



**AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION
MONDAY, JUNE 27, 2011**

- I. **Executive Session**
At 6:00 p.m. in the City Council Conference Room, City Council will discuss a negotiations (Union) matter pursuant to C.R.S. 24-6-402-4(e).
- II. **On-Site Residential Parking/Hard Surfaces**
At 7:00 p.m. in the Community Room, City Council will discuss on-site residential parking and hard surfaces.
- III. **Medical District Subarea 2 Rezoning Options**
City Council will discuss Medical District Subarea 2 Rezoning Options.
- IV. **City Manager's Choice**
- V. **City Attorney's Choice**
- VI. **City Council's Choice**



MEMORANDUM

TO: Mayor Woodward and Members of City Council

THROUGH: Gary Sears, City Manager

FROM: Michael Flaherty, Deputy City Manager

DATE: June 23, 2011

SUBJECT: Residential Parking/Hard Surface Requirements

The Code Enforcement Advisory Committee report to City Council of April 25, 2011, is attached for City Council information and review in conjunction with Study Session Agenda Item #2 for Monday, June 27, 2011. The CEAC report includes information and recommendations related to residential parking of recreational and off-road vehicles and hard surface parking.



Memorandum

TO: Mayor Woodward and Members of City Council

FROM: Marty Mosman, Chair
Code Enforcement Advisory Committee

DATE: April 25, 2011

SUBJECT: Recommendations for Potential Changes to Off-Road Vehicles/Recreational Vehicles/Trailers: Regulations and Enforcement

Over the past few months, the Code Enforcement Advisory Committee has met and discussed potential changes to ordinances pertaining to the Off-Road Vehicles/Recreational Vehicles/Trailers: Regulations and Enforcement ordinances. We have followed the "Code Enforcement Advisory Committee Action Plan (to) review existing codes regarding RV's and other recreational equipment, parking and storage in the City of Englewood". A copy of this document, which was previously provided to City Council, is attached.

The Committee has received input from citizens during the Public Comment section of our meetings and has taken those comments into consideration in our recommendations. The committee also received a "Citizen Petition" during our meetings on this subject and we have attached this petition for your information.

At the Committee's meeting of April 20, 2011, the Committee formally approved for submission to Council recommendations for changes to the existing City Code as it relates to the parking and storage in residential zoned property of off-road vehicles, recreational vehicles, trailers and commercial vehicles. The pages that follow this memorandum include each of those recommendations, the specific changes proposed to sections of the City Code and the result of the Committee votes on each of these recommendations.

The Committee urges City Council to consider these recommendations carefully and to request the City Attorney to initiate ordinance or ordinances to amend the City Code as Council deems appropriate and in the best interests of all citizens of the City. The Committee also suggests that Council hold a public hearing on the proposed changes to the City Code.

The Committee further urges that any changes that Council may approve be implemented and enforcement be carried out based on the provisions of the Code, as it may be amended.

Members of the Code Enforcement Advisory Committee will attend the City Council Study Session on May 2, 2011, to present our recommendations and rationale for these recommendations to Council.

We appreciate your time and consideration in reviewing these recommendations.

Code Enforcement Advisory Committee Recommendations
(in the order in which they were discussed)

Title 15, Chapter 9 (a copy of Chapter 9, in its entirety is attached)

INOPERABLE MOTOR VEHICLES, OFF-ROAD VEHICLES AND TRAILERS

15-9-1: Inoperable Motor Vehicles.

The Committee recommends that the first paragraph be amended as follows:

This Chapter is intended to address the property storage of inoperable motor vehicles, off-road vehicles and trailers. It shall be unlawful and considered a nuisance for any person to store, maintain or keep any inoperable motor vehicle, RECREATIONAL CAMPING Vehicles, off road vehicles or trailerS

Vote as follows:

Ayes: Bayless, Becker, Hart, Mosman, Wilson
Nays: None

The Committee suggests the second paragraph be amended as follows:

The owner of an inoperable motor vehicle, off-road vehicle or trailer, as well as the occupancy and owner of the property where such a vehicle or ANY trailer is stored; shall be responsible for the maintenance of such vehicle in compliance with this Chapter.

Vote as follows:

Ayes: Bayless, Becker, Hart, Mosman, Wilson
Nays: None

15-9-2: Vehicles: Off-Road (ORV) and Trailers.

A. Off-Road Vehicles (ORV) and Trailers in All Residential Zone Districts.

The committee recommended that following changes/additions to A.1 and A.2.

1. ~~No ORV or any type of trailer shall be stored within the front yard.~~ NO OFF ROAD VEHICLE OR TRAILER SHALL BE STORED WITHIN THE FRONT YARD UNLESS A SHOWING OF PROOF IS PROVIDED STATING THAT THE PROPERTY CANNOT ACCOMMODATE ACCESS TO REAR OR SIDE YARD. IN SUCH A CASE, THE GUIDELINES ESTABLISHED BY THE DISTANCE GUIDELINES AND HARD SURFACE GUIDELINES MUST BE

ABIDED BY. REFERENCE: 15-9-2 AND 11-6-2, C2. UPON SHOWING PROOF THAT THERE IS NOT ACCESS TO REAR OR SIDE YARDS, DETACHED CAMPERS MAY BE STORED IN FRONT YARDS AND SIDE YARDS IN ACCORDANCE WITH ABOVE DESCRIBED GUIDELINES.

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson
Nays: None

2. No person shall store or work on any ORV or any type of trailer within the front yard or in or on any public right-of-way, except that such vehicles may be temporarily maintained in the front yard, on a hard surface, for the purposes of transport, loading, unloading, or other temporary activities. Such transport, loading, unloading, or other temporary activities shall not exceed eight (8) hours per day UNLESS EXEMPTED BY LACK OF ACCESS AS STATED IN 15-9-2 A. 1.

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson
Nays: None

Titles 11 and 16: Vehicle Weight Limitations

The Committee recommends that the vehicle weight limitation be changed to 10,000 pounds in all references currently in Titles 11 and 16 (see below) to be consistent within the City code and with the Colorado State commercial vehicle weight definition.

11-6-1-A

It shall be unlawful for the operator or owner of an automobile transport trailer, road tractor, truck tractor, moving van, transit-mix concrete truck, trailer, semi-trailer or truck with an empty weight in excess of ~~seven~~ TEN thousand (7,000 10,000) pounds (~~70~~ 100 C.W.T.) or special mobile equipment to stop, stand or park such vehicle or cause such vehicle to be stopped, stood or parked on any street or highway, alley or other public way within the City for a period in excess of four (4) hours at any time, except when such vehicle is being expeditiously loaded or unloaded or such mobile equipment is being used to perform the special operations for which it was designed.

11-6-2-C

In no case shall more than one commercial vehicle be parked or stored on property in any residential zone district, whether in a private garage or carport, in

an off-street parking space or in an open-space area, and the size of said commercial vehicle shall not exceed empty vehicle weight of ~~seven~~ TEN thousand (~~7,000~~ 10,000) pounds (~~70~~ 100 C.W.T.).

- 11-6-2-B** No person shall park the following described vehicles on public or private property in residential areas except while making normal deliveries or being used to perform the special operations for which it is designed:
1. Any vehicle with an empty weight in excess of ~~seven~~ TEN thousand (~~7,000~~ 10,000) pounds (~~70~~ 100 C.W.T.).
 2. In no case shall more than one commercial vehicle be parked or stored on property in any residential zone district, whether in a private garage or carport, in an off-street parking space or in an open-space area, and the size of said commercial vehicle shall not exceed empty vehicle weight of ~~seven~~ TEN thousand (~~7,000~~10,000) pounds (~~70~~ 100 C.W.T.).

16-5-4-C-2 (7) No vehicle in excess of ~~seven~~ TEN thousand (~~7000~~ 10,000) may be parked in the parking area.

16-5-4-D-2 (1) In no event shall more than one (1) commercial vehicle be stored on property in any residential zone district, whether in a private garage or carport, in an off-street space, or in an open-space area. The size of the commercial vehicle shall not exceed vehicle weight of ~~six~~ TEN thousand (~~6,000~~ 10,000) pounds (~~60~~ 100 c.w.t.).

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson
Nays: None

Title 11, Chapter 6 (a copy of Chapter 6 of Title 11 is attached in its entirety)

VEHICLES

11-6-1: Parking/Storage Regulations in All Districts

The Committee is recommending the following changes/addition:

- B. No person shall park or permit to stand in any public right-of-way or on public property, any trailer or small trailer unless the trailer is connected to or attached to a motor vehicle in a manner to be towed. The vehicle and connected trailer shall not be parked in the public right-of-way for more than seventy-two (72) hours ~~within any one week~~ WITHIN ANY CONSECUTIVE FOURTEEN (14) DAY PERIOD.

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson
Nays: None

11-6-2: Parking/Storage Regulations for Residential Districts.

The Committee is recommending the following changes/addition:

- A. It shall be unlawful for any person to store a vehicle designed and used for recreation purposes, including, but not limited to, one or more motor homes, boats, campers, trailers used for carrying boats, hobby or derelict vehicles or racing cars, motorcycles and other equipment or motor vehicles upon the public right-of-way.

The vehicle may be parked in the right-of-way for no more than seventy-two (72) hours ~~within any one week~~ WITHIN ANY CONSECUTIVE FOURTEEN (14) DAY PERIOD while being expeditiously loaded or unloaded.

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson
Nays: None

11-6-2-C-2

The Committee is recommending the following changes/addition:

No vehicle shall be parked in front of the front setback of the principal structure unless located on a HARD SURFACE OF concrete, ASPHALT, brick paver, asphalt surface, gravel or other similarly finished hardened or dust free surface. SIMILAR ALTERNATE MATERIALS APPROVED BY THE CITY. HOWEVER, UPON PROOF THAT PROPERTY CANNOT ACCOMMODATE ACCESS TO SIDE OR BACK YARD STORAGE, FRONT YARD AND SIDE YARD STORAGE MAY BE PERMITTED.

Note: Currently inconsistencies exist in Titles 11, 15 and 16 regarding the definition of "Hard Surface" on December 17, 2008, a Council Bill (designated as Council No.79) was prepared by the City Attorney addressing proposed changes to the definition of a "Hard Surface" (copy attached). However, Council did not take action on this bill. The Committee suggests that this bill be re-introduced and adopted, with the additional requirement that the parking surface be maintained weed-free and in good repair. And that it applies to front and side yard

maintained weed-free and in good repair. And that it apply to front and side yard parking and not back yard enclosed vehicle storage or existing backyard establish parking surfaces.

Vote as follows:

Ayes: Bayless, Becker, Hart, Mosman, Wilson

Nays: Hinger

11-6-2-C

The Committee recommends the following changes as an alternative:

No vehicle shall be parked in front of the front setback of the principal structure ~~unless located on a concrete, brick paver, asphalt surface, gravel or other similarly finished hardened or dust free surface.~~

HOWEVER, UPON PROOF THAT PROPERTY CANNOT ACCOMMODATE ACCESS TO SIDE OR BACK YARD STORAGE FRONT DRIVE AND SIDE YARD STORAGE WILL BE ALLOWED, WITH HARD SURFACE REQUIREMENTS AND A DISTANCE REQUIREMENT OF NOT LESS THAN (15 OR 10) FEET FROM EDGE OF EXISTING SIDEWALK, IF AN EXISTING DRIVEWAY IN FRONT IS USED.

IF PARKING IS ON SIDE OF HOUSE OR GARAGE, IT MUST BE (10 OR 15) FEET FROM SIDE WALK BOUNDARY.

Members voted as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson

Nays: None

A motion to approve and forward these recommendations to City Council was approved unanimously.

Vote as follows:

Ayes: Bayless, Becker, Hart, Hinger, Mosman, Wilson

Nays: None

Code Enforcement Advisory Committee Action Plan

--Review existing codes regarding RV's and other recreational Equipment, parking and storing in the City of Englewood--

- I. Put together the information needed to study the situation
 - A. Existing Codes and requirements
 - B. City Maps identifying some of the different lot configurations in residential areas
 - C. Identify types, sizes, weights, etc on current RV's, boats, trailers and other popular recreational equipment that needs to be parked, stored and maintained by owners.
 - D. Actually visit some of the areas and situations that are needing to be seen in order to identify potential questions.
- II .Obtain code and enforcement information from other communities who have or are dealing with similar issues
- III.Listen to and ask for other citizen input that may offer insight or reasonable solutions towards dealing with the issues
- IV. Work closely with other boards and committees in order to avoid conflict in codes and enforcement procedures that are in place
- V. Any updates or progress will be forwarded to city council through Mike Flaherty, Deputy City Manager, until the committee feels it has had adequate information and time to make educated and thoughtful recommendations for City Council to consider.
- VI When the Code Enforcement Advisory Committee feels that we have studied these questions and issues as thoroughly as possible and listened and talked to any who wish to comment or bring information and when we have exhausted our resources and problem solving skills, we will ask for time at a regular City Council meeting to present our recommendations.

Chapter 9

INOPERABLE MOTOR VEHICLES, OFF-ROAD VEHICLES AND TRAILERS*

- 15-9-1: Inoperable Motor Vehicles.
 15-9-2: Vehicles, Off-Road (ORV), and Trailers.

15-9-1: Inoperable Motor Vehicles.

This Chapter is intended to address the proper storage of inoperable motor vehicles, off-road vehicles and trailers. It shall be unlawful and considered a nuisance for any person to store, maintain or keep any inoperable motor vehicle, off-road vehicle or trailer in violation of this Chapter.

The owner of an inoperable motor vehicle, off-road vehicle or trailer, as well as the occupant and owner of the property where such a vehicle or trailer is stored, shall be responsible for the maintenance of such vehicle in compliance with this Chapter.

A. *Inoperable Motor Vehicles in All Residential Zone Districts.*

1. No inoperable motor vehicle shall be stored within the front yard.
2. No person shall store or work on any inoperable motor vehicle within the front yard or in or on any public property or right-of way, except that such vehicles may be temporarily maintained in the front yard, on a hard surface, for the purposes of transport, loading, unloading, or other temporary activities. Such transport, loading, unloading, or other temporary activities shall not exceed eight (8) hours per day.
3. No inoperable motor vehicle may be stored in a carport. An inoperable motor vehicle may be stored in a fully enclosed garage or similar structure.
4. One (1) inoperable motor vehicle may be stored in a rear or side yard if it is

on a hard surface, and screened from view of adjacent properties and public rights-of-way.

B. *Inoperable Motor Vehicles in Zone Districts Other Than Residential (including TSA District and PUDs).*

1. No inoperable motor vehicle shall be stored unless it is on a hard surface, screened from view of adjacent properties and public rights-of-way or in a fully enclosed structure.
2. The provisions of this Section shall not apply to a permitted and/or licensed automotive use.

(Ord. 98-39; Ord. 02-32; Ord. 03-44; Ord. 04-15)

15-9-2: Vehicles: Off-Road (ORV) and Trailers.

A. *Off-Road Vehicles (ORV) and Trailers in All Residential Zone Districts.*

1. No ORV or any type of trailer shall be stored within the front yard.
2. No person shall store or work on any ORV or any type of trailer within the front yard or in or on any public right-of-way, except that such vehicles may be temporarily maintained in the front yard, on a hard surface, for the purposes of transport, loading, unloading, or other temporary activities. Such transport, loading, unloading, or other temporary activities shall not exceed eight (8) hours per day.
3. One (1) ORV or trailer under three thousand five hundred (3,500) pounds, may be stored in a carport or a rear or side yard if it is on a hard surface. Any additional ORV or trailer under five thousand (5,000)

*Editor's note—Ord. 04-15, adopted March 15, 2004, amended the title of ch. 9 to read as herein set out. Ch. 9 previously was titled "Vehicles, Inoperable."

pounds may be stored in the rear or side yard if it is on a hard surface and screened from view of adjacent properties and public rights-of-way.

B. Off-Road Vehicles (ORV) and Trailers in Zone Districts Other Than Residential (including TSA Districts and PUDs).

1. No off-road vehicle or trailer shall be stored unless it is on a hard surface, screened from view of adjacent properties and public rights-of-way or in a fully enclosed structure.
2. The provisions of this Section shall not apply to permitted and/or licensed ORV and trailer uses.

(Ord. 03-44; Ord. 04-15; Ord. 07-4)

Chapter 6

VEHICLES

- 11-6-1: Parking/Storage Regulations in All Districts.
 11-6-2: Parking/Storage Regulations for Residential Districts.

11-6-1: Parking/Storage Regulations in All Districts.

A. It shall be unlawful for the operator or owner of an automobile transport trailer, road tractor, truck tractor, moving van, transit-mix concrete truck, trailer, semi-trailer or truck with an empty weight in excess of seven thousand (7,000) pounds (70 C.W.T.) or special mobile equipment to stop, stand or park such vehicle or cause such vehicle to be stopped, stood or parked on any street or highway, alley or other public way within the City for a period in excess of four (4) hours at any time, except when such vehicle is being expeditiously loaded or unloaded or such mobile equipment is being used to perform the special operations for which it was designed.

B. No person(s) shall park any tank truck(s), tank trailer(s), tank semi-trailer(s) or other truck(s) used to transport hazardous substances or materials upon the streets, alleys or public or private places within the City except when entirely empty and then only for a period not exceeding one hour. No person shall repair any cargo area or tank of such vehicles within this City except when such cargo area or tank of such vehicles are completely empty of flammable liquids, vapors, or hazardous substances or materials, and only after being thoroughly steamed or washed to remove all explosive vapors. No person shall park or allow to remain on this City's streets, alleys, or public property, or private property any tank truck, tank semi-trailer or tank trailer used for transporting liquefied petroleum or gas, whether loaded or empty, or any truck carrying hazardous substances, except when actually engaged in filling storage tanks or while under repair.

C. No person shall park any motor vehicle or vehicle in excess of twenty-two feet (22') in length, or eight feet (8') in width, in the public right-of-way except when such motor vehicle is being expeditiously loaded or unloaded.

D. No person shall park or permit to stand in any public right-of-way or on public property, any trailer or small trailer unless the trailer is connected to or attached to a motor vehicle in a manner to be towed. The vehicle and connected trailer shall not be parked in the public right-of-way for more than seventy-two (72) hours within any one week.

E. No person shall permit any snowplow designed to be truck mounted which is not hooked up or otherwise attached to a motor vehicle in a manner to be used for its intended purpose, to be stored or parked on public streets or rights-of-way. All owners and/or operators of vehicles with snowplows attached shall not store them on public streets.

F. No person shall store any truck or other vehicle loaded with trash, junk, weeds, tree branches or limbs in a public right-of-way.

G. No person shall park or store any motor vehicle in a manner so as to obstruct the public sidewalk or right-of-way.

H. No person shall park a vehicle in excess of any time limit established for parking at that location, which shall be the time limit for that day and that block.

(Ord. 98-39)

11-6-2: Parking/Storage Regulations for Residential Districts.

A. It shall be unlawful for any person to store a vehicle designed and used for recreation purposes, including, but not limited to, one or more motor homes, boats, campers, trailers used for carrying boats, hobby or derelict vehicles or racing cars, motorcycles and other equipment or motor vehicles upon the public right-of-way.

The vehicle may be parked in the right-of-way for no more than seventy-two (72) hours within any one week while being expeditiously loaded or unloaded.

B. No person shall park the following described vehicles on public or private property in residential areas except while making normal deliveries or being used to perform the special operations for which it is designed:

1. Any vehicle with an empty weight in excess of seven thousand (7,000) pounds (70 C.W.T.).
2. A road tractor, truck tractor or semi-trailer.
3. A truck constructed or adapted for the purpose of transporting or delivery of bulk gasoline, petroleum products, or hazardous substances or materials.
4. A tow truck or automobile wrecker.
5. A church bus or school bus not used for school or church purposes.

C. No person shall park or store any vehicle on private property in violation of the following restrictions:

1. No vehicle shall be parked in such a way as to block the sidewalk or any portion of the public sidewalk.
2. No vehicle shall be parked in front of the front setback of the principal structure unless located on a concrete, brick paver, asphalt surface, gravel or other similarly finished hardened or dust free surface.
3. In no case shall more than one commercial vehicle be parked or stored on property in any residential zone district, whether in a private garage or carport, in an off-street parking space or in an open-space area, and the size of said commercial vehicle shall not exceed empty vehicle weight of seven thousand (7,000) pounds (70 C.W.T.).
4. Detached campers shall be stored in the area identified as the rear or side yard and shall be stored on blocks or supports not more than six inches (6") in height, or

on its loading jacks or apparatus at their lowest limits. All loading equipment shall be in good repair.

5. No person shall occupy any vehicle in violation of the following:
 - a. No motor vehicle or vehicles shall be occupied or used for living or housekeeping or sleeping purposes or for the housing and keeping of animals, except as provided in subsection b below;
 - b. Upon the application of a resident of the City, a special permit may be issued by the City for a nonresident journeying in a recreational vehicle used for housekeeping purposes and who is visiting at the residence of the applicant, to occupy the recreational vehicle at the applicant's residence for not more than seven (7) days. The special permit shall specify the location of the applicant's property or adjacent right-of-way in which the recreational vehicle will be parked while occupied.

This shall not be deemed to permit the parking or storage of a detached camper, trailer or small trailer in any public street or right-of-way of any street designated as an arterial or collector street. (Ord. 98-39; Ord. 00-7)

CITY OF ENGLEWOOD
LEGAL NOTICE

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2008

COUNCIL BILL NO. 79
INTRODUCED BY COUNCIL
MEMBER WILSON

A BILL FOR

AN ORDINANCE AMENDING TITLE 11, CHAPTER 6, SECTION 2; TITLE 15, CHAPTER 1, SECTION 2; AND TITLE 16, CHAPTERS 5, 6 AND 11, OF THE ENGLEWOOD MUNICIPAL CODE 2000, REGARDING HARD SURFACE STANDARDS AND COMMERCIAL VEHICLE WEIGHT.

WHEREAS, the Englewood Municipal Code contains several references to the maximum weight of commercial vehicles relative to where they may be parked; and

WHEREAS, all references in the Englewood Municipal Code except 16-5-4(D)(2)(c)(1) use a maximum weight limit of 7,000 pounds; and

WHEREAS, the passage of the proposed Ordinance would make the Code consistent, ease enforcement and conserve resources since the traffic signs already refer to the 7,000 pound limit; and

WHEREAS, currently each Title uses similar but inconsistent language to discuss parking surfaces, including allowed materials which creates interpretation and enforcement conflicts among the three Titles; and

WHEREAS, the proposed amendments coordinate the definition of hard surface and its usage in the Englewood Municipal Code; and

WHEREAS, the Englewood Planning and Zoning Commission held public hearings on September 16 and October 21, 2008, regarding the Title 16 amendments and recommended forwarding the proposed amendments to City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 11, Chapter 6, Section 2, Subsection (C), Paragraph 2, of the Englewood Municipal Code 2000, to read as follows:

11-6-2: Parking/Storage Regulations for Residential Districts.

- A. It shall be unlawful for any person to store a vehicle designed and used for recreation purposes, including, but not limited to, one or more motor homes, boats, campers, trailers used for carrying boats, hobby or derelict vehicles or racing cars, motorcycles and other equipment or motor vehicles upon the public right-of-way.

The vehicle may be parked in the right-of-way for no more than seventy-two (72) hours within any one week while being expeditiously loaded or unloaded.

- B. No person shall park the following described vehicles on public or private property in residential areas except while making normal deliveries or being used to perform the special operations for which it is designed:
1. Any vehicle with an empty weight in excess of seven thousand (7,000) pounds (70 C.W.T.).
 2. A road tractor, truck tractor or semi-trailer.
 3. A truck constructed or adapted for the purpose of transporting or delivery of bulk gasoline, petroleum products, or hazardous substances or materials.
 4. A tow truck or automobile wrecker.
 5. A church bus or school bus not used for school or church purposes.
- C. No person shall park or store any vehicle on private property in violation of the following restrictions:
1. No vehicle shall be parked in such a way as to block the sidewalk or any portion of the public sidewalk.
 2. No vehicle shall be parked in front of the front setback of the principal structure unless located on a ~~concrete, brick paver, asphalt surface, gravel or other similarly finished hardened or dust free surface~~ hard, durable surface of concrete, asphalt, brick pavers, or similar alternate materials approved by the City.
 3. In no case shall more than one commercial vehicle be parked or stored on property in any residential zone district, whether in a private garage or carport, in an off-street parking space or in an open-space area, and the size of said commercial vehicle shall not exceed empty vehicle weight of seven thousand (7,000) pounds (70 C.W.T.).
 4. Detached campers shall be stored in the area identified as the rear or side yard and shall be stored on blocks or supports not more than six inches (6") in height, or on its loading jacks or apparatus at their lowest limits. All loading equipment shall be in good repair.
 5. No person shall occupy any vehicle in violation of the following:
 - a. No motor vehicle or vehicles shall be occupied or used for living or housekeeping or sleeping purposes or for the housing and keeping of animals, except as provided in subsection b below;
 - b. Upon the application of a resident of the City, a special permit may be issued by the City for a nonresident journeying in a recreational vehicle used for housekeeping purposes and who is visiting at the residence of the applicant, to occupy the recreational vehicle at the applicant's residence for not more than

seven (7) days. The special permit shall specify the location of the applicant's property or adjacent right-of-way in which the recreational vehicle will be parked while occupied.

This shall not be deemed to permit the parking or storage of a detached camper, trailer or small trailer in any public street or right-of-way of any street designated as an arterial or collector street.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 15, Chapter 1, Section 2, "Definitions" of the Englewood Municipal Code 2000, to read as follows, with unchanged definitions:

15-1-2: Definitions.

Hard Surface: ~~A surface as defined in 16-11-2(B) EMC.~~ A hard, durable surface of concrete, asphalt, brick pavers, or similar alternate materials approved by the City.

Section 3. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 15, Chapter 5, Section 4, Subsection (D)(2), of the Englewood Municipal Code 2000, to read as follows:

16-5-4: Accessory Uses.

D. Prohibited Accessory Uses.

1. Prohibited in All Zoning Districts. The following activities shall not be regarded as accessory to a principal use on any site and are prohibited in all zoning districts:
 - a. Use of Travel Trailer or Recreational Vehicle (RV) as a Residence. The use of a travel trailer as a residence, permanent or temporary, with the exception of a trailer approved as a temporary use for security under Section 16-5-5 EMC, shall be prohibited in all zoning districts.
 - b. Use of Motor Vehicle or Trailer for Sales, Service, Storage, or Other Business. 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. However, this subsection shall not prohibit the following:
 - (1) The sale of goods or merchandise at a City-approved or sponsored event; or
 - (2) Use of a motor vehicle, trailer, or shipping or storage container in connection with an approved recycling operation; or
 - (3) Use of a trailer or shipping or storage container in conjunction with construction authorized by a valid building permit; or
 - (4) 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 forty-eight (48) hours.

2. Prohibited in Residential Zoning Districts. The following activities shall not be regarded as accessory to a residential principal use and are prohibited in all residential (R) districts:
 - a. Automotive Repair. Automotive repair, including engine, body, or other repair or repainting of more than one (1) vehicle at any one time owned by a person not residing at that address, regardless of whether compensation was paid for the service.
 - b. Outdoor Storage of Inoperative Vehicles. The outdoor storage of inoperable vehicles shall comply with Title 15 EMC.
 - c. Parking of Commercial Vehicles.
 - (1) In no event shall more than one (1) commercial vehicle be stored on property in any residential zone district, whether in a private garage or carport, in an off-street parking space, or in an open-space area. The size of such commercial vehicles shall not exceed vehicle weight of ~~six~~ seven thousand (~~6,000~~) (7,000) pounds (~~60~~ 70 e.w.t. C.W.T.).
 - (2) For the purpose of this Section, a road tractor or truck tractor shall not be deemed a commercial vehicle, and no road tractor or truck tractor shall be parked or stored in any residential zone district.
 - (3) No commercial vehicle shall be stored on public property or in the public right-of-way.

Section 4. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 6, Section 4, Subsection O, of the Englewood Municipal Code 2000, to read as follows:

16-6-4: Off-Street Parking Loading Requirements.

- O. *Surface Cover.* Off-street parking and loading spaces shall be of a ~~hard surface, either paved with asphalt, concrete or brick pavers, except that the City may approve the use of alternate dust free surfacing materials (e.g., chip seal surfacing)~~ hard, durable surface of concrete, asphalt, brick pavers, or similar alternate materials approved by the City to serve a principal permitted residential use.

Section 5. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 6, Section 10, Subsection B, Paragraph 5, Letter d, Number 4, of the Englewood Municipal Code 2000, to read as follows:

16-6-10: Design Standards and Guidelines.

5. Front Lot Coverage/Residential Driveway and Parking Pad Standards.
 - d. Standards for Residential Driveways and Parking Pads within the Front Yard or Setback Area.
 - (1) Relationship to and Conflict with Similar Provisions. The general residential driveway standards in Section 16-6-3 EMC, above shall apply to residential

development, except that if this subsection's residential driveway standards conflict with the standards in Section 16-6-3 EMC, this subsection's standards shall control and apply.

- (2) Zoning Site Plan Review Required. All new construction, surfacing or resurfacing, alteration, expansion, or re-installation of a residential driveway or parking pad shall require Zoning Site Plan review (see Section 16-2-9 EMC) prior to the start of work.
- (3) The Use of Parking Pads in Conjunction with Driveways. The use of parking pads in conjunction with driveways is discouraged but not prohibited. However, in no case shall the total width of any combination of parking pad and driveway exceed twenty feet (20').
- (4) Permitted Driveway and Parking Pad Paving Materials. Residential driveways and parking pad shall be improved with a hard, durable surface of concrete, asphalt, brick pavers, or similar alternate materials approved by the City, durable hard surface approved by the City. Surfacing materials that may be used include concrete, asphalt, exposed aggregate, or Grasserete. Prohibited materials include dirt, and gravel, crushed concrete and Grasserete or other porous material. Zoning Site Plan review (see Section 16-2-9) is required prior to the start of any residential driveway or parking pad surfacing.

[EDITORS NOTE: The remainder of 16-6-10, contains no changes and is therefore not included here]

Section 6. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 11, Section 2, of the Englewood Municipal Code 2000, to read as follows:

16-11-2: Definition of Words, Terms and Phrases.

Hard Surface: As related to driveways, parking, and loading areas, "hard surface" means a durable surface of concrete, asphalt, ~~exposed aggregate~~, brick pavers, or similar alternate materials approved by the City.

Section 7. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 8. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

Section 9. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 10. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 11. Penalty. The Penalty Provision of Section 1-4-1 EMC shall apply to each and every violation of this Ordinance.

Introduced, read in full, and passed on first reading on the 17th day of November, 2008.

Published as a Bill for an Ordinance in the City's official newspaper on the 21st day of November, 2008.

Published as a Bill for an Ordinance on the City's official website beginning on the 19th day of November, 2008 for thirty (30) days.

/s/ James K. Woodward

James K. Woodward, Mayor

ATTEST:

/s/ Loucrishia A. Ellis

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 17th day of November, 2008.

/s/ Loucrishia A. Ellis

Loucrishia A. Ellis

PUBLISHED: November 19, 2008
Official Website of the
City of Englewood, Colorado

Copies of the aforesaid ordinance are available for
public inspection in the office of the City Clerk, City
of Englewood, Civic Center, 1000 Englewood
Parkway, Englewood, Colorado 80110

Douglas Cohn
3051 S. Marion St.
Englewood, Co., 80113

April 23, 2011

CITIZEN'S INITIATIVE

In order to preserve and maintain the existing property rights of the people of Englewood on their own use of private property, this ordinance will protect the right of parking vehicles on private property. No vehicle weight restrictions are to be applied to private property. All recreational vehicles (RV's, trailers, ATV's, boats, campers, camper shells, and any other vehicle that is defined as a "ORV" by Englewood Municipal Code) are allowed to be parked and stored on private property with the location and placement at the discretion of the property owner. Business labeled vehicles are allowed to be parked on private property. The city cannot limit the number of vehicles to two per household. Any surface on private property permeable or non-permeable except for grass is an allowable surface for parking and storage of a vehicle. Any existing laws in conflict with the wording of this ordinance shall be repealed.

This letter is the official notification to the City of Englewood, the City Council and the voters of the city that a legislative initiative is going to be placed on the ballot at the regularly scheduled municipal election in November, 2011.

This initiative will **ONLY** apply to private property and will not affect any codes relating to rights of way, streets or public areas.

This initiative will modify the Englewood Municipal Code 2000 in the following areas.

Title 15 Chapter 9 sections 1 and 2
Title 11 Chapter 6 sections 1 and 2
Title 15 Chapter 1 section 2
Title 16 Chapter 5 section s, sub sections 1b and 2c
Title 16 Chapter 6 section 4 sub section O
Title 16 Chapter 6 section 10 sub section 5d4

This initiative affirms all existing private property rights and will modify all elements of the code having to do with the parking and storage of all types of RV's, ORVs, trailers, work trucks etc. It will also modify all sections of the code that refer to hard surfaces, parking pads, and drive ways.

This initiative is being brought forward by the following people:

Douglas Cohn 3051 S. Marion St. Englewood, 80113
Carolyn Fulton 4955 S. Lipan Dr. Englewood, 80110

In order to preserve and maintain the existing property rights of the people of Englewood on their own use of private property. This ordinance will protect the right of parking vehicles on private property. No vehicle weight restrictions are to be applied to private property. All recreational vehicles (RV's, trailers, ATV's, boats, campers, camper shells, and any other vehicle that is defined as a "ORV" by Englewood Municipal Code) are allowed to be parked and stored on private property with the location and placement at the discretion of the property owner. Business labeled vehicles are allowed to be parked on private property. The city cannot limit the number of vehicles to two per household. Any surface on private property permeable or non-permeable except for grass is an allowable surface for parking and storage of a vehicle. Any existing laws in conflict with the wording of this ordinance shall be repealed.



C I T Y O F E N G L E W O O D
C O M M U N I T Y D E V E L O P M E N T

TO: Mayor Woodward and Council Members
THRU: Gary Sears, City Manager
Alan White, Community Development Director ✓
FROM: Tricia Langon, Senior Planner ✓
DATE: June 27, 2011
SUBJECT: Medical District Subarea 2 Rezoning Options

Attached please find:

1. Chart comparing potential rezoning options for the 3200 block of South Sherman Street, the 3200, 3300 and a portion of the 3400 blocks of South Grant Street.
2. Original memo materials for the June 20th study session.

Approach	Option	Uses Removed	Permitted Uses	NCU	Results
1. Amend Zoning Map	R-1-C	Hospital, Clinic, Office, Parking lot, Lg group living facility	1 unit	7 added Total: 21 (24%)	<ul style="list-style-type: none"> • More nonconforming use • ¼ of area is nonconforming • All existing uses other than 1 unit are nonconforming • Approx. 5 - 6 month timeline
	R-2-A	Hospital, Clinic, Office, Parking lot, Lg group living facility	1 unit & 2 unit	1 added Total: 16 (18%)	<ul style="list-style-type: none"> • Only 2 nonconformity added (parking lot, office) • Existing multi-units without required lot area remain nonconforming • Future uses limited to 1 and 2 unit dwellings, no matter size of lot • Approx. 5 - 6 month timeline
	R-2-B	Hospital, Clinic, Office, Parking lot, Lg group living facility	1 unit, 2 unit, & 3 or more units (based on lot area)	1 added Total: 16 (18%)	<ul style="list-style-type: none"> • Only 2 nonconformity added (parking lot, office) • Approx. 5 - 6 month timeline • Existing multi-units without required lot area remain nonconforming
	MU-R-3-A	Hospital Clinic	1 unit, 2 unit, & 3 or more units (based on lot area), Office (15K), Parking lot (12K), Lg group living facility	1 added Total: 15 (17%)	<ul style="list-style-type: none"> • Only 1 nonconformity added (office) • Existing multi-units without required lot area remain nonconforming • Approx. 5 - 6 month timeline • No conversion to non-res use (office) if lot area is < 15,000 sf
2. Amend UDC Text					<ul style="list-style-type: none"> • Affects all MU-R-3-B zones (12 areas are now MU-R-3-B in the city) • Approx. 6 - 8 month timeline • Research all MU-R-3-B areas
3. Create New Zone			Can pick and choose allowed uses		<ul style="list-style-type: none"> • Approx. 8 - 10 month timeline • Most intensive and time consuming option

4th Approach: MU-R-3-B zoning with overlay for only these blocks that removes particular uses (i.e. hospital, clinic, office, 3-plus residential uses)



M E M O R A N D U M COMMUNITY DEVELOPMENT

DATE: June 20, 2011

TO: City Council

FROM: Alan White, Community Development Director ✓

SUBJECT: Analysis of Rezoning Alternatives for the 3200 Block of Sherman Street, and the 3200, 3300, and a Portion of the 3400 Block of Grant Street

Council has directed staff to explore options for down-zoning portion of Subarea 2 in the Medical District. The current MU-R-3-B zone classification is a mixed use zone district allowing single and multi-unit residential uses, and office and hospital uses. When revisions to the Downtown and Medical District Small Area Plan goals and objectives were approved, those amendments gave direction to consider both R-1 and R-2 zone district designations.

The MU-R-3-B district allows one-unit and multi-unit dwellings, hospitals, clinics, laboratories, and type 1 (general) and type 2 (limited) offices. One unit dwellings require a minimum lot area of 6,000SF and a minimum lot width of 50 feet. Residential densities can be greater than in the MU-R-3-A district because the lot area required per unit is 3,000 SF up to four units and 1,000 SF over four units. There is no minimum lot width requirement for multi-unit dwellings. Office uses require a minimum of 24,000 SF of lot area, however, an existing residential use can be converted to an office without meeting this standard.

Attached are the Table of Allowed Uses and Table of Dimensional Requirements from the UDC for the various residential zone districts.

In general, there are three basic approaches to amend the zoning for an area in the City:

1. Change the Zoning Map to re-zone the area to an already-established zone district;
2. Amend the text of the zoning regulations to add or delete uses, change dimensional standards, or create new restrictions.
3. Amend the text of the zoning regulations to create a new zone district with a set of permitted uses, dimensional requirements and restrictions, and amend the Zoning Map to re-zone the area in which the new zone district rules will apply.

A brief description of the potential re-zoning options under each approach noted above is provided below.

Approach 1 Options – Amending the Zoning Map

R-1-C: A Small Lot Size Single Unit Residential District

Single unit residential lots in sub-area 2 are predominantly 50 feet wide and 125 feet deep, for an average lot size of 6,250 SF, which is consistent with the lot size requirements of the R-1-C zone district. R-1-A and R-1-B require minimum lot sizes of 7,200 and 9,000 SF, and therefore do not match existing conditions. Rezoning to R-1-C would create numerous non-conforming lots. All of the existing multi-unit dwellings would become non-conforming uses.

R-2-A: Low Density Single and Multi-Dwelling Unit Residential District

This zone district allows single and two-unit developments. Minimum lot area is 6,000 SF, with a minimum lot width of 50 feet. No more than two units can be built on a single parcel. Each unit requires 3,000 SF of lot area and 25 feet of lot width.

Most of the lots with one unit dwellings in the subject area would meet these minimum requirements. Properties with more than two units would be made non-conforming uses. It appears all of the two-unit structures would be conforming with respect to lot size, but might be made non-conforming with respect to setback or other requirements. Many of these uses are probably non-conforming with the MU-R-3-B requirements now.

R-2-B: Medium Density Single and Multi-Dwelling Unit Residential District

The R-2-B zone district differs from R-2-A in that R-2-B allows more than two attached units for a given property, but still requires a minimum lot width of 25 feet and 3,000 SF lot area per unit, same as the requirement for the R-2-A zone district. The minimum lot area is 6,000 SF with a minimum lot width of 50 feet. The residential density allowed in R-2-A and R-2-B is the same. The R-2-B zone district allows a greater maximum lot coverage (60%) versus R-2-A (40%) for multi-unit dwellings.

Most of the lots with one unit dwellings in the subject area would meet these minimum requirements. Properties with more than two units would likely be made non-conforming uses because of the lot size requirement. It appears all of the two-unit structures would be conforming with respect to lot size, but might be made non-conforming with respect to setback or other requirements. Many of these uses are probably non-conforming with the MU-R-3-B requirements now.

MU-R-3-A: Low Density Residential and Limited Office Zone District

This zone district allows one unit and multi-unit dwellings as well as limited (type 2) office uses. Hospitals and clinics are not permitted. Type 2 offices are those that are found to be compatible with residential uses in terms of floor area, hours of operation, parking and loading demand, and typical levels of customer/client traffic. Type 2 offices do not include offices or clinics that provide medical or dental services.

The minimum lot area for a one unit dwelling is 6,000 SF with a minimum lot width of 50 feet. Additional units require 3,000 SF of lot area and 25 feet of lot width per unit. There is no restriction on the maximum number of units. Office uses require a minimum of 15,000 SF of lot area with no minimum lot width.

Most of the lots with one unit dwellings in the subject area would meet these minimum requirements. Properties with more than two units would likely be made non-conforming uses because of the lot size requirement. It appears all of the two-unit structures would be conforming with respect to lot size, but might be made non-conforming with respect to setback or other requirements. Many of these uses are probably non-conforming with the MU-R-3-B requirements now.

Approach 2 Option – Change the Text of the Zoning Regulations

The Planning and Zoning Commission began investigating reforms to the existing MU-R-3-B zoning in order to protect portions of Subarea 2 from incompatible development, while retaining flexibility for medium-scale multi-unit residential development for properties that might be suitable for redevelopment. Initial ideas for reforming MU-R-3-B zoning regulations in portions of Subarea 2 included:

- Remove over night, in-patient hospital as an allowed use.
- Reduce maximum height from 60 to 35 to 40 feet.
- Place cap on maximum office building square footage.
- Modify number of residential units per lot size formulas to favor smaller residential developments that can be built on one to two lots.
- Consider restricting office use to existing structures only, or eliminating office use all together.

Additional items for further reform that could be considered:

- Restrict multi-unit residential rental development to two units per fifty foot lot, while allowing bonus units for deed restricted owner-occupied and senior housing.
- Limit multi-unit residential development to a maximum lot width of 150 feet, as well as a maximum number of units.

Changes to the table of allowed uses, dimensional requirements and other restrictions under this option would affect all other MU-R-3-B zoned areas in the City. No amendments to the Zoning Map would be required with this approach.

Approach 3 Options – Create a New Zone District

R-XYZ Zone District

Creating a new list of permitted uses, dimensional requirements and restrictions on certain uses could be accomplished by creating a new zone district. The text of the zoning regulations would be amended and the Zoning Map would be amended to show the area where the new zone district would apply.

The text of the zoning regulations would be amended by inserting the new district into the Table of Allowed Uses and then filling in the Table to indicate what uses would be permitted uses, conditional uses or limited uses. The Table of Dimensional Requirements would also be amended to include the new zone district and the standards to be applied in the district. Allowed uses and standards would be established to create as few non-conforming situations as possible.

Neighborhood Conservation Overlay District

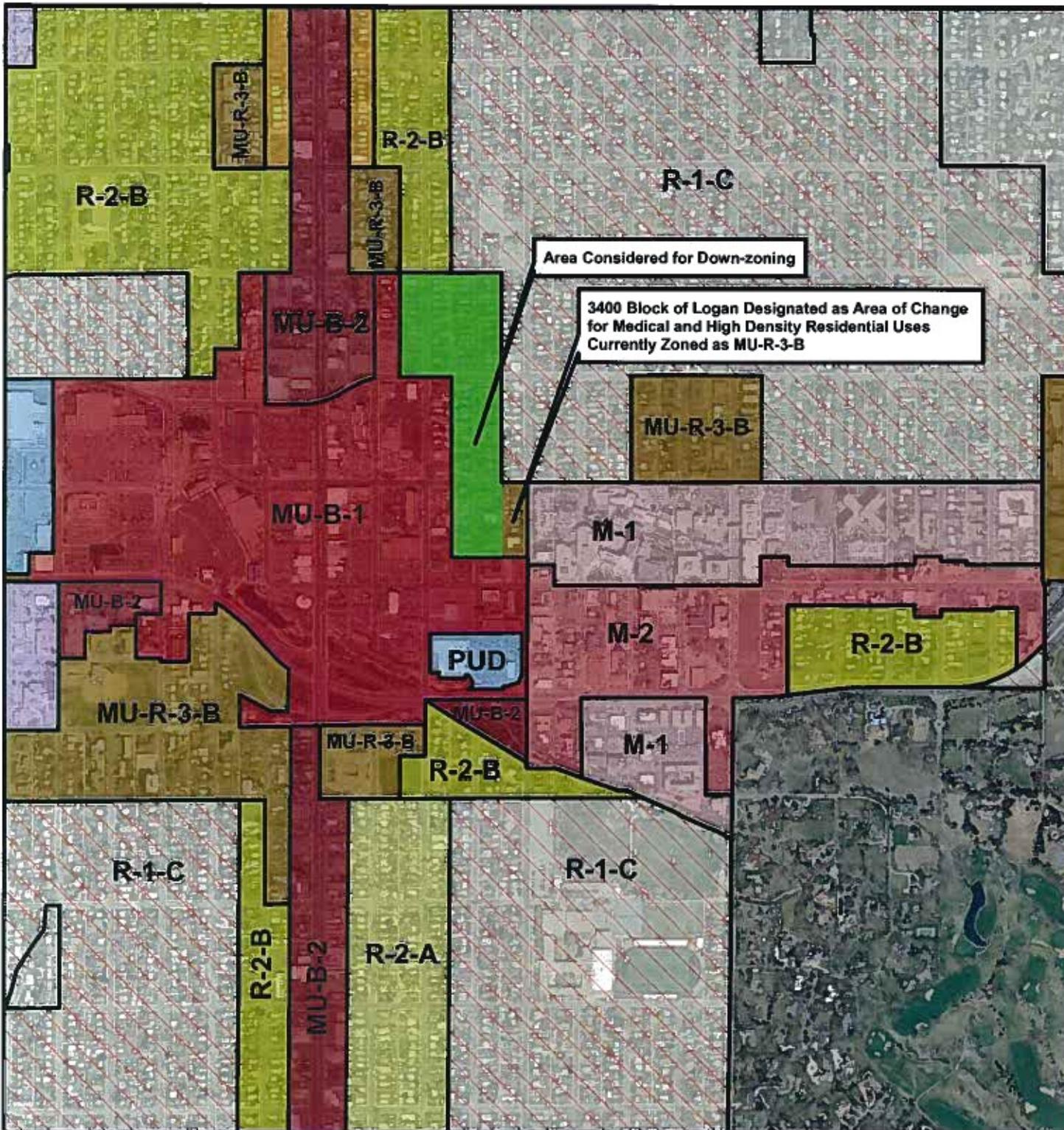
This is an option that was discovered through researching down-zoning cases in other cities. The neighborhood conservation district overlay places a set of targeted zoning rules that would take precedence over specific areas of the underlying zoning district (MU-R-3-B) rules. This approach would allow the creation of a more flexible regulatory environment that may prevent certain uses that were originally allowed in the underlying zone district, or place additional requirements and restrictions on certain uses.

The changes to the MU-R-3-B zone district noted in Approach 2 could be accomplished with an overlay district. The advantage of the overlay approach over Approach 2 is that the new rules or restrictions would apply only in the area where the overlay applied and not in other MU-R-3-B zoned areas of the City. In addition, new rules could be created that allow certain types of multi-unit dwellings such as senior housing, while not allowing others. It might also be easier to address the myriad non-conforming situations that may be created.

Attachments:

Zoning Map
Table of Dimensional Requirements
Table of Allowed Uses

Portions of Sub-area 2 Considered for Down-zoning in Relationship to Surrounding Zoning



LEGEND

-  Area Considered for Down-zoning
-  R-1-A
-  R-1-B
-  R-1-C
-  R-2-A
-  R-2-B
-  MU-R-3-A
-  MU-R-3-B
-  M-1
-  M-2
-  MU-B-1
-  MU-B-2
-  I-1
-  I-2
-  PUD

June, 2011

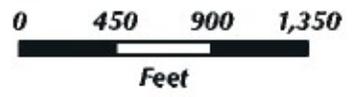


TABLE 16-6-1.1: SUMMARY OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES

	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side [1] & [2]	Rear
R-1-A District								
One-Unit Dwelling	9,000	None	35	75	32	25	7	20
One-Unit Dwelling on a Small Lot [5]	6,000 [4]	None	40	50	32	25	5	20
All Other Allowed Uses	24,000	None	35	200	32	25	25	25
R-1-B District								
One-Unit Dwelling	7,200	None	40	60	32	25	5	20
One-Unit Dwelling on a Small Lot [5]	6,000 [4]	None	40	50	32	25	5	20
All Other Allowed Uses	24,000	None	40	200	32	25	25	25
R-1-C District								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
One-Unit Dwelling on a Small Lot [5]	4,500 [4]	None	35	37	32	25	3	20
All Other Allowed Uses	24,000	None	40	200	32	25	25	25

TABLE 16-6-1.1: SUMMARY OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES

	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side [1] & [2]	Rear
R-2-A District								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
One-Unit Dwelling on a Small Lot [5]	4,000	None	35	40	32	25	3	20
Multi-Unit Dwelling (Maximum 2 units)	3,000 per unit	None	40	25 per unit [4]	32	25	5	20
All Other Allowed Uses	24,000	None	60	200	32	25	25	25
R-2-B District								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
One-Unit Dwelling on a Small Lot [5]	4,000	None	35	40	32	25	3	20
Multi-Unit Dwelling (Maximum Units Based on Lot Area & Lot Width)	3,000 per unit	None	60	25 per unit [4]	32	25	5	20
All Other Allowed Uses	24,000	None	60	200	32	25	25	25

TABLE 16-6-1.1: SUMMARY OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES

	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side [1] & [2]	Rear
MU-R-3-A District								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
One-Unit Dwelling on a Small Lot [5]	4,000	None	35	40	32	25	3	20
Multi-Unit Dwelling (Maximum Units Based on Lot Area & Lot Width)	3,000 per unit	None	60	25 per unit [4]	32	25	5	25
Private Off-Street Parking Lots	12,000	None	70	None	n/a	25	15	15
Office, Limited	15,000	1.5 (Excluding the gross floor area of parking structures)	50	None	32	25	15	25
All Other Allowed Uses	24,000	None	60	200	32	25	25	25

TABLE 16-6-1.1: SUMMARY OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES

	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side [1] & [2]	Rear
MU-R-3-B District (See Additional Regulations Following the Table)								
One-Unit Dwelling	6,000	None	40	50	32	15	5	20
One-Unit Dwelling on a Small Lot [5]	4,000	None	35	40	32	25	3	20
Multi-Unit Dwelling (Maximum Units Based on Lot Area & Lot Width)	2-4 units: 3,000 per unit; Each additional unit over 4 units: 1,000 per unit [4]	None	75	None	2-4 units: 32 More than 4 units: 60	15	2-4 units: 5 More than 4 units: 15	25
Office, Limited	24,000	1.5 (Excluding the gross floor area of parking structures)	75	None	60	15	15 [3]	25
All Other Allowed Uses	24,000 [4]	None	75	None	60	15	15	25

C. Table of Allowed Uses.

TABLE 16-5-1.1: TABLE OF ALLOWED USES P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T = TEMPORARY USE L = LIMITED USE C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE																
Use Category	Use Type	Residential							Non-Residential							Additional Regulations
		R 1 A	R 1 B	R 1 C	R 2 A	R 2 B	MU 3 A	MU 3 B --- M O 1	M 1	M 2 --- M O 2	MU B 1	MU B 2	T S A	I 1	I 2	
RESIDENTIAL USES																
Group Living	Group living facility, large/special						C	C	C	C	P	P				16-5-2.A.1
	Group living facility, small	P	P	P	P	P	P	P	P	P	P	P	P			16-5-2.A.1
	Small treatment center						C	C	C	C	P	P				16-5-2.A.1
Household Living	Live/work dwelling								P	P	P		P	L	L	16-5-2.A.2
	Manufactured home park													P		16-5-2.A.3
	Multi-unit dwelling				P	P	P	P	P	P	P	P	P			16-5-2.A.4 16-6-1.C.4
	One-unit dwelling	P	P	P	P	P	P	P	P	P						16-5-2.A.5 16-5-2.A.6
	One-unit dwelling on a small lot	P	P	P	P	P	P	P	P	P						16-5-2.A.6
	Boarding or rooming house				C	C	C	C	C	C						16-5-2.A.7
PUBLIC/INSTITUTIONAL USES																

TABLE 16-5-1.1: TABLE OF ALLOWED USES

P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T= TEMPORARY USE L= LIMITED USE
C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE

Use Category	Use Type	Residential							Non-Residential						Additional Regulations		
		R 1 A	R 1 B	R 1 C	R 2 A	R 2 B	MU 3 A	MU 3 B	M 1	M 2	MU 1	MU 2	T S A	I 1		I 2	
<i>(See Chapter 16-7, "Telecommunications," for applicable use-related guidelines and standards)</i>	Antenna (microwave antenna, sectorized panel antenna, whip antenna)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Tower structure	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	
Transportation Facility	RTD maintenance facility													P	P		
	Transit center													P			
Utility Facility (not including Telecommunication Facility)	Major utility facility														P	P	16-5-2.B.1
	Minor utility facility (as a principal use of land)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
COMMERCIAL USES																	
Adult Use	All types as defined in Chapter 16-11												P		P		16-5-2.C.1
Agricultural Use	Greenhouse/nursery, raising of plants, flowers, or nursery stock														P	P	16-5-2.C.2
Animal Sales and Service	Animal shelter														P	P	
	Kennel/day care											L		P	P		

TABLE 16-5-1.1: TABLE OF ALLOWED USES

P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T= TEMPORARY USE L= LIMITED USE
C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE

Use Category	Use Type	Residential							Non-Residential						Additional Regulations	
		R 1 A	R 1 B	R 1 C	R 2 A	R 2 B	MU R 3 A	MU R 3 B --- M O 1	M 1	M 2 --- M O 2	MU B 1	MU B 2	T S A	I 1		I 2
	Pet store (live animal sale)									P	P	P	P	P	P	
	Small animal veterinary hospital or clinic									L	L	P	C	P	P	
Assembly	Assembly hall or auditorium, hall rental for meetings or social occasions									P	P	P	C	P	P	
	Membership organization (excluding adult use)									P	P	P	C	P	P	
Dependent Care	Dependent care center (less than 24-hour care, any age)	C	C	C	C	C	P	P	P	P	P	P	C			16-5-2.C.7
Entertainment/ Amusement: Indoor	Amusement establishment									C	C	C	C	C	C	
	Hookah Lounge									P	P	P		P	P	
	Physical fitness center/spa									P	P	P	P	P	P	

TABLE 16-5-1.1: TABLE OF ALLOWED USES

P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T= TEMPORARY USE L= LIMITED USE
C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE

Use Category	Use Type	Residential							Non-Residential						Additional Regulations		
		R 1 A	R 1 B	R 1 C	R 2 A	R 2 B	MU R 3 A	MU R 3 B --- M O 1	M 1	M 2 --- M O 2	MU B 1	MU B 2	T S A	I 1		I 2	
	Theater and performance/concert venue, not including adult entertainment											P	P	P	P	P	
Entertainment/ Amusement: Outdoor	General outdoor recreation												C		C	C	
Financial Institution	Check cashing facility											P		P		P	P
	Financial institution, with drive-through service													L		P	P
	Financial institution, without drive-through service											P	P	P	P	P	P
Food and Beverage Service	Brewpub											P	P	P	P	P	P
	Caterer											P		P		P	P
	Microbrewery														P	P	P
	Restaurant, bar, tavern with or without outdoor operations											P	P	P	P	P	P

TABLE 16-5-1.1: TABLE OF ALLOWED USES

P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T= TEMPORARY USE L= LIMITED USE
C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE

Use Category	Use Type	Residential							Non-Residential						Additional Regulations	
		R 1 A	R 1 B	R 1 C	R 2 A	R 2 B	MU 3 A	MU 3 B	M 1	M 2	MU 1 B	MU 2 B	T S A	I 1		I 2
	Restaurant, with drive-through service											L		P	P	
	Take out and delivery only								P		P			P		
Medical/Scientific Service	Clinic							P	P	P	P	P	P	P	P	
	Hospital							P	P	P		P		P	P	
	Laboratory (dental, medical or optical)						P	P	P	P	P	P	P	P	P	
Medical Marijuana	Medical Marijuana Center									<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>16-5-2.C.13</u> <u>16-5-4.C.1.f</u>
	Medical Marijuana Optional Premises Cultivation Operation									<u>A</u>	<u>A</u>	<u>A</u>		<u>P</u>	<u>P</u>	<u>16-5-2.C.13</u> <u>16-5-4.C.1.f</u>
	Medical Marijuana Infused Products Manufacturer									<u>A</u>	<u>A</u>	<u>A</u>		<u>P</u>	<u>P</u>	<u>16-5-2.C.13</u> <u>16-5-4.C.1.f</u>
Office	Office, type 1 (general)							P	P	P	P	P	P	P	P	
	Office, type 2 (limited)						P	P	P	P	P	P	P	P	P	16-5-2.C.8

NOTE: Remainder of TABLE 16-5-1.1: TABLE OF ALLOWED USES is not include.