmental sensitivity to be protected and preserved, including floodplains and riparian areas, wetlands and water bodies, steep slopes, forested areas, and other such areas; and
 - h. *Phases.* Phases of development.
 2. **Amendments.**
 - a. *Classification.* Amendments to a previously approved Overall Development Plan shall be classified as a minor or major modifications. The Community Development Director may approve minor modifications at their discretion. The Community Development Director shall provide a written response indicating whether or not the revised Overall Development Plan has been classified as a minor modification or major amendment.
 - i. *Minor Modifications.* In addition to the amendments listed in Subsection 21-7480.C, *Specific Review Criteria*, Minor Modifications to an Overall Development Plan include the following:
 - (A) Changes to the timing or phasing of the proposed development provided the use and overall geographic land area remains the same;

- (B) A reduction or increase by no more than 10 percent in the number of dwelling units provided the use and overall geographic land area remains substantially the same;
- (C) A decrease in overall residential density;
- (D) Updating of ownership or consultant information;
- (E) A decrease in the overall land area, provided the initial design is maintained; and
- (F) Overall Development Plan or subdivision plat name change.

- ii. *Major Amendments.* All other modifications shall be classified as major amendment and shall be processed in the same manner as a new Overall Development Plan submittal.

C. **Specific Decision Criteria.** In determining whether to approve, approve with conditions, or deny the request, the development review bodies shall consider the applicable common decision criteria in Sec. 21-7140, *Common Decision Criteria*, and the following:

1. *Criteria for all Overall Development Plans.* In addition to the review criteria below that are specific to cluster subdivisions and developments in the Mixed Use District, all Overall Development Plans demonstrate adherence to the following criteria:
 - a. *Phasing.* The development is phased in a manner that assures an adequate mixture of residential and nonresidential land uses and allows for transition from the early phases to completion, relating to the intensity of uses and parking.
 - b. *Amenities.* Open and amenity space areas, landscape areas, and other public amenities are provided throughout the development to provide a quality of place.
 - c. *Site Layout.* The subject property is laid out in an efficient manner relative to the natural and built environments and designed to achieve the aims of a compact, highly walkable environment.
2. *Northern Neighborhoods Development Option.* The Overall Development Plan for a subdivision in the Northern Neighborhoods Development Option demonstrates adherence to the following criteria:
 - a. *Resource Integration.* Natural resources and environmental features are focal points and connected to parking and activity areas by sidewalks, trails, and greenways.
 - b. *Undeveloped Space.* Together with the developed areas, the undeveloped spaces devoted to natural resource preservation, open and amenity spaces, buffering of uses, and for passive and active recreational use are continuous throughout the development and, where appropriate, may double as stormwater best management practices.
3. *Mixed Use District.* The Overall Development Plan for the MU-1 zoning district demonstrates adherence to the following criteria:
 - a. *Walkable Layout.* The development is organized with block lengths that facilitate walkability or include provision for pedestrian accessways that shorten the walking distance between residential, commercial, and public and institutional uses.
 - b. *Building/Street Relationship.* Buildings are designed to relate directly to streets and located to create a sense of enclosure and a street environment rich with street-level businesses, amenities, and access to activity areas.

- c. *Context-Sensitive Streets.* Streets are laid out in a hierarchy with mixed use and neighborhood connectors that is responsive to adjacent land uses and tie into the existing street system to provide for continuity, pedestrian safety, and good access.
 - d. *Parking.* Parking is provided on-street to the maximum practicable extent and within parking lots or garages that are placed on the interior of blocks accessed from the side or rear of buildings or alleyways.
 - e. *Connectivity.* A pedestrian and bicycle system provides connections to peripheral sidewalks and trails and creates both on- and off-street linkages tying together residential and nonresidential areas, together with civic spaces, schools, transit stops/stations, and parks.
 - f. *Livability.* Residential, nonresidential, and public and civic uses relate to one another to promote convenience and walkability. Areas designated as residential may include a broad range of residential unit types and related accessory uses.
- D. **Effect.** Upon approval, all subsequent Preliminary Plats, Development Plans, and other related submittals shall clearly demonstrate consistency and conformance with the approved Overall Development Plan.

Effective on: 8/18/2025

Sec. 21-7540. - Minor Plat

- A. **Generally.** A Minor Plat provides for the subdivision of four or fewer lots fronting on an existing or planned public or private street ~~with no need to dedicate a new public right-of-way or extend public utilities.~~
- B. **Specific Review Procedures.** In addition to the Common Review Procedures established in Division 7.1, the following specific review procedures shall apply.
- 1. *Recording.* Once approved, or in the case of a conditional approval when all conditions have been met, the Community Development Director and the City Engineer shall sign the Minor Plat. The city Community Development Director will record the signed, Minor Plat with the Adams County Clerk and Recorder's Office. The applicant may be required to pay all recording fees.
- C. **Specific Decision Criteria.** In determining whether to approve, approve with conditions, or deny a Minor Plat, the development review bodies shall consider the applicable common decision criteria in Division 7.1, *Common Review Procedures*, and the following:
- 1. *Number of Lots.* The Minor Plat is proposed for the creation of four or fewer lots.
 - 2. ~~Existing Streets.~~ Each lot in the Minor Plat has frontage on an existing or planned public or private street ~~without the need for the creation or extension of a new public street.~~
 - 3. ~~Existing Utilities.~~ Existing public utilities of adequate capacity serve the entirety of the subject property in the Minor Plat ~~without the need for an extension.~~
 - 4. *Required Approval.* If the review body with final action authority finds that a Minor Plat complies with all applicable decision criteria, then it is required to approve the Plat.
- D. **Effect.** Approval of a Minor Plat authorizes the Community Development Director to record the Minor Plat.

Effective on: 8/18/2025

Sec. 21-75160. Virtual Lot Plan

- A. **Generally.** A Virtual Lot Plan provides sufficient information to evaluate and review a site that is developed with an alternative form of ownership, as described in Sec. 21-52120, *Standards for Alternative Ownership Agreements*. The Virtual Lot Plan ensures that the development is designed and developed to public standards and in character with fee-simple ownership development in the same zoning district.
- B. **Specific Decision Criteria.** In determining whether to approve, approve with conditions, or deny the request, the development review bodies shall consider the applicable common decision criteria in Sec. 21-7140, *Common Decision Criteria*, and the following:
1. **Zoning District Purpose.** The development is consistent with and implements the purpose of the specific zoning district in which it is located;
 2. **Platted Lot.** The development is located on a platted lot; and
 3. **Public Services.** Necessary services, including fire and police protection, recreation, utilities, open or amenity space, and transportation systems are available to serve the proposed development.

Sec. 21-11200. - Definitions.

A

Above-Ground Storage Tank shall mean one or more devices, including any connected piping, designed to contain an accumulation of petroleum, of which the volume, including the volume of underground pipes, is 90 percent or more above the surface of the grade.

Effective on: 5/5/2025

Access Easement shall mean an interest in land which allows one or more persons to travel across another person's land.

Effective on: 5/5/2025

Accessory Building or Structure shall mean a subordinate structure located on the same lot with the principal building, occupied by or devoted to an accessory use. Accessory structures include, but are not limited to, storage sheds, garages, covered porches, large satellite dishes, and telecommunication antennas.

Effective on: 8/18/2025

Accessory Dwelling Unit (ADU) shall mean a self-contained living unit located on the same parcel as a principal dwelling unit. Three types of ADUs exist - Attached, Contained, and Detached.

Effective on: 8/18/2025

Accessory Parking Structure shall mean a permanent one-story structure that is open on one or more sides and is used for the temporary parking or storage of operable vehicles in conjunction with the primary use of the property.

Effective on: 5/5/2025

Accessory Use shall mean a use, located on the same lot, naturally and normally incidental to, subordinate to, and devoted exclusively to the principal use of the premises.

Effective on: 5/5/2025

Accounting Services shall mean services commonly and historically performed by accountants, including recording or summarizing financial transactions, bookkeeping, analyzing or verifying financial information, reporting financial results, financial planning or providing attest services, compilation services, tax services, or consulting services.

Effective on: 5/5/2025

Across the Street shall mean lots that overlap each other when the side lot lines are extended across the street to the opposite lot. The same housing model used at the end of one block shall not be repeated on the first lot of the neighboring block.

Effective on: 5/5/2025

Active Rights-of-Way shall mean rights-of-way currently being utilized or improved.

Effective on: 5/5/2025

Acupuncture Clinic shall mean a facility where the public receives acupuncture treatment, which is a form of alternative medicine, and a component of traditional Chinese medicine (TCM)) in which thin needles are inserted into the body to cure disease or relieve pain.

Effective on: 5/5/2025

Addition shall mean any activity that expands the enclosed footprint or increases the square footage of an existing structure.

Effective on: 5/5/2025

Adjacent shall mean to physically touch or border upon, or to share a common property line or border. Adjacent shall include properties or uses that are separated by a street, sidewalk, or other publicly-dedicated right-of-way, canal, or railroad right-of-way.

Effective on: 5/5/2025

Administrative Appeal shall mean an appeal alleging an error in a final order, requirement, decision, or determination made by the director in the administration or enforcement of this LDC.

Effective on: 5/5/2025

Administrative Decisions or Applications are applications reviewed and approved administratively by the Community Development Director, Building Official, Floodplain Administrator, City Engineer, or the Development Review Team without the need for a public hearing.

Effective on: 8/18/2025

Adult shall mean a person 18 years of age or older.

Effective on: 5/5/2025

Adult Day Care Center shall mean a facility, whether non-profit or for-profit, that provides care, protection, and supervision for 6 or more adults on a regular basis away from their primary residence for less than 24 hours per day.

Effective on: 5/5/2025

Adverse Impact shall mean a negative consequence affecting the physical, social, or economic environment resulting from an action or project.

Effective on: 5/5/2025

Age-Restricted Retail shall mean a commercial establishment with more than 50 percent of its gross floor area or its receipts devoted to the sale of tobacco products, vapor products, alternative nicotine products, or marijuana or THC-infused food or drinks.

Effective on: 5/5/2025

Agricultural and Animal Production Support, Sales, and Service shall mean an establishment engaged in the retail or wholesale sale from the premises of feed, grain, fertilizers, pesticides and similar goods and the sale and services of farm equipment.

Effective on: 8/18/2025

Agriculture or Farm shall mean the use of land for agricultural purposes, including farming, dairying, floriculture, horticulture, pasturage, viticulture, grazing, animal and poultry husbandry, and the necessary accessory uses for packing, treating, storing, and shipping of farm products.

Effective on: 5/5/2025

Agrioltaic Farming shall mean the dual use of land for solar energy production and agriculture.

Effective on: 5/5/2025

Airport shall mean any area of land or water designed and set aside for the landing and take-off of aircraft and utilized, or to be utilized, in the interest of the public for such purposes.

Effective on: 5/5/2025

Alley shall mean a service roadway that provides a means of access abutting properties and that is not intended for general traffic circulation.

Effective on: 5/5/2025

Alter or Alteration shall mean any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Effective on: 5/5/2025

Amphitheater shall mean a semi-enclosed structure designed for the enactment of the performing arts or other entertainment uses that include entertainment related facilities and uses.

Effective on: 5/5/2025

Amusement Park shall mean an outdoor entertainment facility that includes such activities as amusement rides (e.g., roller coasters), batting cages, mini-golf, bumper cars, bumper boats, go-cart racing, and water slides. Amusement parks may also include indoor or outdoor areas with games, food service, and incidental retail uses (e.g., souvenir shops) that are subordinate to the principal outdoor entertainment uses.

Effective on: 5/5/2025

Annexation shall mean the incorporation of a land area into the City with a resulting change in the City boundaries.

Effective on: 5/5/2025

Antenna shall mean any structure or device used to retransmit or receive electromagnetic waves for the provision of services including, but not limited to, cellular, paging, personal communication services, and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panels, microwave and satellite dishes, and omnidirectional antennas, such as whips. Except where the context clearly indicates otherwise, this term shall not include broadcast antennas, antennas designed for amateur radio use, or satellite dishes designed for residential or household purposes.

Effective on: 5/5/2025

Antenna, Dish shall mean dish (parabolic or cylindrical) antennas used for microwave and satellite transmission and reception for commercial purposes. This definition shall not apply to wireless cable satellite dish antennas or dish antennas less than one meter in diameter or measured diagonally.

Effective on: 8/18/2025

Antenna, Panel shall mean an array of antennas, rectangular in shape, used to transmit and receive telecommunication signals.

Effective on: 8/18/2025

Antenna, Whip shall mean a single antenna that is cylindrical in shape and omnidirectional.

Effective on: 8/18/2025

Applicant shall mean any person or entity who has or plans to submit an application of a permit approved pursuant to this LDC. If the applicant is not a natural person the term shall include all persons who are members, managers, officers, directors, or other natural persons who hold the authority within the entity to authorize the application for a permit approved pursuant to this LDC.

Effective on: 8/18/2025

Appraisal Service shall mean a business that performs a complete and detailed analysis of a property to determine its market value and provides clients with an appraisal review.

Effective on: 5/5/2025

Approved Plant List and Landscaping Specifications Document shall mean that document containing certain information and requirements pertaining to landscaping in the City.

Effective on: 8/18/2025

Appurtenances shall mean transformers, switching boxes, gas regulator stations, terminal boxes, meter cabinets, pedestals, ducts, substations, system amplifiers, power supplies, optical nodes, pump stations, valves and valve housings, and other devices necessary to the function of underground electric, communications, cable television wiring, coaxial, fiber optic, water, sewer, natural gas, other utility lines, and street lighting circuits.

Effective on: 5/5/2025

Architectural Appendage shall mean appendages such as fireplaces, roof overhangs, balconies, cornices, and bay or box windows that are attached to principal or accessory structures.

Effective on: 5/5/2025

Area of Shallow Flooding shall mean a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Effective on: 5/5/2025

Area of State Interest shall mean an area within which a county or municipality can designate, as enabled by C.R.S. § 24-65.1-101, certain activities and establish certain standards for the regulation thereof. Said activities may be regulated by permit and include natural hazard areas, key facilities (e.g., airports, highway interchanges, etc.), and mineral resource areas.

Effective on: 5/5/2025

Arterial Street shall mean a public right-of-way used to carry high traffic volume typically for travel between areas within and outside the City. A right-of-way typically is 120 feet to 150 feet in width.

Effective on: 5/5/2025

Artificial Turf shall mean a partial or entirely synthetic material designed and manufactured to simulate living turf grass as provided in the City's Approved Plant List and Landscaping Specifications.

Effective on: 5/5/2025

Arts and/or Cultural Center shall mean a space providing for creation, display, performance, or enjoyment of heritage, history, or the arts. This use includes but is not limited to: museums, performance space, artist's studios, galleries, interpretive sites, independent theaters.

Effective on: 8/18/2025

Artisan/Handcrafted Manufacturing shall mean the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products; non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

Effective on: 8/18/2025

Asphalt Mixing Plant shall mean an industrial establishment or plant where gravel or sand are combined with a mixture of bitumens to create a substance for paving, roofing, and waterproofing.

Effective on: 5/5/2025

Assembly, Meeting, Event, or Exhibition Hall shall mean an establishment where people assemble for civic, educational, religious, philosophical, or cultural purposes.

Effective on: 8/18/2025

Assisted Living Facility shall mean a state-licensed group living facility regulated as a personal care boarding home, as defined in C.R.S. § 25-27-101. Such facilities do not offer diagnosed medical or psychological treatment under professional medical supervision, but may offer (1) physical therapy; (2) occasional medical or nursing care to address non-chronic and non-recurring conditions such as colds, flu, or household injuries; and (3) assistance with routine living activities not aimed at recovery from a specific diagnosed condition.

Effective on: 5/5/2025

Attached ADU shall mean an ADU that shares no less than eight feet of at least one common wall with the principal dwelling unit and is not fully contained within the existing space of the principal dwelling unit.

Effective on: 8/18/2025

Axe-Throwing Lounge shall mean an indoor space designed to allow people to throw axes or hatchets at wooden targets.

Effective on: 5/5/2025

Auction shall mean a place where objects of art, furniture, or other goods are offered for sale to persons who bid on an object in competition with each other. For an auction to be classified as an indoor auction, all auction activities shall occur within an enclosed building, including storage and processing of items to be auctioned.

Effective on: 5/5/2025

Auditorium or Stadium shall mean an open, partially enclosed, or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings. Typical uses include convention and exhibition halls, sports arenas, and amphitheaters.

Effective on: 5/5/2025

Automobile Sales and Rental shall mean a specific type of vehicle and equipment use or an establishment arranged, designed, or used for the display, sale, leasing, or rental of any new or used motor vehicle in operable condition.

Effective on: 8/18/2025

Awning shall mean a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. An awning is distinguished from a marquee in that a marquee is covered with rigid material. An awning is distinguished from a canopy in that an awning is cantilevered, whereas a canopy is supported by posts or other devices beyond the building wall.

Effective on: 5/5/2025

B

Bail Bond Office shall mean a business whose primary purpose is to act as a surety to secure the presence of an accused person at a court proceeding in a criminal manner.

Effective on: 5/5/2025

Bakery, Retail shall mean a structure, room, or place used for making, preparing, or baking, bread, biscuits, pastry, cakes, doughnuts, crullers, noodles, macaroni, spaghetti, or tortillas to be sold on-premises at retail and consumed on or off premises.

Effective on: 8/18/2025

Bakery, Wholesale shall mean a structure, room, or place used for making, preparing, or baking, bread, biscuits, pastry, cakes, doughnuts, crullers, noodles, macaroni, spaghetti, or tortillas to be sold on or off-premises at wholesale and consumed off premises.

Effective on: 8/18/2025

Bank, Credit Union, or Financial Institution shall mean any state-chartered class of business that provides financial services and the transmission of funds, such as commercial banks, credit unions, and real estate lending institutions. This use may or may not include drive-through facilities and services.

Effective on: 8/18/2025

Banner shall mean a sign made of fabric or other non-rigid material with no enclosing framework.

Effective on: 5/5/2025

Bar, Tavern, or Lounge shall mean an eating and drinking establishment providing or dispensing, by the drink for on-site consumption, fermented malt beverages, and/or malt, special malt, vinous or spirituous liquors, and in which the sale of food products such as sandwiches and light snacks is secondary (also known as a tavern). A bar/tavern may include provision of live entertainment and/or dancing; however, a bar/tavern shall not include any adult business use.

Effective on: 8/18/2025

Base Flood shall mean a flood having a one percent chance of being equaled or exceeded in any given year (also known as the 100-year flood).

Effective on: 5/5/2025

Basement shall mean an area below the first floor, having part, but no more than 1/2 of its height above-grade, and with a floor to ceiling height of not less than seven feet. This term shall not include garden level.

Effective on: 5/5/2025

Batch Plant shall mean cement, concrete, and asphalt mixing areas conducted at construction sites.

Effective on: 5/5/2025

Bed and Breakfast shall mean an owner-occupied single-unit dwelling where up to a maximum of five rooms may be rented for overnight lodging. The five lodging rooms may be in addition to bedrooms used by the residents.

Effective on: 5/5/2025

Berm shall mean in the context of landscaping or buffering requirements, a mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible land uses.

Effective on: 5/5/2025

Best Management Practices (BMPs) shall mean physical, structural or managerial practices that, when used individually or in combination, prevent or reduce pollution or stormwater runoff. As they relate to Oil and Gas Operations, BMPs are technologies and practices listed in the City's adopted Best Management Practices for Oil and Gas Facilities, also known as the BMP Document. BMPs are designed to prevent or reduce impacts caused by Oil and Gas Operations to air, water, soil, or biological resources, and to minimize adverse impacts to public health, safety and welfare, including the environment and wildlife resources.

Effective on: 8/18/2025

Bingo Hall shall mean a facility used exclusively or primarily for conducting bingo and other similar games that are open to the public.

Effective on: 5/5/2025

Blank Wall shall mean a wall without windows, doors, articulation, or other detail added to provide visual interest.

Effective on: 5/5/2025

Block shall mean a tract of land bounded by streets, or by a combination of streets and railroad rights-of-way, shorelines, or boundary lines of municipalities.

Effective on: 5/5/2025

Block Length shall mean the linear distance measured along a block face between two intersecting streets or other block boundary.

Effective on: 5/5/2025

Blood or Plasma Center shall mean a facility for the donation or sale by individual donors of blood, blood plasma, and other blood products.

Effective on: 5/5/2025

Blue Roof shall mean a roof of a building that is designed intentionally to detain stormwater that is then allowed to evaporate, to be gradually released over time into the storm sewer system, or used on-site.

Effective on: 5/5/2025

Boarding, Lodging, or Rooming House shall mean a group living facility where meals, lodging, or both, are provided for compensation for five or more persons, but not more than eight persons, not including members of the owner's or proprietor's immediate family who might be residing in the same building. The word compensation shall include compensation in money, services, or anything of value. A boarding, lodging, or rooming house shall not include more than one person required to register as a sex offender pursuant to C.R.S. § 18-3-412.5, as amended.

Effective on: 8/18/2025

Boiler Works shall mean a facility that houses and operates one or more closed vessels which are used to heat liquid usually water or to generate vapor or steam or any of such combination under pressure for external use by combustion of fossil fuels.

Effective on: 5/5/2025

Borrow Pit shall mean any place or premises where dirt, soil, sand, gravel, or other material is removed below the grade of surrounding land, for any purpose other than that necessary and incidental to site grading or building construction.

Effective on: 5/5/2025

Bowling Alley shall mean an establishment containing long narrow tracks used in bowling and similar games.

Effective on: 5/5/2025

Boundary Line shall mean every separation, natural or artificial, which marks the confines or line of division of two contiguous parcels of land.

Effective on: 5/5/2025

Brewery shall mean an establishment where malt liquors are manufactured and production exceeds 60,000 barrels of malt liquor per year, but shall not mean a "brewpub" or "microbrewery."

Effective on: 5/5/2025

Brewpub shall mean an establishment that, as an accessory use to on-site food sales, produces no more than 5,000 barrels of handcrafted beer per year for on-site consumption. Such accessory use may occupy up to 30% of the gross floor area of the establishment.

Effective on: 5/5/2025

Buffering shall mean methods such as extra deep lots, increased setbacks, landscaping, fencing, or berming to separate properties or uses that may have potential adverse impacts upon one another.

Effective on: 5/5/2025

Build-to-Rent Development shall mean a professionally managed residential community comprised of multiple single-unit detached, duplex, townhouse, rowhouse, or multiplex buildings that are collectively located on a single platted lot and are presented for rent only.

Effective on: 8/18/2025

Building shall mean any structure used or intended for supporting or sheltering any use or occupancy including persons, animals, chattels or property of any kind, and not including advertising sign boards or fences.

Effective on: 5/5/2025

Building Elevation shall mean a projection of a building plane, including the roof, wall, and all architectural appendages.

Effective on: 5/5/2025

Building form shall mean considered to be the style of the home, including ranch, tri-level or two-story structures.

Effective on: 5/5/2025

Building Height. See section 21-11140.

Effective on: 5/5/2025

Building mass shall mean the 3-dimensional size or outline of the structure that encloses its volume. This is determined by the height, width, and depth of the structure.

Effective on: 5/5/2025

Building Official shall mean the official designated by the City as the official responsible for accepting, reviewing, approving, or rejecting plans and applications for building and occupancy permits, and for the interpretation and enforcement of codes and regulations related to such applications and permits.

Effective on: 5/5/2025

Building Permit shall mean a written permit issued by the City that allows the permit holder to undertake construction of a project.

Effective on: 8/18/2025

Building, Principal shall mean the building(s) housing the principal (primary or most important) uses permitted on the property upon which it is located.

Effective on: 5/5/2025

Building Separation shall mean the horizontal distance from one building to another building located on the same or adjacent building site or lot, excluding architectural appendages.

Effective on: 5/5/2025

Bulk Grain Transfer shall mean the direct transfer of grain from one truck or container to another via conveyor belt. No on-site storage of grain, either in piles or containers, shall occur.

Effective on: 5/5/2025

Bulk Storage of Explosive or Hazardous Materials shall mean a use engaged in storage or a manufacturing process that utilizes flammable, explosive, or hazardous materials.

Effective on: 8/18/2025

Bulk Storage of Non-Hazardous Freight or Goods shall mean a use engaged in storing and securing goods such as household items, retail goods, and non-hazardous and non-flammable liquids or materials. Includes cold storage of goods requiring refrigeration.

Effective on: 8/18/2025

Bus Equipment Maintenance, Repair, and Storage shall mean a structure used for the parking, storage, fueling, repair, maintenance, and washing of buses.

Effective on: 8/18/2025

Bus Terminal shall mean a facility that serves as a point of arrival or departure for passengers of commercial busses, including any ticket sales areas, reception areas, bus parking and/or refueling areas, and accessory retail sales. Bus Passenger Terminals shall not include the storage, cleaning, or repair of busses.

Effective on: 5/5/2025

Business Association shall mean a membership organization that works on behalf of and supports the business interests of its members.

Effective on: 5/5/2025

C

Campground shall mean a facility that may be designed for temporary (usually one night) use by travel trailers, recreation vehicles, or tents. A campground with short-term accommodations shall limit the stay of guests to seven days and shall supply toilet and bathing facilities for the guests as essential characteristics.

Effective on: 5/5/2025

Campground (Without Short-Term Accommodations) shall have the same meaning as a campground except that overnight lodging is not permitted.

Effective on: 5/5/2025

Canopy shall mean a roof-like shelter projecting from a building wall and supported by posts or other devices beyond the building wall, typically constructed of non-rigid materials on a supporting framework. A canopy is distinguished from an awning in that an awning is cantilevered and supported by the building wall, whereas a canopy is supported away from the building wall.

Effective on: 5/5/2025

Carnival or Circus shall mean a temporary amusement center, bazaar, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food services, sales, or small-scale games.

Effective on: 5/5/2025

Carport shall mean a one-story structure that is attached to a dwelling unit and entirely open on one or more sides that is used by the legal occupant of the dwelling unit for parking or storing operable vehicles.

Effective on: 5/5/2025

Car Wash shall mean an establishment engaged in cleaning or detailing motor vehicles, whether self-service or automated.

Effective on: 5/5/2025

Car Wash Fundraiser shall mean an event where cars are washed for free in exchange for a charitable donation.

Effective on: 5/5/2025

Catering Service/Facility shall mean an establishment providing the processing, assembly and packaging of food into servings typically designed for consumption off-premises. These facilities may include commercial or on-site kitchens and may be used in an accessory manner for teaching, instructing, or other related indoor activities that utilize the onsite catering service

Effective on: 8/18/2025

Cemetery, Mausoleum, Columbarium, or Memorial Park shall mean land used or intended to be used for the burial of the dead and dedicated for cemetery purposes. A cemetery may include a funeral home, mortuary, or a columbarium, but shall not include a crematory.

Effective on: 8/18/2025

Centerline shall mean a line painted or marked upon a roadway for the purpose of separating opposing traffic or, where not painted or marked, an imaginary line an equal distance between the opposite curb lines or lateral lines of a roadway.

Effective on: 5/5/2025

Centralized Exploration and Production (E&P) Waste Management Facility shall mean a facility, other than a commercial disposal facility regulated by the Colorado Department of Public Health and Environment, that is either used exclusively by one owner or operator or is jointly used by more than one operator under an operating agreement for collection, treatment, temporary storage, and/or disposal produced water, drilling fluids, completion fluids, and any other E&P wastes as defined by the ECMC Rules. This definition includes oil-field naturally occurring radioactive materials (NORM) related storage, decontamination, treatment, or disposal. This definition excludes a facility that is permitted in accordance with ECMC Rules.

Effective on: 8/18/2025

Certificate of Occupancy shall mean a certificate issued by the City after final inspection, when it is found that the building, structure, and/or development complies with all requirements and all provisions of the applicable city building code and approved plans.

Effective on: 8/18/2025

Chain Link Fence shall mean a fence composed of wire mesh, typically forming woven squares approximately two inches in width.

Effective on: 5/5/2025

Charitable Collection Device shall mean a roll-off container, semi-trailer, nonpermanent drop-off container, or similar device used for the collection of donated items.

Effective on: 5/5/2025

Charter shall mean the City's home rule charter.

Effective on: 5/5/2025

Child shall mean a person less than 18 years of age.

Effective on: 5/5/2025

Child Care Center shall mean a facility, by whatever name known, which is maintained for the whole or part of a day for the care of 7 or more children under the age of 18 years who are not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care, and shall include facilities commonly known as day nurseries, nursery schools, preschools, play groups, day camps, summer camps, centers for developmentally disabled, and those facilities which give 24-hour care for dependent and neglected children; and shall include those facilities for children under the age of 6 years with stated educational purposes operated in conjunction with a public, private, parochial college or a private or parochial school, except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least 6 grades.

Effective on: 5/5/2025

Child Care Facility shall mean child care centers and day care homes, as defined herein.

Effective on: 5/5/2025

Chiropractor shall mean a practitioner of the system of integrative medicine based on the diagnosis and manipulative treatment of misalignments of the joints who is licensed by the State of Colorado.

Effective on: 5/5/2025

Church. See Religious Institution.

Effective on: 5/5/2025

Clean Water Act shall mean the Federal Water Pollution Control Act (33 U.S.C. § 1251, et seq.) and any subsequent amendments thereto.

Effective on: 5/5/2025

Clearing shall mean any activity that removes vegetative surface cover.

Effective on: 5/5/2025

Clock Tower shall mean a free-standing structure displaying the time on one or more sides of the structure.

Effective on: 5/5/2025

Club or Lodge shall mean a voluntary association of persons organized for cultural, recreational, fraternal, civic, charitable, or similar purposes but not including an organization engaged primarily in a service or activity customarily conducted as a business.

Effective on: 5/5/2025

Cluster shall mean multiple dwelling units on one lot.

Effective on: 5/5/2025

Coke Oven shall mean an oven for the conversion of coal into coke by heating the coal in the absence of air so as to distill the volatile ingredients.

Effective on: 5/5/2025

Collections Service or Agency shall mean any person or company hired to collect or attempt to collect debts due or asserted to be due to another person.

Effective on: 5/5/2025

Collector Street shall mean a street which has the primary function of providing for the distribution of traffic within neighborhoods and which carries through traffic and provides access to abutting property. A collector street is also a through street.

Effective on: 5/5/2025

Column/Pillar shall mean an architectural support of definite proportions, usually cylindrical in shape, with shaft, capital, and sometimes a base. May be free-standing or attached to a wall or fence.

Effective on: 5/5/2025

Co-location shall mean the placement of two or more commercial mobile radio service facilities by different cellular service providers on the same monopole or existing building or other structure of the same parcel of property.

Effective on: 5/5/2025

Colorado Discharge Permit System (CDPS) shall mean a permit issued by the state of Colorado that authorizes the discharge of pollutants to water of the state or United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Effective on: 8/18/2025

Combustible Liquid shall mean any liquid having a flash point at or above 140° F., and below 200° F., and shall be known as Class III liquids.

Effective on: 5/5/2025

Commercial, Drive-Through shall mean establishments providing retail sales, prepared food or beverage service, or personal services, where the facility or a portion of the facility is designed to allow customers to receive goods, services, or complete transactions while remaining in a motor vehicle. Typical uses include fast-food and quick-service restaurants, coffee shops, beverage stands, ice cream shops, dry cleaning pick-up stations, pharmacies, photo processing, and other similar establishments with drive-through or pick-up windows.

Effective on: 8/18/2025

Commercial Disposal Well Facility shall mean a facility whose primary objective is disposal of Class II waste from a third party for financial profit.

Effective on: 5/5/2025

Commercial Mobile Radio Service Facility or CMRS shall mean a low-power, micro-cell, microwave, or repeater transmission facility, including, but not limited to, freestanding towers, panels, or whip antennas, and accessory buildings and equipment, which are capable of protecting and enabling the operation of the telecommunication facility to receive, switch, or transmit wireless telecommunications.

Effective on: 5/5/2025

Commercial Mobile Radio Service Facility, Building Wall shall mean a commercial mobile radio service facility that is supported entirely on the wall of a legally existing building or structure, as defined, which may include a cabinet or structure accessory to a commercial mobile radio service facility, which may be on the ground.

Effective on: 8/18/2025

Commercial Mobile Radio Service Facility, Free-standing shall mean a commercial mobile radio service facility that consists of a stand-alone support structure, antennas, and accessory equipment.

Effective on: 8/18/2025

Commercial Mobile Radio Service Facility, Roof Mounted shall mean a facility that is supported entirely on the roof of a legally existing building or structure, as defined, which may include a cabinet or structure accessory to a commercial mobile radio service facility, which may be located on the ground or on the roof.

Effective on: 8/18/2025

Commercial Use shall mean an activity involving the sale of goods or services carried out for profit, including office, retail, service business, and other similar development.

Effective on: 5/5/2025

Commodity shall mean goods, wares and merchandise of any kind, movables, and articles of trade or commerce. Commodity shall also mean things that are bought and sold.

Effective on: 5/5/2025

Communication Long Distance Trunk (Feeder) Line shall mean a low-voltage wiring, cable conduit, coaxial conduit, or fiber optic line carrying voice communications and/or data and shall be classified by definition as a distribution line.

Effective on: 8/18/2025

Community Center shall mean a public building used as a place of meeting, recreation, or social activity and not operated for profit. A community center may be operated by a public or private entity.

Effective on: 5/5/2025

Community Garden shall mean a use in which land is managed by a public or nonprofit organization or group of individuals used to grow plants and harvest food or ornamental crops for donation or for use by those cultivating the land. Community gardens may be organized by the operating agency or group into individual areas for cultivation by one or more persons or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Effective on: 5/5/2025

Compatible or Compatibility shall mean that the characteristics of different uses, activities, or designs allowing them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are color and texture of exterior finishes, landscaping, lighting, noise, odor, building materials, and building architecture. Compatibility does not mean the same as. Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Effective on: 5/5/2025

Completions shall mean, as it relates to Oil and Gas Operations, an oil well shall be considered completed when the first new oil is produced through well head equipment into lease tanks from the ultimate producing interval after the production string has been run. A Gas well shall be considered completed when the well is capable of producing gas through wellhead equipment from the ultimate producing zone after the production string has been run. A dry hole shall be considered completed when all provisions of plugging and abandonment are complied with as set out in the ECOMC rules. Any well not previously defined as an Oil or Gas Well, shall be considered completed 90 days after reaching total depth. If approved by the ECOMC Director, a well that requires extensive testing shall be considered completed when the drilling rig is released or six months after reaching total depth, whichever is later.

Effective on: 8/18/2025

Composting shall mean a process by which compost is manufactured through the controlled aerobic, biological decomposition of biodegradable materials. Compost is defined as recycled organic material.

Effective on: 5/5/2025

Comprehensive Plan shall mean the master plan for the City, as adopted and amended by the City Council, to provide long-range development policies for the City.

Effective on: 5/5/2025

Comprehensive Plan Amendment, Minor shall mean minor text changes and corrections that do not impact the substantive portions of the Land Use Plan's mixture or balance and involve properties that are less than 8 acres in size. Any change mandated by initiatives or state law shall utilize the minor amendment process.

Effective on: 8/18/2025

Compressed Gas shall mean any mixture of material having in the container either an absolute pressure exceeding 40 pounds per square inch at 70° F., or an absolute pressure exceeding 104 pounds per square inch at 130° F., or any liquid flammable material having a vapor pressure as defined in the City's fire code exceeding 40 pounds per square inch at 100° F.

Effective on: 5/5/2025

Computer Service shall mean a business that provides diagnostic, troubleshooting, maintenance, and repair services for personal computers and IT systems.

Effective on: 5/5/2025

Concealed Lighting shall mean an artificial light source intended to illuminate the face of a sign, which may be internally lighted or which is shielded from public view and surrounding properties from which the sign is visible.

Effective on: 5/5/2025

Concrete Batching Plant shall mean an industrial establishment or plant where a material made from sand, pebbles, and/or crushed stone is held together by a mass of cement or mortar.

Effective on: 5/5/2025

Conditional Use shall mean a use not otherwise provided for, but which may be permitted upon showing that such use fits with the City's comprehensive plan, is essential or desirable to the community, and will not have a significant adverse impact on surrounding uses or on the community at-large. Conditional uses are authorized by the City Council after review by the Planning Commission.

Effective on: 5/5/2025

Condominium shall mean a building, or group of buildings, in which dwelling units, offices, or floor area are designated for separate ownership, and the remainder of the structure, land area, and facilities are commonly owned by all the unit owners on a proportional, undivided basis.

Effective on: 5/5/2025

Construction Office or Trailer shall mean a mobile trailer or any temporary structure used by a construction contractor as its office or headquarters during construction of a development or structure.

Effective on: 8/18/2025

Contained ADU shall mean an ADU that is fully contained within the existing space of the principal dwelling unit.

Effective on: 8/18/2025

Contractor's Shop shall mean an establishment that provides a trade service including, but not limited to, plumbing, carpentry, glass/glazing, welding, sheet metal, electrical, and roofing services.

Effective on: 5/5/2025

Convenience Store shall mean a general retail store that sells goods and services and that may include the sale of ready-to-eat food products (not generally intended for on-premises consumption), gasoline, groceries, sundries, and 3.2 beer.

Effective on: 5/5/2025

Correctional Facility shall mean a federal, state, county, municipal, or privately owned facility that houses individuals confined for violations of law. Examples include prisons, jails, work release facilities, and juvenile detention centers.

Effective on: 5/5/2025

Courier Service shall mean an establishment primarily engaged in the delivery of individually addressed letters, parcels, and packages that generally weigh less than 100 pounds.

Effective on: 5/5/2025

Construction Documents shall mean any document in support of a grading permit or development infrastructure permit including but not limited to construction plans, survey, stormwater management plan, erosion and sediment control plan, traffic report (or compliance letter), drainage report (or compliance letter), or geotechnical report.

Effective on: 5/5/2025

Consumer and Mercantile Credit Reporting Service, also known as a credit bureau or consumer reporting agency, shall mean a company that compiles and sells consumer credit ratings and reports to consumers and businesses.

Effective on: 8/18/2025

Convention Center shall mean a facility used for business or professional conferences and seminars, often with accommodations for sleeping, eating and recreation.

Effective on: 5/5/2025

Country Club shall mean an area containing recreational facilities such as a golf course, swimming pool, dining room, bar, tennis court, and clubhouse that is available to members.

Effective on: 5/5/2025

Court Development means a residential development type characterized by a cluster of four to thirteen detached or attached residential buildings organized around a central, shared open or amenity space. Court developments emphasize pedestrian orientation, internal community interaction, and efficient site design. Buildings are oriented with front entrances facing the shared open space, while off-street parking is accommodated in rear alleys or shared areas to preserve the quality and accessibility of the central space.

Effective on: 8/18/2025

Crematory shall mean a service establishment containing properly installed, certified apparatus intended for, or used for, the act of cremation.

Effective on: 5/5/2025

Criteria Manual shall mean the Storm Drainage Design and Technical Criteria Manual.

Effective on: 8/18/2025

Critical Facility shall mean a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the State of Colorado, Department of Natural Resources, Colorado Water Conservation Board document entitled "Rules and Regulations for Regulatory Floodplains in Colorado," dated November 17, 2010 and as may be amended from time to time, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood. Generally, critical facilities are those that shelter essential services, hazardous materials, and at-risk populations. If it is unclear whether or not a facility falls within the context of Rule 6, the Floodplain Administrator shall have the sole authority to make such determination.

Effective on: 5/5/2025

Critical Root Zone shall mean the ground area around a tree trunk determined by a radius of one foot for each one inch of trunk diameter at breast height.

Effective on: 5/5/2025

Crosswalk shall mean that portion of a roadway included within the prolongation or connection of the lateral lines of sidewalks at intersections or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other marking on the surface.

Effective on: 5/5/2025

C.R.S. shall mean the Colorado Revised Statutes, as may be amended from time to time.

Effective on: 8/18/2025

Cul-de-sac shall mean a street having one end open to traffic and being terminated at the other end by a vehicular turnaround.

Effective on: 5/5/2025

Cumulative Impacts shall mean the effects of an action that are added to or interact with other effects in a particular place and within a particular time. Cumulative impacts takes into account all disturbances since cumulative impacts result in the compounding of the effects of all actions over time. The cumulative impacts of an action can be viewed as the total effects on a resource, ecosystem, or human community of that action and all other activities affecting that resource.

Effective on: 5/5/2025

Curb Cut shall mean a street curb depression intended to provide vehicular ingress and egress to a property.

Effective on: 5/5/2025

D

Dance Hall or Club shall mean an establishment open to the public for entertainment, particularly dancing, which may also serve food or beverages (alcoholic and non-alcoholic) as an accessory use.

Effective on: 5/5/2025

Data Center means a facility used primarily for the storage, management, processing, and dissemination of data. Data centers typically house computer servers and related equipment, and may include support areas such as network operation centers, cooling and ventilation systems, backup power supplies, and security systems. Data centers do not typically include office uses beyond what is necessary for administration and facility support, and do not generally provide direct customer service or retail functions.

Effective on: 8/18/2025

Day Labor Facility shall mean any facility at which job seekers wait on site to be hired by the day or by short-term job by third parties. Job seekers generally must be present to obtain work, are often immediately transported to a job site, and typically return to the facility for payment. Related support services may be offered to job seekers while they wait on site.

Effective on: 5/5/2025

Dead-End Street shall mean a street having no exit or turn-around within a right-of-way.

Effective on: 5/5/2025

Decision-Making Body shall refer generally to the body or person with final approval authority for the application or permit in question.

Effective on: 5/5/2025

Department shall mean the department of the City charged with the responsibility of interpreting and applying this LDC.

Effective on: 8/18/2025

Designated Agent shall mean the designated representative of any oil and gas well operator.

Effective on: 5/5/2025

Detached ADU shall mean an ADU that does not share a common wall with the principal dwelling unit and is not a contained ADU.

Effective on: 8/18/2025

Detective Service shall mean a business that employs private detectives and investigators to search for information about legal, financial, and personal matters.

Effective on: 5/5/2025

Developer shall mean any person who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, or sale of a subdivision or development.

Effective on: 5/5/2025

Development shall mean any manmade change to improved or unimproved real estate including, but not limited to the construction, reconstruction, conversion, or enlargement of any structure; any change in use or platting of a property, building or structure; and any mining, dredging, filling, grading, paving, excavation, or drilling operation or storage of equipment or materials.

Effective on: 5/5/2025

Development Agreement shall mean any contract(s) between a developer and the City in connection with any development approval, including without limitation rezoning, subdivision, or PUD approval. Development Agreements may include provisions clarifying the phasing of construction, the timing, location, and financing of infrastructure, reimbursement for oversized infrastructure, assurances that adequate public facilities (including roads, water, sewer, fire protection, and emergency medical services) will be available as they are needed to serve the development, and mitigation of anticipated impacts of the development on the general public.

Effective on: 5/5/2025

Development Plan shall mean a plan, together with written materials, showing the character and layout of the lot or lots including the exact location, square footage, and dimensions of buildings, yards, courts, parking, fences, common open space and other features; the use of each building and area; the architectural elevations of buildings indicating height, materials, and color; detailed landscape plan; streets, curb cuts, and alleys; utilities, drainage, and other easements.

Effective on: 5/5/2025

Development Review Body shall mean elected and appointed bodies and administrative officials who review and make recommendations on land use applications.

Effective on: 5/5/2025

Development Review Team (DRT) shall mean representatives from the City and other officials, consultants, or agencies that review and make recommendations on land use applications.

Effective on: 8/18/2025

Director shall mean the head of the department which is charged with the responsibility of interpreting and applying the terms of this LDC.

Effective on: 8/18/2025

Distillery shall mean a facility that manufactures alcoholic beverages by the distillation of fermented agricultural products, and including but not limited to whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof.

Effective on: 5/5/2025

Distribution Center shall mean a facility for the receipt, transfer, storage, and dispatching of goods transported by truck. Unlike Transportation Terminals, these establishments commonly utilize a warehouse, sometimes specialized with refrigeration or air conditioning, and may include the accessory uses of order processing, package handling, cross-dock, storage or parking of trucks awaiting cargo, as well as facilities for the light servicing of trucks.

Effective on: 5/5/2025

Distribution Line shall mean the communications, cable television wiring, coaxial, fiber optic, water, sewer, natural gas or other utility line connections, excepting electrical systems, between the provider's generation facility and the service lateral.

Effective on: 5/5/2025

Dog Park shall mean a recreational feature primarily intended for the exercise of pets.

Effective on: 5/5/2025

Dog Track shall mean an establishment where live dogs are raced or live broadcasts of dog races are televised. Typically, bets are placed and paid out within the establishment.

Effective on: 5/5/2025

Doggie Day Care Center shall mean an establishment in which one or more persons regularly provide supervised care during daytime hours for periods of less than 24 hours a day for one or more dogs which they do not own.

Effective on: 5/5/2025

Drilling and Spacing Unit shall mean the section(s) of land encompassing a particular area for the subsurface extraction of oil and gas resources that may be targeted by one or more oil and gas wells, as approved by ECMC order or statute.

Effective on: 8/18/2025

Drainage Way shall mean any channel that conveys surface water runoff throughout the site.

Effective on: 5/5/2025

Drive-Up Facility (also known as *Drive-In* or *Drive-Through Facilities*) shall mean an establishment that by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

Effective on: 5/5/2025

Driveway shall mean a paved or unpaved area used for the ingress and/or egress of vehicles, and allowing access from a street to a building or other structure or facility.

Effective on: 5/5/2025

Driveway, Shared shall mean a single driveway serving two or more adjoining lots or uses.

Effective on: 8/18/2025

DRT. See Development Review Team.

Effective on: 5/5/2025

Drug, Alcohol, or Psychiatric Treatment Facility, Outpatient shall mean any building, structure, or space whose principal or primary function is the reception and outpatient treatment of psychiatric disorders, chemical dependency, or dependency for adults or their minor children. Such treatment may include the distribution of synthetic narcotics or any other method attempts to control, suppress, and/or eliminate a person's mental or physical dependence on any illegal or harmful substance.

Effective on: 8/18/2025

Dry Cleaning Plant shall mean an industrial establishment for the purpose of cleaning garments and fabrics with any of a variety of non-aqueous agents.

Effective on: 5/5/2025

Dwelling shall mean any building or portion thereof which is used exclusively for residential occupancy of one or more persons, but not including lodging establishments, clubs, hospitals, recreational vehicles, trailers, or other structures designed or used primarily for temporary occupancy. In no event shall any campground or vehicle be considered a dwelling for purposes of this LDC.

Effective on: 5/5/2025

Dwelling, Accessory shall mean a second dwelling unit either within or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with provision within the accessory dwelling for cooking, eating, sanitation, and sleeping.

Effective on: 8/18/2025

Dwelling, Duplex Side-by-Side shall mean a residential building on a single lot containing two separate dwelling units within a single structure that are next to one another and separated by a fire-rated wall.

Effective on: 8/18/2025

Dwelling, Duplex Stacked shall mean a residential building on a single lot containing two separate dwelling units within a single structure that are arranged vertically, one on top of the other. Each unit has its own separate entrance.

Effective on: 8/18/2025

Dwelling, Multi-Unit shall mean a residential building containing three or more separate dwelling units within a single structure.

Effective on: 8/18/2025

Dwelling, Single-Unit shall mean a residential building designed for and occupied by one household, containing a single dwelling unit within a detached structure located on its own lot.

Effective on: 8/18/2025

Dwelling, Two-Story shall mean a home with two levels where the first floor is no lower than five feet below grade for not more than 50 percent of the perimeter of the home and the second level covers a minimum of 50 percent of the first floor.

Effective on: 8/18/2025

Dwelling Unit shall mean one or more rooms connected together but structurally divided from all other rooms in the same structure and constituting a separate, independent housekeeping unit for permanent residential occupancy. Dwelling units comply with the Building Code and with Sec. 5-302, *Standards*, of the Commerce City Municipal Code.

Effective on: 5/5/2025

E

Easement shall mean an interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose.

Effective on: 5/5/2025

Eaves shall mean the projecting lower edges of a roof overhanging the wall of a building.

Effective on: 5/5/2025

Education and Scientific Research Office shall mean an office that employs professionals and support staff who undertake studies, testing, development, or experimentation. This use does not include the manufacture or sale of products.

Effective on: 8/18/2025

Electric Vehicle Charging shall mean a place where charging stations are made available for the charging of vehicles as a primary use. Charging stations provided as an amenity are considered accessory and are permitted where the associated primary use is permitted.

Electrical Substation shall mean a portion of the electricity distribution system where voltage is transformed from high voltage to low voltage or from low voltage to high voltage.

Effective on: 5/5/2025

Electrical Distribution Line shall mean an electrical line generally having a rated voltage of less than 26 kilovolts used to distribute electricity from the substation to the service lateral.

Effective on: 5/5/2025

Electrical Generation Plant shall mean a facility where electrical power is generated for distribution.

Effective on: 5/5/2025

Electrical Transmission Line shall mean an electrical transmission line generally having a rated voltage of 26 kilovolts or greater and used to distribute electricity to utility provider substations.

Effective on: 5/5/2025

Elevation shall mean a fully dimensioned drawing of the front, rear, and sides of a building showing features such as windows, doors, and relationship of grade to floor level.

Effective on: 5/5/2025

Eligibility Letter as it relates to Oil and Gas, shall mean a determination made by the Community Development Director as to whether a planned Oil and Gas Location meets the review criteria defined in 21-5266(5)(b)(iii), and is thus eligible to submit an Oil and Gas Permit for review by the City.

Effective on: 5/5/2025

Emergency Medical Center shall mean a hospital room or area staffed and equipped for the reception and treatment of persons requiring immediate medical care.

Effective on: 5/5/2025

Emergency Services, Police Station or Fire Station shall mean 1) a building or part of a building used by the police department for administrative offices and detention facilities and may include sleeping quarters, courtrooms, and such other rooms or spaces as may be required and/or 2) a building or part of a building used by the fire department for administrative offices and to store fire trucks, ambulances, and firefighting apparatus and may include sleeping quarters, kitchens, and other rooms and spaces as may be required.

Effective on: 8/18/2025

Employment Service shall mean a staffing agency that recruits employees for businesses that are seeking to fill certain positions.

Effective on: 5/5/2025

ECMC shall mean the Energy and Carbon Management Commission.

Effective on: 8/18/2025

Engineering Service shall mean an office that employs professionals engaged in applying physical laws and principles of engineering in the design, development, and utilization of machines, materials, instruments, structures, processes, and systems.

Effective on: 5/5/2025

Enhanced Foundation Plantings means a landscape treatment installed along the foundation of a building that exceeds basic planting requirements of Sec. 21-4410, *Site Landscaping*, by incorporating a layered, well-defined arrangement of plant materials that contributes to the building's aesthetic, pedestrian experience, and environmental performance.

Effective on: 8/18/2025

Enhanced Parking Lot Landscaping means a form of parking lot landscaping that exceeds the minimum planting requirements of Sec. 21-4410, *Site Landscaping*, by incorporating functional, aesthetic, and pedestrian-friendly elements.

Effective on: 8/18/2025

Enhanced Stormwater Management means stormwater management features that are designed to serve a dual function as usable open or amenity spaces while meeting the City's stormwater requirements.

Effective on: 8/18/2025

Erosion and Sediment Control Plan shall mean a set of plans prepared by or under the direction of a licensed professional engineer indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction.

Effective on: 5/5/2025

Erosion Control shall mean any measure that prevents soil from wearing away.

Effective on: 5/5/2025

Establishment shall mean a place of business, industry, retail, or professional office with its furnishings and staff.

Effective on: 5/5/2025

Events Center shall mean a publicly or privately owned building devoted to assembly of people for social, professional, or recreational activities such as meetings, weddings, or conferences.

Effective on: 5/5/2025

Existing Building or Improvement shall mean a building or improvement that exists or is under construction at the time the underlying property is initially zoned or rezoned.

Effective on: 5/5/2025

Exploration and Production Waste (E&P Waste) shall mean those wastes associated with operations to locate or remove oil, gas or its byproducts from the ground or to remove impurities from such substances and which are uniquely associated with and intrinsic to oil and gas exploration, development, or production operations. For natural gas, primary field operations include those production-related activities at or near the well head and at the gas plant (regardless of whether or not the gas plant is at or near the wellhead) but prior to transport of the natural gas from the gas plant to market. In addition, uniquely associated wastes derived from the production stream along the gas plant feeder pipelines are considered E&P wastes, even if a change of custody in the natural gas has occurred between the wellhead and the gas plant. In addition, wastes uniquely associated with the operations to recover natural gas from underground storage fields are considered to be E&P Wastes.

Effective on: 8/18/2025

Explosives shall mean:

- (a) Substances determined to be Class A and Class B explosives as classified by the U.S. Department of Transportation;
- (b) Nitrocarbonitrate substances (blasting agent) as classified by the U.S. Department of Transportation;
- (c) Any material designated as an explosive by the state fire marshal; or
- (d) Certain Class C explosives as designated by the U.S. Department of Transportation.

Effective on: 5/5/2025

Express Freight Transportation shall mean a service provider is responsible for transporting goods from the point of origin to the destination within a short time period.

Effective on: 5/5/2025

Extraction Agreement shall mean the agreement between the Operator and the City that is required by this Code.

Effective on: 5/5/2025

F

Façade shall mean the exterior walls of a building.

Effective on: 5/5/2025

Family Child Care Home shall mean a residence which is used by its owner or legal occupant for the purpose of providing care or training to 12 or fewer children who are under the age of 18 years and unrelated to the care provider. For the purposes of this LDC, operation of a family child care home is considered to be an accessory use to a principal residential use.

Effective on: 5/5/2025

Farmers' Market shall mean the seasonal offering for sale of fresh agricultural products directly to the consumer at an open-air market.

Effective on: 5/5/2025

FCC shall mean the Federal Communications Commission.

Effective on: 8/18/2025

Feed Milling shall mean a facility in which livestock feeds are prepared.

Effective on: 5/5/2025

Feedlot shall mean a lot, pen enclosure, or building where cattle or other livestock are fed for warm-up or fattening purposes and that is secured by gates to prevent the livestock from movement to adjoining areas outside of the feedlot.

Effective on: 5/5/2025

Fence shall mean a free standing structure resting on or partially buried in the ground and rising above ground level used for confinement, screening, or partition purposes.

Effective on: 5/5/2025

Final Plat shall mean a map and supporting materials of certain described land prepared in accordance with subdivision regulations as an instrument for recording real estate interests with the county clerk and recorder.

Effective on: 5/5/2025

Financial Advisor shall mean an office that employs professionals who provide expertise for clients' decisions around money matters, personal finances, and investments.

Effective on: 5/5/2025

Financial Institution shall mean establishments like banks and credit unions that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. This includes those institutions engaged in the on-site circulation of cash and check-cashing facilities, but shall not include bail bond brokers. This classification also includes automated teller machines (ATM) located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only.

Effective on: 5/5/2025

Firewood Sales and Storage shall mean a commercial establishment or area for the purpose of firewood sales, splitting, and storage.

Effective on: 8/18/2025

Flag shall mean any fabric containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other entity.

Effective on: 5/5/2025

Flammable Liquid shall mean any liquid having a flash point below 140° F., and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100° F. The provisions in this LDC shall also be applied to high flash point liquids that otherwise would be outside of its scope when they are so heated. Flammable liquid shall be divided into two classes of liquids as follows:

- (a) Class I liquids shall include those having flash points below 100° F., and may be subdivided as follows:
 - (i) Class I A: Flash points below 73° F., and having a boiling point below 100° F.;
 - (ii) Class I B: Flash points below 73° F., and having a boiling point at or above 100° F.; or
 - (iii) Class I C: Flash points at or above 73° F., and below 140° F.
- (b) Class II: Flash points at or above 100° F. When artificially heated to temperatures equal to or higher than their flash points, Class II shall be subject to the applicable requirements for Class I.

Effective on: 5/5/2025

Flammable Material shall mean any material that will readily ignite from common sources of heat or material that will ignite at a temperature of 600° F. or less.

Effective on: 5/5/2025

Flammable Solid shall mean a solid substance other than one classified as an explosive, which is liable to cause fires through friction, through absorption of moisture, through spontaneous chemical changes or as a result of retained heat from the manufacturing or processing.

Effective on: 5/5/2025

Flatwork shall mean a concrete place where a flat surface is created, such as a driveway, sidewalk, or as a slab, whether under a structure, such as a garage, house, or covered porch, or not covered at all.

Effective on: 5/5/2025

Flea Market shall mean an occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Effective on: 5/5/2025

Flood or Flooding shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

Effective on: 5/5/2025

Flood Insurance Rate Map (FIRM) shall mean the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the City.

Effective on: 8/18/2025

Flood Insurance Study shall mean the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

Effective on: 5/5/2025

Floodplain or Flood-Prone Area shall mean any land area susceptible to being inundated by water from any source (see Flooding).

Effective on: 5/5/2025

Floodplain Administrator shall mean the local administrative official who is responsible for administering and implementing the City's Flood Overlay District.

Effective on: 5/5/2025

Floodplain Management shall mean the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Effective on: 5/5/2025

Floodplain Management Regulations shall mean zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.

Effective on: 5/5/2025

Floodplain Overlay District (F-P) shall mean all special flood hazard areas as defined by a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), FEMA Letter of Map Amendments (LOMA), FEMA Letter of Map Revisions (LOMR), Flood Boundary-Floodway Maps (FBFM), or Mile High Flood District (MHFD) Flood Hazard Area Delineation (FHAD) studies approved by the city and within the city boundaries, and are hereby adopted by reference and declared to be a part of this Code. These special flood hazard areas identified by the above are the minimum area of applicability of this article and may be supplemented by studies designated and approved by the city. These special flood hazard areas identified by FIRM, FBFM, LOMA, LOMR, FIS, FHAD, and attendant mapping are the minimum area of applicability of this article and may be supplemented by best available data designated and approved by the City.

Effective on: 8/18/2025

Floodplain Permit shall mean a permit issued by the City to allow any change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located on property within a designated floodplain.

Effective on: 8/18/2025

Flood Proofing shall mean any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, and structures and their contents.

Effective on: 5/5/2025

Flood Profile shall mean a graph or longitudinal profile showing the relationship of the water surface elevation of a flood event to location along a stream or river.

Flood Protection Elevation shall mean an elevation 1 foot above the elevation of flood profile of the 100-year flood under existing channel and floodplain conditions.

Effective on: 5/5/2025

Floodway (Regulatory Floodway) shall mean the channel of a river or other watercourse and the adjacent land areas that must be preserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Effective on: 8/18/2025

Floodway Fringe shall mean the area of the floodplain that lies outside of the floodway and could be completely obstructed without increasing the water surface elevation of the 100-year flood more than 1 foot at any point.

Effective on: 5/5/2025

Flowlines shall mean, as it relates to Oil and Gas Operations, those segments of pipe from the wellhead downstream through the production facilities ending at: in the case of gas lines, the gas metering equipment; or in the case of oil lines the oil loading point or LACT unit; or in the case of water lines, the water loading point, the point of discharge to a pit, the injection wellhead, or the permitted surface water discharge point.

Effective on: 5/5/2025

Footcandle shall mean a unit of measurement referring to an illumination incident to a single point. One footcandle is equal to one lumen uniformly distributed over an area of one-square foot.

Effective on: 5/5/2025

Footprint shall mean the total area that is covered by a building's perimeter at ground level.

Effective on: 5/5/2025

Foster Care Home shall mean a facility, as defined by C.R.S. § 26-6-102(4.3), as amended, that is properly licensed by the state of Colorado, Adams County, or any of its designees as a foster care home. The age of a child placed in a foster care home may not exceed 18 years, or in the case of a child placed in foster care by court order prior to his or her 18th birthday, 21 years.

Effective on: 5/5/2025

Freight Hauling Service shall mean a business that transports goods, products, or raw materials from one place to another using trucks, ships, rail, vans, and similar methods. Such businesses typically provide logistical services for customers which involves the management and oversight of the movement of goods, products, or raw materials between transportation modes or at transfer sites.

Effective on: 5/5/2025

Frontage shall mean the side(s) of a lot adjacent to a street.

Effective on: 5/5/2025

Frontage Road shall mean a roadway located between a controlled access street or highway and adjacent property and that provides access to the street or highway. For purposes of these regulations, all frontage roads shall bear the classification of collector streets. All regulations pertaining to collector streets shall apply to frontage roads. Under these regulations, frontage roads are not considered to be a part of the cross-section or right-of-way of major arterial streets or expressways.

Effective on: 5/5/2025

Fuel Sales shall mean a place where vehicular fuel, stored only in underground tanks, is offered for sale to the public or where charging stations are made available for the charging of vehicles outside of a parking area that provides charging stations as an amenity. Fuel Sales may also include a convenience store as an accessory use.

Effective on: 5/5/2025

Functional Turf shall mean turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include playgrounds; sports fields; picnic grounds; amphitheaters; portions of parks; and the playing areas of golf courses, such as driving ranges, chipping and putting greens, tee boxes, greens, fairways, and roughs. It also includes turf that is designated to be part of a water quality treatment solution that is not irrigated and does have herbicides applied.

Effective on: 5/5/2025

Functionally Dependent Use shall mean a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Effective on: 5/5/2025

G

Gallery shall mean an establishment that displays and may sell art, but that does not derive more than 50 percent of its income from the display and sale of objects of art.

Effective on: 5/5/2025

Garage shall mean a building or the portion of a building designed and intended for the parking or temporary storage of motorized vehicles.

Effective on: 5/5/2025

Gas Generation Plant shall mean a plant at which natural gas is added to a gas turbine, along with air, which combusts and expands through the turbine causing a generator to spin a magnet, making electricity.

Effective on: 5/5/2025

Gas Regulation Station shall mean a facility that includes multiple regulators that reduce gas pressure to the operating pressure appropriate for a downstream section of the gas delivery system.

Effective on: 5/5/2025

Gas Storage Well shall mean any well drilled for the injection, withdrawal, production, observation, or monitoring of natural gas stored in underground formations. The fact that any such well is used incidentally for the production of native gas or the enhanced recovery of native hydrocarbons shall not affect its status as a gas storage well.

Effective on: 5/5/2025

Gathering Line shall mean a pipeline and equipment described below that transports gas from a production facility (ordinarily commencing downstream of the final production separator at the inlet flange of the custody transfer meter) to a natural gas processing plant or transmission line or main. The term "gathering line" includes valves, metering equipment, communication equipment cathodic protection facilities, and pig launchers and receivers, but does not include dehydrators, treaters, tanks separators, or compressors located downstream of the final production facilities and upstream of the natural gas processing plants, transmission lines, or main lines.

Effective on: 5/5/2025

Golf Course or Golf Driving Range shall mean an outdoor area designed for playing the game of golf and improved with tees, greens, fairways, and hazards. A Golf Driving Range means an outdoor area equipped with distance markers, clubs, balls, and tees for practicing long distance golf drives.

Effective on: 5/5/2025

Government Administration Office shall mean a facility focused on the provision of a public service that is public in nature and serves a wide range of needs and patrons. This definition includes but is not limited to, city hall, a court house, a driver's license facility, or a Social Security Administration office.

Effective on: 5/5/2025

Grade (adjacent ground elevation) shall mean the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or when the property line is more than five feet from the building, between the building and a line five feet from the building.

Effective on: 5/5/2025

GFA shall mean Gross Floor Area.

Effective on: 5/5/2025

Grading shall mean excavation or fill of earth material, or any combination thereof, or any land disturbance.

Effective on: 5/5/2025

Grading Permit shall mean a permit issued by the City for grading.

Effective on: 8/18/2025

Green Completion shall mean those practices intended to reduce emissions from oil and gas production or completion operations, and from condensate vapors during cleanout and flowback operations prior to the well being placed on production and thereafter on any recompletions or reentries.

Effective on: 5/5/2025

Greenhouse shall mean a structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants.

Effective on: 5/5/2025

Groceries shall mean food products for home preparation and consumption, prepared food for on- or off-site consumption, and retail personal and household items, among many others.

Effective on: 5/5/2025

Groundcover shall mean low-growing perennial and/or evergreen plants, other than turf-grass, which grow and spread in such a manner as to provide continuous plant coverage. Such plants are typically shorter than 18 inches, and may include herbs, ivies, ornamental grasses, perennials, spreading evergreens, succulents, vines, and wildflowers. Annuals, mulches, and stone are not considered groundcovers, nor are tree canopies.

Effective on: 5/5/2025

Groundwater shall mean, as it relates to Oil and Gas Operations, subsurface waters in a zone of saturation.

Effective on: 5/5/2025

Group Home shall mean a residence operated as a single use, licensed or operated by a governmental entity, where authorized supervisory personnel are present on the premises for the purpose of providing physical assistance and/or other supportive services to individuals needing special care or rehabilitation.

Effective on: 5/5/2025

Group Home, Type A shall mean a group home serving no more than eight handicapped individuals. Type A group homes shall include, but are not limited to:

- (a) *Group Home for Developmentally Disabled Persons* shall mean a state-licensed group home exclusively for the care of person with developmental disabilities, as defined and regulated by the Colorado Department of Human Services, Division for Developmental Disabilities Services, and the Colorado Department of Public Health and Environment;
- (b) *Group Home for Elderly Persons* shall mean a group home of persons 60 years of age or older who do not require medical attention associated with a residential health care facility. Group Homes for Elderly Persons shall be either: (1) licensed as a personal care boarding home or alternative care facility by the Colorado Department of Public Health and Environment; or (2) certified as an adult foster care facility by the Adams County Department of Social Services; or
- (c) *Group Home for Mentally Ill Persons* shall mean a state-licensed group home exclusively for the care of persons with mental illness, as defined and regulated by the Colorado Department of Public Health and Environment.

Effective on: 8/18/2025

Group Home, Type B shall mean a group home whose residents are not handicapped or protected under federal or state fair housing legislation. In addition, a Type B group home includes a Type A group home which houses more than eight residents, subject to the provision for reasonable accommodation set forth in section 21-5238.

Effective on: 8/18/2025

Group Living Use Category shall mean the residential occupancy of a structure by a group of people that does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Group Living structures have a common eating area for residents, and the residents may receive care or training. Caregivers may or may not reside on site.

Effective on: 8/18/2025

Guard House shall mean a structure, located on a private road or on private property for the purpose of manually or electronically regulating and monitoring pedestrian and/or vehicular traffic into a development or neighborhood and promoting security within the development or neighborhood; provided however, a guardhouse shall include only those structures that are not designed or used for sleeping or living purposes.

Effective on: 5/5/2025

Guest House shall mean an accessory dwelling attached or unattached to a principal dwelling, used to house guests of the occupants of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

Effective on: 5/5/2025

Gun Club shall mean an establishment designed to provide target practice in the use of firearms under controlled conditions whether or not the use is conducted within an entirely enclosed soundproof building or outside of a building so that the public health and safety are protected. These establishments may also include the accessory sale of firearms, the sale of ammunition, the sale of associated equipment or supplies, and the sale of food to the patrons of the establishment.

Effective on: 5/5/2025

Gymnastics, Dance Studio, or Martial Arts Facility shall mean any establishment primarily operated for the purpose of teaching gymnastics, dance, or a form or forms of self-defense, such as judo or karate.

Effective on: 8/18/2025

H

Half-Street shall mean a proposed street with half the required right-of-way width for its functional classification, located on the bounding edge of a parcel proposed for development. The phrase "half street" does not include right-of-way dedication or infrastructure construction related to the improvement of existing streets.

Effective on: 5/5/2025

Halfway House shall mean a building used as a detention or receiving facility for persons who are on probation or parole, or who are placed in the facility by reason of court order resulting from an offense committed or allegedly committed by the person.

Effective on: 5/5/2025

Hazardous Materials shall mean those chemicals or substances, which are physical or health hazards as defined and classified in the fire and building codes adopted by the City. Hazardous materials categories include explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, organic peroxides, oxidizers, pyrophoric materials, unstable materials, water-reactive solids and liquids, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, carcinogens, irritants, sensitizers and other health hazards.

Effective on: 5/5/2025

Hazardous Waste Disposal Site shall mean such site for disposal of hazardous waste as defined by the C.R.S. § 25-15-200.3.

Effective on: 5/5/2025

Health Club or Physical Fitness Services shall mean any person, firm, corporation, partnership, unincorporated association, or other business enterprise offering instruction, training or assistance or the facilities for the preservation, maintenance, encouragement or development of physical fitness or well being.

Effective on: 5/5/2025

Heavy Industrial shall mean a commercial use engaged in the manufacturing, assembly, or processing of chemicals, metals, and animal products, the activities of which are likely to have characteristics that discourage adjacency to residential uses.

Effective on: 5/5/2025

Highest Adjacent Grade shall mean the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Effective on: 5/5/2025

Historic Structure shall mean any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (d) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - (i) By an approved state program as determined by the Secretary of the Interior; or
 - (ii) Directly by the Secretary of the Interior in states without approved programs.

Effective on: 5/5/2025

Home Occupation shall mean a business, profession, occupation, or trade that is conducted for gain as an accessory use within a dwelling unit by a resident of the dwelling.

Effective on: 5/5/2025

Hoop House shall mean an unheated greenhouse, most commonly constructed with arches of plastic or metal.

Effective on: 5/5/2025

Hospital shall mean any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons including related facilities such as laboratories, out-patient facilities, training facilities, central service facilities and staff offices.

Effective on: 5/5/2025

Hotel or Motel shall mean a building, a portion of a building, or a group of buildings used to provide sleeping accommodations for transients on a daily or weekly basis, whether such establishments are designated as a hotel, inn, hostel, motel, motor inn, motor lodge, or otherwise.

Effective on: 5/5/2025

Household Living Use Category shall mean a residential use category characterized by the occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-containing dwelling units, including kitchens. A household consists of one or more individuals who live together in a dwelling unit, jointly occupying and using the entire space while sharing responsibilities and activities such as meals, chores, rent, or other expenses. Household composition is self-determined and not subject to third-party approval. A household excludes any use that meets the definition of a Group Living Use. Primary and accessory uses included in this use category can be found in Division 3.1, *Use Categories*.

Effective on: 8/18/2025

I

Identical Façade means a building façade that is substantially similar in design, appearance, and composition to another façade on the same or a nearby building. An identical façade typically includes repetition of the same architectural style, building mass, form, roof type, window and door placement, garage configuration, porch design, and exterior building materials, with minimal or no variation.

A façade shall be considered nonidentical if it incorporates meaningful variation in at least three of the following architectural features:

- Building mass
- Building form
- Roof type
- Windows and doors
- Garages
- Porches
- Exterior building materials

Effective on: 8/18/2025

Identical or Nearly Identical Floor Plan shall mean that the layout, size, and function of the rooms are essentially the same.

Effective on: 5/5/2025

Identical Street Elevation Design shall mean little or no variation in the articulation of the façade, height or width, or the façade, placement of the primary entrances, porches, number, and placement of windows, and other major architectural features. It does not mean similar colors, materials, or small details.

Effective on: 5/5/2025

Illegal Use shall mean any use, whether of a building or other structure, or of a tract of land, in which a violation of any provision of this LDC has been committed or shall exist.

Effective on: 5/5/2025

Impervious Surfaces shall mean those portions of a lot or parcel that are covered by principal and accessory buildings or structures, and by surfaces that prevent the passage or absorption of stormwater, such as paving and driveways.

Effective on: 5/5/2025

Impound Yard shall mean use of any property for the temporary outdoor storage of towed vehicles by a towing service operator that are to be claimed by the titleholder or their age.

Effective on: 5/5/2025

Improvements shall mean streets, curbs, gutters, drainage facilities, sidewalks, pedestrian walks, water mains, sanitary and storm sewers, underground gas lines, underground and overhead utility lines, telecommunication lines and facilities, street trees, ornamental street lights, and such other items as may be designated by the City.

Effective on: 5/5/2025

Incinerator, Solid Waste shall mean a specific type of waste/salvage use in which an engineered apparatus is used to burn waste substances and in which all the combustion factors, temperature, retention time, turbulence and combustion air, can be controlled.

Effective on: 5/5/2025

Industrial Activity shall mean an activity subject to Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

Effective on: 5/5/2025

Infill or Redevelopment shall mean an area of platted or unplatted land that, together with all adjacent vacant land in private ownership, includes no more than 20 acres of land, and where the land along at least 75 percent of the boundaries of the proposed development (ignoring intervening streets) has been developed.

Effective on: 5/5/2025

Inert Material Disposal Site shall mean any placement in an excavation or on top of the ground of dirt, gravel, rock, asphalt, slag, brick, concrete, cinders and any other type of noncombustible materials in accordance with the regulations set forth in this LDC except for any such placement of materials approved by the department of community development for use in conjunction with a change in elevation for development of the site. Inert Material is defined in C.R.S. § 25-15-101(14).

Effective on: 5/5/2025

Injection Well shall mean any Class II wells used for the exclusive purpose of injecting fluids or gas from the surface for enhanced oil recovery or the disposal of E&P Wastes.

Effective on: 5/5/2025

Inoperable Vehicle shall mean a vehicle which is not awaiting disposition instructions as a result of a collision and: does not display current license plates from any state registered to the vehicle; is visibly damaged, wrecked, dismantled, in serious disrepair, deteriorating (rusting/rotting), or missing major components; or is being salvaged, parted out, prepared for crushing, shredding or scraping. Notwithstanding the foregoing, neither special interest vehicles nor vehicles undergoing reasonably active restoration shall be considered an inoperable vehicle.

Effective on: 5/5/2025

Invasive Species means plants that are not native to the state and that:

- are introduced into the state accidentally or intentionally;
- have no natural competitors or predators in the state because the state is outside of their competitors' or predators' range; and
- have harmful effects on the state's environment or economy or both.

Effective on: 5/5/2025

J

Junk shall mean any discarded or scrap lumber, metals, materials, furniture, fixtures, appliances, motor vehicle parts or tires; wrecked, abandoned, demolished, dismantled or non-operable machinery and trailers; goods that are so worn or deteriorated as to make them unusable in their existing condition for the purpose intended when first made or assembled; and goods that are extracted, disassembled or removed in parts and left in a condition not capable of use for the purpose intended when first made or assembled.

Effective on: 5/5/2025

Junk Yard shall mean a building, structure or parcel of land or portion thereof, used for the collecting, dismantling, storage, salvaging, demolition or sale of junk as defined in this LDC.

Effective on: 5/5/2025

K

Kennel shall mean any establishment or parcel of property upon which a person engages in the business of boarding, housing, breeding, training, trading, buying or selling dogs, cats, or any other domesticated animal. The term kennel shall not include pet stores, doggie day care centers, or any boarding facility operated by a veterinarian as part of a veterinary practice.

Effective on: 5/5/2025

Kindergarten shall mean any facility providing an educational program for children only for the year preceding their entrance to the first grade, whether such facility is called a kindergarten, nursery school, preschool, or is called by any other name. The term shall not include any facility licensed as a foster family home under the provisions of this LDC.

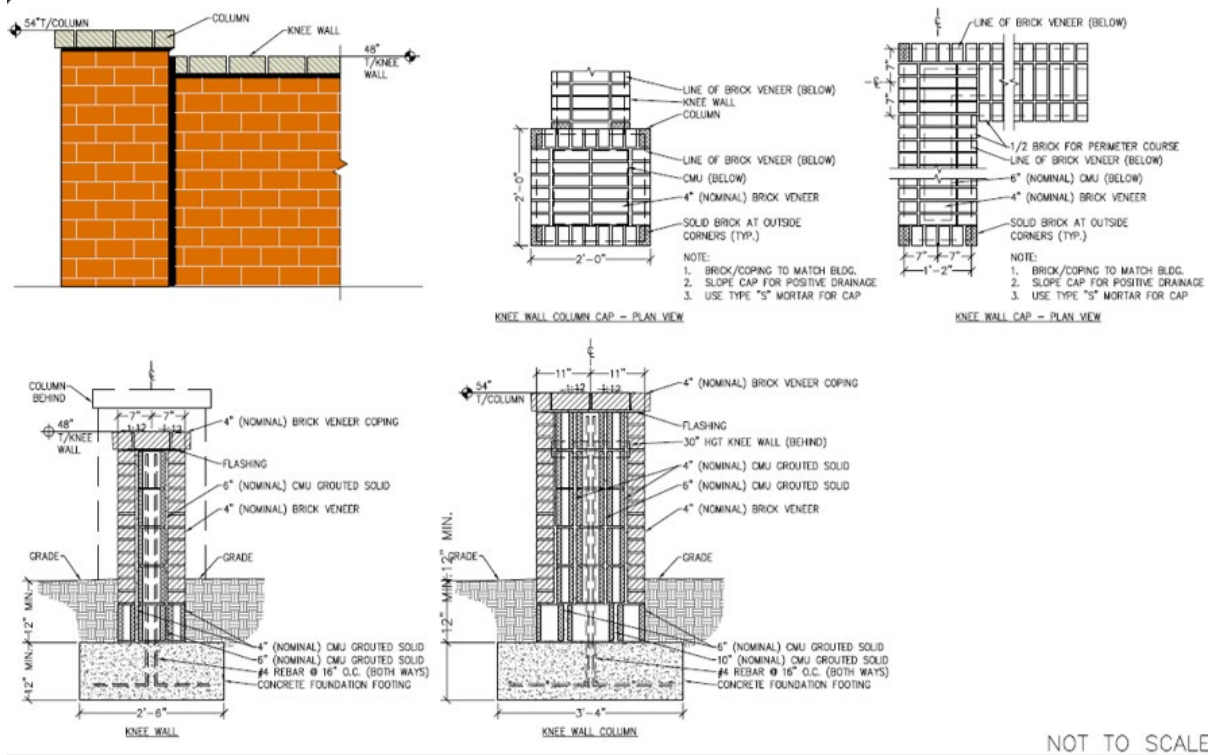
Effective on: 5/5/2025

Kiosk shall mean a freestanding structure upon which temporary information and/or posters, notices and announcements are posted.

Effective on: 5/5/2025

Knee Wall shall mean a masonry wall that is in 20-foot segments, is three to four feet in height, and has columns that are three and one-half to four and one-half feet in height and that separate each segment.

Knee Wall Example



Effective on: 8/18/2025

L

Land Unsuitable for Development shall mean the following areas

- Unique and/or fragile areas, including wetlands;
- Areas within the 100-year floodplain;
- Steep slopes in excess of 25 percent, as measured over a 20-foot horizontal interval, and other unstable ground;
- Buffer zones at least 75 feet wide along all US Geological Survey (USGS) perennial and intermittent streams;
- Habitats for or populations of endangered or threatened wildlife, as identified on federal or state lists;
- Historically significant structures and sites, as listed on federal, state, city, or county lists of historic places;
- Archaeological sites, cemeteries, and burial grounds; and
- Any land that, in the opinion of the Community Development Director, consists of areas with adverse topography, adverse soils, subsidence of the earth surface, high water table, periodic flooding, lack of water, or other natural or man made hazards to life.

Effective on: 5/5/2025

Landfill shall mean a disposal site or facility employing an engineered method of disposing of solid waste, including demolition and construction debris. For purposes of this code, the term landfill shall also apply to any solid waste disposal site and facility or any type of hazardous waste disposal site and facility.

Effective on: 5/5/2025

Landfill, Construction/Demolition or Solid Waste shall mean a disposal site for metal, plastic, glass, concrete, asphalt, brick, wood, dirt, and limited amounts of paper products if such paper is an integral part of materials used for construction purposes.

Effective on: 8/18/2025

Landscaping shall mean aesthetic improvements using natural and manmade materials. Landscaping areas may also include, by way of example but not by way of limitation, the following: Basketball courts, pools, tennis courts, playgrounds or similar recreational areas or uses.

Effective on: 5/5/2025

Landscaping Materials shall mean, but not be limited to trees, shrubs, vines and plants of all descriptions (excluding weeds and other unkempt vegetation) and other materials and treatments such as stone, mulches, and other non-living landscape materials.

Effective on: 5/5/2025

Letter of Map Revision Based on Fill (LOMR-F) shall mean FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.

Effective on: 8/18/2025

Lift Station shall mean a part of a wastewater collection system in which a wet well collects sewage flows from gravity lines (lines that move sewage in a downward direction using the force of gravity) and is then pumped (through a pressurized "force main") to a higher elevation so that it can be released into another gravity line and ultimately flow to a wastewater treatment plant. See also Wastewater Treatment Plant.

Effective on: 5/5/2025

Light Manufacturing and Assembly shall mean product assembling or mixing, where previously processed components or manufactured parts produced off-site are fitted together into a complete machine or blended together to form a non-combustible and non-explosive product.

Effective on: 5/5/2025

Light Trade and Technical Uses shall mean the fabrication, assembly, packaging, or repair, rental, or servicing of any commodity, the sale of which is permitted within the subject zoning district.

Effective on: 5/5/2025

Linear Corridor shall mean habitat patches that are longer than they are wide and that connect isolated habitats with each other and thus allow movement and dispersal between of species habitats.

Effective on: 5/5/2025

Liquor Store shall mean a state-licensed, retail establishment selling packaged alcoholic liquors (including beer, wine, and spirituous liquors) for consumption off-site. Liquor store does not include restaurants, taverns, or bars.

Effective on: 5/5/2025

Limited Equipment Rentals shall mean the rental of equipment primarily intended for individual use and minor residential gardening and construction projects. This use category does not include the rental, storage, or maintenance of large construction equipment. Such vehicles are restricted to the broader use category of vehicle/equipment sales and rentals.

Effective on: 5/5/2025

Live-Work shall mean buildings, or spaces within buildings, that are used principally for residential purposes where a commercial use may occupy up to, but not exceeding, 49 percent of the net living area. One full-time equivalent, non-resident employee may work for the commercial business.

Effective on: 5/5/2025

Livestock shall mean animals commonly regarded as farm animals, including but not limited to, cattle, horses, goats, llamas, ostriches, and sheep, but excluding pet animals such as rabbits, poultry, and domestic fowl.

Effective on: 5/5/2025

Living Plant Material Coverage shall mean the covering of raw ground or bare dirt with living landscape materials at a growth size of 2/3 maturity, such as shrubs, groundcovers, perennials, vines and all plants of all descriptions (excluding weeds or other unkempt vegetation).

Effective on: 5/5/2025

Local Government Designee (LGD) shall mean the office or person designated to receive, on behalf of the local government, copies of all documents required to be filed with the local government designee pursuant to these rules.

Effective on: 8/18/2025

Local Street shall mean a street which has the primary function of providing access to abutting property and which does not normally carry through traffic.

Effective on: 5/5/2025

Lodging Establishment shall mean an establishment, building, or premises with more than 20 sleeping rooms where lodging is offered for compensation.

Effective on: 5/5/2025

Lodging, Extended Stay shall mean a lodging establishment offering suites with living, kitchen, and sleeping areas.

Effective on: 8/18/2025

Lot shall mean a unit of subdivided land occupied or designed to be occupied by a primary use or building or a group of such buildings and accessory buildings. Unless the context clearly indicates otherwise, use of the term "lot" in this LDC includes the term "virtual lot."

Effective on: 8/18/2025

Lot, Corner shall mean a lot abutting upon two or more streets at their intersection or upon two parts of the same street and where, in either case, the interior angle formed by the intersection of street lines does not exceed 135 degrees.

Effective on: 8/18/2025

Lot, Double Frontage shall mean a lot that runs through a block from street to street and which has two non-intersecting sides abutting on two or more public streets. The required setbacks from each street shall comply with the zoning requirements of the respective district.

Effective on: 8/18/2025

Lot, Flag shall mean a lot not meeting minimum frontage requirements and where the access to the public or private road is by a narrow private right-of-way or driveway, also known as a flagpole.

Effective on: 8/18/2025

Lot Width. Sec. 21-11110, *Measurements*.

Effective on: 8/18/2025

Lot, Interior shall mean a lot which is not a corner lot and has only one street frontage.

Effective on: 8/18/2025

Lot Line. See Property Line.

Effective on: 5/5/2025

Lot Line Adjustment shall mean a change in lot or parcel boundaries that does not create additional lots or parcels.

Effective on: 5/5/2025

Lot Pin shall mean a solid steel pin established to provide for the accurate location of platted property lines.

Effective on: 5/5/2025

Lot of Record shall mean a lot that is part of an approved plat, the map of which has been recorded in the office of the Adams County Clerk and Recorder.

Effective on: 5/5/2025

Lot, Reversed Corner shall mean a corner lot the side street of which is substantially a continuation of the front lot line of the first lot to its rear.

Effective on: 8/18/2025

Lowest Floor shall mean the floor of the lowest enclosed area (including basement) in a structure. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood insurance Program regulations.

Effective on: 5/5/2025

M

Machinery shall mean an assemblage of parts that transmit forces, motion, and energy one to another in a predetermined manner. This term shall also include a mechanically, or electronically operated device for performing a task.

Effective on: 5/5/2025

Maintenance shall mean the routine recurring work required to keep a building, equipment, or commodity in such a condition that it may be continuously utilized at its original or designed capacity and efficiency for its intended purpose.

Effective on: 5/5/2025

Mansard Roof shall mean a roof with at least two slopes on any side with the tower slope steeper than the upper one(s). The deck line is the top edge of the lower slope.

Effective on: 5/5/2025

Manufacturing shall mean the process, assembly, fabrication, production, construction or other preparation of a raw material product or component part of a product to make, create or process towards or into a finished product. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales.

Effective on: 5/5/2025

Mapped Flooding Source shall mean either the profile baseline or mapped hydrographic feature identified on an effective FEMA Flood Insurance Rate Map.

Effective on: 5/5/2025

Marijuana Business shall mean any medical marijuana business and any retail marijuana business.

Effective on: 8/18/2025

Marijuana Membership Club shall mean an organization and its premises operating on a membership basis for the promotion of interests of the members including the smoking or other consumption of medical or retail marijuana or marijuana products.

Effective on: 5/5/2025

Marijuana Store shall have the meaning ascribed to it in state law.

Effective on: 8/18/2025

Marquee shall mean a shelter projecting from and supported by the exterior wall of a building constructed of rigid materials on a supporting framework. A marquee is distinguished from an awning in that an awning is covered with non-rigid material. A marquee is distinguished from a canopy in that a marquee is cantilevered, whereas a canopy is supported by posts or other devices beyond the building wall.

Effective on: 5/5/2025

Massage Therapy Facility shall mean a facility that is operated for the purpose of providing massages. This does not include any type of adult business.

Effective on: 5/5/2025

Material Piles shall mean outdoor storage of loose materials in piles, e.g. construction aggregate piles (sand, gravel, crushed stone, recycled concrete or asphalt, etc.) and landscape material piles (topsoil, compost, mulch, etc.), in heights that exceed the limit allowed for regular outdoor storage. This definition specifically excludes scrap metal, salvage, garbage, debris, refuse, as well as any landfill approved by the City and the state of Colorado.

Effective on: 5/5/2025

Material Resource Recovery Facility (MRRF) shall mean a facility used to collect, sort, and consolidate recyclable materials including computers, paper, paperboard, glass, plastic, and aluminum, for use as raw material to produce new items at other locations, including interim facilities. This activity may include incidental storage, office, and maintenance facilities.

Effective on: 8/18/2025

Maximum Extent Feasible shall mean that no feasible and prudent alternative exists, and that all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining maximum extent feasible.

Effective on: 5/5/2025

Mean Sea Level shall mean for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Effective on: 5/5/2025

Median shall mean that portion of a divided street or highway separating the traveled ways for traffic in opposite directions.

Effective on: 5/5/2025

Medical or Dental Clinic or Office shall mean a building or portion of a building containing the offices and associated facilities of one or more practitioners providing medical or dental services for outpatients only, with or without shared or common spaces and equipment.

Effective on: 5/5/2025

Medical Marijuana Business shall have the meaning to it ascribed by state law.

Effective on: 8/18/2025

Medical Marijuana Product Manufacturer shall have the meaning ascribed to it by state law.

Effective on: 8/18/2025

Microbrewery shall mean an establishment where malt liquors are manufactured and packaged on or off premises, manufacturing more than 5,000 but less than 60,000 barrels of malt liquor on its licensed premises each calendar year.

Effective on: 5/5/2025

Micro Cell shall include "micro wireless facility" and shall be defined by C.R.S. 29-27-402(3.5) as currently exists and as may be amended from time to time.

Effective on: 5/5/2025

Micro-winery shall mean a business that manufactures 5,000 to 10,000 cases of vinous liquors per year.

Effective on: 5/5/2025

Mineral Estate Owner shall mean the owner or lessee of minerals located under a surface estate that are subject to an application for development.

Effective on: 5/5/2025

Mining shall mean the development or extraction of a mineral from its natural occurrences on affected land. The term includes, but is not limited to: open mining and surface operation and the disposal of refuse from underground and in-situ mining. The term includes the following operations on affected lands: transportation concentration; milling; evaporation; and other processing. The term does not include: the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe or the extraction of geothermal resources.

Effective on: 5/5/2025

Mini-Storage and Warehouse shall mean an establishment primarily offering individualized enclosed storage spaces for rent or lease to the general public, including self-storage and mini-storage facilities. This term excludes establishments where the primary use is outdoor vehicle storage.

Effective on: 8/18/2025

Minor Accessory Structure shall mean a detached accessory structure that is less than or equal to 120 square feet in area and less than or equal to 8 feet in height. If it exceeds either threshold of size or height it defers to the appropriate table.

Effective on: 5/5/2025

Mixed Use, Horizontal shall mean a development that contains both commercial and residential uses that share common features, that may include, but is not limited to, parking, access, building design features, or common open or amenity space.

Effective on: 8/18/2025

Mixed Use, Vertical shall mean a building that contains both commercial and residential uses with permitted nonresidential uses on the first floor and permitted residential uses on the upper floors.

Effective on: 8/18/2025

Mixed Use Development shall mean a single building containing residential and non-residential uses comprised of commercial/retail or industrial.

Effective on: 5/5/2025

Mixed Use Planning Area shall mean a land use designation within a Planned Unit Development that must contain two or more uses including commercial, industrial, and residential. Any mixed use planning area shall require the lesser use to comprise at least 25 percent of the total planning area.

Effective on: 8/18/2025

Mobile Home shall mean any wheeled vehicle, exceeding 8 feet in width or 32 feet in length, including towing gear and bumpers, with or without motor power, built on a permanent chassis designed for residential occupancy, and containing complete electrical, plumbing, and sanitary facilities designed for installation in a permanent or semi-permanent manner without a permanent foundation that is capable of being drawn over public highways by a motor vehicle. Modular homes shall not be considered mobile homes. For the purpose of interpretation of this LDC, mobile home shall not include travel trailers, camping trailers, truck campers, and motor homes, as licensed and/or defined by the state of Colorado when used or designed to be used as a dwelling as provided in this definition.

Effective on: 5/5/2025

Mobile Home Park shall mean a parcel of land which has been planned and approved for the placement of more than one mobile home, occupied for dwelling, sleeping, or storage purposes for transient and/or non-transient use and sometimes termed a trailer court, trailer camp, or trailer park.

Effective on: 5/5/2025

Mobile Home Zoning District shall mean land within the corporate limits of the City that has been zoned for the use and operation of mobile homes and mobile home parks.

Effective on: 5/5/2025

Mobile Office Structure shall mean a factory-fabricated, transportable building that is designed to arrive at a site ready for occupancy, except for minor unpacking, anchoring, and connection to utilities, and designed for removal to and installation at other sites.

Effective on: 5/5/2025

Mobile Storage Container shall mean a sealed, contained mini-mobile storage used for the purpose of temporary storage of goods and materials, excluding roll-off trash collection containers.

Effective on: 5/5/2025

Model Home shall mean a dwelling representative of other dwellings offered for sale or lease, or to be built in an area of residential development within the City. A model home is used for the sole purpose of selling similar units within the same development and used for this purpose only until all developments are sold.

Effective on: 5/5/2025

Monopole Tower shall mean a structure designed and constructed to support antenna or antennas for the purpose of providing telecommunications services and which consists solely of a stand-alone ground mounted support pole, pipe, or other solid structure. A monopole tower shall not include any tower supported or attached to guy or support wires. A monopole tower is not a lattice tower.

Effective on: 5/5/2025

Motor Court shall mean a shared private accessway that provides individual driveway access to single-unit dwellings or duplexes from a public street and that does not connect to another public street.

Effective on: 8/18/2025

Motor Freight shall mean truck-transported commercial, manufacturing, governmental, or residential goods to their destination, be it a retail outlet or to an individual customer.

Effective on: 5/5/2025

Movie or Other Theater shall mean a facility charging admission to the general public for the privilege of observing a live, televised, or motion picture performance indoors.

Effective on: 5/5/2025

MS4 shall mean the municipal separate storm sewer system.

Effective on: 8/18/2025

Mulch shall mean non-living matter, such as bark chips, chipped wood products, pole shavings, stone and any approved like-materials customarily used in landscape for the purpose of retaining soil-moisture, retarding weed growth, and stabilizing soils.

Effective on: 5/5/2025

Multi-Well Site shall mean, as it relates to Oil and Gas Operations, a common well pad from which multiple wells may be drilled to various bottomhole locations.

Effective on: 5/5/2025

Museum shall mean a profit or non-profit, commercial or non-commercial establishment operated as a repository for a collection of nature, scientific, or literary curiosities, objects of interest, or works of art, not including the regular sale or distribution of the objects collected.

Effective on: 5/5/2025

MUTCD shall mean the Manual of Uniform Traffic Control Devices.

Effective on: 8/18/2025

N

NAICS shall mean the North American Industry Classification System as published by the U.S. Census Bureau.

Effective on: 8/18/2025

Native Seed shall mean any live landscaping, including dryland grasses and vegetation, but not including weeds capable of growing in the local environment without supplementary watering once established.

Effective on: 5/5/2025

Natural Medicine shall have the meaning ascribed to it in Title 12, Article 170 of Colorado Revised Statutes.

Effective on: 8/18/2025

Natural Medicine Cultivation Facility shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Effective on: 8/18/2025

Natural Medicine Healing Center shall have the meaning ascribed to in Title 44, Article 50 of Colorado Revised Statutes.

Effective on: 8/18/2025

Natural Medicine Manufacturer shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Effective on: 8/18/2025

Natural Medicine Testing Facility shall have the meaning ascribed to in Title 44, Article 50 of Colorado Revised Statutes.

Effective on: 8/18/2025

Nature Preserve shall mean an outdoor facility that preserves or protects a critical environmental feature or other natural feature and that may or may not be open to the public.

Effective on: 5/5/2025

Non-Combustible shall mean a building construction material which, in the form in which it is used, is either one of the following:

Non-combustible does not apply to surface finish materials. Material required to be non-combustible for reduced clearances to flues, heating appliances, or other sources of high temperature shall refer to material conforming to paragraph (a) above. No material shall be classified as non-combustible which is subject to increase in combustibility or flame-spread rating beyond the limits herein established, through the effects of age, moisture, or other atmospheric conditions.

Effective on: 5/5/2025

Nonconformity shall mean any use, sign, structure, building, or lot that was legally established prior to the effective date of this LDC or any subsequent amendment, but that fails by reason of such adoption, revision, or amendment, to conform to all the current requirements of this LDC.

Effective on: 5/5/2025

Non-Stormwater Discharge shall mean any discharge to the storm drain system that is not composed entirely of stormwater.

Effective on: 5/5/2025

Nursery shall mean a retail establishment selling plants and garden supplies in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only. Stock in trade shall be comprised primarily of live plant material, with hardscape materials such as railroad ties, boulders, landscape gravel, and crushed rock limited to a relatively small percentage of sales.

Effective on: 5/5/2025

Nursing Home shall mean a state-licensed group living facility regulated as a skilled nursing facility, as defined in C.R.S. § 26-4-103(11).

Effective on: 5/5/2025

Nursing or Medical School shall mean a tertiary educational institution or professional school that teaches medicine or nursing, and awards a professional degree for physicians or nurses.

Effective on: 5/5/2025

O

O.C. shall mean on center, which means the distance between the midpoints of two objects such as trees, light poles, signs, etc.

Effective on: 8/18/2025

Obstruction shall mean any development, stockpile, refuse or matter in, along, across or projecting into any floodplain which might impede, retard or change the direction of a flow of water, either by itself or by catching or collecting debris carried by such floodwater.

Effective on: 5/5/2025

Off-Street Loading shall mean a site or portion of a site that is not located in a dedicated public right-of-way devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Effective on: 5/5/2025

Off-Street Parking shall mean an area, other than a street or alley, designed or used primarily for the temporary parking of vehicles.

Effective on: 5/5/2025

Office shall mean establishments providing executive, management, administrative, or professional services, including medical or dental services, but not involving the sale of merchandise, except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, doctor, dentist, out-patient medical laboratories, architecture, design, engineering, accounting, and similar offices.

Effective on: 5/5/2025

Office Flex shall mean a type of development designed to be versatile, which may be used in combination with office (corporate headquarters), research and development, quasi-retail sales, wholesale operations, and including but not limited to craft manufacturing, warehouse, and distribution uses.

Effective on: 5/5/2025

Oil and Gas shall mean oil or gas, or both oil and gas.

Effective on: 5/5/2025

Oil and Gas Facility shall mean equipment, buildings, structures, or improvements associated with or required for the operation of a well site, pipeline, or compressor facility. Facilities include, but are not limited to, well sites, production facilities, production sites, treatment facilities, access roads, well pads, tank batteries, pits, and flowlines.

Effective on: 5/5/2025

Oil and Gas Location shall mean a definable area where an operator has disturbed or intends to disturb the land surface in order to locate and Oil and Gas Facility.

Effective on: 5/5/2025

Oil and Gas Permit shall mean any permit issued by the City that allows an Operator to conduct Oil and Gas Well operations

Effective on: 8/18/2025

Oil and Gas Well shall mean a hole drilled into the earth for the purpose of exploring for or extracting oil, gas, or other hydrocarbon substances.

Effective on: 5/5/2025

Oil and Gas Operation shall mean exploration for oil and gas, including the conduct of seismic operations and the drilling of test bores; the siting; drilling; deepening, completion recompletion, reworking, or abandonment of an oil and gas well or gas storage well; production operations related to any such well including the installation of flowlines and gathering systems; the generation, transportation, storage and treatment of oil and gas; any construction, site preparation, or reclamation activities associated with such operations; and any Oil and Gas well facility, Oil and Gas well site or location, production site or other facility, site or location upon or within which any of the foregoing are conducted, operated, installed, constructed, generated treated or located.

Effective on: 5/5/2025

One-Hundred-Year Flood. See Base Flood.

Effective on: 5/5/2025

Operator shall mean, as it relates to Oil and Gas Operations, any person who exercises the right to control the conduct of oil and gas operations or applies for an Oil and Gas Permit.

Effective on: 5/5/2025

Open Space or Amenity Space shall mean any parcel or area of land or water set aside, dedicated, or reserved for public or private use and enjoyment including recreational, scenic, environmental, social, or civic purposes. Open or amenity space includes the types of space established in Division 4.8, *Open or Amenity Space*.

Effective on: 5/5/2025

Optional Premises Cultivation Operation shall have the meaning ascribed to it by state law.

Effective on: 5/5/2025

Ore Dump or Elevator shall mean a depository of barren rock from a mine and ore that was rejected as too poor to ship to a mill.

Effective on: 5/5/2025

Organized Event shall mean any organized activity, specifically including, but not limited to, a circus, carnival, fair, flea market, special celebration, or other temporary activity not identified above which reasonably may be expected to attract more than 50 persons at any one time, or which otherwise may reasonably be expected to increase the risk of:

- Damage to public or private property, beyond normal wear and tear;
- Injury to persons;
- Public or private disturbances or nuisances;
- Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;
- Significant additional police, fire, trash removal, maintenance, or other public services demands; or
- Other significant adverse effects upon the public health, safety, or welfare.

The term Organized Event shall not include any activity sponsored in whole or in part by the City or another political subdivision of the State of Colorado or any organized activities conducted at public sites or public facilities typically intended and used for such activities. Examples of such exempt activities include, but are not necessarily limited to:

- Sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities;
- Park shelter rental, wedding services conducted at reception halls or similar facilities;
- Funeral services conducted at funeral homes or cemeteries; or
- Religious services, wedding services, and funeral services conducted at places of worship.

Furthermore, the term Organized Event shall not include activities occurring within or upon the grounds of a private residence, or upon the common areas of multi-unit residential development.

Effective on: 5/5/2025

Ornamental Grass shall mean those types of grasses that grow in clumps and do not spread to form a continuous mat, as do turf-grasses. Bunch grasses and other, taller, more decorative types, may be considered ornamental grasses when grown as accents, in conjunction with other plants, in larger bed-plantings.

Effective on: 5/5/2025

Ornamental Tree shall mean a tree, typically 15- to 20-feet tall at maturity, which is planted for its decorative value, perhaps in screening applications rather than for shading purposes. Ornamental trees are usually deciduous, but may include shortgrowing conifers such as upright junipers, pinion- and bristle-cone pines.

Effective on: 5/5/2025

Outdoor Display shall mean the unenclosed display or sale of finished products actively available for sale. This definition includes, but is not limited to, lawn equipment, storage sheds, plants, propane tanks, ice machines, and similar items. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which are considered outdoor storage.

Effective on: 5/5/2025

Outdoor Sales Event shall mean the outdoor sale of goods for a short-term event and includes tent and parking lot sales, hail damage repair, sidewalk sales, and similar uses, but specifically excludes residential garage or yard sales, roadside stands, flea markets, and farmers' markets.

Effective on: 5/5/2025

Outdoor Seasonal Sale shall mean the use of a site for Christmas tree lots, pumpkin patches, and other similar holiday uses.

Effective on: 5/5/2025

Outdoor Seasonal Sale shall mean tent and parking lot sales consisting of trees, shrubs, plants, and other seasonal garden supplies. In addition, lawn equipment, bicycles, and other similar playground equipment shall be regulated under this section. This section shall not apply to residential garage or yard sales, roadside stands, flea markets, or farmers' markets.

Effective on: 5/5/2025

Outdoor Storage shall mean the placement of materials, stock, supplies, shipping containers, mobile storage containers, machines, operable vehicles, equipment, manufacturing materials, or chattels of any nature that are not kept in a structure having at least four walls and a roof, for a continuous period of 24 hours or more. Outdoor storage shall not include:

- (a) Items for the general public such as new and used cars, recreational vehicles, boats, landscape stock or related materials, or rental automobiles where such items are permitted for sale in the district in which they are located;
- (b) Outdoor parking of motor vehicles regularly used in connection with the operation of an establishment or parked for less than 48 hours for maintenance;
- (c) The storage of wrecked or inoperable vehicles.

Effective on: 5/5/2025

Overlay Zoning District shall mean a zoning district superimposed over the underlying zoning district which places further restrictions upon land uses. Developments within the overlay zoning district shall conform to the requirements of both zones.

Effective on: 5/5/2025

Owner shall mean any person with fee title to the parcel of land or with a contract to obtain fee title to the parcel of land.

Effective on: 5/5/2025

Owner's Agent shall mean the person designated by the owner to be the agent.

Effective on: 8/18/2025

P

Parapet shall mean an extension of the main walls of a building above the roof level, often used to shield or screen roof top mechanical equipment and vents.

Effective on: 5/5/2025

Parcel shall mean a plot of land of any size that may or may not be subdivided or improved.

Effective on: 5/5/2025

Park shall mean a public-owned parcel of land, with or without improvements, set apart for the recreation of the public.

Effective on: 5/5/2025

Park, Private shall mean land within or related to a development, not individually owned or dedicated for public use but generally owned and maintained by a homeowner's association, that is designed and intended for the common use or enjoyment of the residents of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate. Private parks may include trail areas, gardens, scenic areas, buffer areas, pools, tennis courts, playgrounds, and clubhouses.

Effective on: 5/5/2025

Parking Area shall mean a site or portion of a site devoted to the parking of motor vehicles including parking spaces, aisles, access drives, and landscaped areas.

Effective on: 5/5/2025

Parking Garage shall mean a permanent structure that is enclosed on all four sides and consists of one or more levels and is primarily dedicated to providing temporary parking or storage of operable vehicles to the general public, regardless of whether or not there is a fee.

Effective on: 5/5/2025

Parking Lot shall mean an area used for the purpose of temporary, daily, or overnight storage of vehicles, which is not located in a dedicated public right-of-way, a travel lane, a service drive, or any easement for public ingress or egress.

Effective on: 5/5/2025

Parking, Head-In shall mean a parking space that is perpendicular to or at a minimum of a one-degree angle from the abutting public street, access easement, or drive aisle. Such spaces are designed and established so that the front of the vehicle faces into the narrower dimension of the parking space and the rear license plate is visible from and facing into the public street, access easement, or drive aisle.

Effective on: 8/18/2025

Parking, Shared shall mean joint use of a parking lot or area for more than one principal use.

Effective on: 5/5/2025

Pawn Shop shall mean a retail sales establishment where a pawnbroker regularly engages in or solicits business.

Effective on: 5/5/2025

Perimeter Control shall mean a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

Effective on: 5/5/2025

Permitted Use shall mean a use allowed in a zoning district either as a Use-by-Right, a Use-by Permit, or as a Conditional Use.

Effective on: 5/5/2025

Philanthropic Institution shall mean an entity whose mission is to provide monetary, technical assistance, or other items of value for religious, charitable, scientific, literary, or educational purposes.

Effective on: 5/5/2025

Pit shall mean, as it relates to Oil and Gas Operations, a subsurface earthen excavation (lined or unlined), or open top tank, used for oil or gas exploration or production purposes for retaining or storing substances associated with the drilling or operation of oil and gas wells. Pits may include drilling pits, production pits, reserve pits and special purpose pits as defined in ECOMC Rules.

Effective on: 8/18/2025

Plane shall mean any vertical surface, or the projection to a vertical plane of an inclined or curved surface, or wall of a structure that when viewed in elevation, incorporates no overhangs, off-sets, projections, decks, ramadas, loggias, or similar architectural features that would produce shadow patterns or otherwise serve to visually blend the structure into its natural background. If a window or door projects or recedes a minimum of 12 inches, either may be considered as providing visual relief.

Effective on: 5/5/2025

Planned Unit Development (PUD) shall mean a zone district designation for a tract of land controlled by one or more landowners, which is developed under a plan for either residential, commercial/retail, industrial, public, agricultural, open space or recreational uses, or a combination thereof.

Effective on: 8/18/2025

Planning Area shall mean a land use designation within a Planned Unit Development that outlines future land uses.

Effective on: 8/18/2025

Plat shall mean a map that defines the subdivision of land and commonly shows lots, blocks, streets, and other features relevant to the development of the property.

Effective on: 5/5/2025

Playground shall mean a public area that includes playground equipment for use by children, benches and picnic tables, and informal play areas. A playground may be located within a park.

Effective on: 5/5/2025

Plaza shall mean an open space that may be improved and landscaped, usually surrounded by streets or buildings.

Effective on: 5/5/2025

Plugging and Abandonment shall mean, as it relates to Oil and Gas Operations, the cementing of a well, the removal of its associated production facilities, the removal or abandonment in-place of its flowline, and the remediation and reclamation of the well site.

Effective on: 5/5/2025

Pole, for the purposes of telecommunications contexts, shall include "pole structure" and "tower" and shall be defined by C.R.S. 29-47-402(6.5) as currently exists and as may be amended from time to time.

Effective on: 5/5/2025

Pole Construction shall mean a type of construction for a building that is typically used for the storage of equipment, materials, product, livestock, or crops and is usually constructed of wooden or metal support poles and beams which serve as the primary support for the roof and walls.

Effective on: 5/5/2025

Pollutant shall mean and include, but not limited to, paints, varnishes, solvents; oil and other automotive, non-hazardous liquid, solid wastes, and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects; floatables; pesticides, herbicides and fertilizers; hazardous substances or wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from construction of a building or structure; and noxious or offensive matter of any kind.

Effective on: 5/5/2025

Pool Hall shall mean a facility wherein the principal use or activity is billiards, pool, or snooker, regardless of the number of billiard, pool or snooker tables.

Effective on: 5/5/2025

Porch shall mean a covered or uncovered entrance with vertical supporting members on a foundation, not including walls.

Effective on: 5/5/2025

Post Office shall mean a facility designated or licensed by the federal government to sell U.S. postage stamps and U.S. postal products and accept mail and packages for delivery.

Effective on: 5/5/2025

Premises shall mean any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

Effective on: 5/5/2025

Primary Caregiver shall have the same meaning as that ascribed to it in C.R.S. § 25-1.5-106(2)(d.5).

Effective on: 5/5/2025

Primary or Principal Entrance shall mean the place of ingress and egress used most frequently by the public.

Effective on: 5/5/2025

Primary Residence shall mean the dwelling unit in which a person resides for nine or more months of the calendar year. Under this definition, a person has only one primary residence at a time.

Effective on: 5/5/2025

Primary Use shall mean a use of property or a building that is the predominant or general use. This term shall also mean the use that would regularly encompass, at a minimum, 75 percent of the floor space of a building.

Effective on: 5/5/2025

Principal Use shall mean a use of property or a building that is the predominant or general use. This term shall also mean the use that would regularly encompass, at a minimum, 75 percent of the floor space of a building.

Effective on: 5/5/2025

Private Bus Station shall mean any premise used for the loading and unloading of passengers on non-governmental motor driven buses. The premise may also include ticket purchasing facilities or the storage or parking of buses.

Effective on: 5/5/2025

Private Road shall mean every road or driveway not owned by the City.

Effective on: 5/5/2025

Processing shall mean subjecting to some special treatment, to prepare for the market, to convert into marketable form, to make usable, marketable, or the like.

Effective on: 5/5/2025

Production shall mean the making of goods available for human wants.

Effective on: 5/5/2025

Production Site shall mean, as it relates to Oil and Gas Operations, the surface area immediately surrounding proposed or existing production equipment, or other accessory equipment necessary for oil and gas production activities, including the fenced, walled, or enclosed area of the facility during the production phase, exclusive of transmission and gathering pipelines. Production Site is synonymous with the ECMC's definition of "working pad surface".

Effective on: 8/18/2025

Property Line or Lot Line shall mean the legally described boundary line that indicates the limits of a parcel, tract, lot, or block for the purpose of delineating ownership and setback requirements. Unless the context clearly indicates otherwise, use of the term "lot line" in this LDC includes the term "virtual lot line."

Effective on: 8/18/2025

Property Line or Lot Line, Corner means a side lot line that abuts a public street.

Effective on: 8/18/2025

Property Line or Lot Line, Front means a lot line separating a lot from a street right-of-way.

Effective on: 8/18/2025

Property Line or Lot Line, Rear means a lot line that is opposite and most distant from the front lot line, but which does not abut a public street. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.

Effective on: 8/18/2025

Property Line or Lot Line, Side means a lot line other than a front or rear lot line, but which does not abut a public street.

Effective on: 8/18/2025

Property (or Home) Owners' Association shall mean a private, non-profit corporation or property owners for the purpose of owning, operating, and maintaining various common properties and facilities (except that as this definition relates to a condominium project, the property owners' association does not own the common property/facilities, it operates and maintains them on behalf of the condominium owners).

Effective on: 8/18/2025

Protected Land and Habitat shall mean areas that shall be preserved to the maximum extent feasible:

- Existing healthy, native forests of at least one contiguous acre;
- Individual, existing healthy trees greater than eight inches caliper;
- Other significant natural features and scenic view sheds such as ridge lines, peaks, and rock outcroppings, particularly those that can be seen from public roads; and
- Agricultural lands that are identified in the Comprehensive Plan.

Effective on: 5/5/2025

Public shall mean for the benefit of, or devoted to, the people as a whole or the community at large.

Effective on: 5/5/2025

Public Building shall mean any building held, used, or controlled exclusively for public purposes by any governmental entity, without reference to the ownership of the building or of the realty upon which it is situated.

Effective on: 5/5/2025

Public Hearing shall mean a meeting that is noticed in accordance with the terms of this LDC and at which the public is given an opportunity to speak.

Effective on: 5/5/2025

Public Improvements shall mean rights-of-way, easements, access rights, and physical improvements that are accepted by the City in writing and that become the responsibility of the City for ownership, maintenance, and repair. Unless otherwise provided by this LDC, public improvements include by are not limited to the following: curb and gutter, asphalt pavement, concrete pavement, streets of all types, alleys, survey monuments, pavement striping, sidewalks, pedestrian/bike paths and trails, landscaping, traffic signals, street lights, highways, greenways, medians, bridges, acceleration and deceleration lanes, culverts, storm drainage facilities including necessary structures, channels, and all other improvements, which upon acceptance by the City, are intended to be for the use of and enjoyment of the public.

Effective on: 5/5/2025

Public Notice shall mean the advertisement in a newspaper, posting of the property, and/or the mailing of written notice.

Effective on: 5/5/2025

Public Sewer and Water Facilities shall mean those sewer and water facilities of a municipality or special district authorized by Title 32 of the Colorado Revised Statutes.

Effective on: 5/5/2025

Public Utility shall mean improvements, which include gas lines, water mains, sanitary storm sewerage, electrical cables and lines, telephone cables and lines, telecommunication facilities and lines, or other facilities of a similar nature.

Effective on: 5/5/2025

Public Water Supply Well shall mean a well or system of wells that provide water via piping or other constructed conveyances for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days each year.

Effective on: 5/5/2025

PUD. see Planned Unit Development.

Effective on: 5/5/2025

PUD Concept Schematic shall mean a generalized land use or site plan for an area proposed to be included within a PUD district.

Effective on: 5/5/2025

PUD Permit shall mean the permit which contains a detailed plan for either all or a portion of a planned unit development which authorizes the applicant to apply for a building permit.

Effective on: 5/5/2025

PUD Zone Document shall mean the PUD land use application which establishes entitlements for property including allowable land use and bulk standards.

Effective on: 5/5/2025

Pump Island shall mean a narrow, slightly raised pad of concrete or similar material, which serves as a base for gasoline pumps at a service station.

Effective on: 5/5/2025

Q

Quarry shall mean a place where rock, ore, stone, sand, and similar materials are excavated for sale or for off-site use.

Effective on: 5/5/2025

R

Race Track (Animal) shall mean a public or private racing facility, that is used for the racing of animals with competition against the clock or other animals.

Effective on: 8/18/2025

Race Track (Vehicle) shall mean a public or private racing facility, paved or unpaved, and that is used by vehicles, including but not limited to bicycles, automobiles, motorcycles, or any other motorized vehicles with competition against the clock or other vehicles.

Effective on: 8/18/2025

Railroad Right-of-Way shall mean a strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

Effective on: 5/5/2025

Railroad Terminal shall mean a facility used for the transfer of passengers and freight to other modes of transportation.

Effective on: 5/5/2025

Railroad Yard shall mean an area used for storage by an establishment engaged in rail services.

Effective on: 5/5/2025

Real Estate Agents, Brokers, and Management shall mean an office that employs licensed professionals who represent buyers, sellers, property owners, and lessees in real estate transactions. It includes any administrative support staff or managers also employed at the location.

Effective on: 8/18/2025

Real Estate Office (Temporary) shall mean the use of an office or model home for the purpose of selling or leasing new homes incidental to a new development.

Effective on: 8/18/2025

Reclamation shall mean, as it relates to Oil and Gas Operations, the process of returning or restoring the surface of disturbed land as nearly as practicable to its condition prior to the commencement of oil and gas operations or as required by Operator's approved interim and final reclamation plans.

Effective on: 5/5/2025

Recreation or Amusement, Private shall mean any use or development providing amusement, pleasure, or sport, which is not operated or owned by a governmental entity and is operated or carried on primarily for financial gain.

Effective on: 8/18/2025

Recreation or Amusement, Public shall mean any use or development providing amusement, pleasure, or sport, which is owned or operated by a governmental entity.

Effective on: 8/18/2025

Recreational Trail shall mean a thoroughfare or track across land or snow or along water, used for recreational purposes such as bicycling, cross-country skiing, hiking, equestrian activities, jogging, or similar leisure activities.

Effective on: 5/5/2025

Recreational Vehicle shall mean a vehicle that is:

- (a) Built on a single chassis;
- (b) Four hundred-square feet or less when measured at the largest horizontal projections;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Effective on: 5/5/2025

Recycling shall mean the action or process of converting waste into reusable material.

Effective on: 5/5/2025

Recycling Collection Facility means a bin or other weather-tight container enclosed with a door or lid for the acceptance by donation, redemption, or purchase of recyclable material for transshipment to a recycling center, or an industrial processing facility.

- A small recycling collection facility does not occupy a permanent building and does not contain the processing activities of a large recycling facility.
- A large recycling collection facility may occupy a permanent structure, may also accept used motor oil in accordance with applicable health and safety regulations, and may include such power-driven light processing including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material.

Effective on: 5/5/2025

Refuse Transfer Facility shall mean any facility that accepts garbage, trash, rubbish, debris and other types of discarded or waste materials for the purposes of collection, temporary storage, or transfer to other locations for disposal.

Effective on: 5/5/2025

Religious Institution shall mean structures or places in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. Accessory uses include school facilities, parking, caretaker's housing, pastor's housing, and group living facilities such as convents. Examples include churches, temples, synagogues, and mosques.

Effective on: 5/5/2025

Rental Services shall mean a retail establishment that rents to the general public merchandise, such as furniture, appliances, and similar goods that are housed inside a building.

Effective on: 5/5/2025

Repair shall mean the non-routine process of restoring by replacing a part or putting together what is torn or broken. This term shall also mean the non-routine process of restoring to a sound and serviceable state through correction of a specific failure or unserviceable condition.

Effective on: 5/5/2025

Repair and Normal Maintenance shall mean with regard to a nonconforming structure or portion or a structure containing a nonconforming use, work done during any 1-year period on ordinary repairs, or on repair and replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding 10 percent of the current replacement cost of the nonconforming structure, or portion of structure, and provided that the cubic content existing when it became nonconforming is not increased.

Effective on: 5/5/2025

Replacement Mobile Home shall mean a mobile home unit entering any mobile home park within the City; and any mobile home that is moved to another space within the mobile home park.

Effective on: 5/5/2025

Research, Development, Testing Laboratories shall mean research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing or sale of products. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration, or similar pollution standards as specified herein.

Effective on: 8/18/2025

Residential, Multi-Unit Dwelling shall mean a dwelling or dwellings, or portion thereof, designed for or occupied by three or more families living independently of each other. Multi-family dwelling includes townhouse dwellings, and apartment/condominium buildings in which the individual dwelling units are typically located one over the other.

Effective on: 8/18/2025

Residential, Single-Unit shall refer to single-family attached / duplex and single-family detached dwellings, collectively.

Effective on: 8/18/2025

Residential, Two-Unit Dwelling / Duplex shall mean a dwelling containing two attached dwelling units, located side-by-side and totally separated from each other by an unpierced wall extending from ground to roof designed exclusively for occupancy by two families living independently of each other.

Effective on: 8/18/2025

Residential, Single-Unit Dwelling shall mean a detached (free-standing and surrounded on all sides by open areas or yards) dwelling designed exclusively for occupancy by one family.

Effective on: 8/18/2025

Resort shall mean a set of buildings and uses that shall include overnight accommodations, restaurants, and indoor and outdoor entertainment.

Effective on: 5/5/2025

Restaurant, Conventional shall mean an eating/drinking establishment where the principal business is the sale of food and beverages in a ready-to-consume state where beer, wine, spirits, and other liquors may be produced on the premises as an accessory use. A conventional restaurant may have a drive-through and pick-up window for orders that are phoned in or ordered online; however, customers shall not place orders on-site and outdoor menu boards are not located on-site. A restaurant with a drive-through or pick-up window for orders placed on-site is considered a fast food restaurant.

Effective on: 5/5/2025

Restaurant, Drive-Through shall mean an eating/drinking establishment that provides a drive-through and pick-up facility for placing and receiving orders and may be either: (1) a free-standing operation; or (2) a non-free-standing operation incorporated into a building within which one or more other compatible and complimentary uses exist, and whose principal business is typically the sale of pre-prepared or rapidly prepared food to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes two or more of the following characteristics:

- (a) The elimination, in whole or in part, of table service, thus requiring customers to place orders at a counter where the orders are filled;
- (b) The food is usually served in edible containers or in paper, plastic, or other disposable containers;
- (c) The facilities for on premises consumption of food are insufficient for the volume of food sold by the restaurant; or

Effective on: 5/5/2025

Retail Establishment shall mean establishments that sell, lease, or rent consumer, home, and business goods, but excluding merchandise/retail uses classified or defined more specifically in this LDC (e.g., convenience stores and restaurants). Typical uses include department stores, furniture stores, clothing stores, and establishments providing the following products or services: antiques, art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, hardware, home improvements, household products, jewelry, pet food, pharmaceuticals, printed material, sporting goods, stationary, and videos; and new automotive parts and accessories (excluding service and installation).

Effective on: 5/5/2025

Retail Marijuana Cultivation Facility shall have the meaning ascribed to it by state law.

Effective on: 5/5/2025

Retail Marijuana Product Manufacturer shall have the meaning ascribed to it by state law.

Effective on: 5/5/2025

Retail Marijuana Store shall have the meaning ascribed to it by state law.

Effective on: 5/5/2025

Retail Marijuana Testing Facility shall have the meaning ascribed to it by state law.

Effective on: 5/5/2025

Retaining Wall shall mean a structure designed to resist the lateral displacement of soil or other materials in order to protect property and/or prevent erosion.

Effective on: 5/5/2025

Right-of-Way shall mean land devoted to or over which people and goods have the right to pass or travel (e.g., roads, streets, pedestrian walkways, bicycle paths and alleys).

Effective on: 5/5/2025

Road Impact Fee Study shall mean a study prepared for and on behalf of the City to determine road impacts generated by new development.

Effective on: 5/5/2025

Roadside Produce Stand shall mean the use of property for the purpose of selling seasonal goods which were raised upon the premises.

Effective on: 5/5/2025

Roadside Stand shall mean a temporary structure used primarily to sell products produced on the property.

Effective on: 5/5/2025

Roadway shall mean that portion of a street or highway improved, designed, or ordinarily used for vehicular travel, including the shoulder.

Effective on: 5/5/2025

Rock Climbing Wall shall mean a feature at a sports center or in a gymnasium fitted with attachments to simulate a rock face for climbing practice.

Effective on: 5/5/2025

Rodeo Grounds shall mean an arena where rodeos and other equestrian sports take place.

Effective on: 5/5/2025

S

SACWSD shall mean the South Adams County Water and Sewer District.

Effective on: 8/18/2025

Salvage Yard shall mean a building, structure, parcel of land, or portion thereof, where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation; or any land, building, or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition.

Effective on: 5/5/2025

School, Commercial shall mean a structure or group of structures where instruction is given to pupils in arts, religion, crafts, philosophy, or trades, and is operated as a commercial enterprise.

Effective on: 5/5/2025

School shall mean a public or private educational establishment for children between kindergarten and 12th grade.

Effective on: 5/5/2025

Scrap Yard shall mean an establishment where materials are collected in bulk quantities for use as raw material to produce new items at other locations, or dismantled for wholesale use or direct sale to the public. This classification excludes collection of household recyclable materials and vehicle salvage.

Effective on: 5/5/2025

Scrap Tire Facility shall mean a tire that is no longer used for its original purpose.

Effective on: 5/5/2025

Screening shall mean a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Effective on: 5/5/2025

Sediment Control shall mean BMPs that prevent eroded sediment from leaving the site.

Effective on: 5/5/2025

Seismic Operations shall mean, as it relates to Oil and Gas Operations, all activities associated with acquisition of seismic data including but not limited to surveying, shothole drilling, recording, shothole plugging and reclamation.

Effective on: 5/5/2025

Self-Service Storage shall mean a nonresidential building, portion of building, or group of buildings with defined storage space or units rented to and accessible to the public for the storage of household and personal property. These facilities shall have all units contained within that building(s) and all units having an access door from an interior hallway. For purposes of this code, commercial indoor self-storage facility shall not mean the same use as mini-storage and warehouse.

Effective on: 5/5/2025

Semi-Trailers. See Trailer

Effective on: 5/5/2025

Senior Center shall mean a building or part of a building used as a place of meeting, recreation, or social activity for persons 55 or older that is operated as a nonprofit.

Effective on: 5/5/2025

Sensitive Edge shall mean the space where a higher density or intensity zoning district or building type abuts a lower density or intensity district or building type. For example, the sensitive edge provisions would apply to a building in the C-2 District where it abuts the CC District or where a Live-Work Building abuts a Multi-Unit Dwelling.

Effective on: 5/5/2025

Service Lateral shall mean the electrical, communications, cable television wiring, coaxial, or fiber optic or other utility line connections between the provider's distribution system and system termination at the point of consumer use.

Effective on: 5/5/2025

Service Station shall mean any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels; minor towing, servicing, and repair of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. Body and fender work, transmission work, engine overhaul work, or heavy truck or vehicle repair are excluded from this use. If a use that fits this definition also includes the sale of ready-to-eat food products (not intended for on-premises consumption), groceries and sundries, or 3.2 beer, such use shall be classified as a convenience store as provided above.

Effective on: 5/5/2025

Sexually-Oriented Business shall mean a business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical uses. These uses include, but are not limited to, an adult bookstore, adult video store, and adult motion picture theater.

Effective on: 5/5/2025

Shade Structure shall mean gazebos, arbors, or pergolas that are not attached to a principal structure but may be attached to an accessory structure. Shade structure shall not include carports.

Effective on: 5/5/2025

Shade Tree shall mean a tree, over 15- to 20-feet tall at maturity, that is deciduous and planted for its wider canopy, higher bottom-branch scaffold and shading value, and does not include conifers or evergreens of any kind.

Effective on: 5/5/2025

Shelter, Emergency shall mean an immediate and temporary place for individuals and families without a home to stay that provides support services and short-term stabilization.

Effective on: 8/18/2025

Short-Term Rental shall mean the provision of lodging services within a single-unit detached or duplex dwelling unit, for compensation, to a person or persons for periods of less than 30 days, but excludes Bed and Breakfast Establishments and other Overnight Accommodations uses. Short-term rental does not include rental of a dwelling unit for meetings such as luncheons, banquets, parties, weddings, fundraisers, or other similar gatherings for direct or indirect compensation.

Effective on: 8/18/2025

Shrub shall mean a long-lived deciduous, evergreen, or coniferous woody plant, typically multi-stemmed and having a mature height of between 3 and 15 feet and does not include perennials.

Effective on: 5/5/2025

Sidewalk shall mean that portion of a public right-of-way adjacent to lateral property lines intended for the use of pedestrians.

Effective on: 5/5/2025

Sight Triangle shall mean a triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Effective on: 5/5/2025

Sign shall mean any advertising device, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing or placing of a structure on any land or on any other structure, or produced by painting on or posting or placing any painted, lettered, pictured, figured or colored material on any building, structure or surface.

Effective on: 5/5/2025

Sign, A-Frame or Sandwich Board shall mean a non-wheeled movable advertising or business ground side constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top, with each angular face held at an appropriate distance by a supporting member. These signs shall not be secured or attached to the ground or surface upon which it is located.

Effective on: 8/18/2025

Sign, Awning shall mean a sign painted or printed on and attached flat against the surface of an awning.

Effective on: 8/18/2025

Sign, Cabinet shall mean a sign with text or symbols printed on a plastic or acrylic sheet that is mounted on a box or cabinet that houses the lighting source and equipment.

Cabinet Sign Example



Effective on: 8/18/2025

Sign, Canopy shall mean either:

- In the case of a pedestrian canopy sign, a sign painted or printed on and attached flat against the surface of an canopy; or
- In the case of a vehicular canopy sign, a sign affixed to a fuel sales canopy.

Effective on: 8/18/2025

Sign, Channel Letter shall mean a sign with three-dimensional individually-cut graphics, letters, numbers, or symbols that are each internally lit or are in front of the light source, creating a "halo" effect.

Channel Letter Sign Examples



Effective on: 8/18/2025

Sign, Display shall mean either:

- In the case of wall-mounted display signs, a sign that displays information; or
- In the case of vehicular-oriented display signs, a sign erected in conjunction with a use that incorporates a drive-thru or drive in generally used to provide service or product options and pricing for customers in a vehicle.

Effective on: 8/18/2025

Sign, Electronic Message Center shall mean a sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. These signs contain text and/or numbers only. No images, pictures, or videos are allowed.

Effective on: 8/18/2025

Sign Face shall mean the surface of a sign upon, against, or through which the advertising message is displayed or illustrated, excluding the necessary supports or uprights on which such sign is placed.

Effective on: 5/5/2025

Sign, Freestanding shall mean any single- or double-faced sign affixed to a free standing supporting pole, or poles, or structure, imbedded in, and extending upward from the ground.

Effective on: 8/18/2025

Sign, Identification shall mean a sign indicating the name of an allowed use, the name or address of a building, or the name of the management thereof.

Effective on: 8/18/2025

Sign, Ideological shall mean a sign which does not propose a commercial transaction but, instead, involves only the expression of ideas or beliefs.

Effective on: 8/18/2025

Sign, Illuminated shall mean a sign designed to give forth any artificial light or reflect such light from an artificial source.

Effective on: 8/18/2025

Sign, Directional shall mean an on-premise sign, which gives direction, instructions, or facility information and does not contain the name or logo of an establishment or contain any advertising copy, e.g. parking, exit, or entrance signs.

Effective on: 8/18/2025

Sign, Low-Profile shall mean any single- or double-faced sign affixed to the ground, of which all the structural supporting members must be concealed.

Effective on: 8/18/2025

Sign, Off-Premise shall mean a sign advertising goods or services not provided on the property upon which the sign is located.

Effective on: 8/18/2025

Sign, Projecting shall mean a sign attached to and extending more than 12 inches beyond the exterior wall of a building or structure so that the sign face is generally perpendicular to the exterior wall.

Effective on: 8/18/2025

Sign, Temporary shall mean any sign intended and used for temporary public notification and/or promotion of activities which generally include, but are not limited to: open houses, public benefits, grand openings, special sales/promotions, development projects (project signs), and similar activities of a temporary nature.

Effective on: 8/18/2025

Sign, Wall shall mean a sign that is either painted on or affixed in some way to an exterior wall of a building or structure and that projects not more than 12 inches from the wall and presents only one sign face.

Effective on: 8/18/2025

Sign, Window shall mean a sign that is painted on, affixed to, or designed to be visible through a window, excluding displays of merchandise.

Effective on: 8/18/2025

Site Plan shall mean the proposed layout of a lot showing all elements of the site development as well as utility and drainage lines, and existing and proposed buildings, structures, trees, and vegetation.

Effective on: 5/5/2025

Site Specific Development Plan shall mean any of the following applications, if designated by the applicant as a site specific development plan for the establishment of vested property rights according to C.R.S. § 24-68-103, when approved by the City. The site-specific development plan shall describe with reasonable certainty the type and intensity of use proposed for a specific parcel or parcels of property. Site specific development plans include the following:

Effective on: 5/5/2025

Skating Rink shall mean an indoor or outdoor expanse of ice artificially made for ice skating, or a floor used for roller skating.

Effective on: 5/5/2025

Small Cell shall include "small cell facility" and shall be defined by C.R.S. 29-27-402(4) as currently exists and as may be amended from time to time.

Effective on: 5/5/2025

Social Service Organization - Facility shall mean a building in which support and assistance are provided to particular groups of people, which commonly include vulnerable populations.

Effective on: 8/18/2025

Social Service Organization - Office shall mean a building or portion of a building in which the managerial and administrative functions of a Social Service Organization - Facility take place.

Effective on: 8/18/2025

Solar Energy Collection System shall mean any mechanical device or structure used to collect, transfer, and/or store solar radiant energy generally including, but not limited to, the following: solar collectors, Trombe walls, greenhouses, or other devices, but not including south-facing windows in which solar radiant energy does not reach an acceptable storage medium.

Effective on: 5/5/2025

Solar Panel Array shall mean a solar energy system that is mounted on a rack or pole that rests or is attached to the ground or that is mounted on a rack that is fastened to or ballasted on a structure roof. A large Solar Panel Array is defined as 850 square feet or more in area. A small Solar Panel Array is defined as 850 square feet or less in area.

Effective on: 5/5/2025

Solid Waste shall mean any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, air pollution control facility, or other discarded material; including solid, liquid, semisolid, or contained gaseous material resulting from industrial operations, commercial operations, or community activities. Solid waste does not include any solid or dissolved materials in domestic sewage, or agricultural wastes, or solid or dissolved materials in irrigation return flows, or industrial discharges which are point sources subject to permits under the provisions of the Colorado Water Quality Control Act, Title 25, Article 8, C.R.S. or materials handled at facilities licensed pursuant to the provisions on Radiation Control Act in Title 25, Article 11, C.R.S. Solid Waste does not include: (1) materials handles at facilities licensed pursuant to the provisions on radiation control in Article 11 of Title 25, C.R.S.; (2) excluded scrap metal that is being recycled; or (3) shredded circuit boards that are being recycled.

Effective on: 5/5/2025

Solid Waste Disposal shall mean the storage, treatment, utilization, processing, or final disposal of solid wastes.

Effective on: 5/5/2025

Solid Waste Disposal Site shall mean the location at which the deposit and final treatment of solid wastes occur.

Effective on: 5/5/2025

Soup Kitchen shall mean a public or charitable institution that, as an integral part of the normal activities of the institution, maintains an established operation to provide food to persons in need on a regular basis.

Effective on: 5/5/2025

Special Flood Hazard Area shall mean that area designated on the flood insurance rate map as subject to a one percent or greater chance of flooding in any given year.

Effective on: 5/5/2025

Stabilization shall mean the use of practices that prevent exposed soil from eroding.

Effective on: 5/5/2025

Standard Zoning Districts shall mean the following zoning districts, and shall be collectively referred to as standard zoning districts.

Effective on: 5/5/2025

Standards and Specifications shall mean the Engineering Construction Standards and Specifications of the City.

Effective on: 8/18/2025

Stone shall mean any rock material that may fall under further sub-classification such as river rock, cobble, flagstone, boulders, and others contained in the Approved Plant List and Landscaping Specifications document. Any stone material used in landscape applications must be of at least 3/4-inch diameter or cross-section. Squeegee and road-base are not acceptable materials within the definition of stone.

Effective on: 5/5/2025

Stockyard shall mean a site for services involving the temporary keeping of livestock for slaughter, market, or shipping.

Effective on: 5/5/2025

Storm Drainage System shall mean facilities by which stormwater is collected or conveyed including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, or other drainage structures.

Effective on: 5/5/2025

Stormwater shall mean any runoff consisting entirely of water from any form of natural precipitation. See also Storm Drainage System.

Effective on: 8/18/2025

Stormwater Management Plan (SWMP) shall mean a document that describes the best management practices and activities to be implemented by a person or business to identify sources of discharges to stormwater, stormwater conveyance systems and/or receiving waters to the maximum extent practicable.

Effective on: 8/18/2025

Street shall mean a dedicated public or non-dedicated private thoroughfare that affords the principal means of access to abutting property.

Effective on: 5/5/2025

Street, Private shall mean a local street that is not dedicated or accepted for public use or maintenance which provides vehicular and pedestrian access to more than one property, business, or dwelling unit.

Effective on: 8/18/2025

Street, Public shall mean a street owned and maintained by a unit of government within an officially dedicated and accepted right-of-way to provide vehicular and pedestrian access.

Effective on: 8/18/2025

Structure shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Effective on: 5/5/2025

Subdivision shall mean the division by plat of a lot, tract, or parcel of land. The term shall also include and refer to any division of land subdivided or platted prior to the effective date of this LDC.

Effective on: 5/5/2025

Substance Abuse Treatment Facility, Inpatient Residential shall mean structures and land used for the treatment of alcohol or other drug abuse where one or more patients are provided with care, meals, and lodging.

Effective on: 8/18/2025

Substance Abuse Treatment Facility, Outpatient Clinic shall mean structures and land used for the treatment of alcohol or other drug abuse where neither meals nor lodging is provided.

Effective on: 8/18/2025

Substantial Improvement shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

Effective on: 5/5/2025

Substation shall mean any facility designed to provide switching, voltage transformation, or voltage control required for the transmission of electricity at 115 kilovolts or more, and any addition thereto increasing the existing design capacity.

Effective on: 5/5/2025

Subsurface Disposal Facility shall mean a facility or system for disposing of water or other oil field wastes into a subsurface reservoir or reservoirs.

Effective on: 5/5/2025

Subsurface Extraction shall mean the process of removing resources from deep underground, using tunnels and shafts to reach deposits.

Effective on: 5/5/2025

Summer Season shall mean May 15 to October 31. The Community Development Director may extend the summer season based on seasonal conditions.

Effective on: 5/5/2025

Surety shall mean any form of security including cash deposit, surety bond, property, or instrument of credit in an amount and form satisfactory to the Community Development Director.

Effective on: 5/5/2025

Surface Owner shall mean any person owning all or part of the surface of land upon which oil and gas operations are conducted, as shown by the tax records of the county in which the tract of land is situated, or any person with such rights under a recorded contract to purchase.

Effective on: 5/5/2025

Surface Use Agreement shall mean an agreement or contract between an Operator and the owner of real property addressing property interests or property use in relation to a specific location for a Well, Multi-Well Site, Production Facility, pipeline or any other Oil and Gas Facility.

Effective on: 5/5/2025

Survey Monument shall mean metal pin monuments located in the ground at all points on streets, alleys, or boundary lines where there is a change in direction or curvature.

Effective on: 5/5/2025

Swimming Pool (Public and Private) shall mean a water-filled enclosure or splash pad constructed for swimming or wading, swimming, or water-oriented recreation. A public swimming pool is constructed for use by the general public for swimming or wading, swimming, or water-oriented recreation, including those operated as a business and those constructed and maintained by the City. A private swimming pool is constructed for use by the residents and guests of a single household, a multi-family development, a subdivision, the members and guests of a club, or the patrons of a hotel or motel.

Effective on: 8/18/2025

T

Tank shall mean, as it relates to Oil and Gas Operations, a stationary vessel that is used to contain fluids, constructed of non-earthen materials (e.g., concrete, steel, plastic) that provide structural support.

Effective on: 5/5/2025

Tank Battery shall mean an area where one or more tanks have been placed for the purpose of storing and managing produced fluids received from wells for oil and gas purposes or resulting from the treatment of produced fluids. Included also would be associated fluid processing equipment such as separators and heater treaters.

Effective on: 5/5/2025

Tasting Room shall mean an area devoted to the sampling, and sales thereof, of wine or beer produced on or off premises.

Effective on: 5/5/2025

Telecommunication Facility shall mean any facility established for the purpose of providing wireless transmission of voice, data, images or other information including but not limited to cellular telephone service, personal communication service, and paging service for any reason other than communicating with employees of that particular business. A telecommunication facility can consist of one or more antennas and telecommunication accessory equipment.

Effective on: 8/18/2025

Telecommunication Facility, Accessory Equipment shall mean equipment, including buildings and cabinets, used to protect and enable operation of radio switching equipment, back-up power and other devices, but not including antennas that are necessary for the operation of a telecommunication facility.

Effective on: 8/18/2025

Telecommunication Facility, Concealed shall mean any monopole or building mounted telecommunications facility that blends into the surrounding environment in a visually unobtrusive manner through disguise as a non-telecommunications structure or architectural feature.

Effective on: 8/18/2025

Telephone Exchange shall mean a building that is used exclusively for the transmission and exchange of telephone signals.

Effective on: 5/5/2025

Television or Radio Transmission Tower shall mean a structure set up for the purpose of transmitting and receiving radio and television signals.

Effective on: 8/18/2025

Temporary shall mean a period of time under one year, unless otherwise specified in this LDC.

Effective on: 5/5/2025

Temporary Use shall mean a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Effective on: 5/5/2025

Tennis or Pickleball Facility shall mean an indoor establishment where the general public may come to play tennis, racquetball, and similar sports.

Effective on: 5/5/2025

Thrift Store shall mean a store that derives the majority of its sales from donated previously used merchandise such as clothing, furniture, appliances, household goods, sporting goods, recreational equipment, or other merchandise not considered to be antique.

Effective on: 5/5/2025

Tire Store shall mean a business where the principal use is the sale or installation of new, used, or retread tires or tubes. Any land or structures with a primary or principal use of tire collection, reduction, or transfer shall not be considered a tire store.

Effective on: 5/5/2025

Tower shall mean any structure that is designed and considered primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

Effective on: 5/5/2025

Tower, Lattice shall mean a tower or structure designed and constructed primarily to support antenna or antennas and comprised of interconnected poles, pipes, bars, beams, strips, wires or cross-members. A lattice tower shall include any type or form of tower that incorporates guy or supporting wires. A lattice tower is not a monopole tower.

Effective on: 8/18/2025

Towing Service shall mean the business of transporting, towing, or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

Effective on: 5/5/2025

Tractor Trailer shall mean the vehicle formed by combining a trailer and a truck-tractor.

Effective on: 5/5/2025

Tract shall mean a unit of subdivided land not occupied or designed to be occupied by a primary building, such as open space or drainage.

Effective on: 5/5/2025

Trail shall mean a publicly or privately owned or maintained path system open to the public, intended for non-motorized transportation such as walking, jogging, or biking, including trailheads. Trailheads may include parking lots, drinking fountains, restrooms, picnic shelters, and related signage and monumentation.

Effective on: 5/5/2025

Trailer (including semi-trailers) shall mean a non-motorized vehicle that is pulled by a motorized vehicle for the purpose of transporting equipment, commodities, or for similar purposes.

Effective on: 5/5/2025

Trampoline Park shall mean any place of business that operates for the purpose of offering the recreational use of a trampoline court for a fee.

Effective on: 5/5/2025

Transfer Facility shall mean a facility or site at which the exchange or deposit of material is made for ultimate transfer and disposal elsewhere.

Effective on: 5/5/2025

Transit Oriented Development (TOD) shall mean developments within a half mile radius of a transit station. TODS are planning and design strategies that allow increased density by reducing automobile use, encouraging transit ridership and encourages a walkable community.

Effective on: 5/5/2025

Transportation Terminal shall mean a facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. Unlike Distribution Centers, these establishments commonly utilize a cross-dock facility and may also include the accessory uses of warehouse, storage or parking or trucks awaiting cargo, as well as facilities for the light servicing of trucks. Included in this definition would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Postal Service, other than a traditional post office.

Effective on: 5/5/2025

Travel Agency and Ticket Sales shall mean an agency that makes the necessary arrangements for travelers, especially the booking of airline tickets and hotel rooms.

Effective on: 5/5/2025

Treatment Facility shall mean, as it relates to Oil and Gas Operations, any plant, equipment or other works used for the purposes of treating, separating or stabilizing any substance produced from a well.

Effective on: 5/5/2025

Tree Canopy shall mean the horizontal extension of a tree's branches in all directions from its trunk.

Effective on: 5/5/2025

Tree Lawn shall mean a landscaped strip of land located between the curb line, or lateral line of the roadway, and the front edge of a sidewalk.

Effective on: 5/5/2025

Tree Pit shall mean the initial hole where a tree is planted that is designed so that roots may leave the tree pit to obtain water and nutrients.

Effective on: 5/5/2025

Truck shall mean a motorized vehicle of greater than one-ton carrying capacity with two or more axles, including tractor-trailer combinations and buses; or any vehicle equipped with a body designed to carry property over the public highways and generally and commonly used for such transport of cargo rather than passengers. This term shall also include truck-tractors, trailers, semi-trailers when used in combination, but excludes two-axle, four-tired vehicles that may be classified as a truck for registration purposes, but which have operating characteristics similar to those of a passenger car.

Effective on: 5/5/2025

Truck Repair shall mean the process or operation of repairing trucks, including major work on engines or transmissions.

Effective on: 5/5/2025

Truck Stop shall mean any property on which a business involving the maintenance, servicing, storage or repair of commercial vehicles of greater than 15,000 gross vehicle weight (GVW) is conducted, including the dispensing of motor fuel or other petroleum products directly into motor vehicles; and the sale of accessories or equipment for such commercial vehicles. A truck stop may also include overnight accommodations and restaurant facilities.

Effective on: 5/5/2025

Truck, Trailer Sales and Service shall mean an establishment or area for the purpose of trailer and truck sales, service, and repair.

Effective on: 8/18/2025

Truck-Tractors shall mean a motorized vehicle with two or more axles that is used to pull a trailer for purposes of carrying property over the public highways and generally and commonly used for such transport of cargo rather than passengers. Truck-tractors may be operated in combination with, or separate from, a trailer.

Effective on: 5/5/2025

Turf-Grass shall mean continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions which, when regularly mowed, form a dense growth of leaf blades and roots.

Effective on: 5/5/2025

U

Underlying Zone District shall mean a base zone district that is affected by an overlay district.

Effective on: 5/5/2025

University or College shall mean a community college, college, university, seminary, language school, business school, and comparable advanced or continuing education facilities.

Effective on: 5/5/2025

Unstable Materials shall mean materials, other than explosives, which in the pure state or as commercially-produced will vigorously polymerize, decompose, condense, or become self-reactive and undergo other violent chemical changes, including explosion, when exposed to heat, friction or shock, or in the absence of an inhibitor or in the presence of contaminants or in contact with non-compatible materials.

Effective on: 5/5/2025

Upper Story Residential shall mean a dwelling unit located on the second floor or higher of a building with nonresidential uses located on the ground or street level.

Effective on: 5/5/2025

Urgent Care shall mean an establishment that provides unscheduled, ambulatory walk-in care outside of a hospital emergency room.

Effective on: 5/5/2025

Usable Land shall mean all land in the subdivision (including private streets and oil and gas sites) except floodplains, public right-of-way dedications, commercial sites, industrial sites, public school sites, public library sites, police station sites, fire station sites, and public parks, trails, and recreation facilities.

Effective on: 5/5/2025

Use shall mean any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Effective on: 5/5/2025

Use Variance shall mean a variance authorizing the property to be used for a purpose prohibited by this LDC, as distinguished from a variance in lot area, yard size, building height, or other dimensional bulk requirements. Use variances are prohibited.

Effective on: 5/5/2025

Utilities shall mean a category of uses containing major or minor infrastructure that serves a site, a development, or the City at large. Major Utilities include public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site personnel. Minor Utilities include public or private infrastructure serving a limited area with no on-site personnel.

Major Utilities consist of public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity, possibly having on-site personnel, and include:

Electrical substation; Electric generation plant; Solar panel array (large scale); Telecommunication tower; Water or wastewater treatment plant; and Other uses that the Administrator interprets to be functionally similar to a use in this use type.

Minor Utilities consist of public or private infrastructure serving a limited area with no on-site personnel and include:

Collocated telecommunication antenna; Public or municipally owned utilities; Solar panel array (small scale); Stormwater retention or detention facility; Telephone exchange; and other uses that the Administrator interprets to be functionally similar to a use in this use type.

Effective on: 5/5/2025

Utility Lines shall mean all electrical, communication, cable television wiring, coaxial, fiber optic, water, sewer, natural gas, or other such physical system connections.

Effective on: 5/5/2025

Vacation shall mean the termination of or termination of interest in an easement, right-of-way, or public dedication of land.

Effective on: 5/5/2025

Variance shall mean a deviation from specific standards contained in this LDC.

Effective on: 5/5/2025

Vehicle/Equipment Sales and Rentals shall mean repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boards, including the sale, installation, and servicing of related equipment and parts. This use includes auto repair shops, body and fender shops, wheel and brake shops, and tire sales and installation. This use excludes junk yards, vehicle dismantling or salvage, and tire retreading or recapping.

Effective on: 8/18/2025

Vehicle Servicing, Major shall mean the complete repair of automobiles, motorcycles, and ~~light~~ trucks that may include body repair, fender work, or engine repair. ~~In no case shall major vehicle repair include repair of heavy equipment or trucks.~~

Effective on: 5/5/2025

Vehicle Servicing, Minor shall mean the limited repair of automobiles, motorcycles, and light trucks that may include tune-ups, brakes, mufflers, automobile glass replacement, and other minor repair customarily done in service stations, but in no case shall minor vehicle repair include auto/truck body and fender work or repair of heavy equipment or trucks.

Effective on: 5/5/2025

Vehicle Storage shall mean the storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreational vehicles. Vehicle storage includes only the storage of operable vehicles.

Effective on: 5/5/2025

Vertical Growing Structure shall mean a permanent structure used to encourage the vertical growing of plants. Traditional examples include arbors and trellis.

Effective on: 5/5/2025

Vested Property Rights shall mean the right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan.

Effective on: 5/5/2025

Veterinarian Clinic or Office shall mean an establishment that provides medical treatment and care to animals, and which may include temporary or overnight boarding of animals that are recuperating from treatment.

Effective on: 8/18/2025

Virtual Lot means a potential lot created by virtual lot lines demarcated on a Virtual Lot Plan to demonstrate conformance with this LDC, without the act of legal subdivision.

Effective on: 8/18/2025

Virtual Lot Line means potential lot lines shown on a Virtual Lot Plan to demonstrate conformance with this LDC. Virtual lot lines do not require an act of legal subdivision.

Effective on: 8/18/2025

W

Waste shall mean a material, substance, or byproduct eliminated or discarded as no longer useful or required after the completion of a process.

Effective on: 5/5/2025

Wastewater Treatment Plant shall mean a facility, or group of facilities, used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes; and facilities used for the storage and distribution of potable and gray water to customers. Includes sewage treatment plants.

Effective on: 5/5/2025

Watchman's Quarters, Night shall mean a dwelling unit located on the same premises as a principal use, which unit is occupied or intended for occupancy by a caretaker employee or owner of said establishment.

Effective on: 8/18/2025

Water Bodies shall mean reservoirs, lakes, perennial or seasonally flowing rivers, streams, creeks, springs, irrigation ditches, aquifers, and wetlands.

Effective on: 5/5/2025

Water Purification Plant shall mean that portion of a public water system which treats or improves the physical, chemical or bacteriological quality of the system's water to bring the water into compliance with state board of health standards.

Effective on: 5/5/2025

Water Supply System shall mean the City's reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, and other surface facilities and systems constructed or installed for the collection, impoundment, storage, transportation, or distribution of drinking water. It includes water pump stations, water purification plants, water storage, and all other components used by the City in the collection, treatment, and distribution of drinking water.

Effective on: 5/5/2025

Watercourse shall mean any body of water, including but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by the City or Mile High Flood District.

Effective on: 5/5/2025

Water Surface Elevation shall mean the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Effective on: 5/5/2025

Waterway shall mean a channel that directs surface runoff to a watercourse or to the public storm drain. See also Water Supply System.

Effective on: 5/5/2025

Weed shall mean any herbaceous plant which, due to height, smell, appearance, or injurious nature, has a blighting influence.

Effective on: 5/5/2025

Welding or Machine Shop shall mean a workshop where machines, machine parts, or other metal products are fabricated. Typical uses include machine shops, welding shops, and sheet metal shops.

Effective on: 8/18/2025

Well shall mean, as it relates to Oil and Gas Operations, an Oil or Gas well for purposes of exploration and production.

Effective on: 5/5/2025

Well Site shall mean, as it relates to Oil and Gas Operations, a definable area where an Operator has disturbed or intends to disturb the land surface in order to locate an Oil and Gas well facility, and includes a Production Site.

Effective on: 5/5/2025

Wetlands shall mean those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Effective on: 5/5/2025

Wholesale Establishments shall mean a use engaged in enclosed wholesale of manufactured products, supplies, and equipment, including accessory offices and showrooms. Products may be picked up on-site or delivered to the customer. Other accessory uses may include product repair, parking, minor fabrication services, and repackaging of goods.

Effective on: 5/5/2025

Wind Turbine, Small shall mean any mechanism, including blades, rotors, or other moving surfaces, designed for the purpose of converting wind energy into mechanical or electrical power. For purposes of this LDC, also included are towers, tower bases, guy wires, and any other structures necessary for installation of a small wind energy conversion system.

Effective on: 8/18/2025

Wool Scouring shall mean the process of preparing and washing a batch of raw sheep's wool to remove impurities such as grease, dirt, and suint.

Effective on: 5/5/2025

Working Pad shall mean the portions of an Oil and Gas Location that has an improved surface upon which Oil and Gas Operations take place.

Effective on: 5/5/2025

Winery shall mean an establishment that manufactures vinous liquors which may include a restaurant or samples venue that sells the winery's products, including retail sales.

Effective on: 5/5/2025

Wireless Communication Tower shall mean a self-supporting monopole structure constructed from grade which supports any cables, wires, lines, wave guides, antennas, and any other equipment or facilities associated with the transmission or reception of communications, including cellular/PCS towers and microwave communication facilities.

Effective on: 8/18/2025

X

Xeriscape shall mean water conservation through creative landscape design that reduces water consumption, landscape maintenance and the use of fertilizers and pesticides. Principles associated with xeriscaping include appropriate planning and design, soil improvements, efficient irrigation, practical turf areas, appropriate plant selection, use of mulches and maintenance.

Effective on: 5/5/2025

Y

Yard shall mean a space on the same lot or lots with a principal building, open, unoccupied and unobstructed by buildings or structures from the ground to the sky

Effective on: 5/5/2025

Yard, Front shall mean a yard extending across the full width of a lot and between the front lot line and the nearest wall of any principal building on the lot.

Effective on: 5/5/2025

Yard, Rear shall mean a yard extending across the full width of a lot and between the rear lot line and nearest wall of any principal building on the lot.

Effective on: 5/5/2025

Yard, Side shall mean a yard extending between the front yard and the rear yard and between a side lot line and the nearest main wall of any principal building on the lot.

Effective on: 5/5/2025

Yard Sale shall mean an infrequent sale of used goods and material occurring on a residential yard or in a residential garage. This term shall also include that which is known as a garage sale or estate sale.

Effective on: 5/5/2025

Youth Center shall mean a public building used as a place of meeting, recreation, or social activity for persons 18 years old or younger that is operated as a nonprofit.

Effective on: 5/5/2025

Z

Zoning District shall mean an area or areas within the limits of the City for which the regulations and requirements governing use, lot, and bulk of building and premises are uniform.

Effective on: 5/5/2025

#

6409(a) Facility shall mean any telecommunication facility associated with an eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station pursuant to section 6409(a) of the Spectrum Act, as that section is interpreted, applied, or revised in accordance with federal law.