

# Westridge Zoning Overview (G-MU-5)

What is G-MU-5? .....2

What can we put on the site?.....2

    PERMITTED USES.....2

    LIMITED USES.....2

LIMITATIONS FOR POSSIBLE USES AT WESTRIDGE .....3

    What is in this section? .....3

        Section 11.3.3 COMMUNITY CENTER | DZC 11.3-2 .....3

        Section 11.3.10 PUBLIC OR RELIGIOUS ASSEMBLY, ALL TYPES | DZC 11.3-5.....4

        Section 11.4.7 PARKING, SURFACE | DZC 11.4-5 .....4

        Section 11.5.16 TERMINAL, STATION OR SERVICE FACILITY FOR PASSENGER TRANSIT SYSTEM | DZC 11.5-18.....5

        Section 11.6.2 GARDEN, URBAN | DZC 11.6-1.....5

        Division 11.7 ACCESSORY USE LIMITATIONS | DZC 11.7-1.....5

        Section 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES | DZC 11.7-1.....5

        Division 11.8 USES ACCESSORY TO PRIMARY RESIDENTIAL USES- LIMITATIONS | DZC 11.8-1.....7

        Section 11.8.2 ADU (“ADUS”) | DZC 11.8-1.....7

        Section 11.10.4 BOOK OR GIFT STORE; MEDIA RECORDING AND PRODUCTION FACILITIES ACCESSORY TO LIBRARY, MUSEUM, ASSEMBLY, AND COLLEGE/UNIVERSITY USE | DZC 11.10-2 .....8

        Section 11.10.10 GARDEN | DZC 11.10-5.....8

        Section 11.11.4 BAZAAR, CARNIVAL, CIRCUS OR SPECIAL EVENT | DZC 11.11-2 .....8

**What is G-MU-5?**

The G-MU-5 zone district (which means General Urban Multiunit 5 stories) is intended to promote and protect higher density residential neighborhoods through a variety of multiunit residential building types. These include the urban house, duplex, row house, garden court, and apartment with a maximum height of 5 stories.

The characteristics of this zone district foster a pedestrian-scaled environment:

- ✚ Buildings that are oriented to the street
- ✚ Access from the alley
- ✚ Typically high lot coverage with shallow front yards

**What can we put on the site?**

In addition to the permitted and intended residential uses, it is also possible to incorporate permitted uses (such as a day care center) and limited uses (such as ADUs). But before we dive into what is allowed, take note of these specific limitations:

- ✚ Dwelling units must not have more than one full kitchen per unit.
- ✚ Office uses (dental, medical, and all others) are not permitted.
- ✚ Food Sales or Market uses are not permitted (but can happen with an accessory garden use).

**PERMITTED USES**

The following uses are permitted with zoning permit review:

Use	Parking Requirements
Day Care Center	✚ Vehicle: .5 / 1,000 sf GFA ✚ Bicycle: 1 / 10,000 sf GFA (0/100)
Library	✚ Vehicle: 1 / 1,000 sf GFA ✚ Bicycle: 1 / 10,000 sf GFA (0/100)
Open Space - Conservation	✚ No parking requirements

**LIMITED USES**

The following uses come with specific limitations but may be incorporated into the site design, generally as accessory uses, with zoning permit review.

- |   |  |
|---|--|
| ✚ Community Center                          | ✚ Museums  |
| ✚ Places for Public or Religious Assembly   | ✚ Places of religious assembly                                       |
| ✚ Surface Parking                           | ✚ Colleges   |
| ✚ Urban Garden                              | ✚ University   |
| ✚ ADUs                                      | ✚ Garden   |
| ✚ Book or Gift Store                        | ✚ Terminal, Station or Service Facility for Passenger Transit System |
| ✚ Media-Recording and Production Facilities |  |
| ✚ Accessory to Public Libraries             |  |

**LIMITATIONS FOR POSSIBLE USES AT WESTRIDGE**

This section describes the limitations for possible uses at Westridge. The information below is shortened for concision and ease-of-reading. If a particular use is of interest to the project team, each section is accompanied by the corresponding page number in the Denver Zoning Code (DZC) as amended through July 26, 2019, where more details could be found.

**What is in this section?**

✚ Community Center ..... 3	✚ Uses Accessory to Primary Residential Uses- Limitations .....7
✚ Public or Religious Assembly, All Types ..... 4	✚ ADUs.....7
✚ Surface Parking..... 4	✚ Book or Gift Store; Media Recording and Production Facilities Accessory to Library, Museum, Assembly, and College/University Use .....8
✚ Terminal, Station or Service Facility for Passenger Transit System ..... 5	✚ Garden .....8
✚ Urban Garden ..... 5	✚ Bazaar, Carnival, Circus or Special Event.....8
✚ Accessory Use Limitations ..... 5	
✚ Gen. Provisions Applicable to All Accessory Uses..... 5	

**Section 11.3.3 COMMUNITY CENTER | DZC 11.3-2**

11.3.3.1 All Zone Districts

In all zone districts, where permitted with limitations:

- A. No outdoor public address system or any type of amplified music or sound device.
- B. Overnight accommodations are prohibited.
- C. A Community Center use may include accessory outdoor recreation or entertainment services facilities, subject to the following limitations:
  - 1. The accessory outdoor facility shall comply with the limitations in Section 11.3.3.3
  - 2. The accessory outdoor facility shall comply with the outdoor lighting limitations in Section 11.3.3.4;

11.3.3.3 All Residential Zone Districts

A Community Center use may include **accessory outdoor recreation or entertainment services facilities** subject to compliance with the following conditions:

- A. Establishment and any expansion of such facility shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.
- B. The facility shall be located on the same zone lot and operated by the same owner and/or operator of the Community Center and the applicant must be either the owner or have the permission of the owner to operate the outdoor recreational or entertainment services facility.
- C. The facility occupies no more than 10 percent of the zone lot on which it is located.

- D. Adequate off-street parking is provided by the Community Center to support the needs of the outdoor recreational or entertainment services facility.
- E. No other such facility on a different zone lot is located within 500 feet of the proposed use.
- F. The hours of operation shall be 8:00 a.m. to one-half hour after sunset.
- G. Unauthorized use of the facility outside of the permitted hours of operation must be prevented and controlled.
- H. Limitations on signs visible from the public rights-of-way (see more details in DZC)

#### 11.3.3.4 All Residential Zone Districts and on Zone Lots Abutting Residential Zone Districts

In all Residential Zone Districts, where a Community Center is permitted with limitations, and where the subject zone lot abuts a Residential Zone District, all outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier.

### **Section 11.3.10 PUBLIC OR RELIGIOUS ASSEMBLY, ALL TYPES | DZC 11.3-5**

#### 11.3.10.1 All Residential Zone Districts

The following operations shall be terminated by 11:00 p.m.:

- A. Daily operations of uses and activities accessory to a primary Public or Religious Assembly use, including but not limited to accessory recreation uses or activities; and
- B. Daily operations of other primary uses located on the same zone lot as the Public or Religious Assembly use, including but not limited to Day Care Centers or Elementary or Secondary Schools (but not including a primary household living use)

#### 11.3.10.3 All SU, TU, TH, RH, MU, RO Zone Districts

In all SU, TU, TH, RH, MU, RO zone districts, where permitted with limitations, Conference Center use is prohibited.

### **Section 11.4.7 PARKING, SURFACE | DZC 11.4-5**

#### 11.4.7.1 All TU, TH, RH, MU, RO Residential Zone Districts

Surface Parking of vehicles as a primary use of land is permitted only to serve a permitted Civic, Public and Institutional Use in the zone district. Commercial Surface Parking lots are prohibited.

### Section 11.5.16 TERMINAL, STATION OR SERVICE FACILITY FOR PASSENGER TRANSIT SYSTEM | DZC 11.5-18

#### 11.5.16.1 All Residential Zone Districts

The use shall be limited to a stop or station for the mass passenger transit system only; and parking provided for the use of passengers or employees of the passenger transit provider.




### Section 11.6.2 GARDEN, URBAN | DZC 11.6-1

#### 11.6.2.1 All Zone Districts

Bee keeping is permitted as accessory to the Urban Garden use (refer to standards for accessory bee-keeping in Section 11.8.5, Keeping of Household Animals), except that the bee keeping use need not be sited within the rear 50% of the zone lot.

### Division 11.7 ACCESSORY USE LIMITATIONS | DZC 11.7-1

Including:

-  ADUs
-  Book or gift store; media-recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges, or universities
-  Garden

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains general standards applicable to all accessory uses across multiple zone districts and neighborhood contexts.

### Section 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES | DZC 11.7-1

#### 11.7.1.1 General Allowance for Accessory Uses

- A. Accessory uses shall be clearly incidental, subordinate, customary to, and commonly associated with operation of a primary use. Accessory uses may be incidental to a primary use permitted without limitations, or to a permitted primary use with limitations.
  1. For an unenclosed primary use, such as a recreational playing field or other similar open space, any structures common and customary to the unenclosed primary use (such as structures containing restrooms, equipment storage, concession stands, etc.) shall be deemed "accessory structures" and shall comply with the applicable accessory building form standards.
- B. The Use and Parking Tables in Articles 3 through 9 list specific accessory uses permitted in each zone district; applicable limitations may further restrict the type or operations of an accessory use.

### 11.7.1.2 Limitations Applicable to All Accessory Uses

#### A. General Limitations

All accessory uses, except ADUs and Short-term Rental accessory uses, shall comply with all of the following general limitations. ADUs, where permitted, shall comply with the specific limitations stated in Section 11.8.2, ADUs, instead of these general limitations.

1. Such use shall be clearly incidental and customary to and commonly associated with the operation of the primary use.
2. Such accessory use shall be operated and maintained under the same ownership and on the same zone lot as the primary use; ... in nonresidential structures owned and operated by a place for religious assembly in a Residential Zone District, non-profit lessees or concessionaires may operate the accessory use.
3. Such use shall not include residential occupancy in a detached accessory structure offered for rent or for other commercial gain. Residential occupancy in a detached accessory structure is permitted by members of a household occupying the primary structure, or domestic employees and the immediate families of such employees.
4. The area of specific accessory uses shall be calculated as follows:
  - a. Pool tables. The area occupied shall be calculated by adding 3 feet to each dimension of such pool table to include the area of play.
  - b. Pinball, video games and other similar Amusement Devices. The area occupied shall be calculated by adding three feet to the area directly in front of the device.
  - c. Dance floors. The area shall be the sum total of all of the areas of the dance floor and any stage or area used for the playing or performance of recorded or live music.

#### B. Limitations in the Primary Structure

##### 1. Applicability

This Section 11.7.1.2.B's limitations on accessory uses in the primary structure shall apply to all accessory uses. A limitation in this Section 11.7.1.2.B shall not apply when it conflicts with a limitation specific to an accessory use found in Divisions 11.8, Uses Accessory To Primary Residential Uses - Limitations, 11.9, Home Occupations Accessory to a Primary Residential Use - All zone districts, or 11.10, Uses Accessory to Primary Nonresidential Uses - Limitations.

##### 2. Limitations on Size of Accessory Use in the Primary Structure

If an accessory use is operated partially or entirely within the structure containing the primary use, the gross floor area used by the accessory use (except loading docks, and dining rooms for the exclusive use of occupants or persons employed in the structure) shall not be greater than:

- a. In a Residential Zone District, 20 percent of the gross floor area, but not to exceed 300 square feet, of a single unit dwelling use, two-unit dwelling use, or multi-unit dwelling use in a structure containing 8 or less dwelling units.

- b. In a Residential Zone District, 10 percent of the gross floor area occupied by a primary use other than a single unit dwelling use, two-unit dwelling use, or a multiunit dwelling use in a structure containing 8 or less dwelling units.

### **Division 11.8 USES ACCESSORY TO PRIMARY RESIDENTIAL USES- LIMITATIONS | DZC 11.8-1**

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains limitations applicable to specific uses accessory to primary residential uses across multiple zone districts and neighborhood contexts. In addition to meeting the general conditions and standards applicable to all accessory uses in Division 11.7 above, the following specific accessory uses shall comply with this Division's use-specific standards.

### **Section 11.8.2 ADU ("ADUS") | DZC 11.8-1**

#### 11.8.2.1 All Zone Districts

In all zone districts where permitted with limitations:

- A. Accessory to Primary Single Unit Dwelling Uses Only
  - 1. An ADU is permitted as accessory only to a primary Single Unit Dwelling use according to the following requirements, except that an ADU use is not permitted as accessory to a Single Unit Dwelling use in a Tandem House building form.
  - 2. In case of conflict between the requirements for ADUs stated in this Section 11.8.2.1 and the general conditions stated in Division 11.7, Accessory Use Limitations, the requirements in this subsection shall apply.
- B. General Building Requirements
  - 1. No mobile homes, recreational vehicles, and travel trailers.
  - 2. ADUs established in a detached accessory structure shall comply with the Detached ADU Building form standards in the applicable zone district.
- C. Structural and Location Requirements
 

All ADU uses shall meet the following requirements:

  - 1. The primary Single Unit Dwelling use shall not be altered in any way so as to appear from a public street to be a multiple-unit dwelling use.
  - 2. The ADU must not have a driveway separate from the one serving the primary Single Unit Dwelling except to utilize a new access from an alley.
  - 3. The ADU may be accessed by a separate outside stairway that is in conformance with all building and zoning requirements, except it must not be located on the front facade of the primary Single Unit Dwelling use.
  - 4. Roof and exterior wall materials and finishes for a detached structure housing the ADU use must be comparable in appearance to that of the primary unit.

5. Wherever feasible, water and sewer shall be supplied to both the primary Single Unit Dwelling use and the ADU through single taps and meters.
  6. An ADU may be established with either a Partial Kitchen or Full Kitchen, but only 1 kitchen per ADU.
- D. Special Allowance for ADUs on Existing Carriage Lots
- ADUs may be established on a carriage lot, even in the absence of a primary Single Unit Dwelling, provided the ADU complies with the standards in this Section 11.8.2 in Section 12.10.4, Development on Carriage Lots.

#### **Section 11.10.4 BOOK OR GIFT STORE; MEDIA RECORDING AND PRODUCTION FACILITIES ACCESSORY TO LIBRARY, MUSEUM, ASSEMBLY, AND COLLEGE/UNIVERSITY USE | DZC 11.10-2**

##### 11.10.4.1 All Residential Zone Districts

- A. In a Residential zone district, where permitted with limitations, the following are permitted as accessory to a primary public Library, Museum, Place of Religious Assembly, or University or College use:
  1. Book or gift store; and
  2. Media recording and production facilities.
- B. All shall not occupy more than 10 percent of the gross floor area occupied by the primary use or uses.

#### **Section 11.10.10 GARDEN | DZC 11.10-5**

##### 11.10.10.1 All Zone Districts

In all zone districts, where accessory garden uses are permitted with limitations:

- A. Don't grow marijuana
- B. If bee keeping is an option of interest, visit Section 11.8.5 Keeping of Household Animals
- C. Retail or wholesale sales of goods or products derived from a Garden are permitted when the use is accessory to a primary nonresidential use, including a permitted Public, Institutional and Civic Use.

#### **Section 11.11.4 BAZAAR, CARNIVAL, CIRCUS OR SPECIAL EVENT | DZC 11.11-2**

##### 11.11.4.1 All Residential Zone Districts

In all Residential Zone Districts, where permitted with limitations:

- A. Limited to a place for the display and sale of miscellaneous goods and for entertainment sponsored by a nonprofit organization or governmental entity, not including motorized amusement rides.
- B. The temporary use may be operated only between 9:00 a.m. and 11:00 p.m.



- C. A temporary bazaar, carnival, circus or special event permitted shall be valid for a period not to exceed 12 consecutive days; at least 90 days shall intervene between permits at the same location.