

ARTICLE 5: DISTRICT REGULATIONS

17-5-1 GENERAL Article 5 lists each zone district established within the City of Lakewood, lists all of the uses permitted within each zone district, as well as the development standards, additional regulations, and performance standards governing particular uses. The purpose of these district regulations is to insure compatibility of land uses, efficient and economical use of land within the City, and adequate light and air in development projects. These regulations are also intended to encourage development projects and use of land which is functional, exhibit good design and aesthetics, and protect the City's residences, businesses, and infrastructure consistent with the Comprehensive Plan.

17-5-2 TYPES OF USES

- (1) **PERMITTED USES** Any use allowed in a land use zoning district by this Ordinance, subject to the provisions applicable to that district contained within this Ordinance.
- (2) **PRINCIPAL USES** Land uses allowed in a given zone district as a use by right because they are considered compatible with the intent of the district. The buildings and structures which contain such uses, and the site development necessary for their establishment must meet the development regulations and plan review requirements established in this Ordinance.
- (3) **ACCESSORY USES** Uses which are considered subordinate to, and serve the main building or principal use; contribute to the comfort, convenience, or necessity of the occupants of the main building or principal use served; are subordinate in area, extent, and purpose to the main building or principal use served; and are located within or external to the main building or principal use, but on the same lot.
- (4) **SPECIAL USES** A discretionary entitlement which may be granted under the provisions of this Ordinance, and which, when granted, authorizes a specific use to be made of a specific property, subject to compliance with all terms and conditions imposed on the entitlement.
- (5) Any change in the principal use of a property, or within the buildings or structures located on a property, shall be required to be reviewed by the Director of Community Planning and Development for compliance with the District Regulations set forth for the zoning of said property, prior to the occurrence of the proposed change in use.

17-5-3 FENCES, WALLS, AND OBSTRUCTIONS TO VIEW All fences herein after constructed or reconstructed within the City shall require a building permit. For Performance Standards see Article 8 of this Ordinance.

17-5-4 PARKING REQUIREMENTS For Performance Standards see Article 9 of this Ordinance.

17-5-5 SETBACK REQUIREMENTS The general provisions for all zone districts are as follows:

- (1) Unless specifically excluded, any building or structure including any accessory building or structure located within a zone district shall conform to the setback requirements applicable to that zone district as set forth in the district regulations. No structures may be constructed, placed, or erected within any easements unless otherwise approved by the City. Street classifications set forth in this Article are as designated in the Major Street Plan.
- (2) Setbacks shall be measured per the standards detailed in each zone district.
- (3) Exclusions: The following are allowed in any required setback, except as noted below, but shall not obstruct a motorist's vision at access points and shall not encroach into the required sight triangle (see Section 17-8-1):
 - a) Driveways.
 - b) Eaves, if they encroach no more than two (2) feet into the minimum required setback.
 - c) Mailboxes and newspaper racks.
 - d) Planters, if no greater than thirty (30) inches in height.
 - e) Porches, patios, and decks, if uncovered and no greater than thirty (30) inches in height.
 - f) Porches, as defined in Section 17-2-2, which project no more than eight (8) feet into the required front yard setback.
 - g) Retaining walls.
 - h) Walkways.
 - i) Walls and fences, if in compliance with Article 8 of the Lakewood Zoning Ordinance, and with an approved fence permit.
 - j) Utility facilities.
 - k) Cantilever windows which project no more than two (2) feet into the required setback on any side.
 - l) Buildings and structures as provided elsewhere in this Ordinance.

17-5-6 UNNAMED USES Uses not specifically named within a zone district are not allowed except as follows:

- (1) Upon application therefore, the Director of the Department of Community Planning and Development may determine whether a proposed use which is not specifically named within any zone district created by this Ordinance, and is not an accessory use, is similar to and compatible with uses otherwise allowed within a specific zone district and may, upon making a determination of similar and compatible uses, allow the proposed use within that district.
- (2) In making the determination of similarity and compatibility, the Director shall consider, among other relevant matters, traffic generation, density of population, and hours of operation of the proposed use in comparison to specifically named uses within the zone district in question, with named uses permitted in other zone districts in the City, and the location of use criteria set forth in the Comprehensive Plan.

- (3) Any appeal of a decision of the Director shall be made to the Planning Commission pursuant to the appeal process described in Article 15 of the Zoning Ordinance. In considering the appeal, the Planning Commission shall apply the same standards applicable to the decision of the Director.

17-5-7. R1A: RESIDENTIAL ONE ACRE

- (1) Purpose The R1A district is intended to protect and enhance existing rural character, uses, densities and standards while providing for low intensity use of natural resources, limited residential and recreational development, and other compatible uses. Residential densities are limited to no more than one dwelling unit per one acre lot.
- (2) Permitted Uses No building or land within the R1A District shall be used, and no building shall be hereafter constructed or altered, except for one of the following uses:

a) Principal Uses

1. Agricultural use, which may be conducted in conjunction with a residential use of the property.
2. Cemeteries and crematoriums. *
3. Child care camps. *
4. Churches. *
5. Community building. *
6. Dwelling unit, single family.
7. Emergency health care facilities, other than ambulance service facilities. *
8. Emergency, noncommercial, helipad. *
9. Irrigation ditches.
10. Keeping of livestock.
11. Outdoor civil defense public warning siren system.
12. Private nonprofit recreational facilities. *
13. Public fire and police stations. *
14. Public parks.
15. Public recreational facilities. *
16. Public and private stables.
17. Public transportation structures and facilities. *
18. Railroad rights-of-way, but not including railroad freight yards, passenger stations, or storage.
19. Schools, public, parochial, and private. *
20. Transit rights-of-way, including passenger stations. *
21. Utility facility.
22. Veterinary hospitals. *
23. Wind-powered electric generators.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

- b) Notwithstanding anything to the contrary in Subsection 17-5-7(1), City-owned land within the R1A District which is used or held for open-space or park purposes shall not be permitted to be used for any other purpose than open-space or park purposes.

c) Accessory uses

1. Agricultural buildings
2. Amateur radio towers and antennae.
3. Amusement centers in public or non-profit recreational facilities. *
4. Buildings or structures incidental to the operation of any farm or ranch or any other use provided within the R1A district.
5. Church parish house.
6. Dwellings for farm or ranch employees employed on the premises.
7. Emergency shelters. *
8. Home occupation.
9. Keeping of fowl, excluding emus and ostriches.
10. Keeping of household pets (see performance standards).
11. Off-street parking areas.
12. Private garage.
13. Private, noncommercial greenhouses.
14. Private, noncommercial swimming pools.
15. Residence for caretaker of Public Park or public recreation area.
16. Satellite dish antennas. See 17-12-2(2)
17. Storage sheds.
18. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses are permitted as Special Uses subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) Airports, commercial radio and television studios, commercial radio and television towers.
- b) Bed and breakfast.
- c) Campground for travel trailers, mounted camper units, motor homes, and tents.
- d) Golf driving ranges.
- e) Government office building.
- f) Greenhouses and nurseries, including landscaping materials, both wholesale and retail.
- g) Group homes.
- h) Historical buildings, structures and sites.
- i) Keeping of emus and ostriches.
- j) Mineral resource extraction.
- k) Private golf course, country club, or other private club operated for the benefit of member's only and not monetary gain or profit.
- l) Racetracks.
- m) Roadside stands.
- n) Sanitary landfills.
- o) Tree service.

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| All Fences | <p>boundary line between the districts shall only be that fence allowed in the other zone district. Electrified fences are permitted only if livestock is legally allowed on the property, on side and rear yards and only if placed inside another security fence. Warning signs must be posted in a conspicuous location for electrified fences. Electric fences can only be supplied from the secondary side of an approved or listed electric fence device. The electric wiring for the fence shall be installed as per manufacturer's instructions.</p> <p>Other requirements or performance standards may be found in Article 8 of this Ordinance</p> |
| <p>PARKING</p> <p>Dwelling unit, single family</p> <p>Other</p> | <p>2 off-street spaces per dwelling unit.</p> <p>Driveways shall be a minimum of 20' from structure to back of sidewalk or right-of-way</p> <p>Additional parking standards for all uses permitted in the R1A Zone District may be found in Article 9 of this Ordinance.</p> |
| <p>SIGNAGE</p> <p>Home Occupation</p> <p>Subdivision Identification</p> <p>Business Identification</p> <p>Other</p> | <p>1.5 square foot wall sign</p> <p>50 square foot monument sign</p> <p>100 square foot wall sign, and 100 square foot freestanding or monument sign 25 feet maximum height.</p> <p>Sign standards for all other signs permitted in the R1A Zone District may be found in Article 10 of this Ordinance.</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district, except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. Every main building or single household dwelling hereafter constructed in the R1A zone district which is not part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot.
3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
5. For any Special Use as contained within Subsection 17-5-7(3), there shall be a minimum lot area of three (3) acres; except the following special uses: Bed and Breakfast, Group Homes, and the Keeping of Emus and Ostriches.
6. Buildings, including accessory structures, shall not cover more than twenty (20) percent of the area of any parcel of land in this zone. Campgrounds shall not cover more than twenty (20) percent of the area of any parcel on which approval

for such use has been given, provided that not less than twenty thousand (20,000) square feet of total land area be provided for each campsite.

b) Performance Standards:

1. Public and private stables, including riding academies, and barns and the keeping of only the following animals: horses, cattle, sheep, goats, llamas, poultry, pigeons, rabbits and chinchillas.
 - a) All horses, cattle, sheep, goats, and llamas shall be kept in a fenced area. The minimum square footage of open lot area, not including the dwelling unit or the garage, shall be nine thousand (9,000) square feet for the first such animal, and six thousand (6,000) square feet for each additional such animal. A minimum containment area of 300 square feet shall be provided and used for each animal. Any previously constructed containment area that does not meet the minimum area requirement must be brought into conformance.
 - b) The use of temporary buildings or trailers for the stabling of horses in excess of one (1) fifteen (15) day period during each calendar year is prohibited.
 - c) No accessory building or structure for the keeping of livestock or animals, riding ring, or corral shall be located such that the front setback is less than that observed by the dwelling unit. A riding ring or corral may be located in a non-primary front yard; and a riding ring may also be located in a portion of the primary front yard as determined by the director.
 - d) Poultry and pigeons are permitted and may be kept without regard to number as long as they are in a fenced area or private poultry houses and pigeon coops, with no more than four hundred (400) square feet of gross floor area; rabbits and chinchillas are permitted and may be kept without regard to number as long as they are in a fenced area or private rabbit and chinchilla hutches with no more than one hundred (100) square feet of gross floor area. All such houses, coops and hutches must be set back fifteen (15) feet from the side and rear property lines and one hundred (100) feet from the front lot line. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop as long as the pigeons do not create a public nuisance.
 - e) Any fence that serves to contain livestock and fowl shall be constructed of permanent materials, well maintained and of sufficient strength and height to confine any animal located on the property. If any livestock animal is not found to be confined on the subject property, as determined by the Director, and/or if a livestock animal has damaged or is damaging property on adjacent property (ies), a corral or riding ring shall then be setback a minimum of eight (8) feet from the property line.

- f) Sanitary Conditions. The accumulation of manure by any means shall not be permitted within one hundred (100) feet of the front lot line or within fifteen (15) feet of the side and rear lot lines. Manure stored in a pile or piles shall be so screened as to not be in view from any adjacent private property, from any adjacent public thoroughfare, or from areas of public access and shall be treated so as to not create a nuisance. Any containment area and/or manure pile shall be kept so as to not attract flies, create excessive odors, and so as to not cause a hazard to the health, safety and welfare of human beings and/or animals. Manure pile(s) shall be removed from the property at a minimum of once every fourteen (14) days. Drainage improvements shall be provided by the property owner to protect an adjacent property, water body, river, stream, or storm sewer from runoff containing contaminants resulting from animal waste.
2. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of non-commercial public recreation facilities.
 3. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
 4. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest point of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
 5. Roadside stands are for operation during not more than six (6) months in each year for sale of farm products produced or made on the premises.
 6. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:

- a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
7. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards, which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
 8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-8. RR: RURAL RESIDENTIAL DISTRICT

- (1) Purpose. The intent of this residential district is to protect the existing rural character of an area and to establish a rural pattern of development, which allows for low density single family residences and agricultural uses suitable for a residential area.
- (2) Permitted Uses. No building or land within the RR District shall be used, and no building shall be hereafter constructed or altered, except for one or more of the following uses:

a) Principal Uses

1. Agricultural uses.
2. Churches.*
3. Community building.*
4. Dwelling unit, single family.
5. Emergency health care facilities, other than ambulance service facilities.*
6. Irrigation ditches.
7. Keeping of livestock
8. Outdoor civil defense public warning siren system.
9. Private nonprofit recreational facilities.*
10. Public fire and police stations.*
11. Public parks.
12. Public recreational facilities.*
13. Public transportation structures and facilities.*
14. Railroad rights-of-way, but not including railroad freight yards, passenger stations, or storage.
15. Schools, public, parochial, and private.*
16. Transit rights-of-way, including passenger stations.*
17. Utility facility.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Agricultural buildings
2. Amateur radio towers and antennae.
3. Amusement centers in public or non-profit recreational facilities.*
4. Church parish house.
5. Emergency shelters.*
6. Home occupation.
7. Keeping of fowl excluding emus and ostriches.
8. Keeping of household pets (see performance standards).
9. Off-street parking areas.
10. Private garage.
11. Private, noncommercial greenhouses.

12. Private, noncommercial swimming pools.
13. Private stables and barns.
14. Residence for caretaker of public park or public recreation area.
15. Satellite dish antennas. See 17-12-2(2).
16. Storage sheds.
17. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses are permitted as Special Uses subject to approval of a Special Use Permit as provided for in Article 6 of the City of Lakewood Zoning Ordinance:

- a) Bed and breakfast.
- b) Group homes.
- c) Keeping of emus and ostriches.
- d) Roadside stands for operation during not more than six (6) months in each year for the sale of farm products produced or made on the subject property, provided such stands are set back at least thirty (30) feet from the front lot line.
- e) Wind-powered electric generators.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the RR zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR RR |
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| MINIMUM LOT SIZE | (a) Newly platted lots must have an average size of 30,000 square feet and a minimum lot size of ½ acre (21,780 square feet). (b) Parcels subdivided into three or more lots must average a minimum of 30,000 square feet; parcels rezoned and/or subdivided into two lots must be at least ½ acre (21,780 square feet) |
| MINIMUM LOT WIDTH | (a) 100' for lots platted after December 16, 1985. (b) Historical width where evidence is provided that lots were legally platted or created by deed and existed at current width prior to December 16, 1985. |
| MAXIMUM BUILDING HEIGHT | 35': dwelling unit and barns 20': other accessory buildings (see performance standards for this section.) 15': clubhouses (see performance standards for this section.) 10': accessory buildings located within side and rear setbacks (must be no more than 120 square feet in size.) 60': wind power generators. |
| MAXIMUM BUILDING COVERAGE | 25% of square footage of the lot, including dwelling unit and accessory buildings. |
| SETBACKS Front | For a Habitable Structure: |

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| <p>(All front setbacks are measured from the back of curb. If a curb does not exist, add 3' to the setback value listed to the right and measure the setback from the edge of the asphalt.</p> <p>Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district.</p> <p>A front setback also applies to other streets on the side or rear of a lot.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> | <p>25' from local streets; 35' from collector streets; 45' from arterial streets.</p> <p>Attached Garages must be set back a minimum of : 18' from the back of a detached sidewalk, or 23' from the back of an attached sidewalk, or 29' from the edge of the asphalt or back of curb when no sidewalk is existing.</p> <p>All other accessory buildings must be behind the front edge of the principal structure.</p> <p>15': dwelling unit or other building for the keeping of livestock or animals. 10': other detached accessory buildings or structures.</p> <p>15': dwelling unit or other building for the keeping of livestock or animals. 10': other detached accessory buildings or structures.</p> |
| <p>FENCES Front, primary; Front non-primary; Side and Rear</p> <p>Additional Requirements:</p> | <p>Type of Fence: 50% open in front yard Open or Solid surface in side and rear yards.</p> <p>Maximum Height: 72"</p> <p>Minimum Setback: on the property line or 2' from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> <p>Electrified fences are permitted only if livestock is legally allowed on the property, on side and rear yards and only if placed inside another security fence. Warning signs must be posted in a conspicuous location for electrified fences. Electric fences can only be supplied from the secondary side of an approved or listed electric fence device. The electric wiring for the fence shall be installed as per manufacturer's instructions.</p> |
| <p>PARKING Dwelling unit, single family Other</p> | <p>2 off-street parking spaces per dwelling unit Additional parking standards for all uses permitted in the RR Zone District may be found in Article 9 of this Ordinance</p> |
| <p>SIGNAGE Home Occupation Subdivision Identification Other</p> | <p>1.5 square foot wall sign 50 square foot monument sign Sign standard for all other signs permitted in the RR Zone District may be found in Article 10 of this Ordinance</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district, except where the

Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.

2. Every main building or single household dwelling hereafter constructed in the RR zone district which is not part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot.
3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.

b) Performance Standards:

1. In conjunction with an occupied single-family dwelling, accessory buildings including garages, private stables and barns which together with all on-site principal buildings are not to exceed 25% of the total lot area for the keeping of only the following animals: horses, llamas, cattle, sheep, goats, poultry, pigeons, rabbits, and chinchillas.
 - (a) All horses, cattle, sheep, goats, and llamas shall be kept in a fenced area. The minimum square footage of open lot area, not including the dwelling unit or the garage, shall be nine thousand (9,000) square feet for the first such animal, and six thousand (6,000) square feet for each additional such animal, but in no event to exceed a total of four (4) such animals per acre, except that offspring of animals on the property may be kept until weaned. A minimum containment area of 300 square feet shall be provided and used for each animal. Any previously constructed containment area that does not meet the minimum area requirement must be brought into conformance. A riding ring or corral may be located in a non-primary front yard; and a riding ring may also be located in a portion of the primary front yard as determined by the director.
 - (b) No accessory building or structure for the keeping of livestock or animals, riding ring, or corral shall be located such that the front setback is less than that observed by the dwelling unit. A riding ring or corral may be located in a non-primary front yard; and a riding ring may also be located in a portion of the primary front yard as determined by the director.
 - (c) The use of temporary buildings or trailers for the stabling of horses in excess of one 15- day period in each calendar year is prohibited.
 - (d) Poultry and pigeons are permitted and may be kept without regard to number as long as they are in a fenced area or private poultry houses and pigeon coops, with no more than four hundred (400) square feet of gross floor area; rabbits and chinchillas are permitted and may be kept without regard to number as long as

they are in a fenced area or private rabbit and chinchilla hutches with no more than one hundred (100) square feet of gross floor area. All such houses, coops and hutches must be set back fifteen (15) feet from the side and rear property lines and one hundred (100) feet from the front lot line. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop as long as the pigeons do not create a public nuisance.

- (e) Any fence that serves to contain livestock and fowl shall be constructed of permanent materials, well maintained and of sufficient strength and height to confine any animal located on the property. If any livestock animal is not found to be confined on the subject property, as determined by the Director, and/or if a livestock animal has damaged or is damaging property on adjacent property(ies), a corral or riding ring shall then be setback a minimum of eight (8) feet from the property line.
 - (f) Sanitary Conditions. The accumulation of manure by any means shall not be permitted within one hundred (100) feet of the front lot line or within fifteen (15) feet of the side and rear lot lines. Manure stored in a pile or piles shall be screened as to not be in view from any adjacent private property, from any adjacent public thoroughfare, or from areas of public access and shall be treated so as to not create a nuisance. Any containment area and/or manure pile shall be kept so as to not attract flies, create excessive odors, and so as to not cause a hazard to the health, safety and welfare of human beings and/or animals. Manure pile(s) shall be removed from the property at a minimum of once every fourteen (14) days. Drainage improvements shall be provided by the property owner to protect an adjacent property, water body, river, stream, or storm sewer from runoff containing contaminants resulting from animal waste
2. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
 3. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
 4. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest point of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the

setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.

5. Private garages, storage sheds, private noncommercial recreation facilities and workshops. No such structure or combination of structures shall exceed ten (10) percent of the lot area, up to a maximum of eighteen hundred (1800) square feet. A private garage constructed as an integral part of the main building shall not be subject to this size limitation provided it is smaller than the habitable portion of the main building and the garage door openings are in compliance with the standards for garages as set forth in Article 15 of this Ordinance. The square footage of any such use which is an integral part of the main building shall be deducted from the maximum square footage permitted in a detached accessory structure. All accessory structures may be two story with a maximum height of twenty (20) feet, shall not include any habitable area as defined by the Uniform Building Code and such buildings shall not qualify to have a Certificate of Occupancy issued.

Clubhouses (play houses and play structures) shall be one story and shall not exceed a height of fifteen (15) feet.

Detached facilities that are less than one hundred twenty (120) square feet and do not exceed ten (10) feet in height shall be exempt from side and rear setback requirements, but shall not be placed within a designated easement, flood plain, or floodway.

6. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.

7. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards, which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.

8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-9. 1-R: LARGE LOT RESIDENTIAL DISTRICT

- (1) **Purpose:** The 1-R district is intended to provide for large-lot, suburban, one-family residential development. This zone district permits the keeping of livestock and other assorted animals.
- (2) **Permitted Uses:** No building or land within the 1-R District shall be used, and no building shall be hereafter constructed or altered, except for one of the following uses:

a) Principal Uses

1. Churches.*
2. Community buildings.*
3. Dwelling unit, single family.
4. Emergency health care facilities, other than ambulance service facilities.*
5. Emergency, noncommercial, helipad.*
6. Irrigation ditches.
7. Outdoor civil defense public warning siren system.
8. Private nonprofit recreational facilities.*
9. Public fire and police stations.*
10. Public parks.
11. Public recreational facilities.*
12. Public transportation structures and facilities.*
13. Railroad rights-of-way, but not including railroad freight yards, passenger stations, or storage.
14. Schools, public, parochial, and private.*
15. Transit rights-of-way, including passenger stations.*
16. Utility facilities.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Agricultural buildings
2. Amateur radio towers and antennae.
3. Amusement centers in public or non-profit recreational facilities.*
4. Church parish house.
5. Clubhouses serving a Planned Development or Neighborhood Organization.*
6. Emergency shelters.*
7. Home occupation.
8. Keeping of livestock and fowl excluding emus and ostriches.
9. Keeping of household pets (see performance standards).
10. Off-street parking areas.
11. Private garage.
12. Private, noncommercial greenhouses.

- 13. Private noncommercial recreation facilities.*
- 14. Private, noncommercial swimming pools.
- 15. Private stables and barns.
- 16. Residence for caretaker of public park or public recreation area if located in such park or area.
- 17. Satellite dish antennas. See 17-12-2(2).
- 18. Storage sheds.
- 19. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses are permitted as Special Uses subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) Bed and breakfast.
- b) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- c) Group homes.
- d) Historical buildings, structures and sites.
- e) Keeping of emus and ostriches.
- f) Limited office and personal services, including only professional, business, medical, dental, optical offices, hair care salons, tailor shops, shoe repair shops, and art and photographic studios, located on those arterial streets which are so designated in the Major Street Plan.
- g) Wind-powered electric generators.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the 1-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards

| ITEM | STANDARDS FOR 1-R |
|---------------------------|---|
| MINIMUM LOT SIZE | Newly platted lots must have a minimum size of 12,500 square feet |
| MINIMUM LOT WIDTH | (a) 100' for lots platted after January 22, 1975. (b) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975. |
| MAXIMUM BUILDING HEIGHT | 35': dwelling unit 20': accessory buildings (see performance standards for this section) 15': clubhouses (see performance standards for this section) 60': wind powered generators |
| MAXIMUM BUILDING COVERAGE | 35% of square footage of the lot including the dwelling unit and accessory buildings. |
| SETBACKS Front | For a Habitable Structure: |

open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.

2. Every main building or single household dwelling hereafter constructed in the 1-R zone district which is not part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot.
3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.

b) Performance Standards:

1. In conjunction with an occupied single-family dwelling, private stables and barns not exceeding eight-hundred (800) square feet of gross floor area may be used for the keeping of only the following animals: horses, cattle, sheep, goats, llamas, poultry, pigeons, rabbits and chinchillas.
 - (a) All horses, cattle, sheep, goats, and llamas shall be kept in a fenced area. The minimum square footage of open lot area, not including the dwelling unit or the garage, shall be nine thousand (9,000) square feet for the first such animal, and six thousand (6,000) square feet for each additional such animal, but in no event to exceed a total of four (4) such animals per acre, except that offspring of animals on the property may be kept until weaned. A minimum containment area of 300 square feet shall be provided and used for each animal. Any previously constructed containment area that does not meet the minimum area requirement must be brought into conformance. A riding ring or corral may be located in a non-primary front yard; and a riding ring may also be located in a portion of the primary front yard as determined by the director.
 - (b) The use of temporary buildings or trailers for the stabling of horses in excess of one (1) fifteen (15) day period during each calendar year is prohibited.
 - (c) No accessory building or structure for the keeping of livestock or animals, riding ring, or corral shall be located such that the front setback is less than that observed by the dwelling unit. A riding ring or corral may be located in a non-primary front yard; and a riding ring may also be located in a portion of the primary front yard as determined by the director.
 - (d) Poultry and pigeons are permitted and may be kept without regard to number as long as they are in a fenced area or private poultry houses and pigeon coops, with no more than four hundred (400) square feet of gross floor area; rabbits and chinchillas are permitted and may be kept without regard to number as long as

they are in a fenced area or private rabbit and chinchilla hutches with no more than one hundred (100) square feet of gross floor area. All such houses, coops and hutches must be set back fifteen (15) feet from the side and rear property lines and one hundred (100) feet from the front lot line. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop as long as the pigeons do not create a public nuisance.

- (e) Any fence that serves to contain livestock and fowl shall be constructed of permanent materials, well maintained and of sufficient strength and height to confine any animal located on the property. If any livestock animal is not found to be confined on the subject property, as determined by the Director, and/or if a livestock animal has damaged or is damaging property on adjacent property(ies) a corral or riding ring shall then be setback a minimum of eight (8) feet from the property line.
 - (f) Sanitary Conditions. The accumulation of manure by any means shall not be permitted within one hundred (100) feet of the front lot line or within fifteen (15) feet of the side and rear lot lines. Manure stored in a pile or piles shall be screened as to not be in view from any adjacent private property, from any adjacent public thoroughfare, or from areas of public access and shall be treated so as to not create a nuisance. Any containment area and/or manure pile shall be kept so as to not attract flies, create excessive odors, and so as to not cause a hazard to the health, safety and welfare of human beings and/or animals. Manure pile(s) shall be removed from the property at a minimum of once every fourteen (14) days. Drainage improvements shall be provided by the property owner to protect an adjacent property, water body, river, stream, or storm sewer from runoff containing contaminants resulting from animal waste.
2. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
 3. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
 4. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest point of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the

setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.

5. Private garages, storage sheds, private noncommercial recreation facilities, and workshops. No such structure or combination of structures shall exceed ten (10) percent of the lot area, up to a maximum of eighteen hundred (1800) square feet. A private garage constructed as an integral part of the main building shall not be subject to this size limitation provided it is smaller than the habitable portion of the main building and the garage door openings are in compliance with the standards for garages as set forth in Article 15 of this Ordinance. The square footage of any such use which is an integral part of the main building shall be deducted from the maximum square footage permitted in a detached accessory structure. All accessory structures may be two story with a maximum height of twenty (20) feet, shall not include any habitable area as defined by the Uniform Building Code and such buildings shall not qualify to have a Certificate of Occupancy issued.

Clubhouses (play houses and play structures) shall be one story and shall not exceed a height of fifteen (15) feet.

Detached facilities that are less than one hundred twenty (120) square feet and do not exceed ten (10) feet in height shall be exempt from side and rear setback requirements, but shall not be placed within a designated easement, flood plain, or floodway.

6. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.

7. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards, which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-10. 2-R: SMALL LOT RESIDENTIAL DISTRICT

- (1) Purpose: The 2-R district is intended to provide for small-lot, suburban, one-family residential development.
- (2) Permitted Uses: No building or land within the 2-R District shall be used, and no building shall be hereafter constructed or altered, except for one or more of the following uses:
- a) Principal Uses
1. Churches.*
 2. Community buildings.*
 3. Dwelling unit, single family.
 4. Emergency health care facilities, other than ambulance service facilities.*
 5. Emergency, noncommercial, helipad.*
 6. Irrigation ditches.
 7. Outdoor civil defense public warning siren system.
 8. Private nonprofit recreational facilities open to use by the public.*
 9. Public fire and police stations.*
 10. Public parks.
 11. Public recreational facilities.*
 12. Public transportation structures and facilities.*
 13. Railroad rights-of-way, but not including railroad freight yards, passenger stations, or storage.
 14. Schools, public, parochial, and private.*
 15. Transit rights-of-way, including passenger stations.*
 16. Utility facility.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Amateur radio towers and antennae.
2. Amusement centers in public or non-profit recreational facilities.*
3. Church parish house.
4. Clubhouses serving a Planned Development or Neighborhood Organization.*
5. Emergency shelters.*
6. Home occupation.
7. Keeping of household pets (see performance standards).
8. Off-street parking areas.
9. Private garage.
10. Private, noncommercial greenhouses.
11. Private noncommercial recreation facilities.*
12. Private, noncommercial swimming pools.
13. Residence for caretaker of public park or public recreation area if located in such park or area.

- 14. Satellite dish antennas. See 17-12-2(2).
- 15. Storage sheds.
- 16. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses are permitted as Special Uses subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) Bed and breakfast on lots only in excess of 10,000 square feet.
- b) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- c) Group homes.
- d) Historical buildings, structures and sites.
- e) Utility facility, major.
- f) Wind-powered electric generators.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the 2-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 2-R |
|--|---|
| MINIMUM LOT SIZE | Newly platted lots must have a minimum size of 6,000 square feet |
| MINIMUM LOT WIDTH | (a) 60' for lots platted after January 22, 1975. (b) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975. |
| MAXIMUM BUILDING HEIGHT | 35': dwelling unit 20': accessory buildings (see performance standards for this section) 15': clubhouses (see performance standards for this section) 60': wind powered generators |
| MAXIMUM BUILDING COVERAGE | 45% of square footage of the lot including the dwelling unit and accessory buildings. |
| SETBACKS Front (All front setbacks are measured from the back of curb. If a curb does not exist, add 3' to the setback value listed to the right and measure the setback from the edge of the asphalt. Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district. | For a Habitable Structure: 25' from local streets; 35' from collector streets; 45' from arterial streets. Attached Garages must be set back a minimum of : 18' from the back of a detached sidewalk, or 23' from the back of an attached sidewalk, or 29' from the edge of the asphalt or back of curb when no sidewalk is existing. All other accessory buildings must be behind the front edge of the principal |

b) Performance Standards:

1. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
2. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, secondary uses, accessory uses, and flood hazards.
3. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest point of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
4. Private garages, storage sheds, private noncommercial recreation facilities and workshops. No such structure or combination of structures shall exceed ten (10) percent of the lot area, up to a maximum of eighteen hundred (1800) square feet. A private garage constructed as an integral part of the main building shall not be subject to this size limitation provided it is smaller than the habitable portion of the main building and the garage door openings are in compliance with the standards for garages as set forth in Article 15 of this Ordinance. The square footage of any such use which is an integral part of the main building shall be deducted from the maximum square footage permitted in a detached accessory structure. All accessory structures may be two story with a maximum height of twenty (20) feet, shall not include any habitable area as defined by the Uniform Building Code and such buildings shall not qualify to have a Certificate of Occupancy issued.

Clubhouses (play houses and play structures) shall be one story and shall not exceed a height of fifteen (15) feet.

Detached facilities that are less than one hundred twenty (120) square feet and do not exceed ten (10) feet in height shall be exempt from side and rear setback requirements, but shall not be placed within a designated easement, flood plain, or floodway.

5. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
6. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards, which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-11. 3-R: DUPLEX AND SMALL LOT RESIDENTIAL DISTRICT.

(1) Purpose: The 3-R district is intended to provide for small-lot, suburban, one-family and two-family residential development.

(2) Permitted Uses: No building or land within the 3-R District shall be used, and no building shall be hereafter constructed or altered, except for one or more of the following uses:

a) Principal Uses

1. Churches.*
2. Community buildings.*
3. Duplex.
4. Duplex with one (1) side zero lot line, located at the common wall, located on a lot, which is subdivided after the effective date of this Ordinance.
5. Dwelling unit, single family.
6. Emergency health care facilities, other than ambulance service facilities.*
7. Emergency, noncommercial, helipad.*
8. Irrigation ditches.
9. Outdoor civil defense public warning siren system.
10. Public fire and police stations.*
11. Private nonprofit recreational facilities.*
12. Public parks.
13. Public recreational facilities.*
14. Public transportation structures and facilities.*
15. Railroad rights-of-way, but not including railroad freight yards, passenger stations, or storage.
16. Schools, public, parochial, and private.*
17. Transit rights-of-way, including passenger stations.*
18. Utility facilities.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Amateur radio towers and antennae.
2. Amusement centers in public or non-profit recreational facilities.*
3. Church parish house.
4. Clubhouses serving a Planned Development or Neighborhood Organization.*
5. Emergency shelters.*
6. Home occupation.
7. Keeping of household pets (see performance standards).
8. Off-street parking areas.
9. Private garage.
10. Private, noncommercial greenhouses.

11. Private noncommercial recreation facilities
12. Private, noncommercial swimming pools.
13. Residence for caretaker of public park or public recreation area.
14. Satellite dish antennas. See 17-12-2(2).
15. Storage sheds.
16. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following use is permitted as a Special Use subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) (a) Bed and breakfast on lots only in excess of 10,000 square feet and only in single family dwelling units.
- b) Colleges and Universities.
- c) Group homes.
- d) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- e) Historical buildings, structures and sites.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the 3-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards

| ITEM | STANDARDS FOR 3-R |
|--|--|
| MINIMUM LOT SIZE | Newly platted lots must have a minimum size of 6,000 square feet for a single family dwelling and 12,000 square feet for a duplex. Each individual duplex dwelling unit shall have a minimum lot size of 6,000 square feet. |
| MINIMUM LOT WIDTH | (a) 60' wide for single family lots and 90 ' wide for duplex lots or 45' wide for each unit in a duplex, platted after January 22, 1975. (b) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975. |
| MAXIMUM BUILDING HEIGHT | 35': dwelling unit 20': accessory buildings (see performance standards for this section) 15': clubhouses (see performance standards for this section) 60': wind powered generators |
| MAXIMUM BUILDING COVERAGE | 45% of square footage of the lot including the dwelling unit and accessory buildings. |
| SETBACKS Front (All front setbacks are measured from the back of curb. If a curb does not exist, add | For a Habitable Structure: 25' from local streets; 35' from collector streets; |

| | |
|---|--|
| <p>3' to the setback value listed to the right and measure the setback from the edge of the asphalt.</p> <p>Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district.</p> <p>A front setback also applies to other streets on the side or rear of a lot.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> | <p>45' from arterial streets.</p> <p>Attached Garages must be set back a minimum of : 18' from the back of a detached sidewalk, or 23' from the back of an attached sidewalk, or 29' from the edge of the asphalt or back of curb when no sidewalk is existing.</p> <p>All other accessory buildings must be behind the front edge of the principal structure.</p> <p>5': dwelling unit. 5': detached accessory buildings or structures. 0': at common wall for subdivided duplexes</p> <p>20': dwelling unit. 5': detached accessory buildings or structures.</p> |
| <p>FENCES Front, primary</p> <p>Front, non-primary, Side and Rear</p> | <p>Type of Fence: Open Maximum Height: 42" Minimum Setback: property line or 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> <p>Type of fence: Open or solid Maximum Height: 72" Minimum Setback: property line for side and rear yards and 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> |
| <p>PARKING Dwelling unit, single family Other</p> | <p>2 off-street spaces per dwelling unit. Additional parking standards for all uses permitted in the 3-R Zone District may be found in Article 9 of this Ordinance</p> |
| <p>SIGNAGE Home Occupation Subdivision Identification (or Neighborhood Identification) Other</p> | <p>1.5 square foot wall sign 50 square foot monument sign Sign standards for all other signs permitted in the 3-R Zone District may be found in Article 10 of this Ordinance.</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. Every main building or single household dwelling hereafter constructed in the 3-R zone district which is not part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot.

3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
5. The minimum lot area of any other main building constructed or altered shall not be less than twelve thousand (12,000) square feet.

b) Performance Standards:

1. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
2. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
3. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest point of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
4. Private garages, storage sheds, private noncommercial recreation facilities and workshops. No such structure or combination of structures shall exceed ten (10) percent of the lot area, up to a maximum of eighteen hundred (1800) square feet. A private garage constructed as an integral part of the main building shall not be subject to this size limitation provided it is smaller than the habitable portion of the main building and the garage door openings are in compliance with the standards for garages as set forth in Article 15 of this Ordinance. The square footage of any such use which is an integral part of the main building shall be deducted from the maximum square footage permitted in a detached accessory structure. All accessory structures may be two story with a maximum height of twenty (20) feet, shall not

include any habitable area as defined by the Uniform Building Code and such buildings shall not qualify to have a Certificate of Occupancy issued.

Clubhouses (play houses and play structures) shall be one story and shall not exceed a height of fifteen (15) feet.

Detached facilities that are less than one hundred twenty (120) square feet and do not exceed ten (10) feet in height shall be exempt from side and rear setback requirements, but shall not be placed within a designated easement, flood plain, or floodway.

5. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
6. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards, which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-12. 4-R: MEDIUM DENSITY ATTACHED RESIDENTIAL DISTRICT

- (1) Purpose: The intent of this residential district is to provide for a mixture of the medium density housing types including, but not limited to, triplexes, fourplexes, and attached wall townhouses at an overall density of less than twelve (12) units per acre.
- (2) Permitted Uses: No building or land within the 4-R District shall be used and no building shall be hereafter constructed or altered, except for one or more of the following uses:
- a) Principal Uses
1. Child care facilities.
 2. Churches.
 3. Community buildings.
 4. Duplex.
 5. Duplex with one (1) side zero lot line, located at the common wall, located on a lot, which is subdivided after the effective date of this Ordinance.
 6. Dwelling unit, single-family.
 7. Emergency health care facilities, other than ambulance service facilities.
 8. Emergency, noncommercial, helipad.
 9. Irrigation ditches.
 10. Multiple household dwelling units.
 11. Outdoor civil defense public warning siren system.
 12. Private nonprofit recreational facilities.
 13. Public fire and police stations.
 14. Public parks.
 15. Public recreational facilities.
 16. Public transportation structures and facilities.
 17. Residential health care facility.
 18. Schools, public, parochial, and private.
 19. Triplexes, fourplexes, and attached wall townhouse dwellings.
 20. Transit rights-of-way, including passenger stations.
 21. Utility facilities.

* All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Amateur radio towers and antennae.
2. Amusement centers in public or non-profit recreational facilities.*
3. Church parish house.
4. Clubhouses serving a Planned Development or Neighborhood Homeowners Association.*
5. Emergency shelters.*
6. Home occupation.
7. Keeping of household pets (see performance standards).

8. Off-street parking areas.
9. Private garage.
10. Private noncommercial athletic or recreational facilities operated for the benefit of members only and not for economic gain.
11. Private, noncommercial greenhouses.
12. Private noncommercial recreation facilities.*
13. Private, noncommercial swimming pools.
14. Residence for caretaker of public park or public recreation area.
15. Satellite dish antennas. See 17-12-2(2).
16. Storage sheds.
17. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses are subject to approval of a Special Use Permit as provided within Article 6 of this Ordinance:

- a) Colleges and Universities.
- b) Density bonus of up to fifteen (15) percent over the maximum number of dwelling units permitted within this zone district for projects demonstrating superior design.
- c) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- d) Group homes in single family dwellings.
- e) Historical buildings, structures and sites.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the 4-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 4-R |
|-------------------|---|
| MINIMUM LOT SIZE | (a) Newly platted multi-family lots must have a minimum size of 3,640 square feet per dwelling unit, except that no such lot or combination of lots shall be less than 12,500 square feet in area. For any such multiple household dwelling unit, the 3,640 square feet may be divided in any proportion between the lot and the common area. (b) Newly platted lots for a single family dwelling unit must have a minimum size of 5,450 square feet. (c) Newly platted lots for a duplex must have a minimum size of 10,900 square feet. (d) For any building other than a single family dwelling unit or duplex, the minimum lot size shall be 12,500 square feet. |
| MINIMUM LOT WIDTH | (a) For lots platted after January 22, 1975, the following standards |

| | |
|--|--|
| | <p>shall apply:</p> <p>(1) 50' wide for a single family dwelling unit not part of a larger development</p> <p>(2) 75' wide, or 36' for a half of a duplex not part of a larger development</p> <p>(3) 18' wide for multiple family attached wall townhouse dwellings; however, the combination of lots, including open space, shall not be less than 100' wide.</p> <p>(4) 100' wide for any other principal building</p> <p>(b) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975.</p> |
| MAXIMUM BUILDING HEIGHT | <p>35': dwelling unit</p> <p>20': accessory buildings (not to exceed one story)</p> |
| MAXIMUM BUILDING COVERAGE | <p>(a) For single family, duplexes, triplexes, fourplexes , and attached wall townhouses not part of a larger development with common facilities, 45% of square footage of the lot including dwelling unit and accessory buildings.</p> <p>(b) For single family, duplexes, triplexes, fourplexes, and attached wall townhouses as part of developments that included common facilities, a maximum of 95% of individual lots, however, the maximum buildable area, including dwelling unit and accessory buildings may comprise no more than 45% of the total land area in the development.</p> |
| MINIMUM OPEN SPACE | <p>An open space area for all attached wall townhouse developments and all other multi-family developments that include common area shall be provided in an amount equal to at least 55% of the total lot area and 35% of that lot area shall be provided as usable open space.</p> |
| <p>SETBACKS</p> <p>(a) Single Family and Duplex</p> <p>Front</p> <p>All front setbacks are measured from the back of curb. If a curb does not exist, add 3' to the setback value listed to the right and measure the setback from the edge of the asphalt.</p> <p>Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district.</p> <p>A front setback also applies to other streets on the side or rear of a lot.</p> <p>Side</p> <p>(Measured from property line.)</p> | <p>For a Habitable Structure:</p> <p>25' from local streets;</p> <p>35' from collector streets;</p> <p>45' from arterial streets.</p> <p>Attached Garages must be set back a minimum of :</p> <p>18' from the back of a detached sidewalk, or</p> <p>23' from the back of an attached sidewalk, or</p> <p>29' from the edge of the asphalt or back of curb when no sidewalk is existing.</p> <p>All other accessory buildings must be behind the front edge of the principal structure.</p> <p>5': dwelling unit to lot line without common area; or to perimeter property line with intervening common area.</p> <p>5': detached accessory buildings on lots without common area; or on individual lots in developments with common area; or accessory buildings to perimeter property line or individual dwelling lot lines on common area.</p> <p>0': at common wall for subdivided duplexes, triplexes, fourplexes, attached wall townhouses, or adjacent to commonly owned areas.</p> |

| <p>Rear (Measured from property line.)</p> <p>(b) Multiple household dwelling units.</p> <p>Front (Measured from property line.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> | <p>20': dwelling unit to lot line without common area, or to perimeter property line for principal structures in development with intervening common area.</p> <p>5': detached accessory buildings on lots without common area; or on individual lots in developments with common area; or accessory building to perimeter property line or individual dwelling lot lines on common area.</p> <table border="0"> <thead> <tr> <th></th> <th><u>1 Story</u></th> <th><u>2 Story</u></th> <th><u>3 Story</u></th> </tr> </thead> <tbody> <tr> <td>Local street</td> <td>20'</td> <td>35'</td> <td>45'</td> </tr> <tr> <td>Collector streets</td> <td>30'</td> <td>45'</td> <td>55'</td> </tr> <tr> <td>Arterial streets</td> <td>40'</td> <td>55'</td> <td>60'</td> </tr> </tbody> </table> <p>Local streets include private streets or private drives serving as streets.</p> <p>Private garages and other accessory buildings: shall be set back from the property line an amount equal to or greater than the setback observed by the principal structure on the property.</p> <p>1 Story: 20' 2 Story: 25' 3 Story: 35'</p> <p>10': detached accessory buildings</p> <p>1 Story: 30' 2 Story: 35' 3 Story: 45'</p> <p>15': detached accessory buildings</p> | | <u>1 Story</u> | <u>2 Story</u> | <u>3 Story</u> | Local street | 20' | 35' | 45' | Collector streets | 30' | 45' | 55' | Arterial streets | 40' | 55' | 60' |
|--|---|----------------|----------------|----------------|----------------|--------------|-----|-----|-----|-------------------|-----|-----|-----|------------------|-----|-----|-----|
| | <u>1 Story</u> | <u>2 Story</u> | <u>3 Story</u> | | | | | | | | | | | | | | |
| Local street | 20' | 35' | 45' | | | | | | | | | | | | | | |
| Collector streets | 30' | 45' | 55' | | | | | | | | | | | | | | |
| Arterial streets | 40' | 55' | 60' | | | | | | | | | | | | | | |
| <p>FENCES</p> <p>Front, primary</p> <p>Front, non-primary, Side and Rear</p> | <p>Type of Fence: Open Maximum Height: 42" Minimum Setback: property line or 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> <p>Type of fence: Open or solid Maximum Height: 72" Minimum Setback: property line for side and rear yards and 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> | | | | | | | | | | | | | | | | |
| <p>PARKING</p> <p>Dwelling unit, single family or duplex</p> <p>Multi-family</p> <p>Elderly low/moderate income Residential health care Other</p> | <p>2 off-street spaces per dwelling unit.</p> <p>Studio and 1-bedroom: 1.0 space plus guest 2-bedroom: 1.5 spaces plus guest 3-bedroom or greater: 2.0 spaces plus guest guest: 0.5 space per dwelling unit 0.75 spaces per dwelling unit 0.3 spaces per bed</p> <p>Additional parking standards for all uses permitted in the 4-R Zone District may be found in Article 9 of this Ordinance.</p> | | | | | | | | | | | | | | | | |
| <p>SIGNAGE</p> <p>Building Identification Project Identification</p> | <p>8 square foot wall or monument sign 50 square foot wall or monument sign</p> | | | | | | | | | | | | | | | | |

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| Other | Sign standards for all other signs permitted in the 4-R Zone District may be found in Article 10 of this Ordinance. |
|-------|---|

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. Every single household dwelling or duplex that is constructed in the 4-R zone district which is not a part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot. In the 4-R district where common facilities are provided there may be more than one main building per lot provided the following conditions are satisfied:
 - (a) All buildings on the lot are in single ownership or unified control, such as a condominium association for residential uses, or a partnership or other entity for commercial, office or other similar uses;
 - (b) All buildings on the lot are in conformance with the site development standards as set forth in the general requirements of the Lakewood Zoning Ordinance, including Article 15, and the Lakewood Subdivision Ordinance.
3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
5. Site Plan Requirement. Any main building or combination of buildings that is a part of a larger development which includes common facilities such as private roadways and recreation/open space areas shall comply with the regulations set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.

2. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
3. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest member of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
4. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than ten (10) percent of the gross floor area of the main building, except as otherwise specifically allowed in this Article.
5. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total of two (2) years.
6. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-13. 5-R: HIGHER DENSITY RESIDENTIAL DISTRICT.

(1) Purpose: The intent of this residential district is to provide for a mixture of the high density housing types including, but not limited to, condominium, stacked flats, garden apartments, and apartments at a density of less than twenty-five (25) dwelling units per acre.

(2) Permitted Uses

a) Principal Uses

1. Child care facilities.
2. Churches.
3. Community buildings.
4. Condominium, attached wall townhouse, apartments, stacked flats, garden apartments.
5. Duplex.
6. Duplex with one (1) side zero lot line, located at the common wall, located on a lot which is subdivided after the effective date of this Ordinance.
7. Dwelling unit, single family.
8. Emergency health care facilities, other than ambulance service facilities.
9. Emergency, noncommercial, helipad.
10. Group living quarters for elderly persons and group living quarters for victims of domestic violence.
11. Irrigation ditches.
12. Multiple household dwelling units.
13. Outdoor civil defense public warning siren system.
14. Private nonprofit recreational facilities.
15. Public fire and police stations.
16. Public parks.
17. Public recreational facilities.
18. Public transportation structures and facilities.
19. Residential health care facilities.
20. Schools, public, parochial, and private.
21. Transit rights-of-way, including passenger stations.
22. Utility facilities.

* All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Amateur radio towers and antennae.
2. Amusement centers in public or non-profit recreational facilities.*
3. Any use permitted within the OF District or the 1-C District.*
4. Church parish house.

5. Clubhouses serving a Planned Development or Neighborhood Homeowners Association.*
6. Emergency shelters.*
7. Home occupation.
8. Keeping of household pets (see performance standards).
9. Off-street parking areas.
10. Private garage.
11. Private noncommercial athletic or recreational facilities operated for the benefit of members only and not for economic gain.
12. Private, noncommercial greenhouses.
13. Private, noncommercial swimming pools.
14. Residence for caretaker of public park or public recreation area.
15. Satellite dish antennas. See 17-12-2(2).
16. Storage sheds.
17. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses are subject to approval of a Special Use Permit as provided within Article 6 of this Ordinance

- a) Colleges and Universities.
- b) Density bonus of up to 15% over the maximum number of dwelling units permitted within this zone district for projects demonstrating superior design.
- c) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- d) Group living quarters for developmentally disabled persons, mentally ill persons, substance abuse rehabilitation, care of dependent/neglected children, and temporary shelter of homeless persons.
- e) Group living quarters for the temporary shelter of homeless persons when located in a church, school, or other community building.
- f) Historical buildings, structures and sites.
- g) Group Living Quarters for the Handicapped, Care of Dependent/ Neglected Children, and Temporary Shelter of Homeless Persons.
- h) Group Homes in Single Family Homes.

(4) Unnamed Uses: See Section 17-5-6.

(5) Development Standards. All development within the 5-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 5-R |
|---|--|
| MINIMUM LOT SIZE | <p>(a) Newly platted multi-family lots must have a minimum size of 1,750 square feet per dwelling unit, except that no such lot or combination of lots shall be less than 12,500 square feet in area. For any such multiple household dwelling unit, the 1,750 square feet may be divided in any proportion between the lot and the common area.</p> <p>(b) For a child care facility, the minimum lot size shall be 21,780 square feet.</p> <p>(c) Newly platted lots for a single family dwelling unit must have a minimum size of 5,450 square feet.</p> <p>(d) Newly platted lots for a duplex must have a minimum size of 10,900 square feet.</p> <p>(e) For any building other than a single family dwelling unit or duplex, the minimum lot size shall be 12,500 square feet.</p> |
| MINIMUM LOT WIDTH | <p>(a) For lots platted after January 22, 1975, the following standards shall apply:</p> <ol style="list-style-type: none"> (1) 50' wide for a single family dwelling unit not part of a larger development (2) 75' wide, or 36' for a half of a duplex not part of a larger development (3) 18' wide for multiple family attached wall townhouse dwellings; however, the combination of lots, including open space, shall not be less than 100' wide. (4) 100' wide for any other principal building <p>(b) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975.</p> |
| MAXIMUM BUILDING HEIGHT | <p>50': dwelling unit 20': accessory buildings (not to exceed one story)</p> |
| MAXIMUM LOT COVERAGE | 45% of the total lot area, including dwelling unit, accessory buildings, drive aisles, and parking areas. |
| MINIMUM OPEN SPACE | <p>An open space area shall be provided in an amount equal to at least 55% of the total lot area and 35% of that lot area shall be provided as usable open space.</p> <p>The required amount of on-site open space area for higher density multi-family development in activity centers and along the Colfax Corridor will be calculated according to the recommendations of the Urban Design Plan for these areas. Until such time as specific Urban Design Plans are Adopted by the City, the above listed requirements shall apply.</p> |
| <p>SETBACKS (a) Single Family and Duplex Front (All front setbacks are measured from the back of curb. If a curb does not exist, add 3' to the setback value listed to the right and measure the setback from the edge of the asphalt.</p> <p>Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district.</p> | <p>For a Habitable Structure: 25' from local streets; 35' from collector streets; 45' from arterial streets.</p> <p>Attached Garages must be set back a minimum of : 18' from the back of a detached sidewalk, or 23' from the back of an attached sidewalk, or 29' from the edge of the asphalt or back of curb when no sidewalk is existing.</p> <p>All other accessory buildings must be behind the front edge of the</p> |

| <p>A front setback also applies to other streets on the side or rear of a lot.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> <p>(b) Multiple household dwelling units.</p> <p>Front (Measured from property line.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> | <p>principal structure.</p> <p>5': dwelling unit to lot line without common area; or to perimeter property line with intervening common area. 5': detached accessory buildings on lots without common area; or on individual lots in developments with common area; or accessory buildings to perimeter property line or individual dwelling lot lines on common area. 0': at common wall for subdivided duplexes, triplexes, fourplexes, attached wall townhouses, or adjacent to commonly owned areas.</p> <p>20': dwelling unit to lot line without common area, or to perimeter property line for principal structures in development with intervening common area. 5': detached accessory buildings on lots without common area; or on individual lots in developments with common area; or accessory building to perimeter property line or individual dwelling lot lines on common area.</p> <table border="0"> <thead> <tr> <th></th> <th><u>1 Story</u></th> <th><u>2 Story</u></th> <th><u>3 Story</u></th> </tr> </thead> <tbody> <tr> <td>Local street</td> <td>20'</td> <td>35'</td> <td>45'</td> </tr> <tr> <td>Collector streets</td> <td>30'</td> <td>45'</td> <td>55'</td> </tr> <tr> <td>Arterial streets</td> <td>40'</td> <td>55'</td> <td>60'</td> </tr> </tbody> </table> <p>Local streets include private streets or private drives serving as streets.</p> <p>Private garages and other accessory buildings: shall be set back from the property line an amount equal to or greater than the setback observed by the principal structure on the property.</p> <p>1 Story: 20' 2 Story: 25' 3 Story: 35'</p> <p>10': detached accessory buildings</p> <p>1 Story: 30' 2 Story: 35' 3 Story: 45'</p> <p>15': detached accessory buildings</p> | | <u>1 Story</u> | <u>2 Story</u> | <u>3 Story</u> | Local street | 20' | 35' | 45' | Collector streets | 30' | 45' | 55' | Arterial streets | 40' | 55' | 60' |
|--|---|----------------|----------------|----------------|----------------|--------------|-----|-----|-----|-------------------|-----|-----|-----|------------------|-----|-----|-----|
| | <u>1 Story</u> | <u>2 Story</u> | <u>3 Story</u> | | | | | | | | | | | | | | |
| Local street | 20' | 35' | 45' | | | | | | | | | | | | | | |
| Collector streets | 30' | 45' | 55' | | | | | | | | | | | | | | |
| Arterial streets | 40' | 55' | 60' | | | | | | | | | | | | | | |
| <p>FENCES</p> <p>Front, primary</p> <p>Front, non-primary, Side and Rear</p> | <p>Type of Fence: Open Maximum Height: 42" Minimum Setback: property line or 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> <p>Type of fence: Open or solid Maximum Height: 72" Minimum Setback: property line for side and rear yards and 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> | | | | | | | | | | | | | | | | |
| <p>PARKING Dwelling unit, single family or duplex</p> | <p>2 off-street spaces per dwelling unit.</p> | | | | | | | | | | | | | | | | |

| | |
|--|--|
| Multi-family | Studio and 1-bedroom: 1.0 space plus guest 2-bedroom: 1.5 spaces plus guest 3-bedroom or greater: 2.0 spaces plus guest guest: 0.5 space per dwelling unit 0.75 spaces per dwelling unit |
| Elderly low/moderate income Residential health care Group Living Child Care Facility Other | 0.3 spaces per bed 0.5 spacer per bed plus 1 space per facility vehicle 3 space per 1,000 square feet plus 1 space per facility vehicle Additional parking standards for all uses permitted in the 4-R Zone District may be found in Article 9 of this Ordinance |
| SIGNAGE Building Identification Project Identification Other | 8 square foot wall or monument sign 50 square foot wall or monument sign Sign standards for all other signs permitted in the 4-R Zone District may be found in Article 10 of this Ordinance |

a) Lot requirements:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. Every main building hereafter constructed in the 5-R zone district and every single household dwelling unit or duplex that is constructed in the 5-R zone district which is not a part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot. In the 5-R district where common facilities are provided there may be more than one main building per lot provided the following conditions are satisfied:
 - (a) All buildings on the lot are in single ownership or unified control, such as a condominium association for residential uses, or a partnership or other entity for commercial, office or other similar uses;
 - (b) All buildings on the lot are in conformance with the site development standards as set forth in the general requirements of the Lakewood Zoning Ordinance, including Article 15, and the Lakewood Subdivision Ordinance.
3. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
4. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
5. Site Plan Requirement. Any structure hereafter constructed or main building substantially altered within the 5-R zone district shall comply with the regulations set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
2. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
3. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest member of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
4. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than ten (10) percent of the gross floor area of the main building, except as otherwise specifically allowed in this Article.
5. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one

(1) year, with one renewal permitted but not to exceed a total period of two (2) years.

6. The property owner for any proposed development in this Zone District which proposes to create two (2) or more residential lots shall submit with the subdivision, design controls and standards which comply with Article 15 of the Zoning Ordinance. Said design controls and standards shall be adhered to as approved or may be amended in accordance with Article 15.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-14. 6-R: MOBILE HOME RESIDENTIAL DISTRICT

- (1) Purpose: The 6-R district is intended to allow for developments where spaces are either sold or rented for the placement of a manufactured home in a park-like setting, where the homes are used as seasonal or permanent residences.
- (2) Permitted Uses: No building, structure, mobile home, or land within the 6-R District shall be used and no building, structure, or mobile home shall be hereafter constructed or altered except for one or more of the following uses:

a) Principal Uses

1. Churches.
2. Community buildings.
3. Emergency health care facilities, other than ambulance service facilities.
4. Emergency, noncommercial, helipad.
5. Irrigation ditches.
6. Mobile homes.
7. Office facilities for management of park.
8. Outdoor civil defense public warning siren system.
9. Private nonprofit recreational facilities.
10. Public fire and police stations.
11. Public parks.
12. Public recreational facilities.
13. Public transportation structures and facilities.
14. Schools, public, parochial, and private.
15. Single household dwelling for park manager.
16. Structures which contain a mobile home and provide additional living area.
17. Transit rights-of-way, including passenger stations.
18. Utility facilities.

* All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Accessory structures, including carports or other off-street parking, storage structures, patios, patio covers, and other appurtenances.
2. Amateur radio towers and antennae.
3. Amusement centers in public or non-profit recreational facilities.*
4. Church parish house.
5. Clubhouses serving a Planned Development or Neighborhood Homeowners Association.*
6. Common facilities such as laundry rooms, toilet rooms, shower and bath houses, and indoor or outdoor recreation facilities.

7. Emergency shelters.*
8. Keeping of household pets (see performance standards).
9. Off-street parking areas.
10. Private garage.
11. Private, noncommercial greenhouses.
12. Private noncommercial recreation facilities.*
13. Private, noncommercial swimming pools.
14. Residence for caretaker of public park or public recreation area.
15. Satellite dish antennas. See 17-12-2(2).
16. Storage sheds.
17. Workshops.

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses are permitted as special uses subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) Colleges and Universities.
- b) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- c) Historical buildings, structures and sites.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards. All development within the 6-R zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 6-R |
|-------------------------|--|
| MINIMUM LOT SIZE | (a) There shall be a minimum parcel size of 5 acres. (b) Newly platted lots for single wide dwellings must have a minimum size of 2,400 square feet. (c) Newly platted lots for double wide dwellings must have a minimum size of 3,600 square feet. |
| MINIMUM LOT WIDTH | (a) 35', for single wide lots platted after January 22, 1975. (b) 40', for double wide lots platted after January 22, 1975. (c) Historical width where evidence provided that lots were legally platted or created by deed and existed at current width prior to January 22, 1975. |
| MAXIMUM BUILDING HEIGHT | 35': dwelling unit 10': detached accessory structures |
| MINIMUM OPEN SPACE | Any new mobile home parks, or a 20% expansion of gross land area of an existing mobile home park shall require the provision of at least 8% of the gross land area as recreational facilities in a central location, separate from the mobile home spaces. This area is in addition to the |

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| | buffer area required by Article 15 of this Ordinance. |
| <p>SETBACKS (applicable to each mobile home park)</p> <p>Front (All front setbacks are measured from the back of curb. If a curb does not exist, add 3' to the setback value listed to the right and measure the setback from the edge of the asphalt. Front setbacks for flaglots shall be measured from the front point in the lot that meets the minimum lot width for the zone district.</p> <p>A front setback also applies to other streets on the side or rear of a lot.)</p> <p>Side (Measured from property line.)</p> <p>Rear (Measured from property line.)</p> <p>Front (individual spaces) Side (individual spaces) Rear (individual spaces)</p> | <p>30' from local streets; 40' from collector streets; 50' from arterial streets.</p> <p>Accessory buildings: shall be setback from the property line equal to or greater than the principal structure(s) on the property</p> <p>30': dwelling unit 15': detached accessory buildings or structures.</p> <p>30': dwelling unit 15': detached accessory buildings or structures.</p> <p>5' 15': entry side 4': side opposite entry 5'</p> |
| <p>FENCES Front, primary</p> <p>Front, non-primary, Side and Rear</p> | <p>Type of Fence: Open Maximum Height: 42" Minimum Setback: property line or 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> <p>Type of fence: Open or Solid Maximum Height: 72" Minimum Setback: property line for side and rear yards and 2' back from the back edge of the traveled walkway or back of sidewalk, whichever is greater.</p> |
| <p>PARKING Mobile Home Other</p> | <p>2 off-street spaces per mobile home. Additional parking standards for all uses permitted in the 6-R Zone District may be found in Article 9 of this Ordinance.</p> |
| <p>SIGNAGE Project Identification Other</p> | <p>50 square foot monument sign Sign standards for all other signs permitted in the 6-R Zone District may be found in Article 10 of this Ordinance.</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within its zone district would not create a hazardous situation or be unreasonable.

2. Every main building hereafter constructed in the 6-R zone districts and every single household dwelling unit that is placed in the 6-R zone district which is not a part of a larger development that includes common facilities shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot. In the 6-R district where common facilities are provided there may be more than one main building per lot provided the following conditions are satisfied:
 - (a) All buildings on the lot are in single ownership or unified control, such as a condominium association for residential uses, or a partnership or other entity for commercial, office or other similar uses;
 - (b) All buildings on the lot are in conformance with the site development standards as set forth in the general requirements of the Lakewood Zoning Ordinance, including Article 15, and the Lakewood subdivision Ordinance.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. For any new mobile home park or any substantial expansion of a mobile home park, at least eight (8) percent of the gross land area within the mobile home park shall be devoted to recreational facilities which shall be generally provided in a central location.

The area or areas designated for recreation use shall be separate from the mobile home spaces. This space shall be in addition to the buffering areas required by Article 15 of this Ordinance. For the purposes of this section and the site plan requirements of Article 15, "substantial alteration" means an expansion of at least twenty (20) percent of the gross land area of the park as it existed on the effective date of this Ordinance.

b) Performance Standards:

1. All uses in the 6-R District shall conform to the following:
 - (a) Any park hereafter constructed or substantially altered within this zone district shall comply with the site plan regulations set forth in Article 15 of this Ordinance;
 - (b) For safety purposes, all utility service lines, including all telephone lines and television signal cables, within the mobile home district shall be installed underground; and
 - (c) A mobile home park shall be allowed only where the same abuts on or has access to streets and highways no less than sixty (60) feet of right-of-way. At least two (2) entrances shall be provided to the park.

- (d) All internal streets or drives shall be maintained with a travel lane of 24 feet in width to provide adequate emergency vehicle access.
2. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
 3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be set back a distance from the property line equal to, or exceeding the height of the pole. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
 4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
 5. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest member of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.

6. Accessory Uses. A maximum of 120 square feet per dwelling unit.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.

17-5-15. OF: OFFICE DISTRICT

(1) Purpose: The OF District is intended to provide for a variety of office developments including professional, financial, medical, and similar services to local residents, and corporate offices for regional and national operations.

(2) Permitted Uses: No building or land within the OF District shall be used and no building shall be hereafter constructed or altered, except for one or more of the following uses:

a) Principal Uses

1. Animal Day Care, indoor.
2. Art gallery (public and private non-profit), art studio.
3. Banks, savings and loans, and other financial institutions.
4. Business and professional offices.
5. Child and adult day care facilities.
6. Churches.
7. Colleges and Universities.
8. Community buildings.
9. Dance studio.
10. Dental clinic, laboratory.
11. Emergency health care facilities, other than ambulance service facilities.
12. Emergency, noncommercial, helipad.
13. General office uses, includes both public and private office uses.
14. Group living for elderly, and victims of domestic violence.
15. Hair care facilities.
16. Hospitals.
17. Irrigation ditches.
18. Medical clinics and medical laboratories.
19. Mortuaries, including cremation facilities.
20. Municipal buildings.
21. Museum (public and private non-profit).
22. Music, radio and television studios, excluding towers and antennae.
23. Newspaper offices.
24. Optical clinics and optical laboratories.
25. Outdoor civil defense public warning siren system.
26. Parking for automobiles of the clients, patients, patrons or customers of the occupants of adjacent commercial zone districts.
27. Pharmacies.
28. Post office, including drive-through facilities.
29. Printing facilities.
30. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
31. Private nonprofit recreational facilities.
32. Professional health facilities.
33. Public fire and police stations.

34. Public health clinics.
35. Public library.
36. Public parks.
37. Public recreational facilities.
38. Public transportation structures and facilities.
39. Public use facilities.
40. Residential health care facility.
41. Schools, public, parochial, and private.
42. Transit rights-of-way, including passenger stations.
43. Utility facilities.
44. Veterinary hospitals
45. Vocational, Trade or Professional School.

Note: All uses require prior approval of a site plan pursuant to Article 15 of this Ordinance.

b) Accessory Uses

1. Any use permitted in the 1-C Zone District.
2. Amusement centers in public or non-profit recreational facilities.*
3. Buildings housing personnel employed on the grounds of a hospital.
4. Church parish house.
5. Dwelling unit for one household within an office building for occupancy by the owner or caretaker.
6. Emergency shelters.*
7. Keeping of household pets (see performance standards).
8. Off-street parking areas.
9. Private, noncommercial greenhouses.
10. Private, noncommercial swimming pools.
11. Residence for caretaker of public park or public recreation area.
12. Satellite dish antennas. See 17-12-2(2).
13. Storage sheds that are architecturally compatible with the principal building(s).

* These uses require prior approval of a site plan pursuant to Article 15 of this Ordinance.

(3) Special Uses: The following uses are permitted as Special Uses, subject to approval of a Special Use Permit, as provided for within Article 6 of this Ordinance:

- a) Animal Day Care, outdoor.
- b) Automobile rental/leasing.
- c) Correctional institutions.
- d) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. Any building or structure hereafter constructed or substantially altered within this zone district shall comply with the site plan regulations as set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. No outdoor storage of materials, products, or goods of any kind is permitted within this Zone District. Enclosed accessory storage sheds or structures meeting the Design Controls of the City are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures.
2. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
3. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
4. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than ten (10) percent of the total gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.

5. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
6. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
7. Animal Day Care Facilities must obtain a license from the State of Colorado and must meet the current State standards for indoor animal day care facilities as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
8. Animal Day Care Facilities without outdoor facilities shall be allowed to take leashed animals outdoors for the purpose of defecation and urination to meet all applicable municipal codes. These animals will not be allowed outdoors for any grooming, training, exercising, or socializing purposes.

17-5-16. 1-C: CONVENIENCE COMMERCIAL DISTRICT .

(1) Purpose: The 1-C District is intended to provide for a limited range of low-intensity commercial uses necessary for the shopping needs of residents in the adjacent neighborhoods. Businesses should be oriented to the neighborhood and compatible with surrounding residential uses.

(2) Permitted Uses No building or land within the 1-C District shall be used, and no building shall be hereafter constructed or altered, except for one or more of the following uses:

a) Principal Uses

1. Animal Day Care, indoor.
2. Art gallery, art studio.
3. Banks, savings and loans, and other financial institutions.
4. Care-giver Facilities, subject to the spacing and licensing requirements established in the Lakewood Municipal Code. (as amended by O-2010-1)
5. Child and adult day care facilities.
6. Churches.
7. Cold storage lockers, but not including slaughtering on the premises.
8. Colleges and Universities.
9. Community Buildings.
10. Dance studio.
11. Dental clinic, laboratory.
12. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.
13. Drive-through car wash.
14. Emergency health care facilities, other than ambulance service facilities.
15. Emergency, noncommercial, helipad.
16. Garment work.
17. General office uses, includes both public and private office uses.
18. General retail uses except those listed in other specific zone districts.
19. Group living for elderly, and victims of domestic violence.
20. Hair care facilities.
21. Home service and appliance repair outlets.
22. Hospitals.
23. Irrigation ditches.
24. Market, including convenience and supermarkets.
25. Medical clinics and laboratories.
26. Mortuaries, including cremation facilities.
27. Motels.
28. Motor fuel filling and service stations, including those associated with food stores.
29. Municipal buildings.
30. Museum.
31. Music, radio and television studios.
32. Newspaper offices.
33. Optical clinics and laboratories.

34. Outdoor civil defense public warning siren system.
35. Package liquor stores, fermented malt beverage stores or outlets, and taverns.
36. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
37. Pharmacies.
38. Post office, including drive-through facilities.
39. Printing establishment.
40. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
41. Professional health facilities.
42. Public fire and police stations.
43. Public health clinics.
44. Public library.
45. Public and private museum.
46. Public parks.
47. Public recreational facilities.
48. Public transportation structures and facilities.
49. Rental services, but not including rental of equipment with motors of more than twenty (20) horsepower. See 5-C (Large Lot Commercial).
50. Residential health care facility.
51. Restaurant, specialty food service, and other outlets for sale of prepared foods, without drive-through facilities.
52. Schools, public, parochial, and private.
53. Studio for custom work or for making articles to be sold at retail on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
54. Transit rights-of-way, including passenger stations.
55. Utility facilities.
56. Vehicle repair, minor.
57. Veterinary hospitals.
58. Vocational, Trade or Professional School.
59. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit. Except where specifically permitted, uses listed in the preceding paragraphs may not be designed or operated as drive-through facilities.

(b) Accessory Uses

1. Amusement center in public or non-profit recreational facilities.*
2. Buildings housing personnel employed on the grounds of a hospital.
3. Church parish house.
4. Dwelling unit for one household in an office or retail commercial building for occupancy by the owner or caretaker.
5. Emergency shelters.*
6. Keeping of household pets (see performance standards).

7. Off-street parking areas.*
8. Private, noncommercial greenhouses.
9. Private, noncommercial swimming pools.
10. Residence for caretaker of public park or public recreation area.
11. Satellite dish antennas. See 17-12-2(2).
12. Storage sheds that are architecturally compatible with the principal building(s).*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses are permitted as special uses subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance.

- a) Animal Day Care, outdoor.
- b) Automobile rental/leasing.
- c) Correctional institutions.
- d) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- e) Group Living Quarters for the Handicapped, Care of Dependent/ Neglected Children, Temporary Shelter of Homeless Persons, and Adult or Juvenile Offenders.
- f) Group living quarters for the temporary shelter of homeless persons when located in a church, school, or other community building.
- g) Historical buildings, structures and sites.
- h) Trade and technical services.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards All development within the 1-C zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 1-C (Convenience Commercial) ZONE DISTRICT |
|-------------------------------|--|
| MAXIMUM BUILDING HEIGHT | 60': Office structure 35': all other structures, except that canopies for motor fuel filling stations shall not exceed 20' in height. |
| MAXIMUM LOT COVERAGE | 75% of the square footage of the lot including principal and accessory buildings, parking and drive aisles. |
| MINIMUM OPEN SPACE | 25% of the square footage of the lot as landscaped open space, or 40% for any residential health care facility, or group living quarters. |
| SETBACKS Front, any | For buildings with footprints which do not exceed 10,000 square feet in area, the front of the building shall be neither less than 20 feet nor more than 50 feet from the back of curb of an adjoining street. |

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|---|---|
| <p>Side, Rear</p> | <p>For buildings with footprints larger than 10,000 square feet in area, the front of the building shall not be less than 40 feet from the back of curb of an adjoining street. A motor fuel filling station pump canopy shall not be located less than 25 feet from the back of curb of any street.</p> <p>0': if building code rated firewall, or 5': if non-rated firewall 5': accessory buildings and structures 5': loading dock, with approved screen wall 18': fuel pumps 20': required buffer for all structures and uses if adjacent to a residential zone district.</p> |
| <p>FENCES Front Yard, primary and non-primary</p> <p>Side, Rear</p> <p>Other</p> | <p>Minimum setback: front face of existing building Type of fence: open Maximum height: 72"</p> <p>Minimum setback: property line Type of fence: open, solid Maximum height: 72"</p> <p>Additional fencing standards for all uses permitted in the 1-C Zone District may be found in Article 8 of this Ordinance</p> |
| <p>PARKING General retail Other</p> | <p>4 spaces per 1,000 square feet of gross floor area. Additional parking standard for all uses permitted in the 1-C Zone District may be found in Article 9 of this Ordinance</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. Any building or structure hereafter constructed or substantially altered within this zone district shall comply with the site plan regulations as set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. No outdoor storage of materials, products, or goods of any kind is permitted this Zone District. Enclosed accessory storage sheds or structures meeting the Design Controls of the City are permitted with an approved site plan and building permits, which may

be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures.

2. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
3. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
4. Outdoor display of merchandise sold within the business building is permitted as restricted by this section. Any products displayed outdoors on premise must be kept within ten feet of the front of the structure, either on the sidewalk, without blocking pedestrian access, or within no more than two parking spaces within this display area. Goods cannot be located within twenty feet of the front property line. No displayed goods are permitted in any sight triangle area, or within the public right-of-way. Outdoor display of merchandise may only occur during times of business operation.
5. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than ten (10) percent of the total gross floor area on the property. No sign advertising said Accessory Uses shall be visible from outside the building.
6. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one year, with one renewal permitted but not to exceed a total period of two (2) years

(7) Except where specifically permitted, uses listed in this Section shall not be designated or operated as drive-through facilities.

7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
8. Animal Day Care Facilities must obtain a license from the State of Colorado and must meet the current State standards for indoor animal day care facilities as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
9. Animal Day Care Facilities without outdoor facilities shall be allowed to take leashed animals outdoors for the purpose of defecation and urination to meet all applicable municipal codes. These animals will not be allowed outdoors for any grooming, training, exercising, or socializing purposes.

17-5-17. 2-C: NEIGHBORHOOD COMMERCIAL DISTRICT.

(1) Purpose: The 2-C District is intended to provide for general retail, service, and other commercial uses intended to serve the city as a whole. Coordination, compatibility, and clustering of business development in centers is encouraged. Development standards and review criteria are specifically intended to discourage strip development and to encourage high quality commercial areas.

(2) Permitted Uses: No building or land within the 2-C District shall be used and no building shall be hereafter constructed or altered except for any of the following uses:

a) Principal Uses

1. Animal Day Care, indoor.
2. Art gallery, art studio.
3. Banks, savings and loans, and other financial institutions.
4. Care-giver Facilities, subject to the spacing and licensing requirements established in the Lakewood Municipal Code. (as amended by O-2010-1)
5. Child and adult day care facilities.
6. Churches.
7. Cold storage lockers, but not including slaughtering on the premises.*
8. Colleges and Universities.
9. Community Buildings.
10. Dance studio.
11. Dental clinic, laboratory.
12. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.*
13. Drive-through car wash.
14. Emergency health care facilities, other than ambulance service facilities.
15. Emergency, noncommercial, helipad.
16. Garment work.
17. General office uses, includes both public and private office uses.
18. General retail uses except those listed in other specific zone districts.
19. Group living for elderly, and victims of domestic violence.
20. Hair care facilities.
21. Home service and appliance repair outlets.
22. Hospitals.
23. Irrigation ditches.
24. Market, including convenience and supermarkets.
25. Medical clinics and laboratories.
26. Mortuaries, including cremation facilities.
27. Motels.
28. Motor fuel filling and service stations, including those associated with food stores.
29. Municipal buildings.
30. Museum.
31. Music, radio and television studios.
32. Newspaper offices.

33. Optical clinics and laboratories.
34. Outdoor civil defense public warning siren system.
35. Package liquor stores, fermented malt beverage stores or outlets, and taverns.*
36. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
37. Pharmacies.
38. Post office, including drive-through facilities.
39. Printing establishment.
40. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
41. Professional health facilities.
42. Public fire and police stations.
43. Public health clinics.
44. Public library.
45. Public and private museum.
46. Public parks.
47. Public recreational facilities.
48. Public transportation structures and facilities.
49. Rental services, but not including rental of equipment with motors of more than twenty (20) horsepower. See 5-C (Large Lot Commercial).
50. Residential health care facility.
51. Restaurant, specialty food service, and other outlets for sale of prepared foods, without drive-through facilities.
52. Schools, public, parochial, and private.
53. Store for retail trade not specifically provided for within other zone districts.
54. Studio for custom work or for making articles to be sold at retail on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
55. Transit rights-of-way, including passenger stations.
56. Utility facilities.
57. Vehicle repair, minor.
58. Veterinary hospitals.
59. Vocational, Trade or Professional School.
60. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit. Except where specifically permitted, uses listed in the preceding paragraphs may not be designed or operated as drive-through facilities.

b) Accessory Uses

1. Amusement center in public or non-profit recreational facilities.*
2. Buildings housing personnel employed on the grounds of a hospital.
3. Church parish house.
4. Dwelling unit for one household in an office or retail commercial building for occupancy by the owner or operator of the office or commercial use.

5. Emergency shelters.*
6. Keeping of household pets (see performance standards).
7. Off-street parking areas.*
8. Private, noncommercial greenhouses.
9. Private, noncommercial swimming pools.
10. Residence for caretaker of public park or public recreation area.
11. Satellite Dish Antennas. See 17-12-2(2).
12. Storage sheds that are architecturally compatible with the principal building(s).*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) -Special Uses: The following uses shall only be allowed subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance.

- a) Animal Day Care, outdoor.
- b) Automobile rental/leasing.
- c) Correctional institutions.
- d) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- e) Group Living Quarters for the Handicapped, Care of Dependent/ Neglected Children, Temporary Shelter of Homeless Persons, and Adult or Juvenile Offenders.
- f) Group living quarters for the temporary shelter of homeless persons when located in a church, school, or other community building.
- g) Historical buildings, structures and sites.
- h) Trade and technical services.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards All development within the 2-C zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 2-C (Neighborhood Commercial) ZONE DISTRICT |
|-------------------------------|--|
| MAXIMUM BUILDING HEIGHT | 60': Office structure 45': all other structures, except that canopies for motor fuel filling stations shall not exceed 20' in height. |
| MAXIMUM LOT COVERAGE | 75% of the square footage of the lot including principal and accessory buildings, parking and drive aisles. |
| MINIMUM OPEN SPACE | 25% of the square footage of the lot as landscaped open space, or 40% for any residential health care facility, or group living quarters. |
| SETBACKS Front, any | For buildings with footprints which do not exceed 10,000 square feet in area, the front of the building shall be neither less than 20 feet nor more than 50 feet from the back of curb of an adjoining street. |

1. For every main building hereafter constructed or substantially altered, the building or structure shall be designed to permit an integrated parking and access system. Written stipulations shall be submitted relative to the provisions of integrated parking and access as a part of the site plan as required within Article 15 of this Ordinance.
2. No outdoor storage of materials, products, or goods of any kind is permitted within this Zone District. Enclosed accessory storage sheds or structures are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures.
3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
5. Outdoor display of merchandise sold within the business building is permitted as restricted by this section. Any products displayed outdoors on premise must be kept within ten feet of the front of the structure, either on the sidewalk, without blocking pedestrian access, or within no more than two parking spaces within this display area. Goods cannot be located within twenty feet of the front property line. No displayed goods are permitted in any sight triangle area, or within the public right-of-way. Outdoor display of merchandise may only occur during times of business operation.
6. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than fifteen (15) percent of the total gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.
7. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;

- (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
 9. Animal Day Care Facilities must obtain a license from the State of Colorado and must meet the current State standards for indoor animal day care facilities as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
 10. Animal Day Care Facilities without outdoor facilities shall be allowed to take leashed animals outdoors for the purpose of defecation and urination to meet all applicable municipal codes. These animals will not be allowed outdoors for any grooming, training, exercising, or socializing purposes.

17-5-18. 3-C: COMMUNITY COMMERCIAL DISTRICT.

(1) Purpose: The 3-C District is intended to provide for regional retail, office, and commercial uses and should generally be located in activity centers or along major rights-of-way.

(2) Permitted Uses: No building or land within the 3-C District shall be used, and no building shall be hereafter constructed or altered, except for one of the following uses:

a) Principal Uses

1. Adult businesses, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
2. Ambulance service facilities.
3. Amusement centers, if otherwise in conformance with the City of Lakewood Municipal Code.
4. Animal Day Care, indoor.
5. Art gallery, art studio.
6. Banks, savings and loans, and other financial institutions.
7. Bowling centers.
8. Care-giver Facilities, subject to the spacing and licensing requirements established in the Lakewood Municipal Code. (as amended by O-2010-1)
9. Child and adult day care facilities.
10. Churches.
11. Cold storage lockers, but not including slaughtering on the premises.
12. Colleges and Universities.
13. Community Buildings.
14. Dance halls, studios.
15. Dental clinic, laboratory.
16. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.
17. Drive-through car wash.
18. Emergency health care facilities.
19. Emergency, noncommercial, helipad.
20. Farmers market, with outdoor display.
21. Garment work.
22. General office uses, includes both public and private office uses.
23. General retail uses except those listed in other specific zone districts.
24. Group living for elderly, and victims of domestic violence.
25. Hair care facilities.
26. Home improvement centers, with outdoor storage of living flora, and packaged fertilizer, compost, and mulch materials.
27. Home service and appliance repair outlets.
28. Hospitals
29. Ice or roller skating rinks.
30. Indoor archery ranges.
31. Indoor firing ranges.
32. Irrigation ditches.

33. Lawn and garden centers, with outdoor storage of inventory living flora, and packaged fertilizer, compost, and mulch materials.
34. Landscape material centers, with outdoor storage of living flora, and packaged fertilizer, compost, and mulch materials.
35. Market, includes convenience and supermarkets
36. Massage parlors, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
37. Medical clinics and laboratories.
38. Mortuaries, including cremation facilities.
39. Motels.
40. Motor fuel filling and service stations, including those associated with food stores.
41. Municipal buildings.
42. Museum.
43. Music, radio and television studios.
44. Newspaper offices.
45. Optical clinics and laboratories.
46. Outdoor civil defense public warning siren system.
47. Package liquor stores, fermented malt beverage stores or outlets, and taverns.
48. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
49. Pharmacies.
50. Pool or billiard centers.
51. Postal sub-stations.
52. Printing establishment.
53. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
54. Professional health facilities.
55. Public fire and police stations.
56. Public health clinics.
57. Public library.
58. Public and private museum.
59. Public parks.
60. Public recreational facilities.
61. Public transportation structures and facilities.
62. Rental services, but not including rental of equipment with motors of more than twenty (20) horsepower. See 5-C (Large Lot Commercial).
63. Residential health care facility.
64. Restaurant, specialty food service, and other outlets for sale of prepared foods, including those with drive-through facilities.
65. Schools, public, parochial, and private.
66. Studio for custom work or for making articles to be sold at retail on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
67. Theaters.
68. Transit rights-of-way, including passenger stations.
69. Utility facilities.

- 70. Vehicle repair, minor.
- 71. Veterinary hospitals.
- 72. Vocational, Trade or Professional School.
- 73. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit. Any of the above uses may be designed and operated as drive-in or drive-through facilities where appropriate.

b) Accessory Uses

- 1. Amusement center in public or non-profit recreational facilities.*
- 2. Buildings housing personnel employed on the grounds of a hospital.
- 3. Carnivals and fairs, but only if located further than five hundred (500) feet from any residential district, and only if operated for a period of time not to exceed fourteen (14) days in each year.*
- 4. Church parish house.
- 5. Dwelling unit for one household in an office or retail commercial building for occupancy by the owner or operator of the office or commercial use.
- 6. Emergency shelters.*
- 7. Keeping of household pets (see performance standards).
- 8. Off-street parking areas.
- 9. Private, noncommercial greenhouses.
- 10. Private, noncommercial swimming pools.
- 11. Residence for caretaker of public park or public recreation area.
- 12. Satellite dish antennas. See 17-12-2(2).
- 13. Storage sheds that are architecturally compatible with the principal building(s).*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses shall be allowed subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance:

- a) Animal Day Care, outdoor.
- b) Automobile rental/leasing.
- c) Correctional institutions.
- d) Entertainment center (minimum of 10,000 square feet).
- e) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- f) Group Living Quarters for the Handicapped, Care of Dependent/ Neglected Children, Temporary
- g) Shelter of Homeless Persons, and Adult or Juvenile Offenders.
- h) Group living quarters for the temporary shelter of homeless persons when located in a church, school, or other community building.

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. Any building or structure hereafter constructed or substantially altered within this zone district shall comply with the site plan regulations as set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. For every main building hereafter constructed or substantially altered, the building or structure shall be designed to permit an integrated parking and access system. Written stipulations shall be submitted relative to the provisions of integrated parking and access as a part of the site plan as required within Article 15 of this Ordinance.
2. No outdoor storage of materials, products, or goods of any kind is permitted within this Zone District. Enclosed accessory storage sheds or structures are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures. Outdoor storage of living flora and packaged fertilizer, compost, and mulch materials within screened fenced enclosures is permitted for Home improvement centers, Lawn and garden centers, and Landscape material centers.
3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences,

walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.

5. Outdoor display of merchandise sold within the business building is permitted as restricted by this section. Any products displayed outdoors on premise must be kept within ten feet of the front of the structure, either on the sidewalk, without blocking pedestrian access, or within no more than two parking spaces within this display area. Goods cannot be located within twenty feet of the front property line. No displayed goods are permitted in any sight triangle area, or within the public right-of-way. Outdoor display of merchandise may only occur during times of business operation.
6. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than twenty-five (25) percent of the gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.
7. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
9. Animal Day Care Facilities must obtain a license from the State of Colorado and must meet the current State standards for indoor animal day care facilities as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
- 10.** Animal Day Care Facilities without outdoor facilities shall be allowed to take leashed animals outdoors for the purpose of defecation and urination to meet all applicable municipal codes. These animals will not be allowed outdoors for any grooming, training, exercising, or socializing purposes.

17-5-19. 4-C: REGIONAL COMMERCIAL DISTRICT.

(1) Purpose:

(2) Permitted Uses: No building or land within the 4-C District shall be used, and no building shall be hereafter constructed or altered, except for one of the following uses:

a) Principal Uses

1. Adult businesses, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
2. Ambulance service facilities.
3. Amusement arcades, amusement centers, entertainment centers if otherwise in conformance with the City of Lakewood Municipal Code.
4. Animal Day Care, indoor.
5. Art gallery art studio.
6. Assembly, convention, or exposition halls.
7. Banks, savings and loans, and other financial institutions.
8. Bowling centers.
9. Care-giver Facilities, subject to the spacing and licensing requirements established in the Lakewood Municipal Code. (as amended by O-2010-1)
10. Child and adult day care facilities.
11. Churches.
12. Cold storage lockers, but not including slaughtering on the premises.
13. Colleges and Universities.
14. Community Buildings.
15. Dance halls, studios.
16. Dental clinic, laboratory.
17. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.
18. Drive-through car wash.
19. Emergency health care facilities.
20. Emergency, noncommercial, helipad.
21. Farmers market, with outdoor display.
22. Garment work.
23. General office uses, includes both public and private office uses.
24. General retail uses except those listed in other specific zone districts.
25. Group living for elderly, and victims of domestic violence.
26. Hair care facilities.
27. Home improvement centers, with outdoor storage of living flora, and packaged fertilizer, compost, and mulch materials.
28. Home service and appliance repair outlets.
29. Hospitals.
30. Hotels.
31. Ice or roller skating rinks.
32. Indoor archery ranges.
33. Indoor firing ranges.

34. Irrigation ditches.
35. Lawn and garden centers, with outdoor storage of living flora, and packaged fertilizer, compost, and mulch materials.
36. Landscape material centers, with outdoor storage of living flora, and packaged fertilizer, compost, and mulch materials.
37. Market, including convenience and supermarkets.
38. Massage parlors, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
39. Medical clinics and laboratories.
40. Mortuaries, including cremation facilities.
41. Motels.
42. Motor fuel filling and service stations, including those associated with food stores.
43. Municipal buildings.
44. Museum.
45. Music, radio and television studios.
46. Newspaper offices.
47. Optical clinics and laboratories.
48. Outdoor civil defense public warning siren system.
49. Package liquor stores, fermented malt beverage stores or outlets, and taverns.
50. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
51. Pharmacies.
52. Pool or billiard centers.
53. Postal sub-stations.
54. Printing establishment.
55. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
56. Professional health facilities.
57. Public fire and police stations.
58. Public health clinics.
59. Public library.
60. Public and private museum.
61. Public parks.
62. Public recreational facilities.
63. Public transportation structures and facilities.
64. Rental services, but not including rental of equipment with motors of more than twenty (20) horsepower. See 5-C (Large Lot Commercial).
65. Residential health care facility.
66. Restaurant, specialty food service, and other outlets for sale of prepared foods, including those with drive-through facilities.
67. Schools, public, parochial, and private.
68. Studio for custom work or for making articles to be sold on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
69. Theaters.
70. Transit rights-of-way, including passenger stations.
71. Utility facilities.

- 72. Vehicle repair, minor.
- 73. Veterinary hospitals.
- 74. Vocational, Trade or Professional School.
- 75. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to construction. Any of the above uses may be designed and operated as drive-in or drive-through facilities where appropriate.

b) Accessory Uses

- 1. Amusement center in public or non-profit recreational facilities.*
- 2. Buildings housing personnel employed on the grounds of a hospital.
- 3. Carnivals and fairs, but only if located further than five hundred (500) feet from any residential district, and only if operated for a period of time not to exceed fourteen (14) days in each year.*
- 4. Church parish house.
- 5. Dwelling unit for one household in an office or retail commercial building for occupancy by the owner or operator of the office or commercial use.
- 6. Emergency shelters.*
- 7. Keeping of household pets (see performance standards).
- 8. Off-street parking areas.
- 9. Private, noncommercial greenhouses.
- 10. Private, noncommercial swimming pools.
- 11. Residence for caretaker of public park or public recreation area.
- 12. Satellite Dish Antennas. See 17-12-2(2).
- 13. Storage sheds that are architecturally compatible with the principal building(s).*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses The following uses shall only be allowed subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance.

- a) Animal Day Care, outdoor.
- b) Automobile rental/leasing.
- c) Correctional institutions.
- d) Entertainment center (minimum of 10,000 square feet).
- e) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone District.
- f) Group Living Quarters for the Handicapped, Care of Dependent/ Neglected Children, Temporary Shelter of Homeless Persons, and Adult or Juvenile Offenders.
- g) Group living quarters for temporary shelter of homeless persons when located in a church, school, or other community building.
- h) Historical buildings, structures and sites.

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. Any building hereafter constructed or substantially altered within this zone district shall comply with the plan regulations set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. For every main building hereafter constructed or substantially altered, the building or structure shall be designed to permit an integrated parking and access system. Written stipulations shall be submitted relative to the provisions of integrated parking and access as a part of the site plan as required within Article 15 of this Ordinance.
2. No outdoor storage of materials, products, or goods of any kind is permitted within this Zone District, except as permitted for specific principal uses. Enclosed accessory storage sheds or structures are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures. Outdoor storage of living flora and packaged fertilizer, compost, and mulch materials within screened fenced enclosures is permitted for Home improvement centers, Lawn and garden centers, and Landscape material centers.
3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences,

walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.

5. Outdoor display of merchandise sold within the business building is permitted as restricted by this section. Any products displayed outdoors on premise must be kept within ten feet of the front of the structure, either on the sidewalk, without blocking pedestrian access, or within no more than two parking spaces within this display area. Goods cannot be located within twenty feet of the front property line. No displayed goods are permitted in any sight triangle area, or within the public right-of-way. Outdoor display of merchandise may only occur during times of business operation.
6. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than thirty-five (35) percent of the gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.
7. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
9. Animal Day Care Facilities must obtain a license from the State of Colorado and must meet the current State standards for indoor animal day care facilities as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
10. Animal Day Care Facilities without outdoor facilities shall be allowed to take leashed animals outdoors for the purpose of defecation and urination to meet all applicable municipal codes. These animals will not be allowed outdoors for any grooming, training, exercising, or socializing purposes.

17-5-20. 5-C: LARGE LOT COMMERCIAL DISTRICT.

(1) Purpose

(2) Permitted Uses: No building or land within the 5-C District shall be used, and no building shall be hereafter constructed or altered, except for one of the following uses:

a) Principal Uses

1. Adult businesses, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
2. Ambulance service facilities.
3. Amusement arcades, amusement centers, entertainment centers if otherwise in conformance with the City of Lakewood Municipal Code.
4. Amusement parks.
5. Animal Day Care, indoor/ outdoor.
6. Art gallery, art studio.
7. Assembly, convention, or exposition halls.
8. Auction houses, except for the auctioning of live animals.
9. Banks, savings and loans, and other financial institutions.
10. Bowling centers.
11. Care-giver Facilities, subject to the spacing and licensing requirements established in the Lakewood Municipal Code. (as amended by O-2010-1)
12. Child and adult day care.
13. Churches.
14. Cold storage lockers, but not including slaughtering on the premises.
15. Colleges and Universities.
16. Community Buildings.
17. Contractor shops and building trades supplies storage.
18. Dance halls, studios.
19. Dental clinic, laboratory.
20. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.
21. Display, repair, service, sales and storage of mobile homes, travel trailers, motor homes, trailers, campers, boats, and motor vehicles, but not including auto wrecking yards, junk yards, or outside storage of metals or inoperable motor vehicles.
22. Drive-in movie theaters.
23. Drive-through car wash.
24. Emergency health care facilities.
25. Emergency, noncommercial, helipad.
26. Farmers market.
27. Flea markets.
28. Garment work.
29. General office use, includes both public and private office uses.
30. General retail use except those listed in other specific zone districts.
31. Golf driving ranges.
32. Group living for elderly, and victims of domestic violence.

33. Hair care facilities.
34. Home improvement centers, with outside storage of inventory.
35. Home service and appliance repair outlets.
36. Hospitals.
37. Hotels.
38. Ice or roller skating rinks.
39. Indoor archery ranges.
40. Indoor firing ranges.
41. Irrigation ditches.
42. Kennels.
43. Lawn and garden centers, with outside storage of inventory.
44. Landscaped material centers, with outside storage of inventory.
45. Lumber yard.
46. Market, convenience and supermarkets.
47. Massage parlors, subject to the spacing, definition and licensing requirements established in the Lakewood Municipal Code.
48. Medical clinics and laboratories.
49. Miniature golf or putting ranges.
50. Mini-warehouses.
51. Mortuaries, including cremation facilities.
52. Motels.
53. Motor fuel filling and service stations, including those associated with food stores.
54. Municipal buildings.
55. Museum.
56. Music, radio and television studios.
57. Newspaper offices.
58. Optical clinics and laboratories.
59. Outdoor civil defense public warning siren system.
60. Package liquor stores, fermented malt beverage stores or outlets, and taverns.
61. Parking on premises of motor vehicles to serve permitted uses on adjacent property.
62. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
63. Pharmacies.
64. Pool or billiard centers.
65. Postal sub-stations.
66. Printing establishment.
67. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
68. Professional health facilities.
69. Public fire and police stations.
70. Public health clinics.
71. Public library.
72. Public and private museum.
73. Public parks.
74. Public recreational facilities.
75. Public transportation structures and facilities.

76. Racetracks, go-cart tracks.
77. Rental agencies for automobiles, campers, trailers, motor homes, light and heavy equipment, and related service facilities.
78. Residential health care facility.
79. Restaurant, specialty food service, and other outlets for sale of prepared foods, including those with drive-through facilities.
80. Sale at retail of any commodity warehoused on the premises and not intended for distribution as a wholesale product.
81. Schools, public, parochial, and private.
82. Studio for custom work or for making articles to be sold at retail on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
83. Theaters.
84. Transit rights-of-way, including passenger stations.
85. Utility facilities.
86. Vehicle repair, major and minor.
87. Veterinary hospitals.
88. Vocational, Trade or Professional School;
89. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit. Any of the above uses may be designed and operated as drive-in or drive-through facilities where appropriate.

b) Accessory Uses

- a) Administrative office serving the principal use not exceeding fifty (50) percent of the gross floor area of the main building.
- b) Amusement center in public or non-profit recreational facilities.*
- c) Buildings housing personnel employed on the grounds of a hospital.
- d) Carnivals and fairs, but only if located further than five hundred (500) feet from any residential district, and only if operated for a period of time not to exceed fourteen (14) days in each year.*
- e) Church parish house.
- f) Dwelling unit for one household within a commercial or office building for occupancy by the owner or caretaker.
- g) Emergency shelters.*
- h) Keeping of household pets (see performance standards).
- i) Off-street parking areas.
- j) Private, noncommercial greenhouses.
- k) Private, noncommercial swimming pools.
- l) Residence for caretaker of public park or public recreation area.
- m) Satellite Dish Antennas. See 17-12-2(2).
- n) Storage sheds that are architecturally compatible with the principal building(s).*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses shall be allowed subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance.

- a) Correctional institutions.
- b) Government office building or any subsequent use of a building originally constructed for or used as a government office building, subject to the restrictions and regulations of the Office (OF) Zone
- c) District.
- d) Group Living Quarters for the Handicapped, Care of Dependent/Neglected Children, Temporary
- e) Shelter of Homeless Persons, and Adult or Juvenile Offenders.
- f) Group living quarters for the temporary shelter of homeless persons when located in a church, school, or other community building.
- g) Historical buildings, structures and sites.
- h) Trade and technical services.
- i) Tree service.

(4) Unnamed Use: See Section 17-5-6.

(5) Development Standards All development within the 5-C zone district shall, as a minimum, be in conformance with and meet the requirements of the standards listed in the following table. It shall be the responsibility of the Director of Community Planning and Development to make a determination on any omissions to these development standards.

| ITEM | STANDARDS FOR 5-C (Large Lot Commercial) ZONE DISTRICT |
|-------------------------------|---|
| MINIMUM LOT SIZE | There shall be a minimum parcel size of 0.5 acre for every building or structure hereafter constructed or altered. |
| MAXIMUM BUILDING HEIGHT | 60': Principal structure, except that canopies for motor fuel filling stations shall not exceed 20' in height. |
| MAXIMUM LOT COVERAGE | 80% of the square footage of the lot including principal and accessory buildings, parking and drive aisles. |
| MINIMUM OPEN SPACE | 20% of the square footage of the lot as landscaped open space, or 40% for any residential health care facility, or group living quarters. |
| SETBACKS Front, any | <p>For buildings with footprints which do not exceed 10,000 square feet in area, the front of the building shall be neither less than 20 feet nor more than 50 feet from the back of curb of an adjoining street.</p> <p>For buildings with footprints larger than 10,000 square feet in area, the front of the building shall not be less than 40 feet from the back of curb of an adjoining street.</p> <p>A motor fuel filling station pump canopy shall not be located less than 25 feet from the back of curb of any street.</p> |

| | |
|-------------------------|---|
| Side, Rear | <p>0': if building code rated firewall, or 5': if non-rated firewall with windows 5': accessory buildings and structures 5': loading dock, with approved screen wall 18': fuel pumps 20': required buffer for all structures and uses if adjacent to a residential zone district. 20': required buffer for the use of outdoor Animal Day Care or Kennels adjacent to any zone district.</p> |
| FENCES | |
| Front, primary | <p>Minimum setback: front face of existing building Type of fence: open Maximum height: 72"</p> |
| Front non-primary | <p>Minimum setback: front face of existing building Type of fence: open Maximum height: 72"</p> |
| Side, Rear | <p>Minimum setback: 10' from property line with approved landscaping Type of fence: open, topped with barbed wire Maximum height: 120"</p> <p>Minimum setback: property line Type of fence: open, solid Maximum height: 72"</p> <p>Minimum setback: 10' from property line with approved landscaping Type of fence: open, topped with barbed wire Maximum height: 120"</p> |
| All Fences | <p>Additional fencing standards for all uses permitted in the 5-C Zone District may be found in Article 8 of this Ordinance</p> |
| PARKING | |
| General retail Other | <p>4 spaces per 1,000 square feet of gross floor area. Additional parking standards for all uses permitted in the 5-C Zone District may be found in Article 9 of this Ordinance.</p> |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.

4. Any building hereafter constructed or substantially altered within this zone district shall comply with the plan regulations set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. For every main building hereafter constructed or substantially altered: the building or structure shall be designed to permit an integrated parking and access system. Written stipulations shall be submitted relative to the provisions of integrated parking and access as a part of the site plan as required within Article 15 of this Ordinance.
2. Outdoor storage of commodities, materials, products, or goods not intended for display is permitted within this Zone District. Such materials shall be screened from view from adjacent streets and adjoining property, and kept free of weeds and debris, and must comply with Section 9.80 of the Nuisance Ordinance. In no case shall outdoor storage items extend beyond a height of six (6) feet as measured from the finished grade adjacent to the stored items. Enclosed accessory storage sheds or structures are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures.
3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed, screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.
4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
5. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than forty (40) percent of the gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.
6. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;

- (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.
7. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
8. Animal Day Care Facilities and Kennels must obtain a license from the State of Colorado and must meet the current State standards for animal day care facilities and kennels as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
9. Animal Day Care Facilities and Kennels with Outdoor Uses: All Animal Day Care Facilities and Kennels with outdoor uses shall comply with the following criteria:
- (a) No more than 3 animals at a time will be allowed outdoors after 8pm. Animal Day Care Facilities are where animals may be groomed, trained, exercised, and socialized, but not kept or boarded overnight, bred, sold or let for hire. Animal Day Care Facilities may operate from 6am to 10pm daily.
 - (b) The facility must control odor, dust, noise, waste management, drainage, and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses. The operator must provide a plan of operation demonstrating it can meet these provisions.
 - (c) Provide perimeter fencing for all on-site outdoor recreation socialization areas. The fence shall not exceed the maximum fence height standards as prescribed in Article 8 of the Lakewood Zoning Ordinance. The fence structure shall be deep enough and secured to the ground to prevent escape and provide full containment of the animals at all time.
 - (d) Outdoor areas where animals will be allowed must be a minimum of 20 feet from any property line.
 - (e) Outdoor animal care must provide 300 square feet of area for every twelve (12) animals.

- (f) There shall be at least one employee for every twelve (12) animals when providing outdoor animal care.
 - (g) A license from the State of Colorado must be obtained, and a copy provided to the City; as well as all pertinent City of Lakewood permits.
 - (h) A major site plan in accordance with Article 15 standards is required.
10. Performance Based Standards for Animal Day Care Facilities and Kennels: The Director of Community Planning and Development or his/her designee may grant an exception to the required setback, height, materials and location requirements for fences and landscaping requirements as related to animal day care facilities with outdoor uses through the submittal of a written request for an exception, inclusive of an illustration of the proposed changes outlining the reason for which the exception is warranted. All exceptions must be approved prior to building permit approval and issuance. An exception does not constitute a building permit. The Director or his/her designee may approve or conditionally approve the exception if all of the following Performance-Based Standards are met:
- (a) The fence, wall or structure height, location, design and landscaping are in scale and harmonious with the character of the neighborhood and adjacent properties.
 - (b) A combination of fencing and landscaping are used to secure the outdoor uses associated with animal day care facilities and kennels.
 - (c) The 20' required buffer may only be lessened in the event of unique circumstances associated with the subject parcel of land.
 - (d) Granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to other property or improvements in the neighborhood in which the property is located.
 - (e) Granting of the exception will not adversely affect or be inconsistent with any special area plans, Comprehensive Plan, Neighborhood Plan and/or an Official Development Plan (if applicable).
11. A fee must be submitted with the exception request, the amount of which to be the same as is required for a minor variance application. This amount is determined by the Lakewood City Council. The applicant may appeal a denial of an exception to the Lakewood Board of Adjustment. Such an appeal must be filed in writing with the Secretary to the Board of Adjustment no later than fifteen (15) business days from the date of the decision. The fee for an appeal will be determined by the Lakewood City Council.

17-5-21. IN: INDUSTRIAL DISTRICT.

(1) Purpose: The IN district is intended to retain, enhance, and intensify existing industrial uses, and provide for the new development of lighter industrial uses along major vehicular and rail transportation routes serving the community.

(2) Permitted Uses: No building or land within the IN District shall be used, and no building shall be hereafter constructed or substantially altered, except for one of the following uses:

a) Principal Uses

1. Ambulance service facilities.
2. Amusement parks.
3. Animal Day Care, indoor/ outdoor.
4. Art gallery, art studio.
5. Assembly, convention, or exposition halls.
6. Auction houses, except for the auctioning of live animals.
7. Banks, savings and loans, and other financial institutions.
8. Bowling centers.
9. Child and adult day care.
10. Churches.
11. Cold storage lockers, but not including slaughtering on the premises.
12. Colleges and Universities.
13. Community Buildings.
14. Communication centers, including transmitting centers, towers and accessory equipment.
15. Contractor shops and building trades supplies storage.
16. Dental clinic, laboratory.
17. Display, service and sales of motorcycles, snowmobiles, mopeds and bicycles.
18. Display, repair, service, sales and storage of mobile homes, travel trailers, motor homes, trailers, campers, boats, and motor vehicles, but not including auto wrecking yards, junk yards, or outside storage of metals or inoperable motor vehicles.
19. Drive-in movie theaters.
20. Drive-through car wash.
21. Emergency health care facilities, other than ambulance service facilities.
22. Emergency, noncommercial, helipad.
23. Farmers market.
24. Flea Markets.
25. Garment work.
26. General Office use, includes both public and private office uses.
27. General retail use except those listed in other specific zone districts.
28. Go-cart tracks.
29. Golf driving ranges.
30. Hair care facilities.
31. Home improvement centers, with outside storage of inventory.
32. Home service and appliance repair outlets.

33. Hospitals.
34. Hotels.
35. Indoor archery ranges.
36. Indoor firing ranges.
37. Irrigation ditches.
38. Kennels.
39. Laboratories.
40. Landscape material centers, with outside storage of inventory.
41. Lawn and garden centers, with outside storage of inventory.
42. Lumber yard.
43. Manufacturing, processing, fabrication, assembly, packaging, warehousing, storage, wholesaling, retailing, repair, rental, or servicing of any commodity, but only if totally enclosed in a structure.
44. Market, convenience and supermarkets.
45. Medical clinics and laboratories.
46. Miniature golf or putting ranges.
47. Mini-warehouses.
48. Mortuaries, including cremation facilities.
49. Motels.
50. Motor fuel filling stations, including those associated with food stores.
51. Motor vehicle service and repair facilities.
52. Municipal buildings.
53. Museum.
54. Music, radio and television studios.
55. Newspaper offices.
56. Optical clinics and laboratories.
57. Outdoor civil defense public warning siren system.
58. Package liquor stores, fermented malt beverage stores or outlets, and taverns.
59. Parking on premises of motor vehicles to serve permitted uses on adjacent property.
60. Pawnbrokers Business, subject to the spacing and licensing requirements established in the Lakewood Municipal Code (Title 5.24)
61. Pharmacies.
62. Postal sub-stations.
63. Printing establishments.
64. Private athletic clubs, including outdoor accessory facilities, tennis courts, swimming pools, gymnasiums, and health spas.
65. Private nonprofit recreational facilities.
66. Professional health facilities.
67. Public fire and police stations.
68. Public health clinics.
69. Public library.
70. Public parks.
71. Public recreational facilities.
72. Public transportation structures and facilities.
73. Public wastewater facilities.
74. Radio and television studios.

75. Rental agencies for automobiles, campers, trailers, motor homes, light and heavy equipment, and related service facilities.
76. Sale at retail of any commodity warehoused on the premises and not intended for distribution as a wholesale product.
77. Schools, public, parochial, and private.
78. Studio for custom work or for making articles to be sold at retail on the premises, provided all work areas and storage facilities are enclosed as part of the main building.
79. Theaters.
80. Transport facilities, including passenger stations.
81. Transit rights-of-way.
82. Utility facilities.
83. Vehicle repair, major and minor.
84. Veterinary hospitals.
85. Vocational, Trade and Professional School.
86. Watch and jewelry sales and repair shops.

Note: All uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

b) Accessory Uses

1. Administrative offices, which shall not exceed fifty (50) percent of the gross floor area of the main building.
2. Amusement center in public or non-profit recreational facilities.*
3. Child care facilities.*
4. Church parish house.
5. Dwelling unit for one household in an industrial building for occupancy by the owner or operator of the industrial or accessory office use.
6. Keeping of Household Pets (see performance standards).
7. Off-street parking areas.
8. Private, noncommercial greenhouses.
9. Private, noncommercial swimming pools.
10. Residence for caretaker of public park or public recreation area.
11. Restaurant.
12. Satellite Dish Antennas. See 17-12-2(2).
13. Storage sheds.*

* These uses require approval of a site plan pursuant to Article 15 of this Ordinance prior to issuance of a building permit.

(3) Special Uses: The following uses shall be allowed subject to approval of a Special Use Permit as provided for within Article 6 of this Ordinance.

- a) Auction houses, including live animals.
- b) Cement and asphalt batch plants.

| | |
|---|---|
| Front non-primary Side, Rear | Minimum setback: property line of 3' from the back edge of the traveled walkway or back of sidewalk, whichever is greater. Type of fence: solid, up to a height of 84" and may be topped with barbed wire which is located no less than 72" and no more than 84" from the ground |
| Other | Additional fencing standards for all uses permitted in the IN Zone District may be found in Article 8 of this Ordinance |
| PARKING Office Warehouse Other | 4 spaces per 1,000 square feet of gross floor area. 1.0 spaces/1,000 sq. ft. of gross floor area. Additional parking standards for all uses permitted in the IN Zone District may be found in Article 9 of this Ordinance. |

a) Lots:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce below the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of this zone district except where the Board of Adjustment grants a variance and the use of the remaining land within the zone district would not create a hazardous situation or be unreasonable.
2. A corner lot shall have a minimum of at least two (2) front yards, and a rear yard.
3. Street Frontage - Cul-de-sac Lot. A cul-de-sac lot will have at least thirty (30) feet of street frontage.
4. Any building hereafter constructed or substantially altered within this zone district shall comply with the plan regulations set forth in Article 15 of this Ordinance.

b) Performance Standards:

1. For every main building hereafter constructed or substantially altered: the building or structure shall be designed to permit an integrated parking and access system. Written stipulations shall be submitted relative to the provisions of integrated parking and access as a part of the site plan as required within Article 15 of this Ordinance.
2. Outdoor storage of commodities, materials, products, or goods not intended for display is permitted within this Zone District. Such materials shall be screened from view from adjacent streets and adjoining property by a solid fence, and kept free of weeds and debris, and must comply with Section 9.80 of the Nuisance Ordinance. In no case shall outdoor storage items extend beyond a height of seven (7) feet as measured from the finished grade adjacent to the stored items. Enclosed accessory storage sheds or structures are permitted with an approved site plan and building permits, which may be utilized for such storage. No vehicles, trailers, or shipping containers shall be used as storage sheds or structures.
3. Regulation of Illumination on Private Property. In the interest of compatibility of surrounding land uses, illumination of any kind on private property shall be directed,

screened and controlled in such a manner so that there shall be no direct rays of light which extend beyond the boundaries of the property from where it originates, and the bulbs producing such light cannot be seen from adjacent properties or rights-of-way. The poles used to support outdoor lighting fixtures shall be required to have a set back from adjacent property lines a distance equal to, or exceeding the height of the pole however, no setback is required from the property line which abuts a public right-of-way. It is not the intent of this Section to regulate illumination of public non-commercial recreation facilities.

4. In addition to other applicable regulations, uses in every zone district shall comply with the applicable regulations set forth in this Zoning Ordinance for setbacks, fences, walls, and obstructions, off-street parking of motor vehicles, display of signs, accessory uses, and flood hazards.
5. Amateur Radio Towers and Antennas. The maximum height for amateur radio towers and antennae shall be seventy (70) feet. The height shall be measured at the highest member of the tower and antenna structure. The front yard setback must be equal to or greater than the setback for the primary structure but in no case shall the setback be less than the required front yard setback in the applicable zone district. No setback from a property line shall be less than the height of the tower. All portions of the tower, including support structures shall be entirely within the property lines. Retractable towers are also permitted but shall be retracted when not in operation. The maximum height of a retractable tower shall be based on its height when extended. Towers and antennas shall be of a neutral color and shall not be painted or otherwise treated to call attention to themselves.
6. Accessory Uses. The sum total of gross floor area utilized by all Accessory Uses shall not exceed more than forty (40) percent of the gross floor area on the property. No sign advertising said Accessory Use shall be visible from outside the building.
7. A mobile home or other structure may be used temporarily for office purposes during construction or remodeling activities connected with a use permitted on a lot, provided that:
 - (a) The mobile home or other structure is removed from the site when the construction or remodeling is completed;
 - (b) The mobile home or other structure is adequately secured against damage and overturning by winds; and
 - (c) The mobile home or other structure meets the requirements of the Building Code regarding construction, foundation, blocking and utilities, and such compliance is evidenced by issuance of a temporary certificate of occupancy for a period of one (1) year, with one renewal permitted but not to exceed a total period of two (2) years.

8. The keeping of household pets defined as regulated species shall not exceed a total of five (5) per household, except that no more than three (3) of any species shall be allowed. Servant animals shall be allowed in addition to household pets.
9. Animal Day Care Facilities and Kennels must obtain a license from the State of Colorado and must meet the current State standards for animal day care facilities and kennels as stipulated by this enforcement agency. The facility must control odor, dust, noise, waste management, drainage and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses.
10. Animal Day Care Facilities and Kennels with Outdoor Uses: All Animal Day Care Facilities and Kennels with outdoor uses shall comply with the following criteria:
 - (a) No more than 3 animals at a time will be allowed outdoors after 8pm. Animal Day Care Facilities are where animals may be groomed, trained, exercised, and socialized, but not kept or boarded overnight, bred, sold or let for hire. Animal Day Care Facilities may operate from 6am to 10pm daily.
 - (b) The facility must control odor, dust, noise, waste management, drainage, and security so as not to constitute a nuisance, safety hazard or health problem to adjoining property or uses. The operator must provide a plan of operation demonstrating it can meet these provisions.
 - (c) Provide perimeter fencing for all on-site outdoor recreation socialization areas. The fence shall not exceed the maximum fence height standards as prescribed in Article 8 of the Lakewood Zoning Ordinance. The fence structure shall be deep enough and secured to the ground to prevent escape and provide full containment of the animals at all time.
 - (d) Outdoor areas where animals will be allowed must be a minimum of 20 feet from any property line.
 - (e) Outdoor animal care must provide 300 square feet of area for every twelve (12) animals.
 - (f) There shall be at least one employee for every twelve (12) animals when providing outdoor animal care.
 - (g) A license from the State of Colorado must be obtained, and a copy provided to the City; as well as all pertinent City of Lakewood permits.
 - (h) A major site plan in accordance with Article 15 standards is required.
11. Performance Based Standards for Animal Day Care Facilities and Kennels: The Director of Community Planning and Development or his/her designee may grant an exception to the required setback, height, materials and location requirements for

fences and landscaping requirements as related to animal day care facilities with outdoor uses through the submittal of a written request for an exception, inclusive of an illustration of the proposed changes outlining the reason for which the exception is warranted. All exceptions must be approved prior to building permit approval and issuance. An exception does not constitute a building permit. The Director or his/her designee may approve or conditionally approve the exception if all of the following Performance-Based Standards are met:

- (a) The fence, wall or structure height, location, design and landscaping are in scale and harmonious with the character of the neighborhood and adjacent properties.
 - (b) A combination of fencing and landscaping are used to secure the outdoor uses associated with animal day care facilities and kennels.
 - (c) The 20' required buffer may only be lessened in the event of unique circumstances associated with the subject parcel of land.
 - (d) Granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to other property or improvements in the neighborhood in which the property is located.
 - (e) Granting of the exception will not adversely affect or be inconsistent with any special area plans, Comprehensive Plan, Neighborhood Plan and/or an Official Development Plan (if applicable).
12. A fee must be submitted with the exception request, the amount of which to be the same as is required for a minor variance application. This amount is determined by the Lakewood City Council. The applicant may appeal a denial of an exception to the Lakewood Board of Adjustment. Such an appeal must be filed in writing with the Secretary to the Board of Adjustment no later than fifteen (15) business days from the date of the decision. The fee for an appeal will be determined by the Lakewood City Council.

17-5-22. PD: PLANNED DEVELOPMENT ZONE DISTRICT.

(1) Purpose: The Planned Development Zone District is intended to permit the planning and development of substantial parcels of land which are suitable in location and character for the uses proposed as unified and integrated developments in accordance with detailed development plans. The PD Zone district is intended to provide a means of accomplishing the following objectives:

- a) To provide for development concepts not otherwise permitted within standard zone districts.
- b) To provide flexibility, unity and diversity in land planning and development, resulting in convenient and harmonious groupings of uses, structures and common facilities; varied type design and layout of housing and other buildings; and appropriate relationships of open spaces to intended uses and structures.
- c) To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space ancillary to said buildings.
- d) To encourage a more efficient use of land and of public services, or private services in lieu thereof, and to reflect changes in the technology of land development so that resulting economies may endure to the benefit of those who need homes.
- e) To lessen the burden of traffic on streets and highways.
- f) To provide a procedure which can relate the type, design, and layout of residential, commercial, and industrial development to the particular site, thereby encouraging preservation of the site's natural characteristics.

(2) Permitted Uses:

- a) Land uses within a Planned Development Zone District development may be multiple in nature and may include uses not otherwise permitted within the same zone district. The location and relationship of these uses shall be as established in and conform to the policies and standards contained within the Comprehensive Plan and other appropriate adopted and approved plans, including but not limited to location criteria within that Comprehensive Plan. Planned Development of single uses approved under Ordinance O-70-104, as amended, are deemed to be conforming uses.
- b) Unless otherwise specifically excluded on the approved Official Development Plan, churches, public, parochial, and private schools are permitted in all Planned Development Zone Districts, subject to approval of an Article 15 Final Site Plan. If a use is permitted in all zone districts, then it shall also be permitted in the PD zone district unless specifically excluded.

- c) A Care-giver Facility shall not be permitted in a Planned Development Zone District unless the Planned Development Zone District explicitly names Care-giver Facilities as a permitted use and shall comply with all spacing and licensing requirements for a Care-giver Facility as specified in the Lakewood Municipal Code. (as amended by O-2010-1)

(3) Application: The application for a Planned Development Zone District shall include and be approved or disapproved as follows:

- a) The application for a zoning amendment to establish a Planned Development Zone District shall comply with all procedures for rezoning set forth in Article 17 of this Ordinance.
- b) In addition to the following rezoning procedures, the developer shall submit with the rezoning application an Official Development Plan (ODP) containing written stipulations or graphic representations addressing the following plan elements. In phased planned development developments, the Director of Community Planning and Development, may allow one or more of the following plan elements to be submitted on or with the site plan for that phase in conformance with Section 17-5-22 (6) below.
 - 1. Type and location of all intended uses.
 - 2. Expected gross land areas of all intended uses including Open Space.
 - 3. Gross floor area or residential unit size and number for all buildings or structures, including a statement pertaining to the appropriateness of the density and intensity of the suggested uses relative to policies and standards contained within the Comprehensive Plan.
 - 4. Statement of the height limitations applicable pursuant to the requirements of Subsection (7)(b) below.
 - 5. Statement of type and format of signage and fencing if different than provided for within Article 10 and Article 8 of this Ordinance.
 - 6. Transportation, access and circulation patterns including vehicle, bicycle, pedestrian, and transit circulation patterns.
 - 7. Schedule of order of development and delineation of sub-areas if construction is to be in stages.
 - 8. Improvement and continuing maintenance and management of any private streets or ways or common open space not offered and accepted for dedication for general public use.

9. The name of the Official Development Plan which is to be different from any other previously recorded in Jefferson County.
 10. Certification blocks for Planning Commission, City Council, County Clerk and Recorder, and land owner(s) signatures.
 11. A survey and legal description of the property.
 12. Design Controls, describing the general design and architecture of the buildings, and building elevations.
 13. Lighting detail.
- c) Review and final approval or disapproval of the rezoning and Official Development Plan shall be in accordance with procedures set forth in Article 17 of this Ordinance and shall be completed within a timely manner following the filing of a complete application.
 - d) Final approval of an Official Development Plan shall not become effective until all required changes and amendments have been shown on the final Official Development Plan which is on file with the Department of Community Planning and Development, and the Official Development Plan is recorded in the Office of the Clerk and Recorder of Jefferson County.
 - e) All construction shall be in accordance with the approved and recorded Official Development Plan and amendments or modifications thereto as provided in Subsection (6) below.
- (4) No application for a Planned Development Zone District shall be approved unless:
- a) The proposed development conforms with policies and standards contained within this Ordinance, as amended, and within the Comprehensive Plan;
 - b) All requirements of this Article, Article 15 and Article 17 are met; and
 - c) All landowners whose property is included within the Planned Development have given their written consent to the Planned Development; provided however, when the City annexes property which has been previously zoned PD or a comparable zoning in the jurisdiction from which it is being annexed (provided that said PD or comparable zoning is harmonious with the City Planned Development criteria), the written consent of all landowners is not required.
- (5) Modifications: Provisions of the Official Development Plan, authorized to be enforced by the City of Lakewood, may be modified, removed or released subject to the following provisions:

- a) If such modification, removal, or release involves an increase of the gross floor area by an amount of ten percent (10%) or more of the original measurement of the gross floor area or residential density as set forth on the Official Development Plan, or if it involves a specific change in use or uses within the Planned Development Zone District, which would not be allowed within the applicable standard zoning district, the applicant shall be required to submit a new application for rezoning the parcel as provided for within Article 17 of this Ordinance.
- b) If such modification, removal or release involves a change to the development, including but not limited to, building setback, height or architectural design, landscaping, fencing, or a specific change in use or uses permitted in accordance with Section 17-5-22(5)(a), the Director of Community Planning and Development shall review the application with respect to the criteria included in Section 17-5-22(5)(d). Written notice of the application shall be provided at the applicant's expense to all owners of property adjacent to the site, disregarding public rights-of-way. If a written objection to the application is filed with the Director within ten (10) days of notification, the application shall be referred to the Planning Commission in accordance with Section 17-5-22(5)(e). If no objection is filed, and the application is found to be consistent with the criteria in Section 17-5-22(5)(d), the Director may approve the application.
- c) If such modification, removal, or release involves only a change in the site plan, the applicant shall be required to submit a new site plan indicating such changes in conformance with Article 15 of this Ordinance for review and action by the Director of the Department of Community Planning and Development.
- d) Modification not covered in Subsection (a) or (b) above may be granted by the Director of the Department of Community Planning and Development if it is determined that the modification meets the following criteria:
 - 1. Is consistent with the efficient development and preservation of the entire Planned Development;
 - 2. Does not affect in a substantially adverse manner the enjoyment of land abutting or across the street from the Planned Development;
 - 3. Does not affect in a substantially adverse manner the public interest;
 - 4. Is not granted solely to confer special benefit upon any person;
 - 5. Application for such administrative review is accompanied by a review fee in an amount established by City Council Resolution.
- e) The Director may, at his discretion, refer a modification to the Planning Commission for consideration. The Planning Commission may also hear applicant's appeals from administrative decisions. The applicant must file a notice of appeal with the Secretary to the Planning Commission within thirty (30) days of the decision of the Director. A

public hearing before the Planning Commission shall be held with prior notice thereof published, mailed, and posted as provided in Subsections 17-17-4(1). Any action by the Planning Commission shall require payment of an additional review fee in an amount to be established by City Council Resolution.

An appeal from a Planning Commission decision may be made to the City Council. The appellant must file a notice of appeal with the City Clerk within thirty (30) days of the decision of the Planning Commission. The City shall determine the hearing date. A public hearing before City Council shall be held with prior notice thereof published, mailed and posted as provided in Subsections 17-17-4(1), except that the City Clerk or her designee shall perform the functions of the Secretary to the Planning Commission when the hearing is before City Council. Any action by City Council shall require payment of an additional review fee in an amount to be established by City Council Resolution.

Denial of a modification does not preclude the filing of a new rezoning application.

- f) Regardless of the type of modification applied for, all modifications to an approved Official Development Plan for the Planned Development Zone District shall be reviewed by the City Engineer in accordance with the applicable provisions of Chapter 14.13 of the Lakewood Municipal Code to determine if the modification necessitates the dedication and/or construction of public improvements by the applicant.

(6) Phasing of Planned Development.

- a) Based upon both development and planning consideration, it may be desirable to develop property in several phases. Accordingly, the applicant for rezoning may elect to apply for development in any number of phases, setting forth the sequence of the phases and the information, plans, regulations, and stipulations to be submitted with each phase in the application; provided, however, that the proposed uses, use pattern and factors determined at the time of approval of the first phase, along with the factors listed in Section 17-5-22 of this Ordinance which the Planning Commission determines to be necessary to the consideration of the rezoning application. The intensity and density of the use may be set within upper and lower limits thereof as set by the Planning Commission
- b) The Planning Commission shall consider the request of the applicant for rezoning to the Planned Development Zone District simultaneously with the consideration of the first phase proposal, as set forth in the application.

If the proposed uses, use patterns and the intensity and density of such uses and use patterns are approved by the Planning Commission, or if the proposed uses, use pattern, and the intensity and density of such uses are approved by the Planning Commission with amendments, and if the Planning Commission shall determine that the application for rezoning is in accordance with the standards and policies set forth within this Zoning Ordinance, as amended, the Comprehensive Plan of the City of Lakewood, and other

articulated policies of the Planning Commission, the land may be rezoned to the Planned Development Zone District.

- c) The sequences of phases and the nature and character of the information, plans, regulations, and stipulations to be submitted with each phase shall be determined by the developer and the Department of Community Planning and Development prior to the submission of the application; provided, however, that the nature and character of the information, plans, regulations, and stipulations to be submitted in each phase shall be stated in the stipulations of the first phase.
 - d) After initial rezoning to the Planned Development Zone District, and in the consideration of the subsequent phases, the Planning Commission shall consider only those factors listed in Section 17-5-22 of this Chapter which relate to division of land and the way in which land will be made ready for building development, and which it has not determined curing consideration of the first phase; provided, however, that all the provision of the Official Development Plan authorized to be enforced by the City of Lakewood may be modified, removed or released, in accordance with this Ordinance. When submitting subsequent phases for Planning Commission consideration, all applicants shall pay a fee for the review of each phased site plan. The amount of this fee shall be established by City Council Resolution.
- (7) Development Standards Any omissions of development standards in the Official Development Plan for a specific property will defer to the standards and requirements of the Zoning Ordinance as it pertains to the zone district where the closest similar use is first permitted.
- a) Applications for Planned Development Zone District zoning which include billboards shall be limited to geographic areas which are either within the following existing zone districts or have uses which are compatible with uses permitted in only the following zone districts: 1-C, 2-C, 3-C, 4-C, 5-C, and IN. Applications and proposed stipulations for a PD District to permit construction of a billboard shall comply with the following standards in addition to any standards generally applicable to a PD District:
 - 1. A billboard shall be limited to one (1) display surface not to exceed one hundred (100) square feet in area.
 - 2. Billboards shall be limited to one (1) display surface or sign face per direction per lot, not to exceed a maximum of two (2) display surfaces per lot, provided that such multiple display surface must be attached back-to-back.
 - 3. There shall be not less than ten (10) feet of minimum setback between the lot line and the leading edge of the sign.
 - 4. No billboard shall be constructed or maintained which is not separated by at least five hundred (500) feet from the nearest display surface of any other lawfully erected or maintained billboard.

5. No billboard shall be constructed or maintained at a distance closer than one hundred (100) feet between the display surface and the nearest lot line of any residential zone district in the City of Lakewood or in any geographic area not more distant than one hundred (100) feet from the boundary of the City of Lakewood.
 6. Billboards shall not be illuminated between the hours of twelve o'clock (12:00) a.m. (midnight) and six o'clock (6:00) a.m. if they are situated with a display surface closer than five hundred (500) feet from the nearest lot line of a property zoned for a residential use.
 7. Notwithstanding Subsection (b) below, the height of the billboard shall conform to the height restrictions as stated in Section 17-10.
- b) Height limitations applicable to any use within the Planned Development Zone District shall be as provided for that use where permitted in other zone districts. If there is a conflict among height limitations applicable to uses within the PD District, the limitation permitting the greater height shall apply to all uses within the District plan. If the Comprehensive Plan recommends a greater height for uses located within a designated geographic area of the City than would otherwise be permitted for the uses under this Ordinance, the height limitation permitted by the Comprehensive Plan shall govern the height of the uses within that designated geographic area.
- c) When regulations governing setbacks, secondary and accessory uses, off-street parking, fences, walls and obstructions to view, open space, signage, and site elements included in, but not limited to, Article 15 are not specifically mentioned in the stipulations of the approved Official Development Plan, the Director of Community Planning and Development shall have the following options:
1. Require the application of regulations as set forth in the most similar zone category for any or all of the site elements listed above.
 2. Require the applicant to develop standards, prior to site plan submittal, which are in keeping with the intent of the Planned Development Zone District as stated in Section 17-5-22(1). Such standards must be recorded as an amendment to the Official Development Plan.
 3. For either option, the Director may use the site plan criteria listed in Section 17-15-3(2) to evaluate the effects of the proposed regulations.
- (8) Those Official Development Plans previously approved by City Council which reference the MU Mixed Use and MU Mixed or Single Use Zone District shall remain in full force and effect and all references to MU Mixed Use and MU Mixed or Single Use Zone District in said Official Development Plans shall be deemed to reference the PD Planned Development Zone District.