

DIVISION 9.4 OVERLAY ZONE DISTRICTS

SECTION 9.4.1 GENERAL INTENT

Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable zone district standards with additional use or design limits, allowances, and prohibitions.

SECTION 9.4.2 OVERLAY ZONE DISTRICTS ESTABLISHED

To carry out the provisions of this Code, the following overlay zone districts have been established and are applied to property as set forth on the Official Map.

OVERLAY ZONE DISTRICTS	
CO-	Conservation Overlay District
UO-	Use Overlay District
DO-	Design Overlay District

9.4.2.1 Process to Establish Overlay Zone Districts - Text Amendment & Rezoning Required

Creation of an overlay zone district shall be by text amendment according to Section 12.4.11, Text Amendment, to codify the standards established within the overlay, and by an official map amendment (rezoning) according to Section 12.4.10. With the Manager’s approval, the map amendment may be filed and reviewed concurrent with the text amendment according to Section 12.3.3.9, Concurrent Applications. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

9.4.2.2 Effect of Underlying Zone District Designation

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable overlay zone district; provided, however, except in an approved use overlay zone district (-UO), an overlay zone district shall not be used to add to the specific permitted uses in the underlying district, nor shall it be used to prohibit specific permitted uses in the underlying district.

9.4.2.3 Effect of Overlay Zone District Designation

All zoning applications within a specific overlay zone district shall comply with the applicable provisions of that overlay zone district, and the underlying zone district, and shall be reviewed under this Code to assure such compliance. Where the provisions of the overlay zone district are different from (e.g., in the case of an overlay use district), or more restrictive than (e.g., in the case of a neighborhood conservation overlay zone district) the provisions of the underlying zoning designation, the provisions of the overlay zone district shall apply. A change in the underlying zone district does not change the content or applicability of the overlay zone provisions.

SECTION 9.4.3 CONSERVATION OVERLAY DISTRICT (CO-)

9.4.3.1 Purpose

The Conservation Overlay District is intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of specific areas within Denver possessing distinctive features, identity, or character worthy of retention and enhancement. A Conservation Overlay District takes effect through adoption of area specific standards that will facilitate maintenance and protection of the area’s existing character and the development of vacant or under used lots. The overlay may also be used to establish specific design guidelines that are more detailed than the standards of this Code for use during review of development within the overlay zone district.

9.4.3.2 Minimum Requirements for Establishment

In addition to the minimum criteria for official map amendment applications specified in Article 12, Section 12.4.10, an application for a rezoning to apply a Conservation Overlay District shall comply with the following provisions:

A. Multiple Conservation Overlays Prohibited

A property may only be located within one Conservation Overlay District.

B. Application Requirements

An application to rezone to a Conservation Overlay District shall include, in addition to other rezoning submittal requirements, the following information:

1. A statement of purpose and an explanation of how the zone district criteria stated in this Section are met.
2. An ordinance and map indicating the boundaries of all lots in the proposed Conservation Overlay District and the underlying zone districts contained within the proposed overlay zone district.
3. A Conservation Overlay District map and such other textual and graphic material as may be necessary to indicate and govern building forms and features, site development requirements, circulation, off-street parking and modifications to underlying zone district development and design standards.

C. Review Criteria for Approval of District

In addition to the review criteria applicable to rezonings stated in Section 12.4.10, Official Map Amendment (Rezoning), and to text amendments stated in Section 12.4.11, Text Amendment, the Conservation Overlay District shall meet one or more of the following criteria:

1. The district contains distinctive building features, such as period of construction, style, size, scale, detailing, mass, color and material; and/or
2. The district contains distinctive site planning and natural features, such as lot platting, building lot coverage, street layout, setbacks, alleyways, sidewalks, creek beds, parks and gardens.

9.4.3.3 Modification of Underlying Zone District Standards

A. Modification of Permitted Uses Not Allowed

Uses permitted in the underlying zone district shall not be modified in any way.

B. Modification of Standards Allowed

A Conservation Overlay District may allow for the modification of any of the following standards within this Code to enhance the area's identity and character consistent with the plan criteria stated above in Sec. 9.4.3.2:

1. Use Limitations

Use limitations otherwise applicable to permitted uses in the underlying zone district may be modified.

2. Building Form Standards

- a. Building form standards otherwise applicable to new development in the underlying zone district may be modified.
- b. A Conservation Overlay District may add new restrictions on building form and building or site design, including but not limited to restrictions on building materials and architectural style.

3. All Other Design Standards

All other development and design standards applicable to new development in the underlying zone district may be modified.

9.4.3.4 Conservation Overlay Districts Established

The following conservation overlay zone districts are established:

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2
Scottish Village Conservation Overlay District	CO-3
Potter Highlands Conservation Overlay District	CO-4
Krisana Park Conservation Overlay District	CO-5
Bungalow Conservation Overlay District	CO-6
Sunnyside Conservation Overlay District	CO-7
Sunnyside Conservation and Brick Overlay District	CO-8

9.4.3.5 Effect of Approval

A. Zoning Map Designator

Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying zone district designation.

B. Limitation on Permit Issuance

No zoning permit for development or for a use within a Conservation Overlay District shall be issued by Community Planning and Development unless the development or use meets the standards set forth in the adopted Conservation Overlay District.

9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)

A. Creation

There is hereby created a conservation overlay zone district designated as Hilltop Heritage Conservation Overlay District CO-1.

B. Limitation on the Establishment of Zone Lots in the Overlay District

Any zone lots in this overlay zone district that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at any street (Side Street or Primary Street) setback line for structures and are not less than 9,300 square feet in lot size.

C. Exceptions Inapplicable

The exceptions from zone lot width and area requirements for zone lots in Section 1.2.3.3, Flag Zone Lots, shall not apply in this overlay zone district, provided however, zone lots containing at least 27,900 square feet existing on March 7, 2000, may be amended into zone lots in compliance with the zone lot width reduction for flag lots contained in Section 1.2.3.3, Flag Zone Lots, if the resultant zone lots contain at least 9,300 square feet.

9.4.3.7 Curtis Park Conservation Overlay District (CO-2)

A. Creation

There is hereby created a Conservation Overlay District designated as the Curtis Park Conservation Overlay District.

B. Intent

Accommodate detached accessory structures in a manner that respects the character of the Curtis Park neighborhood.

C. Applicability

This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH zone district.

D. Building Form Standards for Zone Lots with a Historic Structure

For any zone lot occupied by a Historic Structure, as defined in Article 13, Rule of Measurements and Definitions, development of a detached accessory structure is allowed subject to the following allowances and conditions:

1. The structure may comply with the U-RH-2.5 Detached Garage building form standards and exceed the maximum building coverage; and
2. The structure may comply with the U-RH-2.5 Detached Accessory Dwelling Unit building form standards and:
 - a. May exceed the maximum building coverage,
 - b. Shall be exempt from the bulk plane, and
 - c. May exceed the maximum height in stories not to exceed two stories.
3. The structure shall be located in the rear one-half of the zone lot; and
4. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

E. Building Form Standards for Zone Lots without a Historic Structure

For zone lots not occupied by a Historic Structure, development of a detached accessory structure is allowed using the U-RH-2.5 Detached Accessory Dwelling Unit building form, subject to the following allowances and conditions:

1. The structure shall be exempt from the bulk plane,
2. The structure may exceed the maximum height in stories not to exceed two stories,
3. The structure shall be located in the rear one-half of the zone lot, and
4. The design and location of the structure shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

9.4.3.8 Scottish Village Conservation Overlay (CO-3)

A. Creation

There is hereby created a Conservation Overlay District designated as the Scottish Village Conservation Overlay (CO-3).

B. Intent

To allow setback, building coverage, and lot depth building form standards that are consistent with the character of the Scottish Village.

C. Applicability

This Scottish Village Conservation Overlay shall apply only to those areas designated as CO-3 on the Official Zone Map.

D. Primary Building Form Standards Applicable to Urban House, Duplex and Tandem House Building Forms Only

1. **Side Interior Setback**
The minimum side interior setback shall be 3 feet.
2. **Building Coverage**
 - a. Building coverage maximum per zone lot shall be 60%.

- b. An exemption from the maximum building coverage shall not be given for a portion of the zone lot area occupied by a Detached Accessory Dwelling Unit or a Detached Garage form.

3. Shallow Lot Standards

- a. **Applicability**
 - i. Zone lots established prior to July 10, 2015 where at least one side interior or side street zone lot line is 90 feet or less deep, measured from the intersection of the primary street zone lot line and a side interior or side street zone lot line to the intersection of a zone lot line opposite the primary street.
- b. **Standards**
 - i. Rooftop and/or Second Story Decks are allowed in 100% of zone lot depth.
 - ii. The following underlying zone district primary building form height standards applicable in the front 65% of zone lot depth shall apply to 100% of zone lot depth:
 - a) Height in stories;
 - b) Height in feet;
 - c) Allowable height increase; and
 - d) Bulk plane vertical height at side interior and side street zone lot line.

E. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only

- 1. **Side Interior Setback**
 - a. The minimum side interior setback shall be 0 feet.
 - b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

9.4.3.9 Potter Highlands Conservation Overlay (CO-4)

- A. **Creation**

There is hereby created a Conservation Overlay District designated as the Potter Highlands Conservation Overlay District.
- B. **Intent**

To apply additional building form standards that are consistent with the established character of the Potter Highlands Historic District.
- C. **Applicability**

This Potter Highlands Conservation Overlay shall apply only to those areas designated as CO-4 on the Official Zone Map.
- D. **Primary Building Form Standards Applicable to Urban House, Duplex, and Tandem House Building Forms**
 - 1. **Side Interior Setbacks**
 - a. For zone lots greater than 30 feet and up to 40 feet in width, the minimum side interior setback shall be 5 feet.

2. Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines

- a. For zone lots 30 feet or less in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 15 feet.
- b. For zone lots greater than 30 feet in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 13 feet.

3. Rooftop and/or Second Story Decks

Rooftop and/or Second Story Decks located on or above the roof of any story other than the Street Level Story are prohibited.

4. Low-Slope Roof Height Limit and Bulk Plane Exception

- a. In the front 65% of zone lot depth:
 - i. A portion of a building with a Low-Slope Roof shall have a maximum height of 25 feet.
 - ii. Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.
- b. In the rear 35% of zone lot depth:
 - i. A portion of a building with a Low-Slope Roof shall have a maximum height of 14 feet.
 - ii. Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.

5. Bulk Plane Exception for Dormers in the Front 65% of Zone Lot Depth

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of the Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

E. Primary Building Form Standards Applicable to Structures Containing Two Unit Dwelling Uses

1. Applicability

- a. Two Unit Dwelling uses legally established and Continuously Maintained prior to July 10, 2015 shall be considered conforming uses and shall not be subject to the zone lot standards in this subsection 9.4.3.9.E. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards of the underlying zone district, provided:
 - i. The zone lot shall not be reduced, expanded, or enlarged, and
 - ii. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- b. Two Unit Dwelling uses established after July 10, 2015 shall be subject to the standards in this subsection 9.4.3.9.E.

2. Zone Lot Standards

- a. **Zone Lot Size**
The minimum zone lot size shall be 5,500 square feet.
- b. **Zone Lot Width**
The minimum zone lot width shall be 50 feet.

F. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit

Building Form Only

- 1. Applicability**
The following standards shall replace the side interior setback standards found in the accessory building form tables in the underlying Zone District.
- 2. Side Interior Setbacks**
 - a. The minimum side interior setback shall be 0 (zero) feet.
 - b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

9.4.3.10 Krisana Park Conservation Overlay (CO-5)

- A. Creation**
There is hereby created a Conservation Overlay District designated as the Krisana Park Conservation Overlay District.
- B. Intent**
The intent of the Krisana Park Conservation Overlay District is to apply additional building form standards that are consistent with the established character of the Krisana Park neighborhood, while allowing some flexibility consistent with the overall character. The established character of the neighborhood includes single-story or split-level single family houses with low-pitched roof-line profiles and a strong horizontal emphasis, without rooftop decks. Additions are intended to be compatible in scale and proportion with original buildings.



- C. Applicability**
This Krisana Park Conservation Overlay District shall apply only to those areas designated as CO-5 on the Official Zone Map.
- D. Rule of Measurement for Two Base Planes**
 - 1. Front Base Plane**
The Front Base Plane shall be the base for measuring height in the front 50% of the Zone Lot Depth.
 - 2. Rear Base Plane**
The Rear Base Plane shall be the base for measuring height in the rear 50% of the Zone Lot Depth.

E. Primary Building Form Standards Applicable to Suburban House Building Form

1. Height in Stories

The maximum height in stories shall be 1.5 stories.

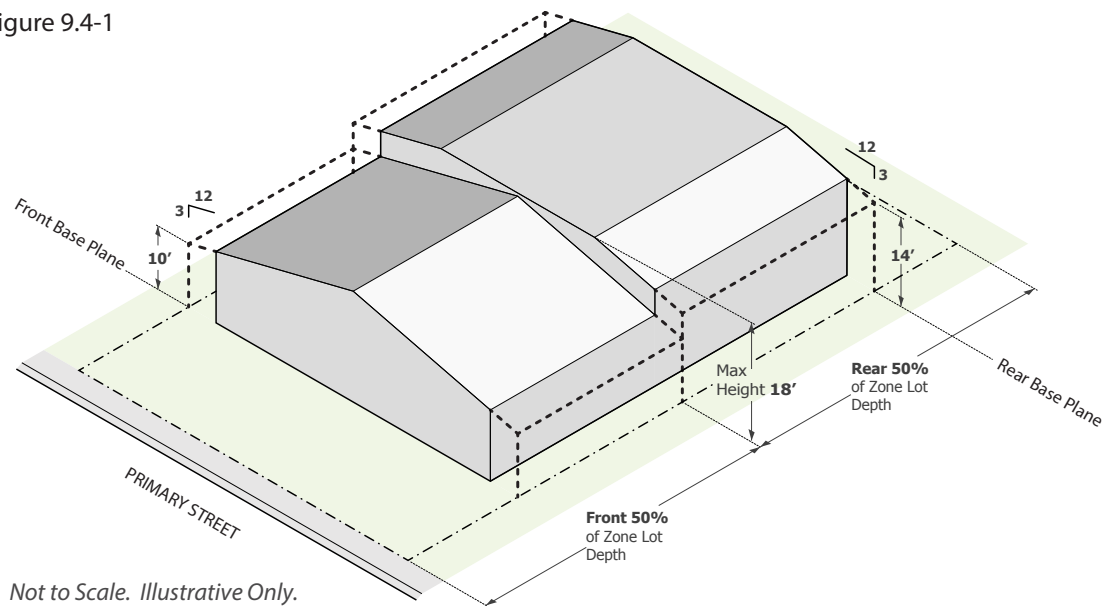
2. Height in Feet

- a. The maximum height in feet shall be 18 feet. (See Figure 9.4-1)
- b. There shall be no permitted height increase for lot width over 50'.

3. Bulk Plane

- a. In the front 50% of the zone lot depth:
 - i. The Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines shall be 10 feet.
 - ii. The Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines shall be 14 degrees 2 minutes 10 seconds (a pitch of 3:12, or three feet additional vertical rise for each twelve additional feet of horizontal run). (See Figure 9.4-1)
- b. In the rear 50% of the zone lot depth:
 - i. The Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines shall be 14 feet.
 - ii. The Bulk Plane Slope from Side Interior and Side Street Zone Lot Lines shall be 14 degrees 2 minutes 10 seconds (a pitch of 3:12, or three feet additional vertical rise for each twelve additional feet of horizontal run). (See Figure 9.4-1)

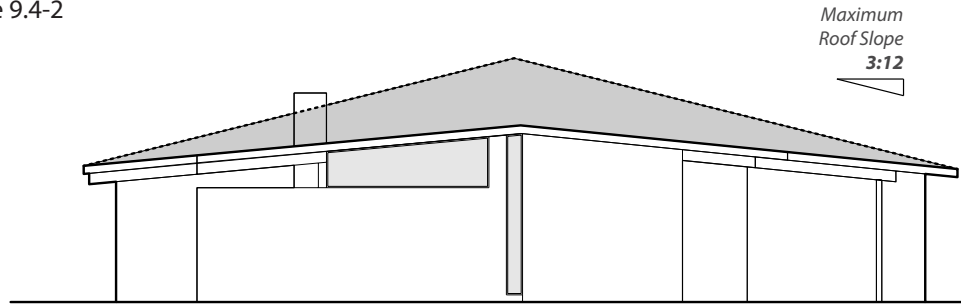
Figure 9.4-1



4. Roof Pitch

No Roof shall have a sloping plane greater than 3:12. (See Figure 9.4-2)

Figure 9.4-2

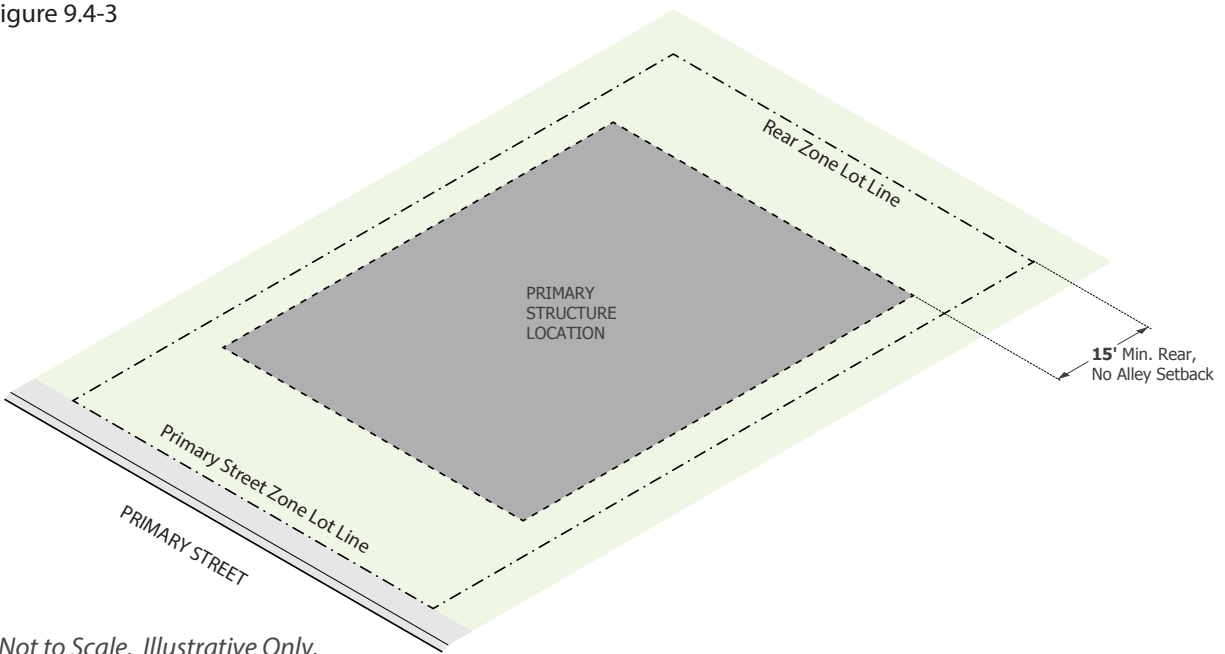


Not to Scale. Illustrative Only.

5. Setback, Rear, No Alley

The minimum Setback, Rear, no alley, shall be 15 feet. (See Figure 9.4-3)

Figure 9.4-3



Not to Scale. Illustrative Only.

6. Rooftop and/or Second Story Decks

Rooftop and/or Second Story Decks are prohibited on the entirety of the zone lot.

9.4.3.11 Bungalow Conservation Overlay (CO-6)

A. Creation

There is hereby created a Conservation Overlay District designated as the Bungalow Conservation Overlay District (CO-6).

B. Intent

To promote conservation of the mass, scale and other design characteristics of low-scale residential neighborhoods comprised primarily of one and two story 'bungalow' structures within single unit (SU) or two unit (TU) Underlying Zone Districts in the Urban Edge and Urban Neighborhood contexts, including:

- a. To encourage development that is compatible in scale and mass, has raised foundations and incorporates compatible roof forms through the application of Building Height Standards and other Supplemental Design Standards.
- b. To encourage spacing between buildings that reflect the existing pattern of generous and offset (larger to the south and more narrow to the north on east-west oriented Zone Lots) setbacks through the application of Siting Form Standards.
- c. To ensure Low-Slope Roof forms are compatible with existing context, the rhythm of Unenclosed Porches along the street is maintained, that a required Unenclosed Porch along the Primary Street provides a scale transition from the primary building mass to the street, and privacy issues related to upper story outdoor spaces are mitigated through application of Design Element Standards and Supplemental Design Standards.

C. Applicability

This Bungalow Conservation Overlay shall apply only to those areas designated as CO-6 on the Official Zone Map.

D. Primary Building Form Standards Applicable to All Allowed Building Forms

The district-specific standards of the Underlying Zone District for all allowed Primary Building Form shall be modified as set forth in the following table.

HEIGHT	CO-6 Overlay District
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below	
Stories, front 65% / rear 35% of Zone Lot depth (max)	2/1
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	28'/17'
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	22'/17'
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted
Feet, rear 35% of Zone Lot depth, permitted height increase	Not Permitted
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth	14'/10'

SITING	CO-6 Overlay District			
See Underlying Zone District for Additional Applicable Siting Standards Not Listed Below				
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH	30' or Less	Greater than 30' and up to 45'	Greater than 45' and up to 75'	75' or Greater
Side Interior, south Side Zone Lot Line (min)	3'	7'	10'	10'
Side Interior, north Side Zone Lot Line (min)	3'	3'	5'	10'
Side Interior, where no south or north Side Zone Lot Line is present (min)	3'	5'	7.5'	10'

DESIGN ELEMENTS		CO-6 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below			
GROSS FLOOR AREA BY ZONE LOT SIZE		Zone Lot Area 7,500 sf or Less	Zone Lot Area greater than 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max)	3,000 sf		3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf
BUILDING CONFIGURATION			
Rooftop and/or Second Story Decks		See Section 9.4.3.11.E.1	
Upper Story Stepback, for any portion of building with Low-slope Roof above 15', Primary Street (min)		10'	
ELEVATION OF THE UPPER SURFACE OF THE FLOOR OF THE STREET LEVEL			
Elevation (min/max)		See Section 9.4.3.12.E.2	
STREET LEVEL ACTIVATION			
Pedestrian Access, Primary Street		See Section 9.4.3.11.E.3	

USES		CO-6 Overlay District	
See Underlying Zone District for All Applicable Uses Standards			
See Underlying Zone District and Sections 9.4.3.11.E and 9.4.3.11.F for Supplemental Design Standards and Design Standard Exceptions.			

E. Supplemental Design Standards for the CO-6 Overlay District

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

- 1. Rooftop and/or Second Story Decks**
 - a. Rooftop and/or Second Story Decks located on or above the roof of any story other than the Street Level story are prohibited.
 - b. Rooftop and/or Second Story Decks projecting from the building above the Street Level are prohibited.

- 2. Elevation of the Upper Surface of the Floor of the Street Level**

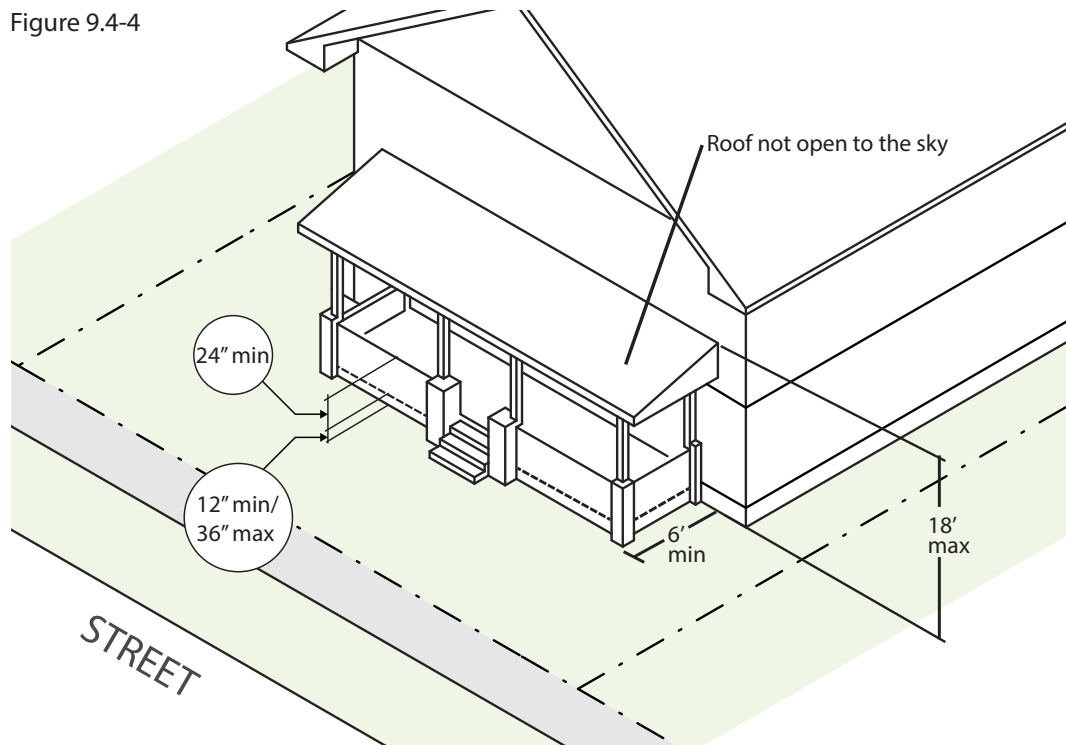
The elevation of the upper surface of the floor of the Street Level in the front 40% of the Zone Lot depth shall be no less than 12 inches and no more than 36 inches above the Front Base Plane elevation, except when a different elevation is required by the Department of Transportation and Infrastructure (DOTI). (See Figure 9.4-4)

- 3. Pedestrian Access, Primary Street**
 - a. An Unenclosed Porch is required.
 - b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
 - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade(s) of the Primary Structure;
 - ii. Have an upper walking surface with a minimum area of 120 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to a Unenclosed Porch;
 - iii. Have an upper walking surface a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch

including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to a Unenclosed Porch (See Figure 9.4-4);

- iv. Not be located below a Story;
- v. Have partial height walls, railings or guards at its perimeter. Such walls, railings or guards shall extend vertically above the upper walking surface of the Unenclosed Porch a minimum of 24 inches except for a portion of the Unenclosed Porch where access is provided. The width of such access shall not exceed 50 percent of the total linear distance of all required partial height walls, railings or guards (See Figure 9.4-4);
- vi. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-4);
- vii. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-4); and
- viii. Not abut more than one Exterior Wall.

Figure 9.4-4



F. Design Standard Exceptions for the CO-6 Overlay District

1. Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

2. Setback Exceptions

The following Setback Exceptions are in addition to exceptions allowed within the Underlying Zone District.

a. Intent

To provide flexibility in the location of barrier-free access structures providing access to any building.

b. Standard

Barrier-free access structures providing access to a building may encroach any distance into a required Primary Street Setback, Side Street Setback, Side Interior Setback or Rear Setback.

9.4.3.12 Sunnyside Conservation Overlay District (CO-7)

A. Creation

There is hereby created a Conservation Overlay District designated as the Sunnyside Conservation Overlay District (CO-7).

B. Intent

To promote conservation of the mass, scale and other design characteristics of residential neighborhoods within single unit (SU) or two unit (TU) Underlying Zone Districts in the Sunnyside neighborhood, including:

1. To encourage development that is context-sensitive in scale and mass, and incorporates compatible roof forms through the application of Building Height Standards and Design Elements Standards.
2. To ensure a rhythm of Unenclosed Porches along the street is maintained and that a required Unenclosed Porch along the Primary Street provides a scale transition from the primary building mass to the street through the application of Supplemental Design Standards.

C. Applicability

This Sunnyside Conservation Overlay District shall apply only to those areas designated as CO-7 on the Official Zone Map.

D. Primary Building Form Standards Applicable to All Allowed Building Forms

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the following table.

HEIGHT	CO-7 Overlay District	
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below		
	Urban House and Duplex Building Forms	Tandem House Building Form
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	2.5/1	2.5/2.5
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	2/1	2/2
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	30'/17'	30'/24'
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	22'/17'	22'/22'
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted	
Feet, rear 35% of Zone Lot depth, permitted height increase	Not Permitted	
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth (does not apply to a portion of a building with a Low-Slope Roof)	14'/10'	

DESIGN ELEMENTS	CO-7 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below		
	Zone Lot Area 7,500 sf or Less	Zone Lot Area greater than 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Urban House Building Form	3,000 sf	3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Duplex and Tandem House Building Forms	NA	NA
STREET LEVEL ACTIVATION		
Pedestrian Access, Primary Street	See Section 9.4.3.12.E.1	

USES	CO-7 Overlay District	
See Underlying Zone District for All Applicable Uses Standards		
See Underlying Zone District and Sections 9.4.3.12.E and 9.4.3.12.F for Supplemental Design Standards and Design Standard Exceptions.		

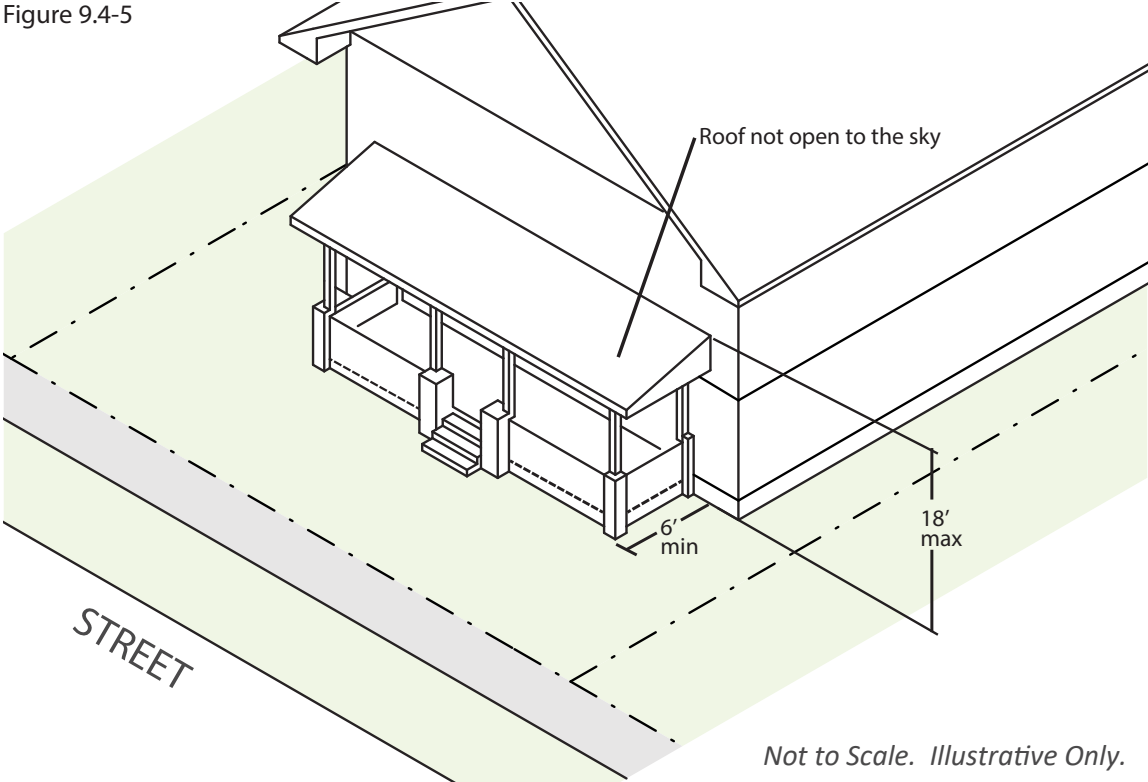
E. Supplemental Design Standards for the CO-7 Overlay Zone District

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

1. Pedestrian Access, Primary Street

- a. One Unenclosed Porch is required.
- b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
 - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade of the Primary Structure;
 - ii. Have an upper walking surface with a minimum area of 48 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to an Unenclosed Porch;
 - iii. Have an upper walking surface with a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to an Unenclosed Porch (See Figure 9.4-5);
 - iv. Not be located below a Story;
 - v. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-5);
 - vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-5); and
 - vii. Not abut more than two Exterior Walls.

Figure 9.4-5



F. Design Standard Exceptions for the CO-7 Overlay Zone District

1. Bulk Plane Exception for Low-Slope Roof

Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof.

2. Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.

9.4.3.13 Sunnyside Conservation and Brick Overlay District (CO-8)

A. Creation

There is hereby created a Conservation Overlay District designated as the Sunnyside Conservation and Brick Overlay District (CO-8).

B. Intent

To promote conservation of the mass, scale, and other design characteristics of residential neighborhoods within single unit (SU) or two unit (TU) Underlying Zone Districts in the Sunnyside neighborhood, including:

1. To encourage development that is context-sensitive in scale and mass, and incorporates compatible roof forms through the application of Building Height Standards and Design Elements Standards.
2. To ensure a rhythm of Unenclosed Porches along the street is maintained and that a required Unenclosed Porch along the Primary Street provides a scale transition from the primary building mass to the street through the application of Supplemental Design Standards..
3. To promote visual compatibility of new development with the strong pattern of existing residential structures with brick cladding while maintaining flexibility for use of additional materials.
4. To promote brick cladding on exterior walls of a residential structure that are most visible from the public street, while allowing additional flexibility on less publicly visible exterior walls.
5. To promote the use of durable materials that express a human scale.

C. Applicability

This Sunnyside Conservation and Brick Overlay District shall apply only to those areas designated as CO-8 on the Official Zone Map.

D. Primary Building Form Standards Applicable to All Allowed Building Forms

The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the following table.

HEIGHT	CO-8 Overlay District	
See Underlying Zone District for Additional Applicable Height Standards Not Listed Below		
	Urban House and Duplex Building Forms	Tandem House Building Form
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	2.5/1	2.5/2.5
Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	2/1	2/2
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)	30'/17'	30'/24'
Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)	22'/17'	22'/22'
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted	
Feet, rear 35% of Zone Lot depth, permitted height increase	Not Permitted	
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot line in front 65% / rear 35% of Zone Lot depth (does not apply to a portion of a building with a Low-Slope Roof)	14'/10'	

DESIGN ELEMENTS	CO-8 Overlay District	
See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below		
GROSS FLOOR AREA BY ZONE LOT SIZE	Zone Lot Area 7,500 sf or Less	Zone Lot Area greater than 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Urban House Building Form	3,000 sf	3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf
Gross Floor Area Located Above the Front Base Plane (max) for Duplex and Tandem House Building Forms	NA	NA
STREET LEVEL ACTIVATION		
Pedestrian Access, Primary Street	See Section 9.4.3.13.E.1	
EXTERIOR WALL CLADDING		
Brick cladding for Exterior Walls (min)	See Section 9.4.3.13.E.2	

USES	CO-8 Overlay District	
See Underlying Zone District for All Applicable Uses Standards		
See Underlying Zone District and Sections 9.4.3.13.E and 9.4.3.13.F for Supplemental Design Standards and Design Standard Exceptions.		

E. Supplemental Design Standards for the CO-8 Overlay Zone District

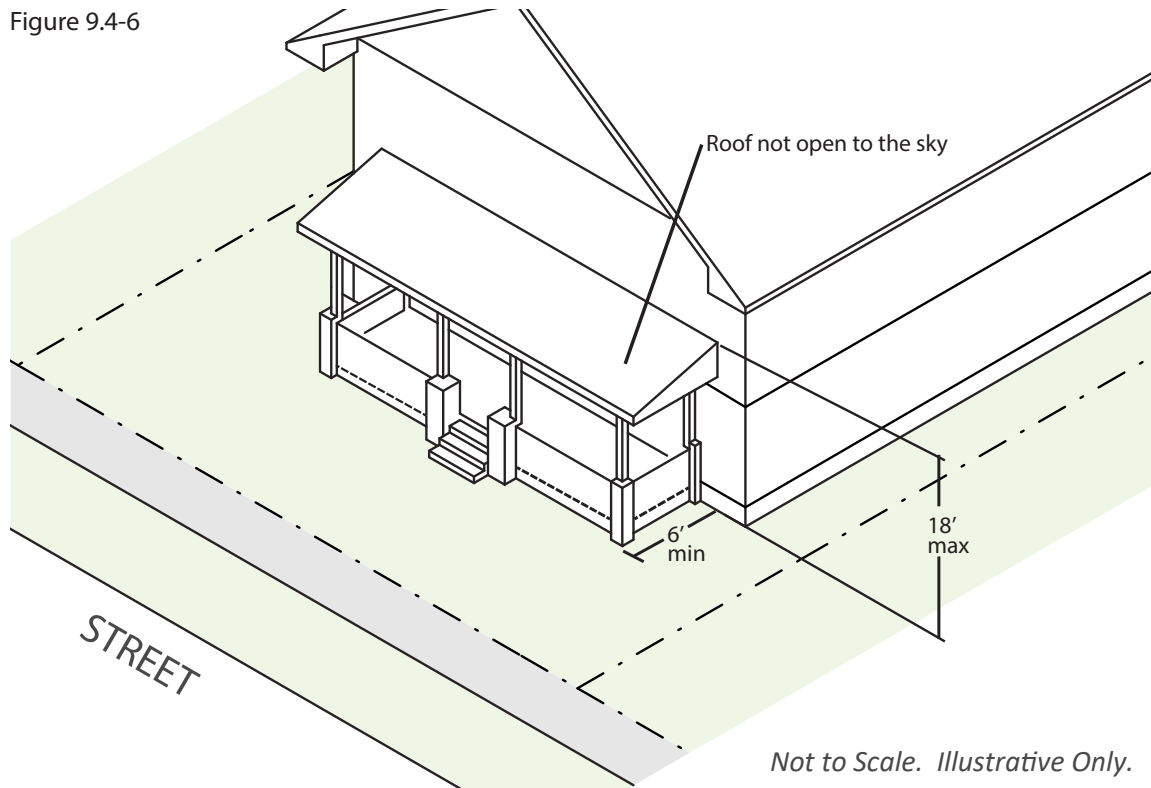
The district-specific standards of the Underlying Zone District for all allowed Primary Building Forms shall be modified as set forth in the Supplemental Design Standards below. The Supplemental Design Standards in this section are in addition to Supplemental Design Standards in the underlying zone district.

1. Pedestrian Access, Primary Street

- a. One Unenclosed Porch is required.
- b. At least one Unenclosed Porch or a portion of an Unenclosed Porch shall:
 - i. Be located between the Primary Street Zone Lot Line and the Primary Street-facing façade of the Primary Structure;

- ii. Have an upper walking surface with a minimum area of 48 square feet, including posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to an Unenclosed Porch;
- iii. Have an upper walking surface a minimum depth of 6 feet as measured perpendicular to the Primary Street Zone Lot Line from the exterior face of the Primary Street-facing façade to the furthest edge of the Unenclosed Porch including posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to an Unenclosed Porch (See Figure 9.4-6);
- iv. Not be located below a Story;
- v. Have a maximum height of 18 feet as measured from the Front Base Plane to the highest point of the Unenclosed Porch. (See Figure 9.4-6);
- vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-6); and
- vii. Not abut more than two Exterior Walls.

Figure 9.4-6



2. Exterior Wall Cladding

a. Applicability

i. New Primary Structures

This Section 9.4.3.12.E.2 applies to Development of a new Primary Structure. This section does not apply to an Alteration, expansion, or repair of an existing Primary Structure.

ii. Exterior Walls in the Front of a Zone Lot

This Section 9.4.3.12.E.2 applies to Exterior Walls in the front 65% of Zone Lot Depth.

iii. Street Level and Above

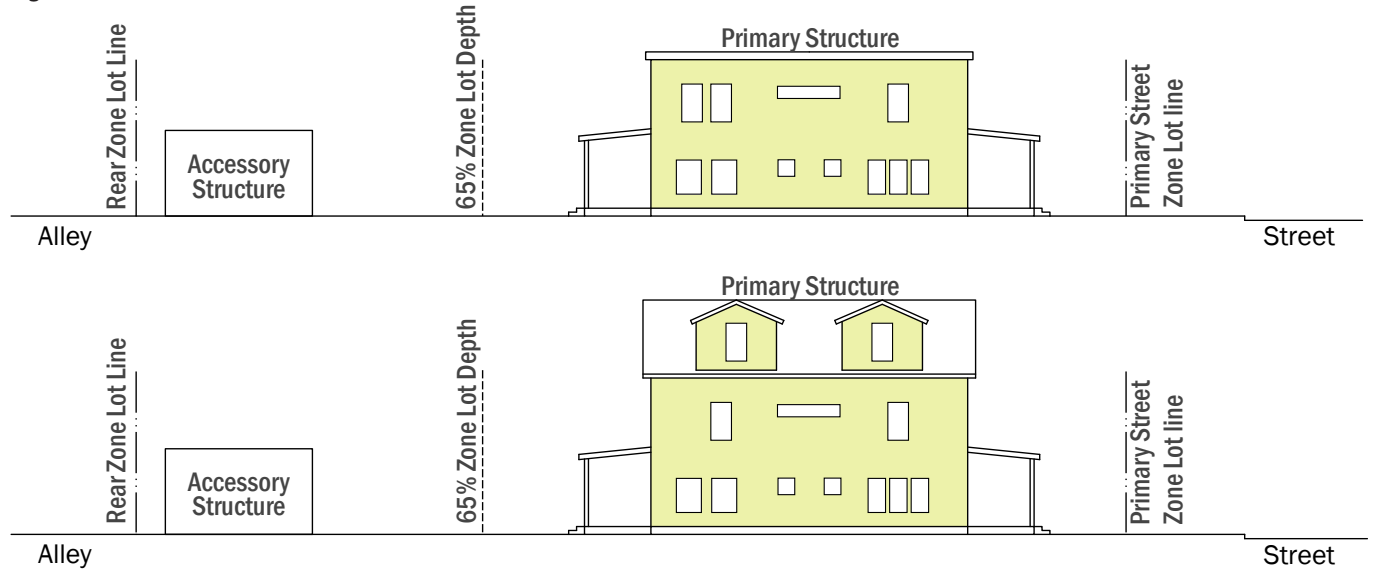
This Section 9.4.3.12.E.2 applies to Exterior Walls above the upper surface of the floor of the Street Level Story.

b. Design Standard

A minimum percentage of the surface area of Exterior Wall(s), excluding fenestration (windows and doors), shall be clad with with a minimum amount of Brick as indicated below (see Figures 9.4-7 and 9.4-8):

- i. Primary Street Zone Lot Line Facing Exterior Walls: 60%
- ii. Side Street Zone Lot Line Facing Exterior Walls: 60%
- iii. Side Interior Zone Lot Line Facing Exterior Walls: 40%
- iv. Rear Zone Lot Line Facing Exterior Walls: No requirement

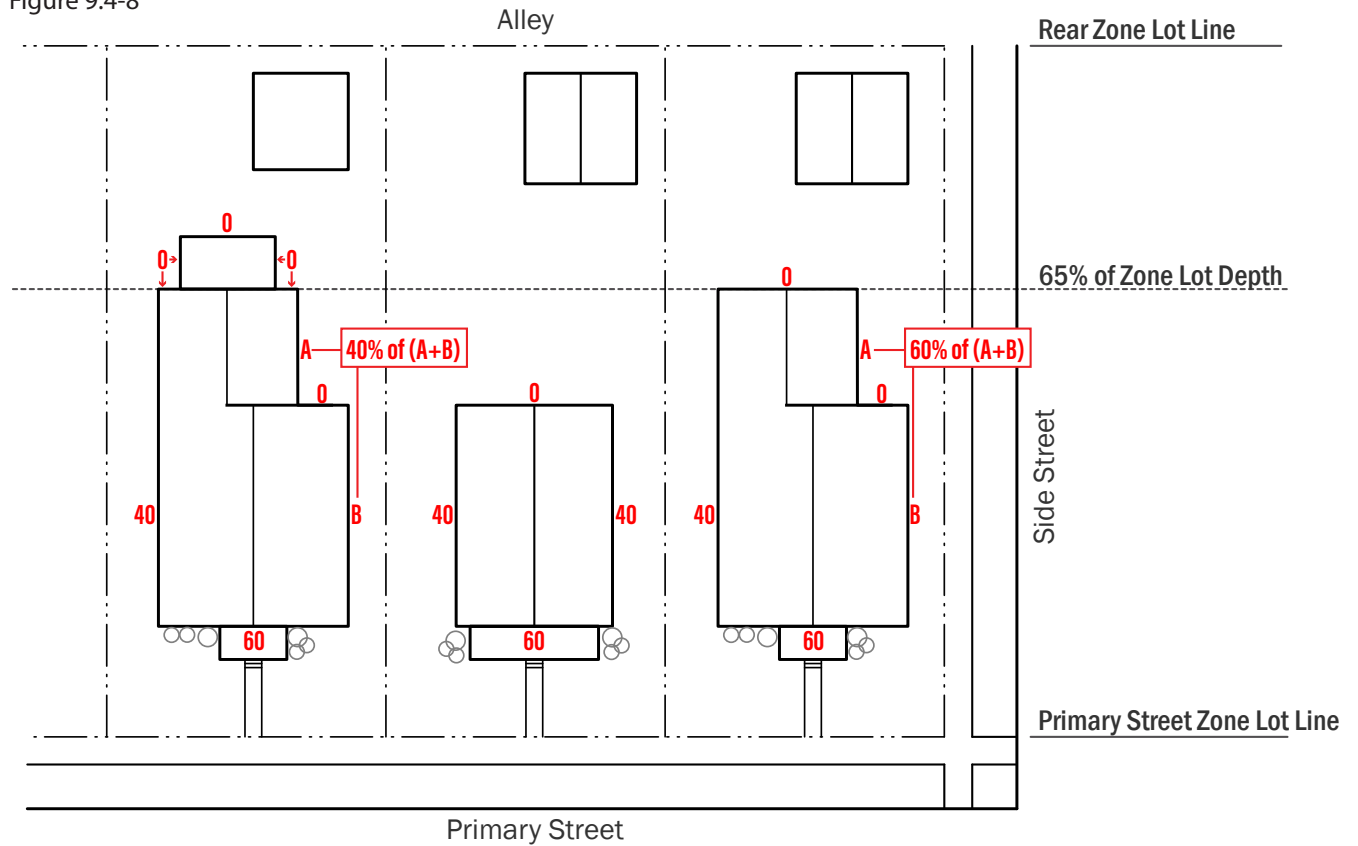
Figure 9.4-7



Portion of Exterior Wall included in brick requirement calculation

Not to Scale. Illustrative Only.

Figure 9.4-8



= Minimum Percentage Brick Cladding

Not to Scale. Illustrative Only.

F. Design Standard Exceptions for the CO-8 Overlay Zone District

1. Bulk Plane Exception for Low-Slope Roof

Bulk Plane shall not apply to a portion of a building with a Low-Slope Roof

2. Bulk Plane Exceptions for Dormers in the Front 65% of Zone Lot Depth

A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth, provided the projecting Dormer meets all of the conditions in Section 13.1.4.3, Bulk Plane Exception for Dormers.