

# Denver Zoning Code Text Amendment Sunnyside Conservation Overlay District (CO-7) and Sunnyside Conservation and Brick Overlay District (CO-8)

## FINAL MARKUP - EFFECTIVE 02/27/2023

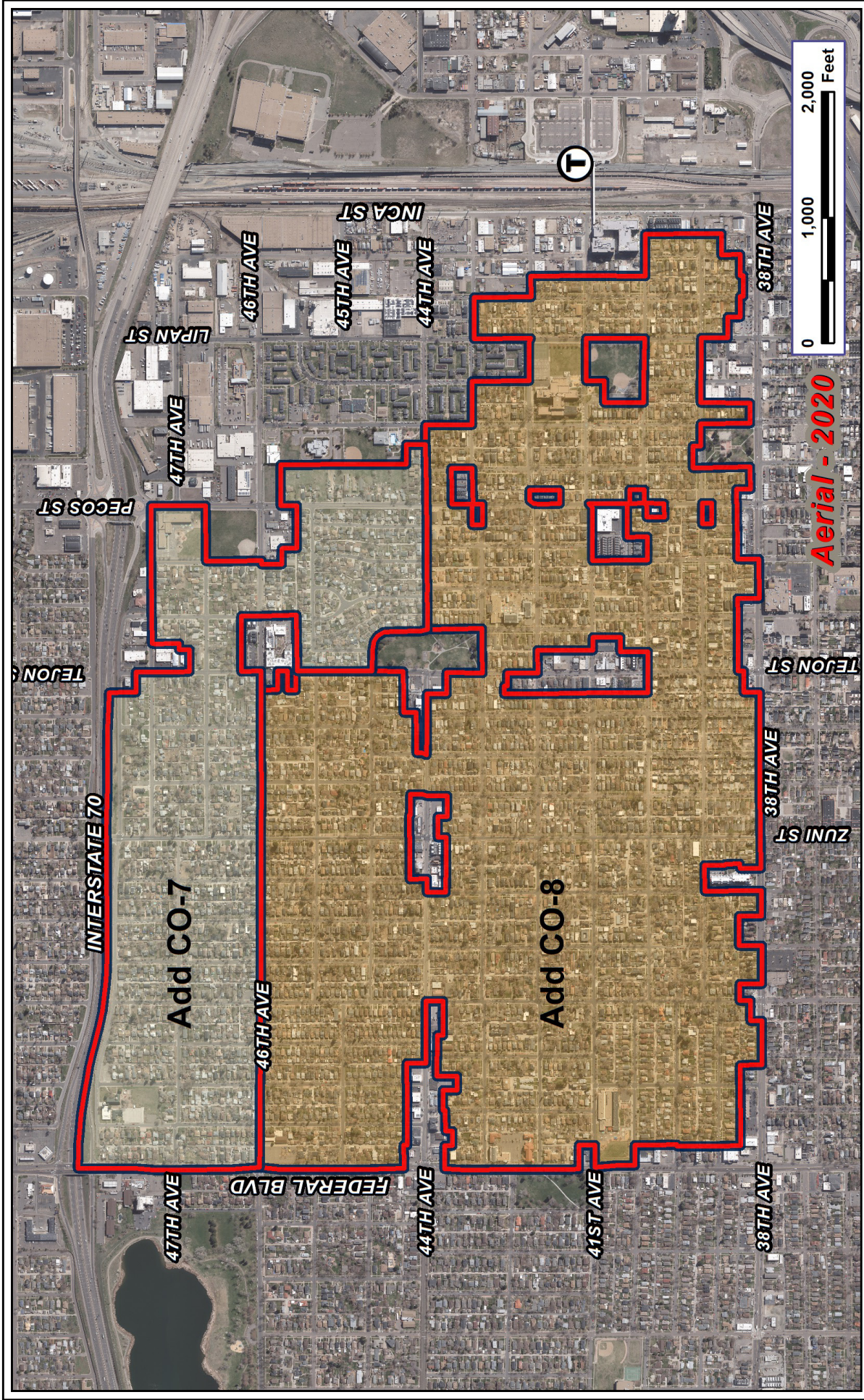
This document is the final markup text amendment to create two conservation overlay zone districts for the Sunnyside neighborhood. A conservation overlay is a regulatory mechanism that modifies design standards for buildings in a specified area to facilitate protection of the area's existing character. This text amendment establishes two conservation overlay zone districts and a map amendment to apply them as follows:

- **The Sunnyside Conservation Overlay (CO-7)** applies to portions of the neighborhood as shown on the map on the next page of this document. The CO-7 overlay district includes design standards to ensure that development that occurs in Sunnyside is more visually compatible with existing neighborhood design patterns.
- **The Sunnyside Conservation and Brick Overlay (CO-8)** applies to portions of the neighborhood as shown on the map on the next page of this document. The CO-8 overlay district includes design standards to ensure that development that occurs in Sunnyside is more visually compatible with existing neighborhood design patterns, and includes requirements that a minimum percentage of exterior walls on new buildings utilize brick materials. The CO-8 overlay is identical to the CO-7 overlay except that it contains this building material requirement not included in CO-7. The CO-8 overlay district is proposed to be added to properties as shown on the map on the next page.

### Redline Document Conventions

- Text in red underline is proposed new language.
- Text in red-strikethrough is proposed deleted language.
- Only pages with changes relevant to this text amendment are included in the review file (with the exception of a few pages inserted for context). You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a draft. These will be corrected in the final, "clean" version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure constancy of approach and administration with other ongoing text amendments.





Sunnyside Conservation Overlay Zone Districts (CO-7 and CO-8)  
 Proposed Application of Conservation Overlay Districts

City Council Draft 01.20.23



**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
<u>Sunnyside Conservation Overlay District</u>	<u>CO-7</u>
<u>Sunnyside Conservation and Brick Overlay District</u>	<u>CO-8</u>

**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.

### 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.

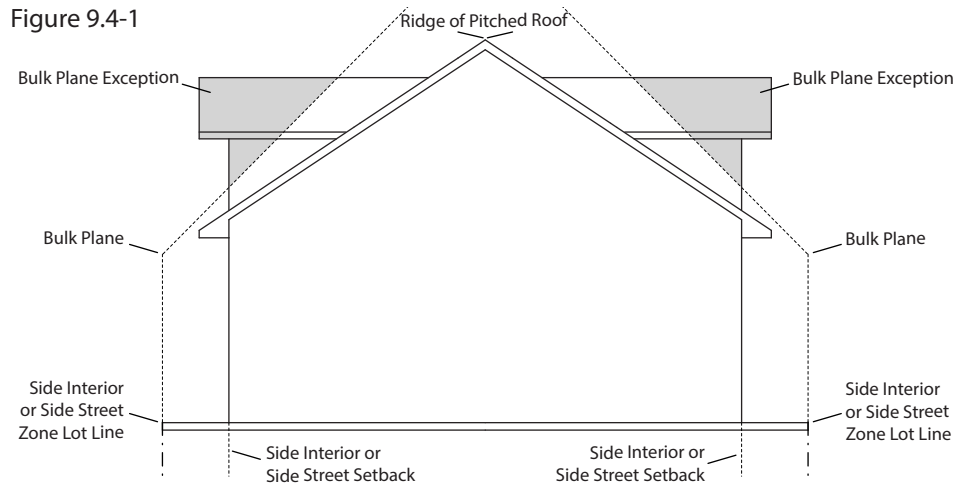
##### 4. Low-Slope Roof Height Limit and Bulk Plane Exception

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

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

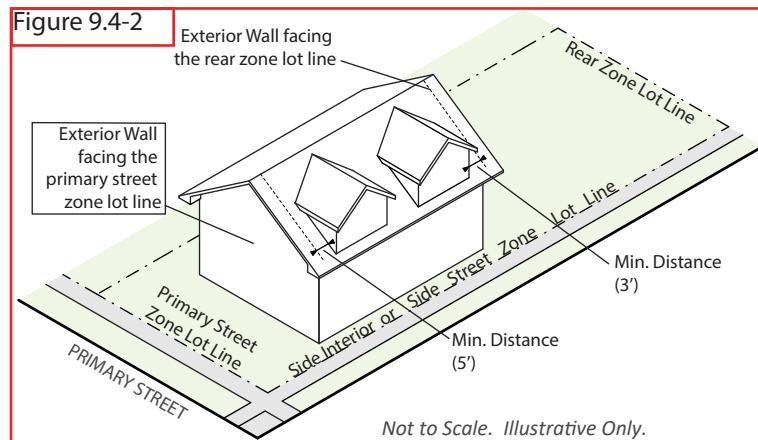
A Dormer may project beyond the bulk plane in the front 65% of the Zone Lot Depth provided the projecting Dormer meets all of the following conditions:

- a. The highest point of the Dormer shall not exceed the height of the ridge of the pitched roof. (See Figure 9.4-1)



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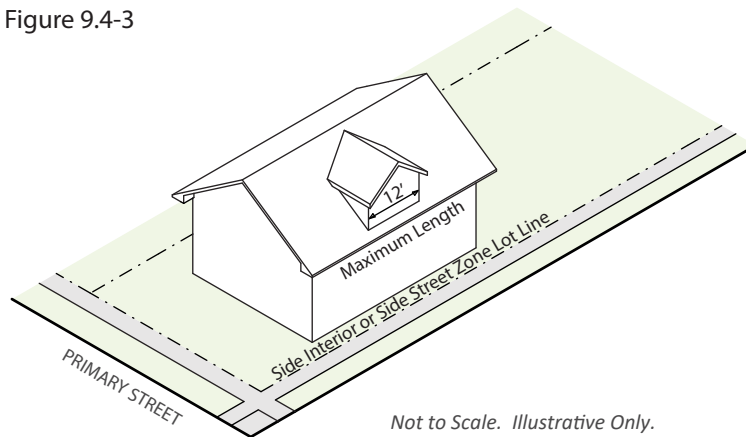
- b. The Dormer shall contain at least one window that faces a side interior or side street zone lot line.
- c. The Dormer shall not have a Low-Slope Roof.
- d. The Dormer's roof overhangs shall not exceed 3 feet, measured perpendicular from the ~~e~~Exterior ~~w~~Wall of the Dormer to the edge of the roof overhang.
- e. The Dormer shall have a minimum distance of 5 feet from the ~~building facade~~ ~~Exterior Wall~~ located between the Dormer and the primary street zone lot line, measured perpendicular from the Dormer to the ~~building facade~~ ~~Exterior Wall~~. Roof overhangs may encroach into the minimum distance. (See Figure 9.4-2)
- f. The Dormer shall have a minimum distance of 3 feet from the ~~building facade~~ ~~Exterior Wall~~ located between the Dormer and the rear zone lot line, measured perpendicular from the Dormer to the ~~building facade~~ ~~Exterior Wall~~. Roof overhangs may encroach into the minimum distance. (See Figure 9.4-2)



Not to Scale. Illustrative Only.

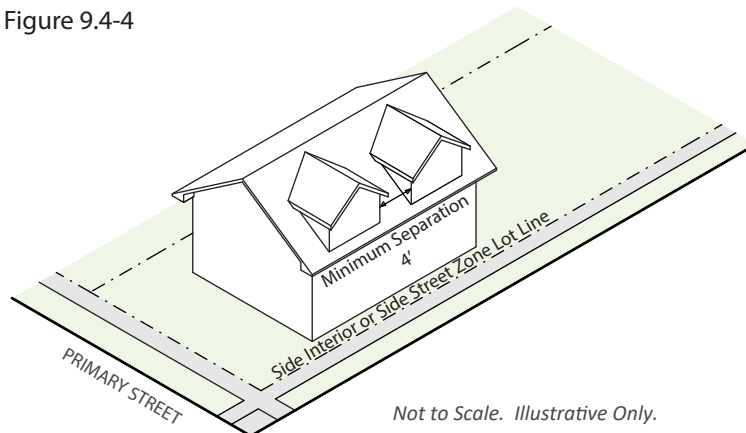
- g. The maximum length of an individual projecting Dormer shall be 12 feet (length is measured from the **e**Exterior **w**Wall surface), measured parallel to the **building facade-Exterior Wall** facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of maximum length. (See Figure 9.4-3)

Figure 9.4-3



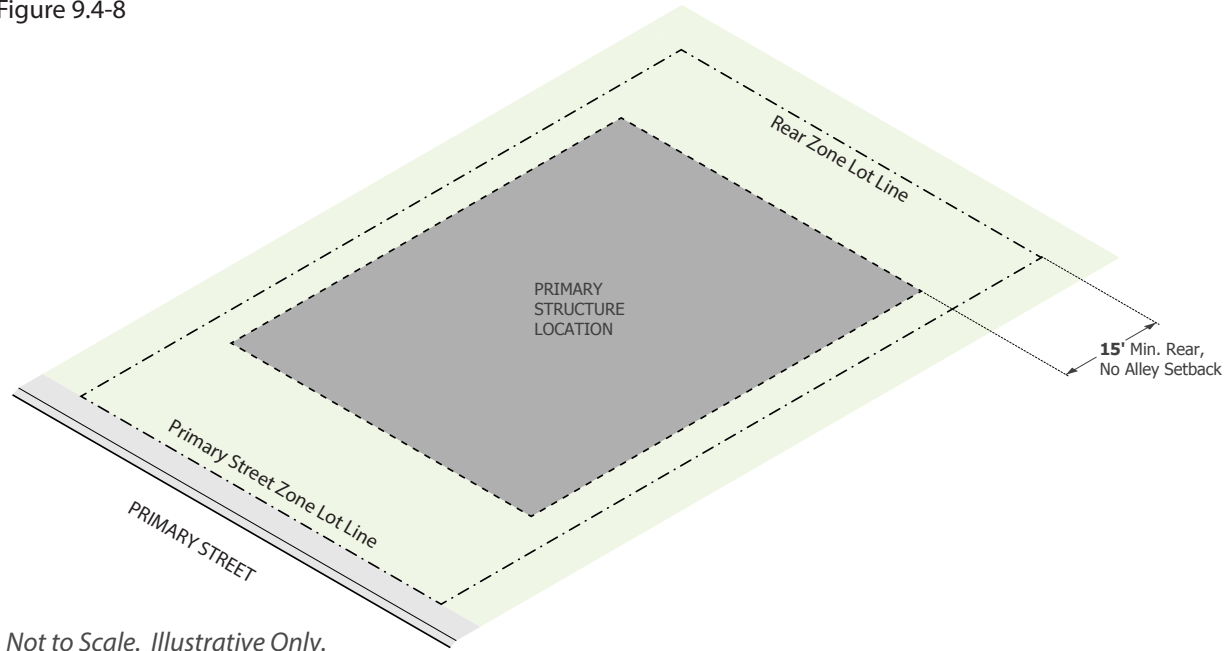
- h. The minimum separation between projecting Dormers shall be 4 feet (separation is measured from the **e**Exterior **w**Wall surface), measured parallel to the building facade facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of minimum separation. (See Figure 9.4-4)

Figure 9.4-4



- i. The maximum cumulative length of all projecting Dormers shall not exceed 50% of the overall structure length facing the side interior or side street zone lot line within the front 65% of zone lot depth. Maximum cumulative length shall be calculated using the sum of the length of all projecting Dormers divided by the Overall Structure Length (see Article 13 for rule of measurement) in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-5)

Figure 9.4-8



#### 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 Allny Allowed Building Forms**

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

**1. Intent**

- 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 porches along the street is maintained, porches provide a scale transition to the street and privacy issues related to upper story outdoor spaces are mitigated through application of Design Element Standards and Supplemental Design Standards.~~



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 href="#">a portion of a building with a Pitched Roofs</a> (max)	28'/17'			
Feet, front 65% / rear 35% of Zone Lot depth for <a href="#">a portion of a building with a Low-Slope Roofs</a> (max)	22'/17'			
Feet, front 65% of Zone Lot depth, permitted height increase	Not Permitted			
<a href="#">Feet, rear 35% of Zone Lot depth, permitted height increase</a>	<a href="#">Not Permitted</a>			
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'
GROSS FLOOR AREA BY ZONE LOT SIZE	7,500 sf or Less		Greater than 7,500 sf	
Gross Floor Area (max) (for Stories which have upper surface of their floor above the finished grade at any point)	3,000 sf		3,000 sf plus 40 sf for every 100 sf increase in Zone Lot Size above 7,500 sf	

BUILDING 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'	
<a href="#">ELEVATION OF THE UPPER SURFACE OF THE FLOOR OF THE STREET LEVEL</a>		
<a href="#">Elevation (min/max)</a>	<a href="#">See Section 9.4.3.12.E.2</a>	
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 9.4-9)

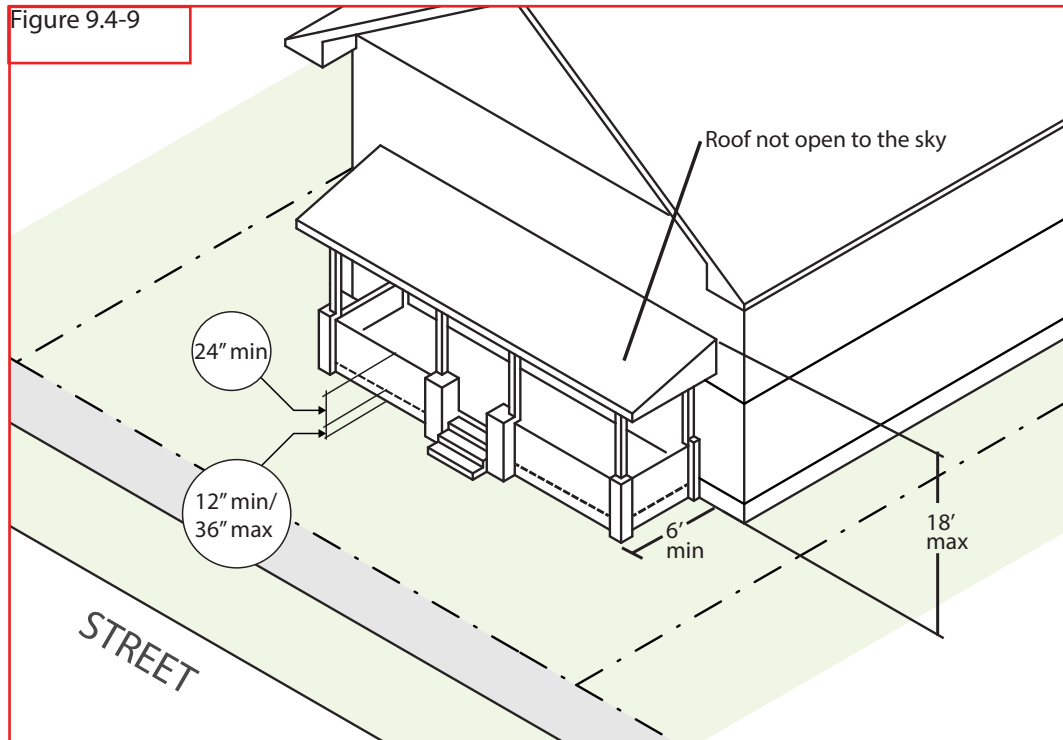
- a. ~~The minimum elevation of the upper surface of the floor of the Street Level in the front 40% of the Zone Lot depth shall be 12 inches above the Front Base Plane elevation, except when a lower elevation is required by Denver's Department of Transportation and Infrastructure (DOTI).~~
- b. ~~The maximum elevation of the upper surface of the floor of the Street Level in the front 40% of the Zone Lot depth shall be 36 inches above the Front Base Plane elevation, except when a higher elevation is required by Denver's Department of Transportation and Infrastructure (DOTI).~~

**3. Pedestrian Access, Primary Street**

- a. An Unenclosed Porch ~~shall be~~ **is** required.
- b. ~~An~~ **At least one** Unenclosed Porch ~~or a portion of an Unenclosed Porch~~ shall:
  - i. Be located between the Primary Street-~~facing~~ **Zone** Lot Line and the Primary Street-facing façade(s) of the Primary Structure;
  - ii. Have an upper walking surface ~~with~~ **with** a minimum area of 120 square feet, including ~~sive of~~ **sive of** posts, railings, walls or other structural features, but excluding any above grade stairways at the Street Level connected to a **Front 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 ~~exterior face furthest edge~~ **exterior face furthest edge** of the **Front Unenclosed** Porch including ~~sive of~~ **sive of** posts, railings, walls and other structural features, but excluding the depth of any above grade stairways at the Street Level connected to a **Front Unenclosed** Porch (See Figure 9.4-9);
  - 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 **Front Unenclosed** Porch a minimum of 24 inches except for a portion of the **Front Unenclosed** Porch where access ~~for persons~~ **for persons** 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 9.4-9);

- 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 9.4-9);
- vii. Be Have an upper walking surface entirely covered by an impermeable rRoof that is not open to the sky (See Figure 9.4-9); and
- viii. Not abut more than one Exterior Wall.

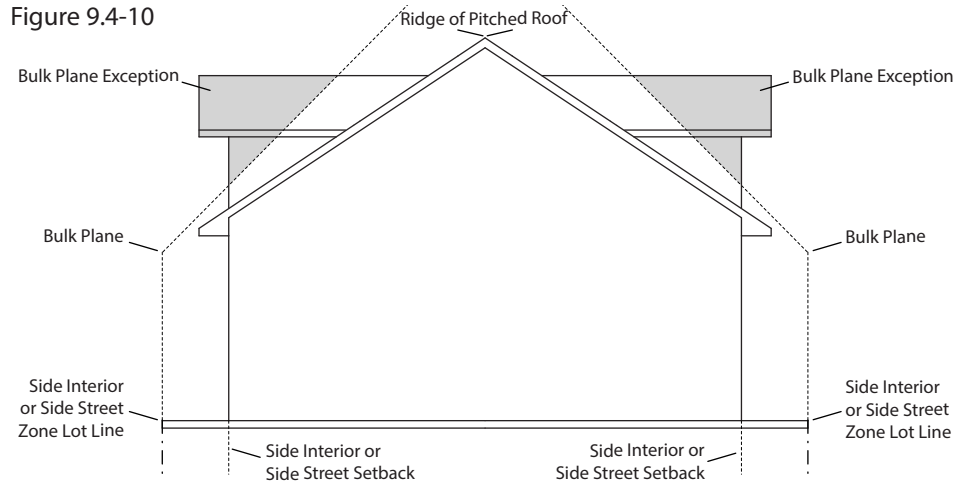


#### F. Design Standard Exceptions for the CO-6 Overlay District

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

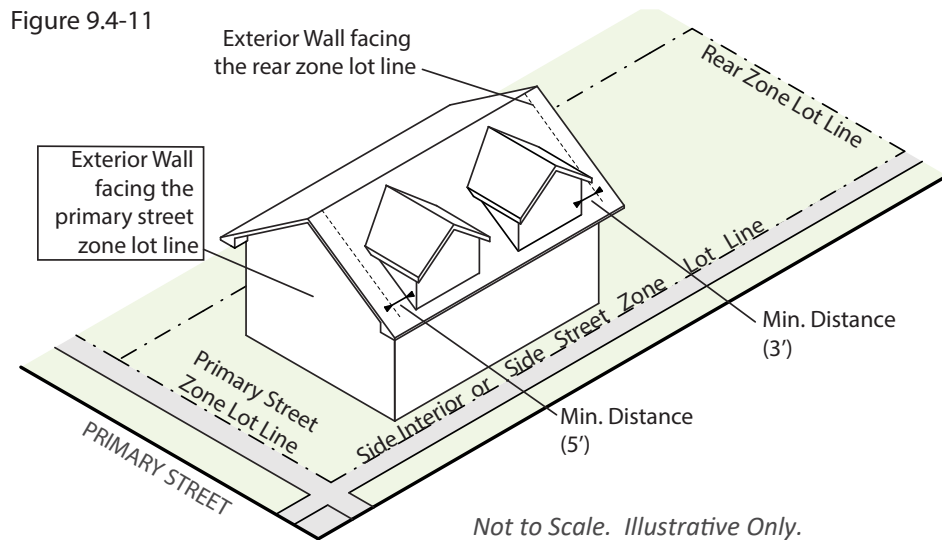
A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth provided the projecting Dormer meets all of the following conditions:

- a. The highest point of the Dormer shall not exceed the height of the ridge of the pPitched rRoof. (See Figure 9.4-10)



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- b. The Dormer shall contain at least one window that faces a side interior or side street zone lot line.
- c. The Dormer shall not have a Low-Slope Roof.
- d. The Dormer's roof overhangs shall not exceed 3 feet, measured perpendicular from the ~~e~~Exterior ~~w~~Wall of the Dormer to the edge of the roof overhang.
- e. The Dormer shall have a minimum distance of 5 feet from the ~~building facade~~ ~~Exte-~~  
~~rior Wall~~ located between the Dormer and the primary street zone lot line, measured perpendicular from the Dormer to the ~~building facade~~ ~~Exterior Wall~~. Roof overhangs may encroach into this minimum distance. (See Figure 9.4-11)
- f. The Dormer shall have a minimum distance of 3 feet from the ~~building facade~~ ~~Exte-~~  
~~rior Wall~~ located between the Dormer and the rear zone lot line, measured perpendicular from the Dormer to the ~~building facade~~ ~~Exterior Wall~~. Roof overhangs may encroach into the minimum distance. (See Figure 9.4-11)

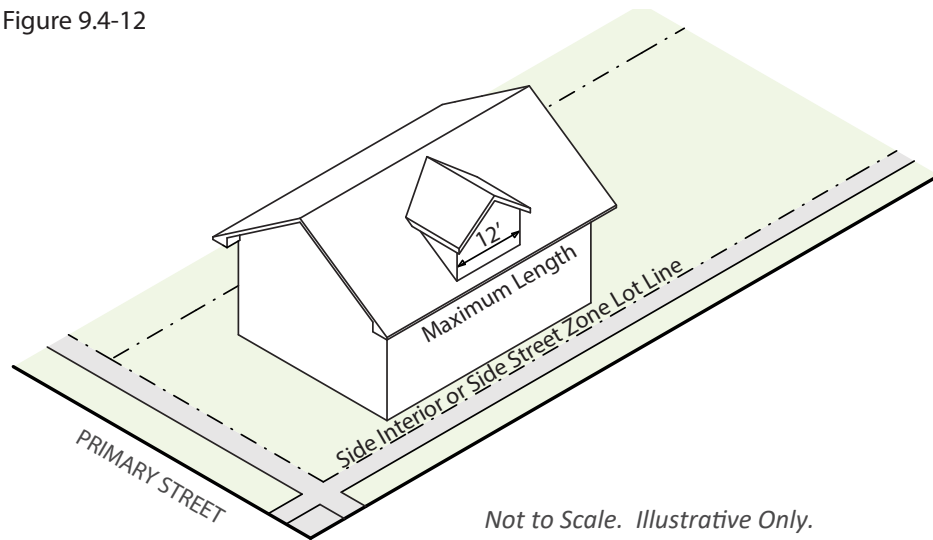


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- g. The maximum length of an individual projecting Dormer shall be 12 feet (length is measured from the ~~e~~Exterior ~~w~~Wall surface), measured parallel to the ~~build-~~  
~~ing facade~~ ~~Exterior Wall~~ facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of maximum length. (See Figure 9.4-12)

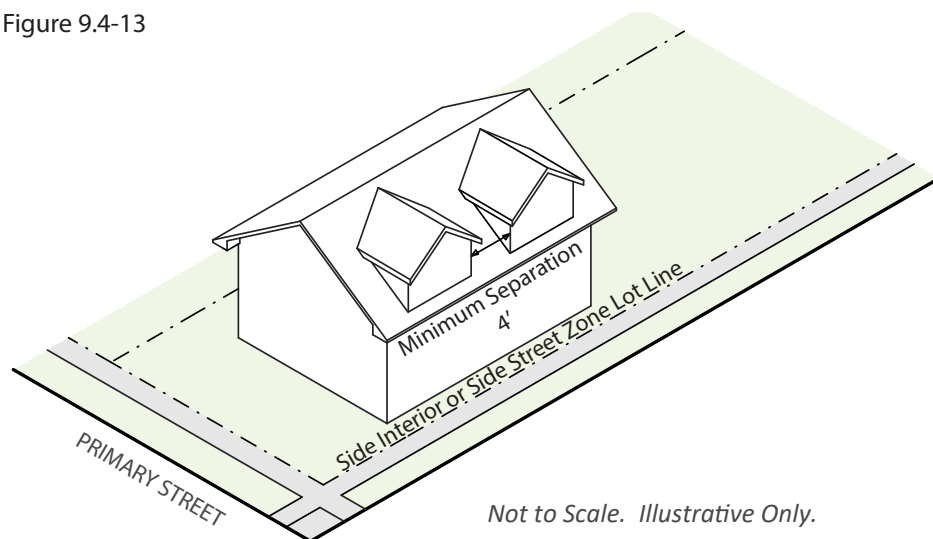


Figure 9.4-12



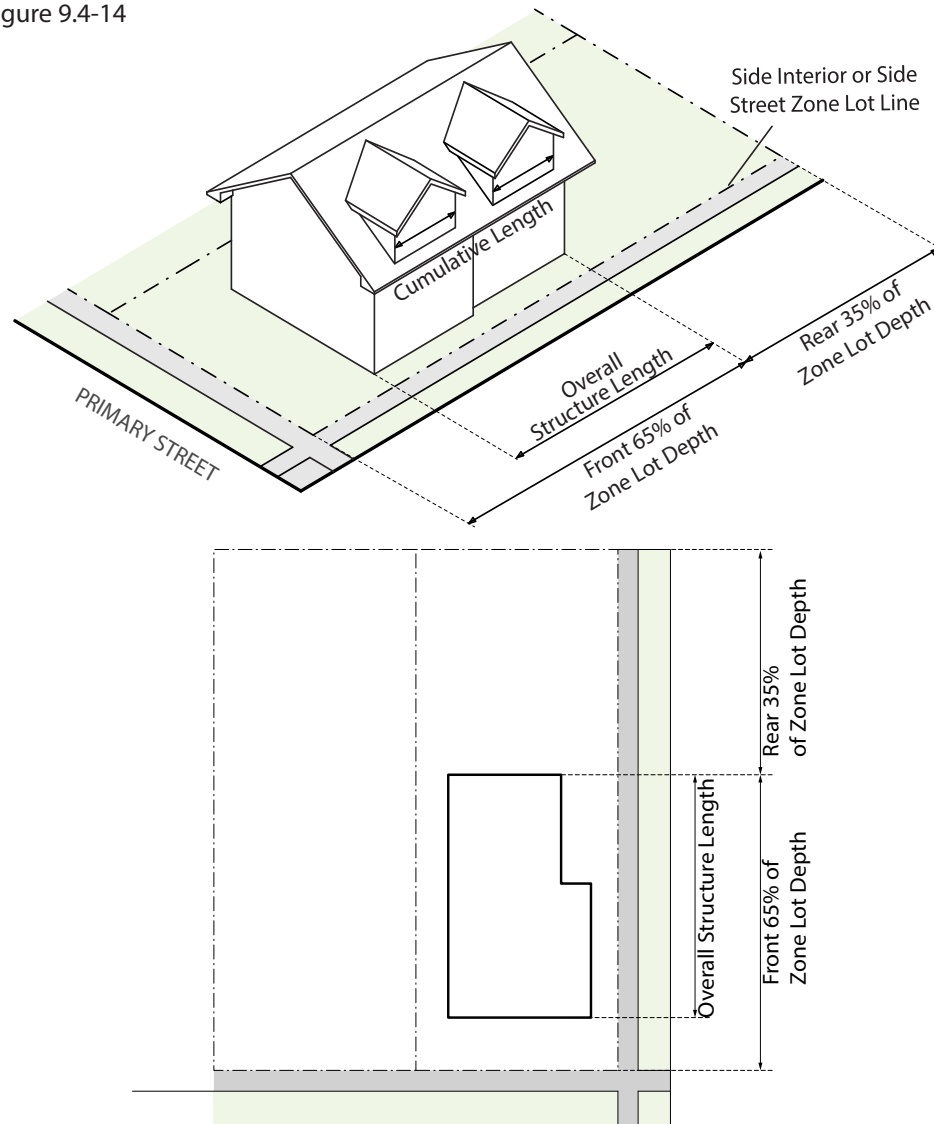
- h. The minimum separation between projecting Dormers shall be 4 feet (separation is measured from the exterior wall surface), measured parallel to the **building facade- Exterior Wall** facing the side interior or side street zone lot line. **The** Roof overhangs shall be excluded from the calculation of minimum separation. (See Figure 9.4-13)

Figure 9.4-13



- i. The maximum cumulative length of all projecting Dormers shall not exceed 50% of the Overall Structure Length facing the side interior or side street zone lot line within the front 65% of zone lot depth. **The M**maximum cumulative length shall be calculated using the sum of the length of all projecting Dormers divided by the Overall Structure Length (see Article 13 for rule of measurement) in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-14)

Figure 9.4-14



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2. **Setback Exceptions Permitted Encroachments**

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 into a required setback area any distance. 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	
<u>See Underlying Zone District for Additional Applicable Height Standards Not Listed Below</u>		
	Urban House and Duplex Building Forms	Tandem House Building Form
<u>Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)</u>	<u>2.5/1</u>	<u>2.5/2.5</u>
<u>Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)</u>	<u>2/1</u>	<u>2/2</u>
<u>Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)</u>	<u>30'/17'</u>	<u>30'/24'</u>
<u>Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)</u>	<u>22'/17'</u>	<u>22'/22'</u>
<u>Feet, front 65% of Zone Lot depth, permitted height increase</u>	<u>Not Permitted</u>	
<u>Feet, rear 35% of Zone Lot depth, permitted height increase</u>	<u>Not Permitted</u>	
<u>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)</u>	<u>14'/10'</u>	

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

USES	CO-7 Overlay District	
<u>See Underlying Zone District for All Applicable Uses Standards</u>		
<u>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.</u>		

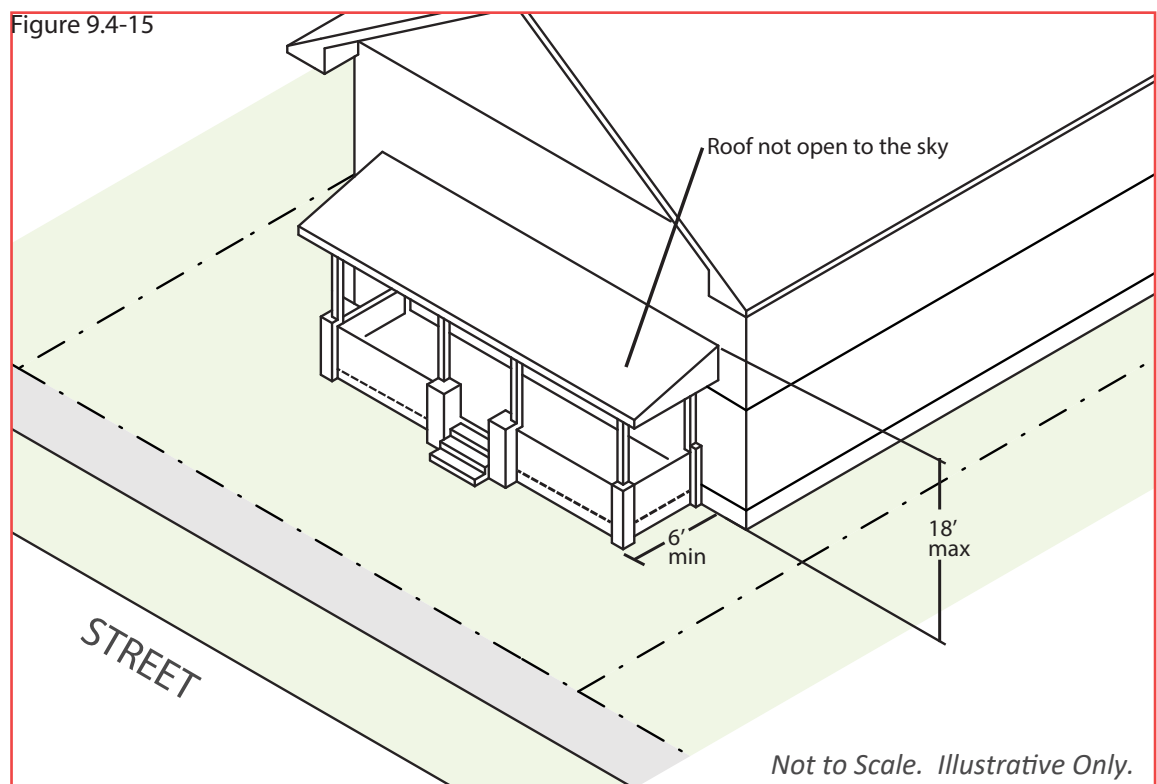


**E. Supplemental Design Standards for the CO-7 Overlay Zone District**

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 9.4-15);
  - 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 9.4-15);
  - vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-15); and
  - vii. Not abut more than two Exterior Walls.



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

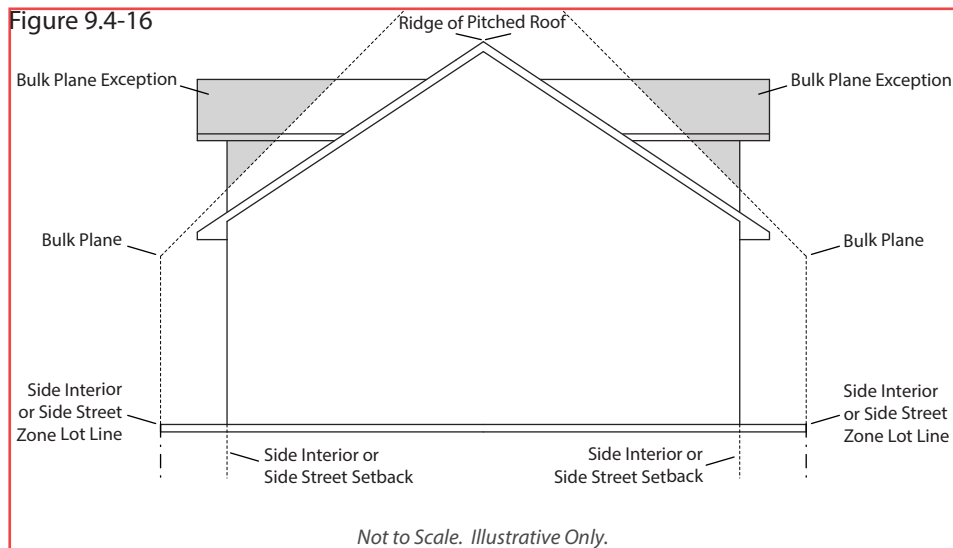
**1. Bulk Plane Exception for Low-Slope Roof**

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**

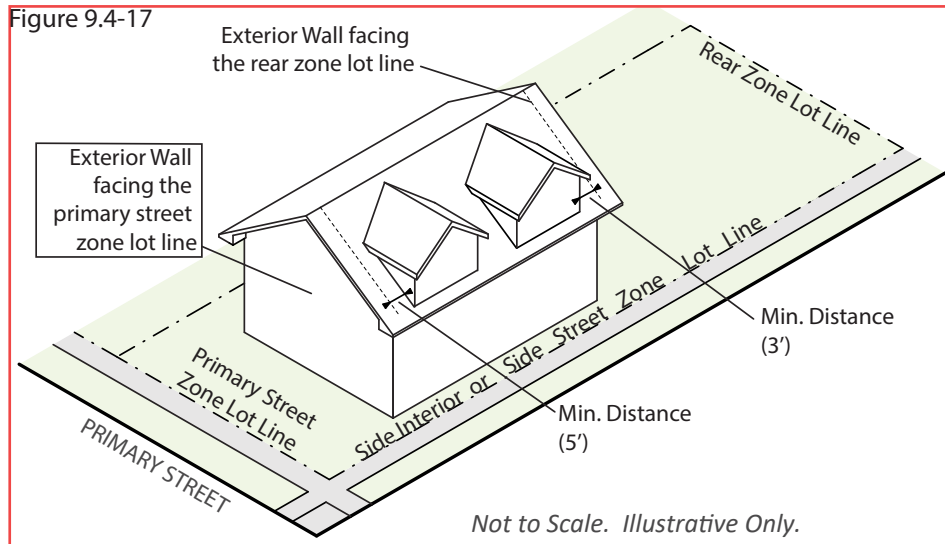
A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth provided the projecting Dormer meets all of the following conditions:

- a. The highest point of the Dormer shall not exceed the height of the ridge of the Pitched Roof. (See Figure 9.4-16)

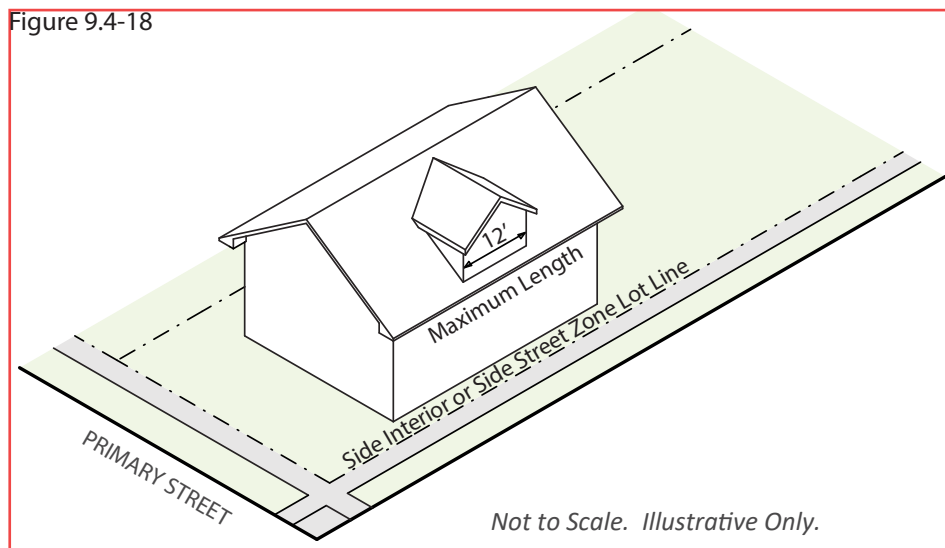


- b. The Dormer shall contain at least one window that faces a Side Interior or Side Street Zone Lot Line.
- c. The Dormer shall have a Pitched Roof.
- d. The Dormer's roof overhangs shall not exceed 3 feet, measured perpendicular from the Exterior Wall of the Dormer to the edge of the roof overhang.
- e. The Dormer shall have a minimum distance of 5 feet from the Exterior Wall located between the Dormer and the primary street zone lot line, measured perpendicular from the Dormer to the Exterior Wall. Roof overhangs may encroach into this minimum distance. (See Figure 9.4-17)

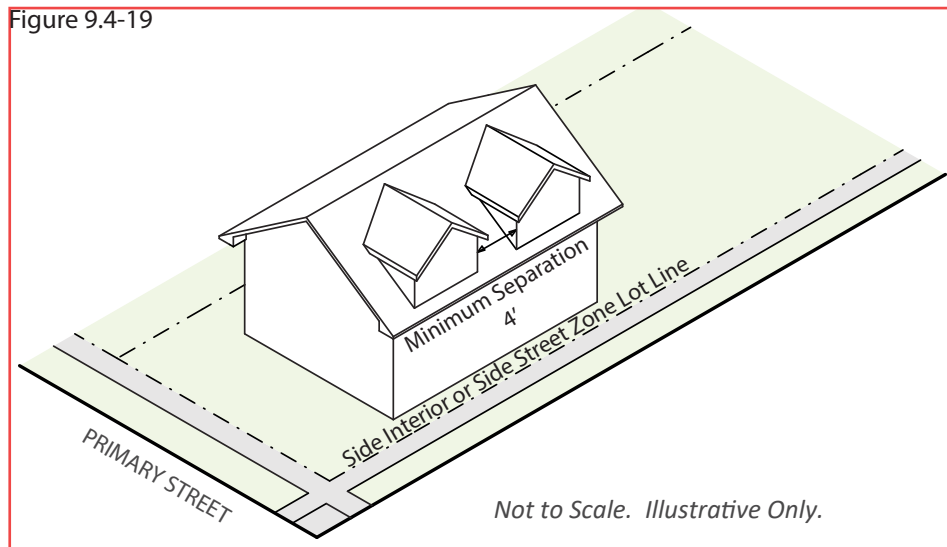
- f. The Dormer shall have a minimum distance of 3 feet from the Exterior Wall located between the Dormer and the rear zone lot line, measured perpendicular from the Dormer to the Exterior Wall. Roof overhangs may encroach into the minimum distance. (See Figure 9.4-17)



- g. The maximum length of an individual projecting Dormer shall be 12 feet (length is measured from the Exterior Wall surface), measured parallel to the Exterior Wall facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of maximum length. (See Figure 9.4-18)

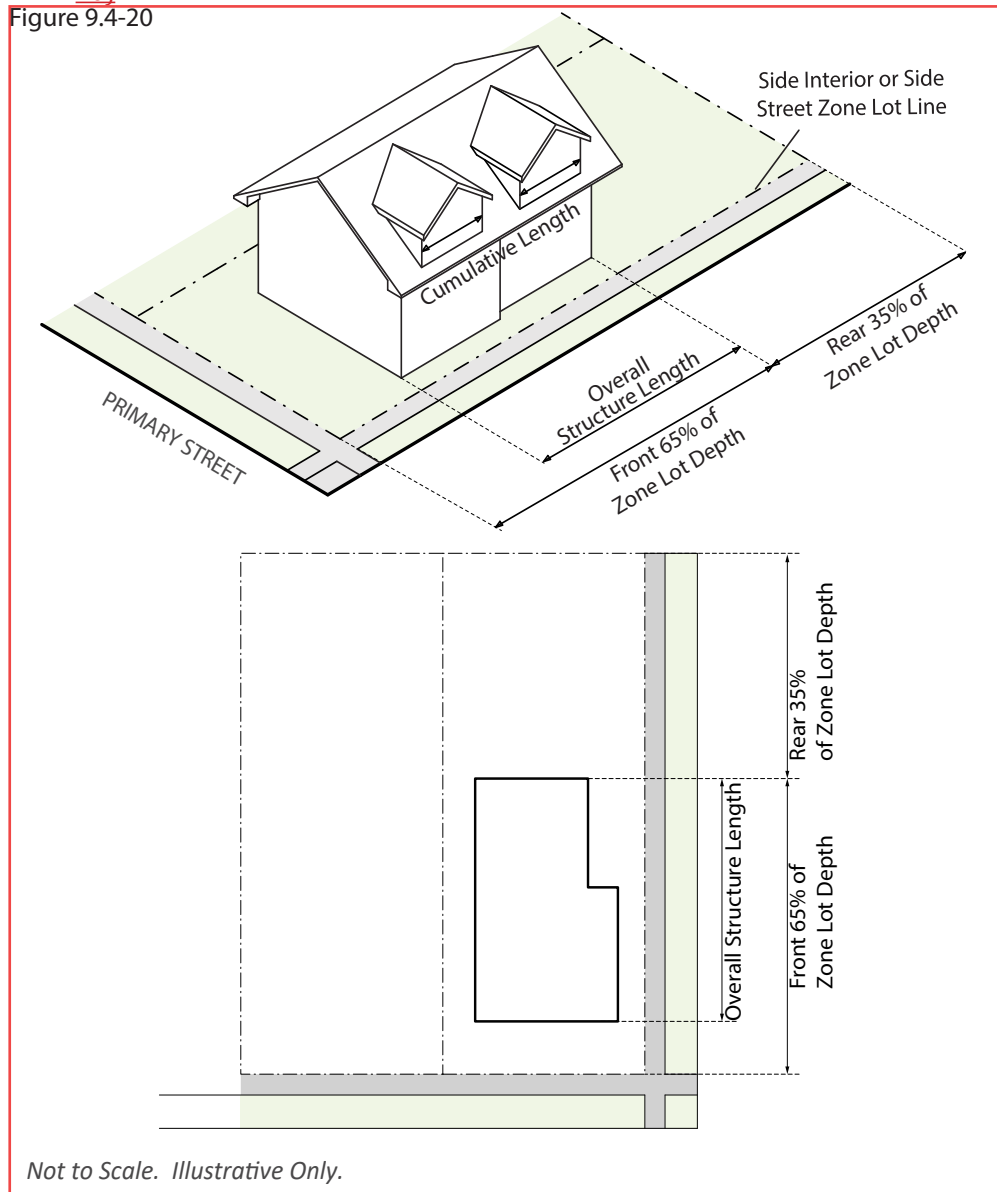


- h. The minimum separation between projecting Dormers shall be 4 feet (separation is measured from the Exterior Wall surface), measured parallel to the Exterior Wall facing the side interior or side street zone lot line. The Roof overhangs shall be excluded from the calculation of minimum separation. (See Figure 9.4-19)





- i. The maximum cumulative length of all projecting Dormers shall not exceed 50% of the Overall Structure Length facing the side interior or side street zone lot line within the front 65% of zone lot depth. The maximum cumulative length shall be calculated using the sum of the length of all projecting Dormers divided by the Overall Structure Length (see Article 13 for rule of measurement) in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-20)



### **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	
<u>See Underlying Zone District for Additional Applicable Height Standards Not Listed Below</u>		
	Urban House and Duplex Building Forms	Tandem House Building Form
<u>Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)</u>	<u>2.5/1</u>	<u>2.5/2.5</u>
<u>Stories, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)</u>	<u>2/1</u>	<u>2/2</u>
<u>Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Pitched Roof (max)</u>	<u>30'/17'</u>	<u>30'/24'</u>
<u>Feet, front 65% / rear 35% of Zone Lot depth for a portion of a building with a Low-Slope Roof (max)</u>	<u>22'/17'</u>	<u>22'/22'</u>
<u>Feet, front 65% of Zone Lot depth, permitted height increase</u>	<u>Not Permitted</u>	
<u>Feet, rear 35% of Zone Lot depth, permitted height increase</u>	<u>Not Permitted</u>	
<u>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)</u>	<u>14'/10'</u>	

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

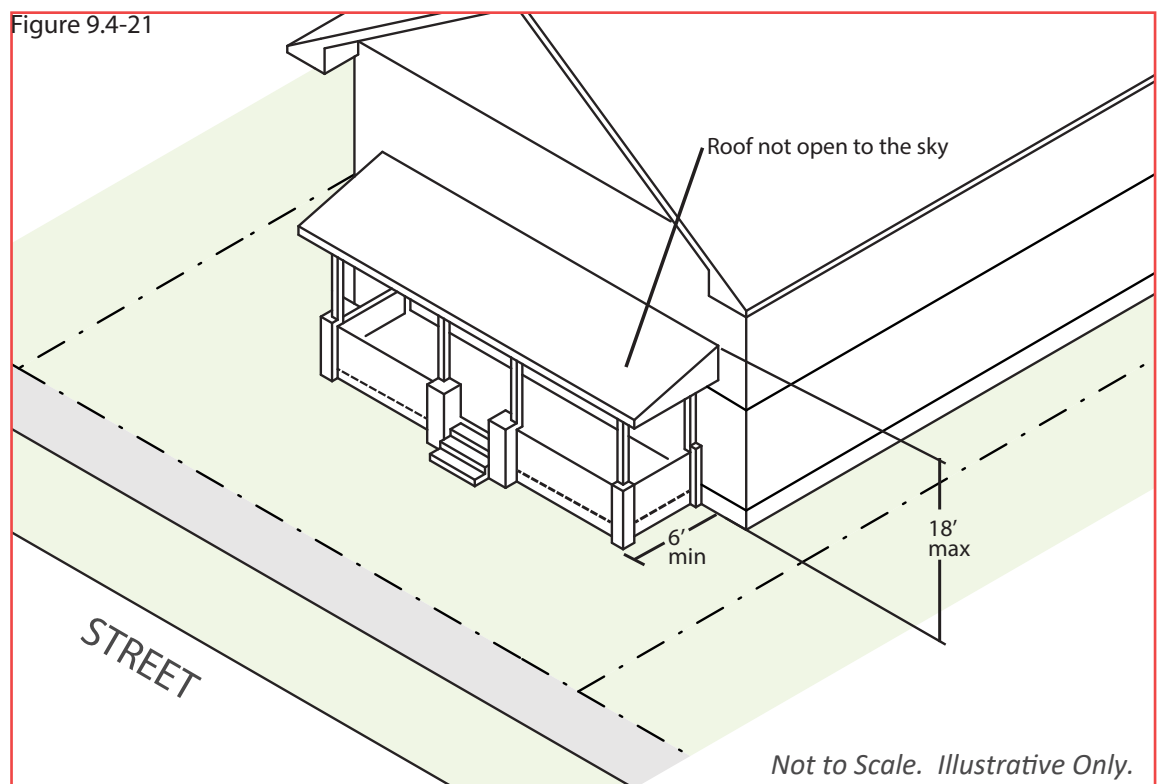
USES	CO-8 Overlay District	
<u>See Underlying Zone District for All Applicable Uses Standards</u>		
<u>See Underlying Zone District and Sections 9.4.3.13.E and 9.4.3.13.F for Supplemental Design Standards and Design Standard Exceptions.</u>		

**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 9.4-21);
  - 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 9.4-21);
  - vi. Have an upper walking surface entirely covered by a Roof that is not open to the sky (See Figure 9.4-21); and
  - vii. Not abut more than two Exterior Walls.



**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 9.4-22 and 9.4-23):

- 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

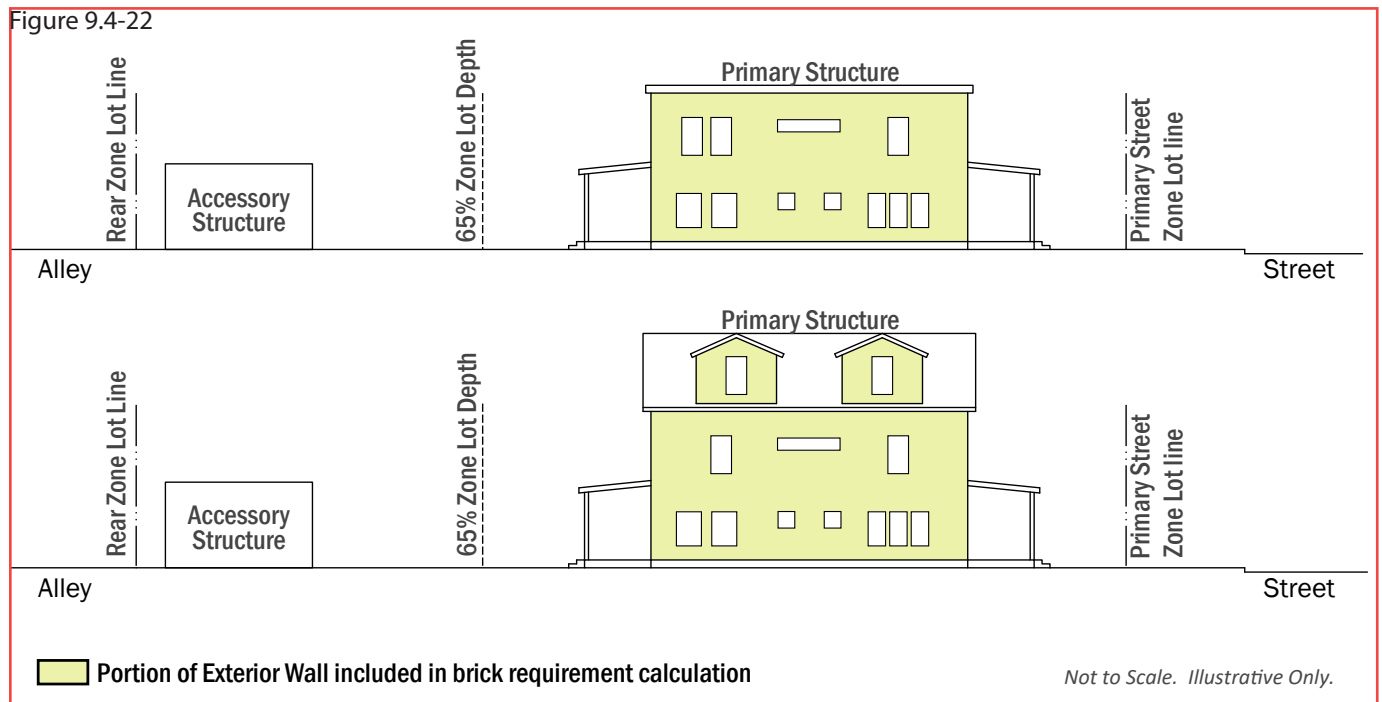
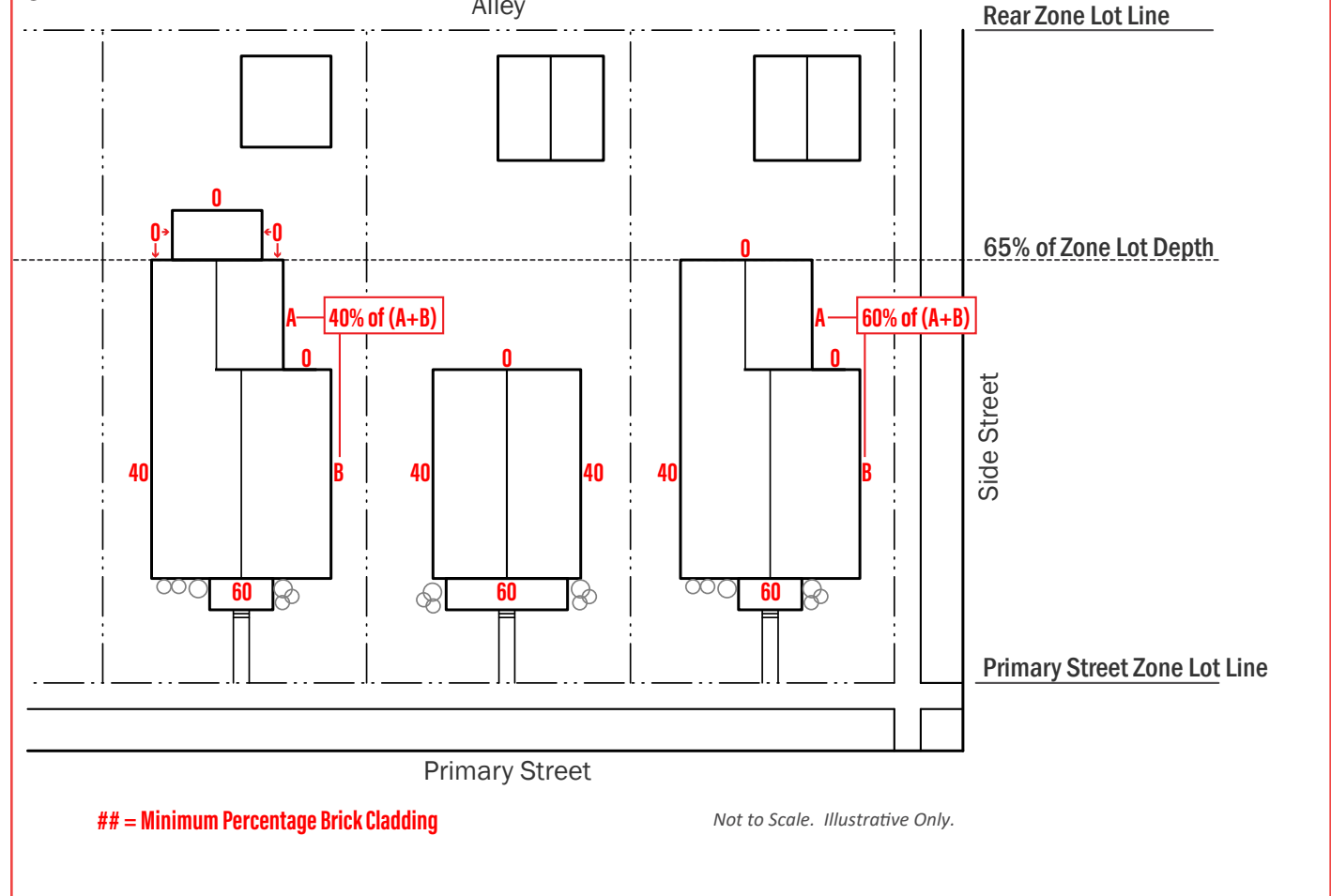


Figure 9.4-23





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

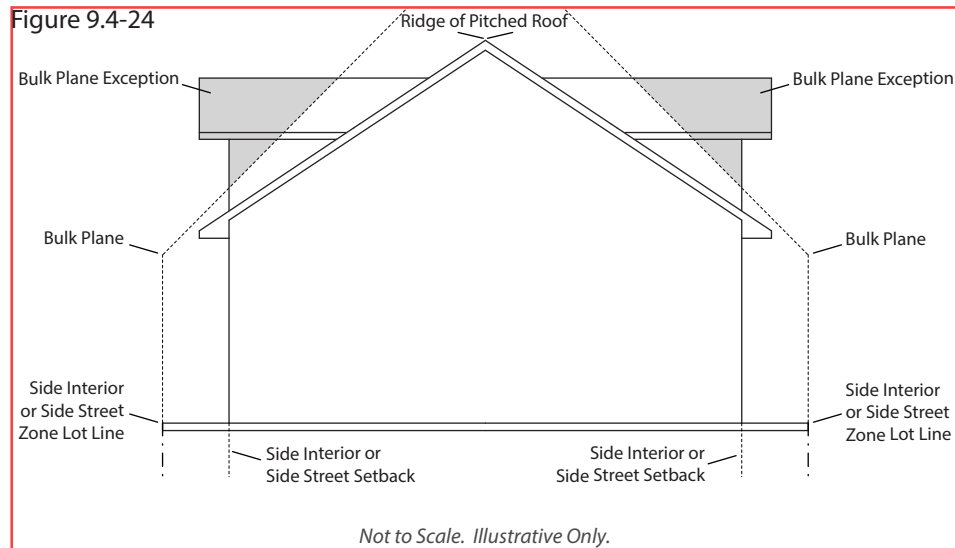
**1. Bulk Plane Exception for Low-Slope Roof**

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**

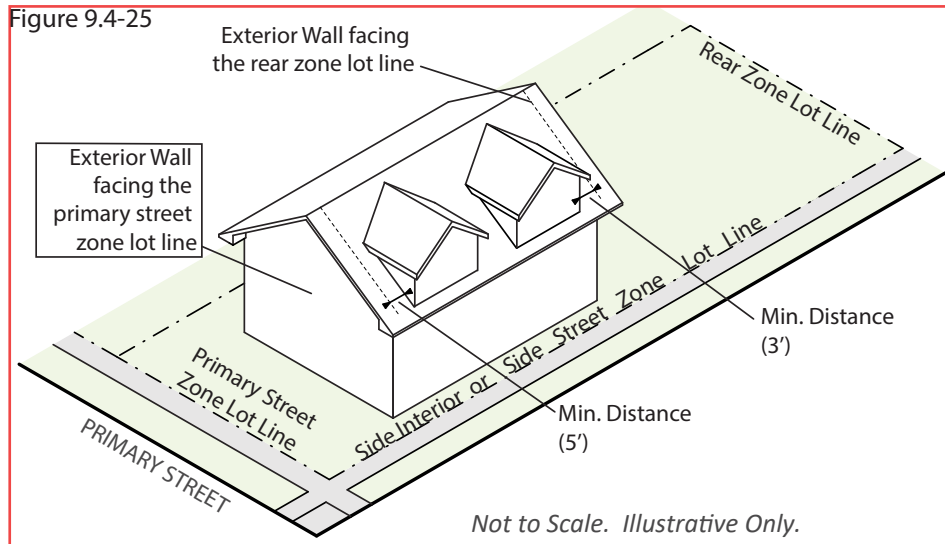
A Dormer may project beyond the bulk plane as specified in the applicable Building Form table in the front 65% of Zone Lot depth provided the projecting Dormer meets all of the following conditions:

- a. The highest point of the Dormer shall not exceed the height of the ridge of the Pitched Roof. (See Figure 9.4-24)

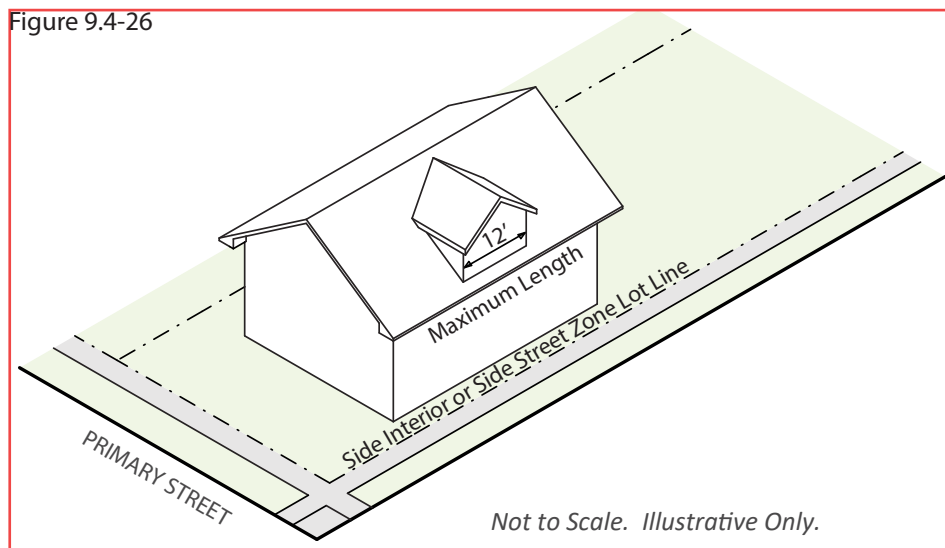


- b. The Dormer shall contain at least one window that faces a Side Interior or Side Street Zone Lot Line.
- c. The Dormer shall have a Pitched Roof.
- d. The Dormer's roof overhangs shall not exceed 3 feet, measured perpendicular from the Exterior Wall of the Dormer to the edge of the roof overhang.
- e. The Dormer shall have a minimum distance of 5 feet from the Exterior Wall located between the Dormer and the primary street zone lot line, measured perpendicular from the Dormer to the Exterior Wall. Roof overhangs may encroach into this minimum distance. (See Figure 9.4-25)

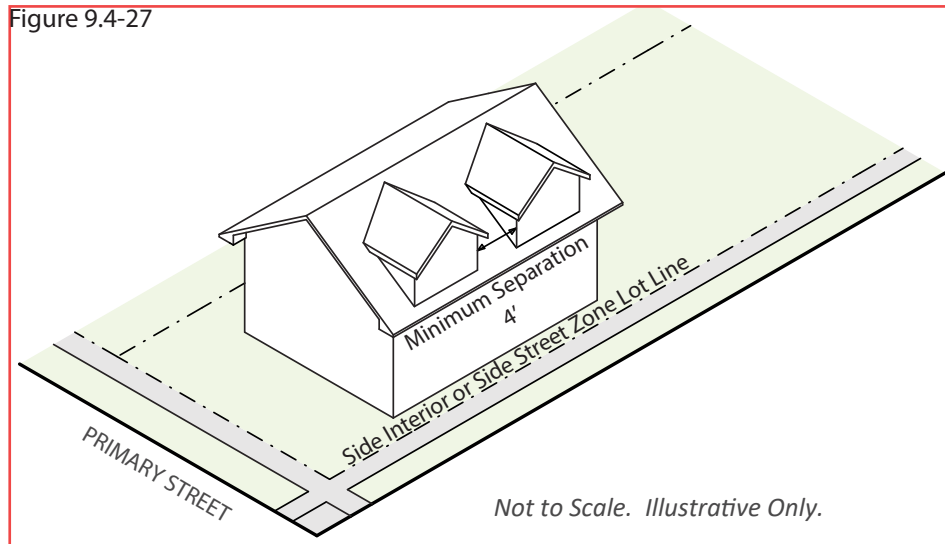
- f. The Dormer shall have a minimum distance of 3 feet from the Exterior Wall located between the Dormer and the rear zone lot line, measured perpendicular from the Dormer to the Exterior Wall. Roof overhangs may encroach into the minimum distance. (See Figure 9.4-25)



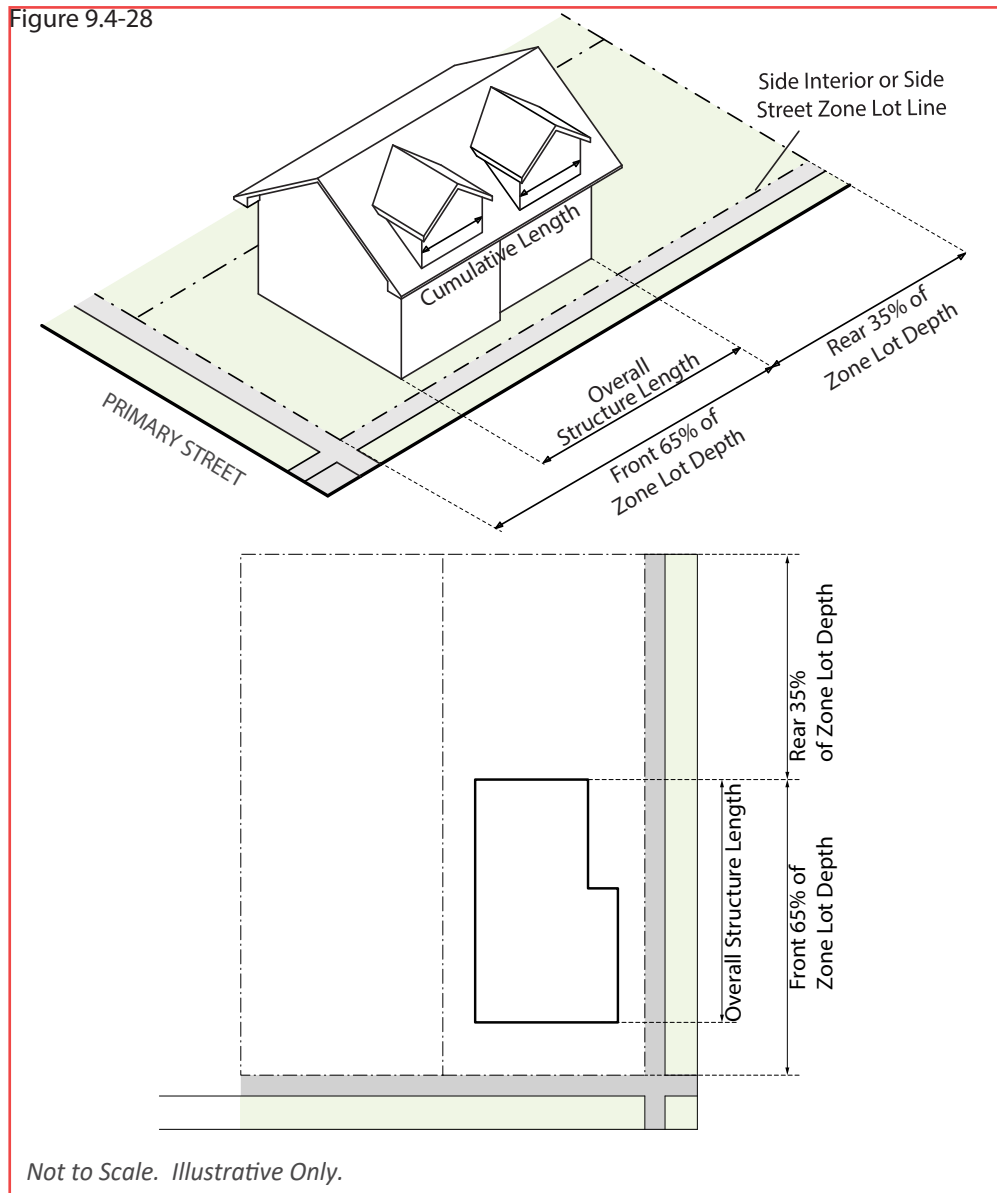
- g. The maximum length of an individual projecting Dormer shall be 12 feet (length is measured from the Exterior Wall surface), measured parallel to the Exterior Wall facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of maximum length. (See Figure 9.4-26)



- h. The minimum separation between projecting Dormers shall be 4 feet (separation is measured from the Exterior Wall surface), measured parallel to the Exterior Wall facing the side interior or side street zone lot line. The Roof overhangs shall be excluded from the calculation of minimum separation. (See Figure 9.4-27).



- i. The maximum cumulative length of all projecting Dormers shall not exceed 50% of the Overall Structure Length facing the side interior or side street zone lot line within the front 65% of zone lot depth. The maximum cumulative length shall be calculated using the sum of the length of all projecting Dormers divided by the Overall Structure Length (see Article 13 for rule of measurement) in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-28)



### 13.1.6.6 Exterior Wall Types

#### A. Rule of Measurement for Determining Exterior Wall Types

##### 1. Primary Street Zone Lot Line Facing Exterior Wall

An Exterior Wall is "Primary Street Zone Lot Line facing" if any portion of the Exterior Wall faces a Primary Street Zone Lot Line, which shall be determined by extending a line equal to the width of the Exterior Wall and perpendicular to the Exterior Wall towards the zone lot boundary. If any portion of said line touches the applicable Primary Street Zone Lot Line, then such Exterior Wall is "Primary Street Zone Lot Line facing." See Figure 13.1-118.

##### 2. Side Street Zone Lot Line Facing Exterior Wall

An Exterior Wall is "Side Street Zone Lot Line facing" if the Exterior Wall faces a Side Street Zone Lot Line, which shall be determined by extending a line equal to the width of the Exterior Wall and perpendicular to the Exterior Wall towards the zone lot boundary. If any portion of said line touches the applicable Side Street Zone Lot Line and no portion of said line touches the Primary Street Zone Lot Line, then such Exterior Wall is "Side Street Zone Lot Line facing." See Figure 13.1-118.

##### 3. Side Interior Zone Lot Line Facing Exterior Wall

An Exterior Wall is "Side Interior Zone Lot Line facing" if the Exterior Wall faces a Side Interior Zone Lot Line(s), which shall be determined by extending a line equal to the width of the Exterior Wall and perpendicular to the Exterior Wall towards the zone lot boundary. If any portion of said line touches the applicable Side Interior Zone Lot Line and no portion touches a Street Zone Lot Line, then such Exterior Wall is "Side Interior Zone Lot Line facing." See Figure 13.1-118.

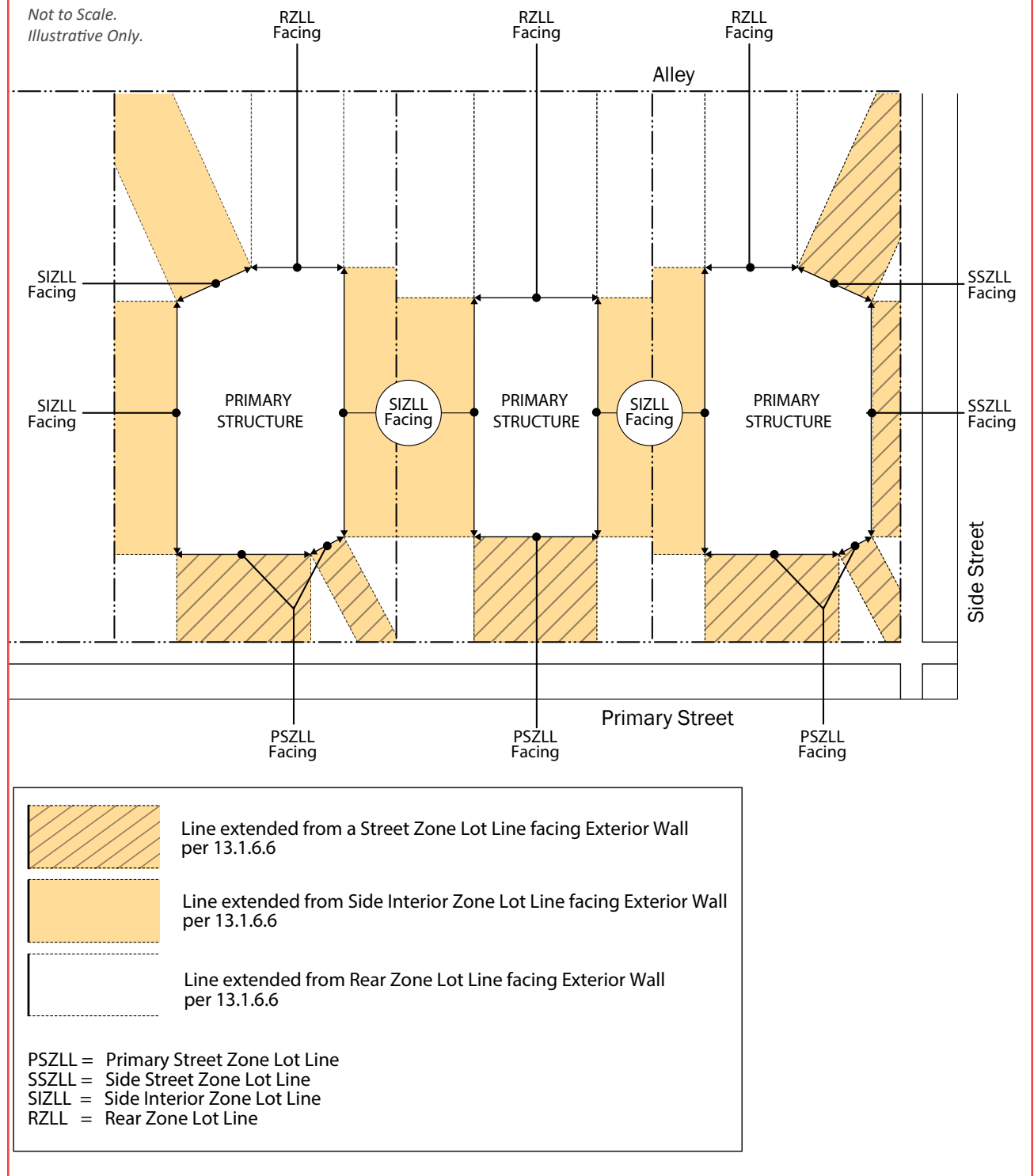
##### 4. Rear Zone Lot Line Facing Exterior Wall

An Exterior Wall is "Rear Zone Lot Line facing" if the Exterior Wall faces a Rear Zone Lot Line, which shall be determined by extending a line equal to the width of the Exterior Wall and perpendicular to the Exterior Wall towards the zone lot boundary. If the entirety of said line touches the applicable Rear Zone Lot Line, then such Exterior Wall is "Rear Zone Lot Line facing." See Figure 13.1-118.

#### B. Multiple Side Interior Zone Lot Lines

Where a Zone Lot has more than one Side Interior Zone Line or more than one contiguous series of Side Interior Zone Lot Lines, the minimum Brick cladding percentage shall be calculated for each individual Side Zone Lot Line or series of contiguous Side Zone Lot Lines for determining the requirement for a Side Interior Zone Lot Line Facing Exterior Wall(s).

Figure 13.1-118





**B**

**Backhaul or Backhaul Network:** The lines that connect a provider’s tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**Balcony, Exterior:** An elevated floor space projecting beyond the exterior walls of a building that is not supported on the ground by posts, columns, or similar supporting structural elements. Generally, an exterior balcony is intended to be used for outdoor living, gardening, or other actively used outdoor space. An exterior balcony shall not include a landing abutting an entry.

**Berm:** A mound of earth, or the act of pushing earth into a mound, usually for the purpose of shielding or buffering uses, or to control the direction of water flow.

**Billboard:** See “Outdoor General Advertising Device”.

**Block:** A tract of land bounded by platted streets, public parks, cemeteries, railroad rights-of-way, shore lines, or corporate boundaries of the city.

**Block, Square:** A block with contiguous sides, where the difference in length between the sides of the block is no greater than 50 feet.

**Block, Oblong:** A block with contiguous long and short sides, where the long side of the block is 50 feet or more greater in length than the short side of the block.

**Block Face:** See definition of “Face Block.”

**Brick:** For purposes of the Sunnyside Conservation and Brick Overlay (CO-8) only, Brick is a masonry architectural cladding material (including terra cotta) composed of rectilinear modular units with joints between each unit where no face of a unit exceeds 46 square inches in area. Brick shall be expressed in its natural state without stucco or other coatings. Brick may be applied as a veneer or panel system where the individual modular units are preattached with clips, mortar or other means into larger sheets that are then applied as architectural cladding. Brick does not include concrete masonry units, natural stone, stone panel systems or rain screen systems.

**Build-to:** An alignment at the primary street or side street setback line of a zone lot, or within a range of setback from the zone lot line abutting a street, along which a Street-facing, primary building wall must be built.

**Building:** Any covered structure intended for the shelter, housing or enclosure of any person, animal or chattel.

**Building Connector:** A walkway covered by a Roof and used exclusively as a pedestrian trafficway external to the Structures it connects.

**Building, Principal or Primary:** A building in which is conducted the principal or primary use of the zone lot on which it is situated.

**Building Form Standards:** Standards applicable to the development of buildings and structures in this Code which, taken together, regulate building height (Building Height Standards), building siting (Siting Standards), building design elements (Design Element Standards), and the permitted use of buildings (Use Building Form Standards).