

Chapter 15.04: Use Regulations

15.04.010 Purpose and Organization of the Use Regulations

This chapter identifies the land uses allowed in the Longmont zoning districts and establishes the standards that apply to certain uses (use-specific standards). This chapter is organized as follows:

1. Section 15.04.020, table of allowed uses, lists the uses allowed by zoning district and cross-references applicable use-specific standards.
2. Section 15.04.030, use-specific standards, establishes the standards applicable to certain land use types.
3. Section 15.04.040, accessory uses and structures, establishes standards applicable to uses and structures that are accessory to the principal use of the property and/or structure.
4. Section 15.04.050, temporary uses and structures, establishes standards applicable to non-permanent (temporary) structures and uses.

15.04.020 Table of Allowed Uses

Table 4.1 lists the uses allowed within each zoning district. Each listed use is defined in chapter 15.10, definitions.

A. Use Permission Levels

1. Permitted Uses

A "P" designation in a cell within Table 4.1 indicates that the use is allowed in the respective zoning district. Permitted uses are subject to all other applicable procedures and standards in this development code.

2. Conditional Use Permit

A "C" designation in a cell within Table 4.1 indicates that the use is allowed in the respective zoning district only with approval of a conditional use application pursuant to section 15.02.060.C. Conditional uses are also subject to all other applicable standards in this development code. The "C" designation does not constitute authorization or ensure that a conditional use will be approved for that use. Each conditional use application shall be evaluated on its own merit based on the review criteria.

3. Accessory Uses

An "A" designation in a cell within Table 4.1 indicates that the use is allowed as an accessory and subordinate use to a permitted principal use.

4. Prohibited Uses

A blank cell in Table 4.1 indicates that the use is prohibited in the respective zoning district.

5. Secondary Uses

An “S” designation in a cell within Table 4.1 indicates that the use is either allowed (“PS”) or allowed with a conditional use (“CS”) in the respective zoning district as a secondary use subject to the standards in section 15.04.030.A.1 and all other applicable standards in this development code.

6. Use-Specific Standards

For all uses, additional standards may be applicable to that use. Such use-specific standards are identified and cross-referenced in the last column of Table 4.1.

7. General Use Standards

For all uses, in addition to use-specific standards referenced in subsection A.6 above, the general use standards in section 15.04.030.A may be applicable to that use.

B. Interpretation of Table of Allowed Uses

1. Compliance with Development Standards

Although a use may be identified in the table of allowed uses as a permitted use in a particular zoning district, such use is permitted only if it can be accommodated in full compliance with the density, dimensional, parking, landscape, and other applicable development standards of this development code, as applicable.

2. Definitions and Interpretations

The uses listed in Table 4.1 below are defined and described in chapter 15.10, definitions. The use classifications are intended to be mutually exclusive. Specific uses listed in the table are allowed only in the districts indicated.

3. Classification of New and Unlisted Uses

- a. If a specific use is not listed, the director shall, upon the request of any interested party and under the procedures for written code interpretations stated in section 15.02.100, interpret the table to determine within which use classification and zoning district, if any, such use best fits, whether such use best fits as a permitted use or conditional use, and whether the use shall be considered a secondary use. The table, as so interpreted, shall govern that principal use.
- b. To determine whether a use not specifically identified in the table is allowed, the director shall use the zoning district purpose and intent statements, definitions of uses, and the use-specific standards in section 15.04.030. Any proposed use shall be substantially similar to other uses specifically permitted in such district, and shall be more similar to such identified uses than to uses allowed in a less restrictive district. If a proposed use is more similar to a conditional use than a permitted use, then any interpretation shall be as a conditional use rather than a permitted use. If a proposed use is similar to a secondary use, then any interpretation shall be as a secondary use. The director shall consider the potential impacts of the proposed use including the nature of the use and whether it includes dwellings, sales, processing, storage operations, employment characteristics, nuisances or other adverse impacts on neighboring properties, requirements for public utilities, and transportation requirements.
- c. During the initial determination or interpretation, the director shall determine whether or not additional use-specific standards are necessary to reduce potential impacts to the surrounding properties or the community.

C. Table of Allowed Uses

Zoning Districts Established	
Residential	
R-RU	Residential Rural
R-SF	Residential Single-Family
R-MN	Residential Mixed Neighborhood
R-MF	Residential Multifamily
R-MH	Residential Mobile Home
Mixed-Use	
MU-N	Mixed-Use Neighborhood
MU-C	Mixed-Use Corridor
MU-D	Mixed-Use Downtown
MU-E	Mixed-Use Employment
MU-R	Mixed-Use Regional Center
Nonresidential	
N-PE	Primary Employment
N-AG	Agricultural
N-PF	Public Facilities
Overlay Districts	
AI-O	Airport Influence Zone Overlay
C-O	Conservation Overlay
TL-O	Terry Lake Overlay
Planned Unit Development	
PUD	Planned Unit Development

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P = Permitted Use L = Limited Use C = Conditional Use PS = Permitted Secondary Use CS = Conditional Secondary Use
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	Residential Districts					Mixed-Use Districts					Non-Residential Districts			Use-Specific Standards Also refer to general use standards in section 15.04.030.A
	R-RU	R-SF	R-MN	R-MF	R-MH	MU-N	MU-C	MU-D	MU-E	MU-R	N-PE	N-AG	N-PF	
RESIDENTIAL USES														
Household Living Uses														
Co-housing (<i>new</i>)			P*	P*	P*									15.04.030.B.1
Dwelling, single-family attached			P	PS		PS*	PS*	PS*	PS*	PS*				15.04.030.B.2
Dwelling, single-family detached	P	P	P					PS*				P		15.04.030.B.2
Dwelling, live/work			CS*	CS*		P*	PS*	PS*	PS*	PS*				15.04.030.B.3
Dwelling, multifamily			P	P		PS	P*	P*	PS	PS				15.04.030.B.4
Mobile home park or subdivision					P*									15.04.030.B.5
Group Living														
Boarding, rooming house			P	P		PS	P	PS*						15.04.030.B.6
Group care home or sober living home	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	15.04.030.B.7 15.04.030.B.8
Group care facility						P*	P*	P*	P*	PS*				15.04.030.B.8
Independent living facility			P*	P*		PS*	P*	P*	P*	P*				15.04.030.B.10
Rehabilitation and treatment facility							C*		C*					15.04.030.B.11
Public, Institutional, and Civic Uses														
Community and Cultural Facilities														
Assembly uses	C*	C*	PS*	PS*	PS*	PS*	P	PS*	P*	PS*	CS*	PS*	P*	15.04.030.C.1
Cemetery or interment facility												C*	C*	15.04.030.C.2
Convention and conference center							P*	PS*	PS*	PS*			P	15.04.030.C.3
Day care, commercial				P	P	P	P	P*	P	P	CS*	C	P	15.04.030.C.4
Day care, residential	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		15.04.030.C.5
Emergency services						P*	P*		P*	P*			P*	15.04.030.C.6
Funeral facility							P*	C*	P*					15.04.030.C.7
Library, museum, or art center			CS*	CS*		P	PS	PS	PS	P			P	15.04.030.C.8
Penal/correctional institution													C*	15.04.030.C.9
Performing arts center or auditorium				CS*			P	PS*	P*	PS*			C	15.04.030.C.10
Reception or banquet hall				CS*			P	PS*	P*	PS*	CS*	C*	P*	15.04.030.C.11
Other community uses, services, and facilities operated by a government and not listed elsewhere in this table	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS	C	
Educational Facilities														
College or university							P	C	P	P			P	

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	Residential Districts					Mixed-Use Districts					Non-Residential Districts			Use-Specific Standards Also refer to general use standards in section 15.04.030.A
	R-RU	R-SF	R-MN	R-MF	R-MH	MU-N	MU-C	MU-D	MU-E	MU-R	N-PE	N-AG	N-PF	
School, public or private			PS	PS	PS	P	P		P	PS			P	
School, vocational or trade							P	C	P	P				
Healthcare Facilities														
Hospital						PS	P		P	PS			P	
Medical or dental clinic			CS*	CS*		P	P	P	P	PS	CS			15.04.030.C.12
Medical laboratory or research facility							P	P*	P	PS*	P			15.04.030.C.13
Skilled nursing or rehabilitation facility							P	P	P	PS	CS			
Commercial Uses														
Agricultural and Animal Uses														
General agriculture												P*	P*	15.04.030.D.1
Kennel							C*		C*			C*		15.04.030.D.2
Veterinary clinic or hospital						P*	P*	P*	P*	PS*				15.04.030.D.3
Recreation and Entertainment														
Commercial entertainment facility							P*	P*	P*	P*				15.04.030.D.4
Commercial health facility or club			CS*	CS*		P	P	P	P	P	CS*			15.04.030.D.5
Commercial recreation facility, indoor				CS*		P*	P*	C*	P*	P*	CS*			15.04.030.D.4
Commercial recreation facility, outdoor							CS*		CS*	CS*				15.04.030.D.4
Golf course and/or, swimming and tennis club			CS*	CS*			P*		CS		CS*	CS	P	15.04.030.D.6
Indoor shooting range							C*		C*					15.04.030.D.7
Public open space, park, or playground	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public recreation facility			CS	PS			P	P	P	PS			P	
Food and Beverage Services														
Bar or nightclub						P*	P*	P*	P*	P*				15.04.030.D.8
Brewery, cidery, distillery, or winery with tasting room						P*	P*	P*	P*	P*	P*			15.04.030.D.9
Brewery, cidery, distillery, or winery without tasting room									P*		P*			15.04.030.D.9
Commercial kitchen or catering establishment							P	P*	P	PS				15.04.030.D.10
Restaurant			CS*	CS*		P*	P*	P*	PS*	P*	CS*			15.04.030.D.11
Restaurant, with drive-through						CS*	CS*			CS*				15.04.030.D.12
Office, Business, Personal, and Professional Services														
Artist studio			P*	P*		P	P	P	P					15.04.030.D.13

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	Residential Districts					Mixed-Use Districts					Non-Residential Districts			Use-Specific Standards Also refer to general use standards in section 15.04.030.A
	R-RU	R-SF	R-MN	R-MF	R-MH	MU-N	MU-C	MU-D	MU-E	MU-R	N-PE	N-AG	N-PF	
Bank or financial institution						P*	P*	P*	P*	P*	CS			15.04.030.D.14
Business service establishment			CS*	CS*		P	P	P	P	P	CS			15.04.030.D.15
Commercial laundry, linen supply service, or dry cleaning plant									P					
Data, radio, TV, or other broadcasting studio or facility							P*	P*	P*				P*	15.04.030.D.16
Day labor center							C		C					
Office			CS*	CS*		P	P	P	P	PS	PS	C*	P*	15.04.030.D.17
Personal services, general						P*	P*	P*	P*	P*				15.04.030.D.18
Other community uses, services, and facilities, operated by a government or non-profit organization and not listed elsewhere in this table	CS	CS	CS	CS	CS	CS	CS	CS	CS	CS		CS	CS	
Retail Sales														
Pawn shop							P							
Retail sales, general			CS*	CS*	CS*	P*	P*	P*	PS*	P*				15.04.030.D.19
Retail sales, marijuana establishment or store						P*	P*		P*	P*				15.04.030.D.20
Lodging Facilities														
Bed and breakfast			CS	PS	PS	P	P	P*						15.04.030.D.21
Hotel							P	P*	P	P	CS			15.04.030.D.22
Short-term rental	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		15.04.030.D.23
Vehicles and Equipment														
Car wash							P*		P*					15.04.030.D.24
Equipment sales, rental, and repair							P*		P*					15.04.030.D.25
Parking lot or structure							P*	P*	P*	P*			P*	15.04.030.D.26
Vehicle fueling station							P*	C*	P*	P*				15.04.030.D.27
Vehicle repair and maintenance							P*	C*	P*	P*				15.04.030.D.28
Vehicle sales and rental							CS*			CS*				15.04.030.D.29
Adult Entertainment Establishments														
Adult or sexually-oriented business									C*					15.04.030.D.30
Industrial Uses														
Manufacturing and Processing														
Artisanal manufacturing						P*	P*	P*	P	P*	PS	P		15.04.030.E.1
Light industrial							PS*		P		P			15.04.030.E.2
Medium industrial									P*		P*			15.04.030.E.3

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	R-RU	R-SF	R-MN	R-MF	R-MH	MU-N	MU-C	MU-D	MU-E	MU-R	N-PE	N-AG	N-PF	
Mining operation													CS	15.04.030.E.4
Oil and gas well operation or facility											L/C*	L/C*	L/C*	15.04.030.E.5
Printing, publishing, and production facility								PS*	P					15.04.030.E.6
Recycling facility									C				C	
Wholesale or research nursery or greenhouse									P		CS	C	C	
Storage and Warehousing														
Commercial short-term storage of inoperable vehicles									CS					
Commercial storage of boats, trailers, recreational vehicles, or other operable vehicles or equipment									CS*				CS*	
Contractor's shop									C*					15.04.030.E.7
Self-storage warehouse									CS*					15.04.030.E.8
Warehouse or storage facility for business and consumer goods									P		P			
Wholesale trade								CS*	P		P			15.04.030.E.9
Transportation														
Airport and associated uses											CS*		P*	15.04.030.E.10
Bus, railroad, or public transit terminal							C*	C*	C*	C*			P	15.04.030.E.11
Transportation depot, trucking terminal, or distribution center									C*		C*			
Public and Semi-Public Utility Uses														
Energy and General														
Alternative energy production												P	P	
Essential municipal and public utility uses, facilities, services and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	
Water/wastewater treatment plant													C	
Wireless Telecommunications Facilities														
Alternative tower structure			C	C			P		P	P	P	P	P	15.04.030.F.1
Amateur radio facility	P	P	P	P	P	P	P	P	P	P	P	P	P	15.04.030.F.1
Building or structure mounted wireless telecommunication facility	P	P	P	P	P		P	P	P	P	P	P	P	15.04.030.F.1
Lattice tower									C	C		P	C	15.04.030.F.1

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	R-RU	R-SF	R-MN	R-MF	R-MH	MU-N	MU-C	MU-D	MU-E	MU-R	N-PE	N-AG	N-PF	
Monopole							P		P	P	P	P	P	15.04.030.F.1
Rooftop-mounted wireless telecommunication facility			P	P	P	P	P	P	P	P	P	P	P	15.04.030.F.1
Small cell facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	15.04.030.F.1
Wireless mesh networking facility	P	P	P	P	P	P	P	P	P	P	P	P	P	15.04.030.F.1
Accessory Uses and Structures														
Accessory dwelling unit	A*	A*	A*	A*				A*				A*		15.04.040.C.1
Artisanal manufacturing						A	A	A	A	A	A	A	A	
Automated teller machine (ATM)						A	A	A	A	A			A	
Cafeteria or dining hall						A	A	A	A	A	A		A	
Day care center		A*	A*	A*		A	A	A	A	A	A		A	15.04.040.C.2
Dwelling unit for owner, caretaker, or employee					A*	A*	A*	A*	A*	A*		A*	A*	15.04.040.C.3
Flagpole	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.D.1
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.C.4
Incidental household structures	A	A	A	A	A			A				A		
Livestock uses												A*	A*	15.04.040.C.5
Offices related to other principal use						A	A	A	A	A	A		A	
Outdoor sales, display of merchandise, storage, or other activity						A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.C.6
Playlot, recreation facility, on-site management office, and laundry facility for residential use		A	A	A	A	A	A	A	A	A				
Recycling collection point							A*		A*	A*	A*		A*	15.04.040.C.7
Retail sales associated with industrial, warehouse and agricultural uses						A*	A*	A*	A*	A*	A*	A*		15.04.040.C.8
Solar energy system, roof-mounted and small scale ground mounted	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.D.1
Storage or parking of vehicles or recreational equipment	A	A	A	A	A			A*				A*	A	15.04.040.C.9
Urban agriculture	A	A	A	A	A	A	A	A	A	A	A	A	A	
Vehicle rental accessory to self-storage warehouse									A*					15.04.040.C.10
Vehicle wash bay							A*	A*	A*	A*	A*		A*	15.04.040.C.11
Wind turbines	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.D.1
Other accessory uses not specifically addressed in this table	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	15.04.040.C.12

15.04.030 Use-Specific Standards

A. General Use Standards

1. Secondary Uses

The following standards shall apply to secondary uses:

- a. In residential districts, secondary uses shall be limited to lots adjacent to arterial streets and corner lots on collector streets. Secondary uses shall avoid access directly to a local street to the maximum extent practicable.
- b. Secondary uses allowed as permitted uses or requiring conditional use review pursuant to Table 4.1 shall comply with the applicable procedures and criteria in chapter 15.02.
- c. Secondary uses shall also meet the following additional criteria:
 - i. The secondary use as proposed is of a scale and design and in a location that is compatible with surrounding uses and potential adverse impacts of the use will be mitigated to the maximum extent feasible.
 - ii. The secondary use as proposed is consistent with the comprehensive plan and the purpose and intent of the code and underlying zoning district.
 - iii. The secondary use as proposed will not substantially diminish the availability of land within the underlying zoning district for primary uses, or reduce the availability of land for primary uses below a minimum level necessary to meet the intent of the district.

2. Affordable Housing

Affordable housing includes any development receiving city incentives per a written agreement under chapter 4.79, even if not all dwelling units are classified as affordable. Affordable housing is a permitted use in any district that allows household living uses. Affordable housing is subject to the standards applicable to the specific residential use type.

- a. Applicability. The incentives and obligations for affordable housing and developments including affordable housing provided in this subsection A.2 shall apply only to affordable housing receiving city incentives under a written agreement with the city pursuant to chapter 4.79.
- b. Dwelling unit types allowed.
 - i. Affordable housing located in residential zoning districts shall be limited to the type of dwelling, as such types of dwellings are defined in section 15.10.010 and listed in Table 4.1, allowed in that zone.
 - ii. Affordable housing located in mixed-use zoning districts shall be limited to single family attached dwelling units, multi-family dwelling units, live/work dwelling units, and other dwelling units included in a mixed use building.
- c. Dispersion of affordable housing required. Where the affordable housing is part of a residential development also containing market-rate housing, the affordable housing shall be mixed with other residential units and not clustered together or segregated in any way from market-rate housing in the development. As part of platting or site plan review, the decision-making body

shall review the final location and distribution of affordable housing in the development for compliance with this standard.

- d. Similar appearance/design required. Affordable housing shall be substantially similar in exterior appearance and design to market-rate housing in the same development. This requirement includes the use of substantially similar exterior materials.
- e. Duration of affordable housing.
 - i. Affordable rental housing. Affordable rental housing units must be kept affordable for a period of not less than 30 years to income-qualified persons, unless a different time period is approved by the city council on a case-by-case basis.
 - ii. Affordable owner housing. Affordable owner housing shall be deed-restricted to the city's satisfaction to assure affordability for sale for a term of at least ten years from the date of each sale or resale, unless a different time period is approved by the city council on a case-by-case basis.
- f. Eligibility for purchasers or renters of affordable housing. The city manager shall promulgate rules and regulations governing the affordable housing programs, including the eligibility for purchasers or renters of affordable housing units, household size, household makeup, household income, and may include the required form or substance of deed restrictions. These rules and regulations may apply both to this subsection and to chapter 4.79.
- g. Development incentives for affordable housing.
 - i. Eligibility. The city shall approve development incentives described in this subsection A.2.g, to encourage the construction of affordable housing for a development including affordable housing.
 - (A) To receive the incentives in subsection A.2.g.ii below, a development must provide at least ten percent of the total units in a project as either affordable rental housing or affordable owner housing.
 - (B) Incentives shall be requested in writing by completing an affordable housing incentive application in the form specified by the director of community services.
 - (C) Development incentives in subsection A.2.g.ii below, shall be approved administratively by the planning and development services director.
 - ii. Development incentives.
 - (A) Density bonus: Projects including affordable housing shall be eligible for additional units up to 20 percent above the maximum residential density allowed in the applicable comprehensive plan land use category. For developments proposed to include residential uses, but that are located in

areas without corresponding residential density ranges, the multi-family neighborhood density range in the comprehensive plan shall apply.

- (B) Height bonus: Multi-family residential or mixed use projects including affordable housing shall be eligible for up to one more story than allowed by the applicable zoning district under Table 3.19.
- (C) Lot size and lot width reductions: Projects including affordable housing shall have reduced lot size and lot width standards as outlined in section 15.03.080.B.
- (D) Parking reductions: Projects including affordable housing shall be eligible for a reduction as outlined in section 15.05.080.E.3. Market rate units shall provide parking consistent with Table 5.5.
- (E) Expedited review: Projects including affordable housing shall be eligible for expedited review.
- (F) Financial incentives for providing affordable housing: Projects providing at least ten percent affordable rental housing or at least ten percent affordable owner housing may also be eligible for fee waivers or fee reductions under chapter 4.79.

3. On-Site Storage of Supplies, Equipment, or Vehicles

The following standards shall apply to all subject uses that abut a public right-of-way, a residential use, or a residential zoning district boundary, unless the subject use and related activities are entirely enclosed within a building:

- a. Outdoor storage shall comply with the outdoor storage standards in subsection 4 below and in section 15.05.130.A.
- b. Junked vehicles, as that term is defined in section 11.12.030 of the Longmont Municipal Code, shall not be stored, maintained, or allowed on the subject property unless the use is an approved vehicle repair or vehicle storage establishment where vehicle storage is expressly permitted. Such storage shall be subject to any applicable screening requirements.

4. Outdoor Display, Sales, Service/Storage Areas, and Activities

- a. Outdoor display, sales, service/storage areas and activities within 250 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.
- b. Outdoor displays, sales, service/storage areas, and activities shall not be located on a required parking area except for approved temporary outdoor sales.
- c. Outdoor displays, sales, service/storage areas, and activities shall not be located within a required landscaped area.
- d. As applicable, all outdoor storage, sales, and activities shall comply with the screening requirements stated in section 15.05.130 of this development code and the regulations stated in subsection 2 above if the use abuts a public right-of-way, residential use, or residential zoning district boundary.
- e. Outdoor storage shall not be located on a lot adjacent to a highway or arterial street.

5. Uses with Outdoor Seating or Outdoor Activity Areas

Uses providing outdoor seating or outdoor activity areas shall comply with the following:

- a. Outdoor seating and activities shall comply with the residential compatibility standards in section 15.05.200.

- b. All outdoor seating and food service areas on public property or right-of-way that meet the definition of "business extension" as stated in section 13.37.020 of this code shall comply with applicable requirements stated in chapter 13.37.
- c. The outdoor seating or food service area shall not obstruct the movement of pedestrians through plazas, along adjoining sidewalks, or through other areas intended for public usage.
- d. In approving outdoor seating or food service areas, the decision-making body may impose conditions relating to the location, configuration, and operational aspects of such outdoor areas to ensure that such outdoor areas will be compatible with surrounding uses, will be maintained in an attractive manner, and will comply with applicable building and fire codes.

B. Residential Uses

1. Co-Housing

a. Design Requirements

- i. The minimum project size shall be one acre.
- ii. The setbacks from the applicable zoning district shall apply only to the project boundaries as a whole, and not to individual co-housing dwellings.
- iii. Each detached co-housing dwelling unit shall be separated by a minimum of five feet, subject to building code requirements.

b. Operation and Ownership

- i. Each co-housing dwelling shall be on a permanent foundation and connected to public water and sanitary sewer.
- ii. Co-housing projects may be organized as condominiums, cooperatives, or other form allowed pursuant to state law.
- iii. The co-housing development shall not be subdivided into individual lots for dwellings.

2. Dwelling, Single-Family Detached and Attached

- a. In the MU-D zoning district, single-family detached dwellings shall not be located on lots adjacent to Main Street and shall only be located on a block face with existing single family dwellings; single family attached dwellings shall not be located in a Main Street storefront.
- b. In all mixed use zoning districts, single-family attached dwellings shall comply with the minimum density under section 15.03.080.B.3.

3. Dwelling, Live/Work

- a. Subject to building code area limits and requirements for live/work units.
- b. In the MU-D zoning district, work component open to the public shall be located in a Main Street storefront.

4. Dwelling, Multifamily

- a. In the MU-D zoning district, multifamily dwellings shall not be located in a Main Street storefront in the 200 through 500 inclusive blocks.
- b. In the mixed use zoning districts, multifamily dwellings shall comply with the minimum density under section 15.03.080.B.3.

5. Mobile Home Park or Subdivision

- a. Mobile homes on individual lots, outside of mobile home subdivisions or mobile home parks, are not permitted as permanent dwellings and shall be subject to all other city regulations.
- b. Mobile home parks and subdivisions shall be subject to the applicable review procedures in chapter 15.02 and other provisions of this development code.
- c. Mobile home development shall be subject to the development standards stated in section 15.05.180, "Mobile homes," of this development code.

6. Boarding, Rooming House

In the MU-D zoning district, boarding and rooming houses shall not be located on a lot adjacent to Main Street.

7. Group Care Home

a. Location

In the MU-D zoning district, group care homes shall not be located on the ground floor on a lot adjacent to Main Street.

b. Number

Only one group care home is permitted per dwelling unit.

c. Licensing

Certification or licensing by the applicable governmental agency is a prerequisite to site plan approval or issuance of a certificate of occupancy.

d. Security and Supervision

Group homes shall include a plan for security and supervision of the premises.

e. Occupancy Limits

The number of residents occupying a facility at any one time, including staff and family of staff, shall not exceed building code occupancy limitations.

f. Development Standards for Facilities

- i. **No private kitchen facilities shall be located in any bedroom.**
- ii. Such use sited in an existing structure and housing more than five clients shall meet the requirements stated in the current city-adopted building code.
- iii. Only housing types allowed in each zoning district are allowed for group care homes. All new or existing structures shall be compatible in terms of building mass, scale, and design with the character of any surrounding residential neighborhood(s).

g. Abandonment of Use

If active and continuous group care home operations are discontinued for a period of 12 consecutive months in a group care home that was approved under this development code, the

use shall be considered abandoned. The use may be reinstated only after obtaining a new site plan approval or waiver.

8. Sober Living Home

- a. Only housing types allowed in each zoning district are allowed for sober living homes.
- b. In the MU-D zoning district, sober living homes shall not be located in a Main Street storefront.
- c. The number of residents occupying a home shall not exceed building code occupancy limits.

9. Group Care Facility

- a. Shall comply with the same standards for a group care home in section 15.04.030.B.7.
- b. In the MU-D zoning district, group care facilities shall not be located on a lot adjacent to Main Street.

10. Independent Living Facility

- a. Only housing types allowed in each zoning district are allowed for independent living facilities.
- b. In the MU-D zoning district, independent living facilities shall not be located on a lot adjacent to Main Street.

11. Rehabilitation and Treatment Facilities

Shall comply with the same standards for a group care home in section 15.04.030.B.7. In addition, shall comply with the following:

- a. All halfway houses shall comply with the reporting requirements stated in chapter 9.48 of the Longmont Municipal Code.
- b. Rehabilitation and treatment facilities shall include a plan for security and supervision of the premises.
- c. Rehabilitation and treatment facilities shall be located a minimum of 500 feet from a residential lot in a residential zoning district

C. Public, Institutional, and Civic Uses

1. Assembly Uses

a. Location & Access

- i. In R-RU and R-SF zoning districts, vehicle access from local streets shall be avoided to the maximum extent practicable.
- ii. In the MU-D zoning district, assembly uses shall not be located in a Main Street storefront.

b. R-RU, R-MH, MU-N, N-PE, and N-AG Zoning Districts

Assembly uses shall not exceed 15,000 square feet.

c. R-SF, R-MN, R-MF, MU-D, MU-E, MU-R, and N-PF Zoning Districts

Assembly uses larger than 15,000 square feet shall require conditional use approval under section 15.02.060.C.

2. Cemetery or Interment Facility

- a. Grave sites shall be set back from property lines a minimum of 20 feet.
- b. Crematoriums and alkaline hydrolysis facilities are prohibited.

3. Convention and Conference Center

a. Location

In the MU-D zoning district, convention and conference centers shall not be located in a Main Street storefront.

b. MU-D, MU-E, MU-R, and N-PF Zoning Districts

Convention and conference centers larger than 15,000 square feet shall require conditional use approval under section 15.02.060.C.

4. Day Care, Commercial

a. In the N-PE zoning district, commercial day care uses shall not exceed 15,000 square feet.

b. In the MU-D zoning district, commercial day care uses shall not be located in a Main Street storefront.

5. Day Care, Residential

a. Day care facilities shall be operated in the permanent residence of the provider.

b. Day care facilities shall provide care for no more than 12 children under the age of 18 years or eight adults. All residents of the home and all children and adults on the premises who receive care in the facility are included in the total number of children allowed.

c. Day care facilities shall comply with all federal, state, and local regulations.

6. Emergency Services

Emergency service uses shall front on and have direct access to an arterial or collector street. The decision-making body may impose conditions to limit use of sirens or other potential significant adverse impacts.

7. Funeral Facility

a. Funeral facilities with or without crematory or alkaline hydrolysis facilities shall be located a minimum of 500 feet from a residential lot in a residential zoning district.

b. In the MU-D zoning district, funeral facilities shall not be located in a Main Street storefront.

8. Library, Museum, or Art Center

In the R-MN and R-MF zoning districts, such uses shall not exceed 15,000 square feet unless located within a vertically mixed-use building.

9. Penal/Correctional Institution

Private institutions or facilities are not allowed.

10. Performing Arts Center or Auditorium

a. Location

In the MU-D zoning district, performing arts centers and auditoriums shall not be located in a Main Street storefront.

b. R-MF Zoning District

Performing arts centers and auditoriums shall not exceed 15,000 square feet unless located within a vertically mixed-use building.

c. MU-D, MU-E, and MU-R Zoning Districts

Performing arts centers and auditoriums larger than 15,000 square feet shall require conditional use approval under section 15.02.060.C.

11. Reception or Banquet Hall

a. Location

In the MU-D zoning district, reception or banquet halls shall not be located in a Main Street storefront.

b. R-MF Zoning District

Reception or banquet halls shall not exceed 15,000 square feet unless located within a vertically mixed-use building.

c. MU-D, MU-E, MU-R, and N-PF Zoning Districts

Reception or banquet halls larger than 15,000 square feet shall require conditional use approval under section 15.02.060.C.

d. N-PE and N-AG Zoning District

Reception or banquet halls shall not exceed 15,000 square feet.

12. Medical or Dental Clinic

In the R-MN and R-MF zoning districts, medical or dental clinics shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

13. Medical Laboratory or Research Facility

In the MU-D zoning district, medical or dental clinics shall not be located in a Main Street storefront and uses greater than 10,000 square feet in the MU-D and MU-R zoning districts shall require conditional use approval under section 15.02.060.C.

D. Commercial Uses

1. General Agriculture

- a. Parcels with agricultural uses shall be at least one acre.
- b. At least one acre of open pasture area is required for livestock.
- c. No more than one principal dwelling shall be allowed on each parcel.
- d. Structures for keeping farm animals shall be set back from the property line a minimum of 20 feet.
- e. The maximum number of livestock shall not exceed one animal unit per one acre of open area. Animal units are calculated based on the following animal unit chart:

Table 4.2: Animal Unit Chart	
Livestock Category	Animals per Animal Unit
Cattle/Buffalo/Horse	1
Swine/Ostrich	5
Goat/Sheep/Llama	5
Poultry	50
Other Livestock	1
Note: Young animals shall not be counted until they are weaned.	

2. Kennel

a. Location

Kennels with outdoor activities shall not be located within 500 feet of a residential lot in a residential zoning district. Kennels that are entirely enclosed (indoor) shall not be located within 250 feet of a residential lot in a residential zoning district.

b. Enclosed Building Requirement

The parts of a building where animals are boarded shall be fully enclosed and secured and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.

c. Kennels with Outdoor Facilities

- i. Outdoor activity areas of animal care facilities shall be located and designed to minimize impacts on surrounding properties.
- ii. Overnight boarding in animal care facilities shall occur indoors between the hours of 7:00 p.m. and 7:00 a.m.

3. Veterinary Clinic or Hospital

- a. A veterinary clinic or hospital shall comply with the same requirements for a kennel in section 15.04.030.D.2 above except that veterinary clinics or hospitals in the MU-N, MU-D, and MU-R zoning districts shall not include any outdoor runs, remains disposal, or other activities.
- b. In the MU-D zoning district, veterinary clinics or hospitals shall not be located in a Main Street storefront.
- c. Veterinary clinics or hospitals with outdoor runs or remains disposal through cremation or alkaline hydrolysis and within 500 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.

4. Commercial Entertainment and Recreation Facilities

- a. The city may require a nuisance abatement plan or restrict hours of operation as a condition of approval to minimize adverse impacts on adjacent properties.
- b. Outdoor commercial entertainment facilities shall require conditional use approval under section 15.02.060.C.
- c. In the N-PE zoning district, indoor commercial recreation facilities shall not exceed 25,000 square feet.

5. Commercial Health Facilities or Clubs

- a. In the R-MN and R-MF zoning districts, commercial health facilities or clubs shall not exceed 5,000 square feet unless located within a vertically mixed-use building.
- b. In the N-PE zoning district, commercial health facilities or clubs shall not exceed 15,000 square feet.

6. Golf Course and/or Swimming and Tennis Club

- a. In the R-MN and R-MF zoning districts, only swimming and tennis clubs are allowed, and such uses in the R-MN zoning district shall not exceed 5,000 square feet unless located within a vertically mixed-use building.
- b. In the MU-C and N-PE zoning districts, only swimming and tennis clubs are allowed, and such uses in the N-PE shall not exceed 15,000 square feet.

7. Indoor Shooting Range

- a. The city may require a nuisance abatement plan or restrict hours of operation as a condition of approval to minimize adverse impacts on adjacent properties.
- b. Indoor shooting ranges within 250 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.

- c. The Longmont public safety department shall review all indoor shooting range applications and shall forward recommendations for the decision-making body's consideration.

8. Bar or Nightclub

Bars and nightclubs shall not be located within 250 feet of a residential lot in a residential zoning district.

9. Brewery, Cidery, Distillery, or Winery

a. Generally

Breweries, distilleries, cideries, or wineries located within 250 feet of a residential lot in a residential zoning district shall require conditional use review under section 15.02.060.C and shall comply with the residential compatibility standards in section 15.05.200.

- b. Breweries, distilleries, cideries, or wineries shall utilize best management practices and available technology to minimize potential adverse odors associated with the use.

c. MU-N, MU-C, MU-D, and MU-R Zoning Districts

Breweries, cideries, distilleries, or wineries over 5,000 square feet in the MU-N and MU-D zoning districts and over 15,000 square feet in the MU-C and MU-R zoning districts shall require conditional use approval under section 15.02.060.C.

10. Commercial Kitchen or Catering Establishment

In the MU-D zoning district, commercial kitchens or catering establishments shall be permitted in a Main Street storefront only if they include accessory retail sales.

11. Restaurant

- a. In the R-MN and R-MF zoning districts, restaurants shall not exceed 5,000 square feet unless located within a vertically mixed-use building.
- b. Restaurants with a liquor license located within 250 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C and shall comply with the residential compatibility standards in section 15.05.200.

12. Restaurant, with Drive-Through

- a. Shall comply with the standards governing vehicle stacking areas and drive-through facilities under section 15.05.080.I.
- b. Restaurants with drive-through facilities located within 250 feet of a residential lot in a residential zoning district shall comply with the residential compatibility standards in section 15.05.200.

13. Artist Studio

In the R-MN and R-MF zoning districts, artist studios shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

14. Bank or Financial Institution

- a. Drive-through uses are prohibited in the MU-D zoning districts.
- b. Drive-through uses in the MU-N zoning district shall require conditional use approval under section 15.02.060.C.
- c. If a drive-through is included in other zoning districts, the use shall comply with the standards governing vehicle stacking areas and drive-through facilities in section 15.05.080.I.

15. Business Service Establishment

In the R-MN and R-MF zoning districts, business service establishments shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

16. Data, Radio, TV, or other Broadcasting Studio or Facility

If outdoor receiving and/or transmission facilities are provided, the use requires conditional use approval under section 15.02.060.C.

17. Office

- a. In the R-MN and R-MF zoning districts, offices shall not exceed 5,000 square feet unless located within a vertically mixed-use building.
- b. In all residential districts and in the N-AG and N-PF zoning districts, only government services offices shall be allowed.

18. Personal Services, General

- a. Drive-through uses are prohibited in the MU-D zoning district.
- b. Drive-through uses in the MU-N zoning district shall require conditional use approval under section 15.02.060.C.
- c. If a drive-through is included in other districts, the use shall comply with the standards governing vehicle stacking areas and drive-through facilities in section 15.05.080.I.

19. Retail Sales, General

a. Size Limitations and Approvals Required

- i. Retail sales in the R-MN and R-MF zoning districts shall only be permitted on the first floor of a vertically mixed-use building. Stand-alone retail buildings are prohibited.
- ii. Retail sales over 10,000 square feet in the MU-D zoning district and over 25,000 square feet in the MU-N zoning district shall require conditional use review under section 15.02.060.C.

b. Drive-Through

- i. Drive-through uses are prohibited in the MU-D zoning districts.
 - ii. Drive-through uses in the MU-N zoning district shall require conditional use approval under section 15.02.060.C.
 - iii. If a drive-through is included in other districts, the use shall comply with the standards governing vehicle stacking areas and drive-through facilities in section 15.05.080.I.
- c. Outdoor retail sales are prohibited, except as allowed as an accessory use under section 15.04.040.C.6.

20. Retail Sales, Marijuana Establishment or Store

Permitted only in compliance with chapter 6.70.

21. Bed and Breakfast

In the MU-D zoning district, bed and breakfast uses shall not be located in a Main Street storefront.

22. Hotel

In the MU-D zoning district, motels are prohibited.

23. Short-Term Rental

a. Dwellings Allowed as Short Term Rentals

In order to protect the character of residential neighborhoods, the following dwellings are allowed as short term rentals:

- i. The property owner's primary dwelling where the owner resides at least six months of the term of the permit.
 - (A). Individual rooms may be rented only when the property owner is also occupying the dwelling.
 - (B). The entire dwelling shall only be rented to one group at a time when the property owner is not present and occupying the dwelling.
- ii. The property owner's accessory dwelling unit when the owner lives and is present in the principal dwelling. An accessory dwelling unit shall not be used for short term rentals if individual rooms are rented in the principal dwelling.
- iii. An entire dwelling unit that constitutes a second or investment dwelling of a resident of Longmont.
 - (A). Rental of a second or investment dwelling unit as a short term rental is limited to one per Longmont resident. For purposes of this section, a Longmont resident must be a natural person with at least 50 percent ownership in the second or investment dwelling unit used as a short term rental.
 - (B). The entire dwelling shall only be rented to one group at a time.
 - (C). Individual rooms shall not be rented in a second or investment dwelling, unless the owner, an agent, or property manager resides at and is present while the rooms are rented.

b. Occupancy Limit

Occupancy in short term rentals shall be limited to no more than two persons per legal conforming bedroom, plus two additional persons.

c. Inspections

The city shall inspect the short term rental for compliance with the requirements of this code section, building and fire code, and conditions of approval prior to the initial permit, and each permit renewal.

d. Limit on Number of Short Term Rentals

In R-RU and R-SF zoning districts, no more than one short term rental shall generally be a permitted use per street segment of a block. Additional short term rentals on a street segment of a block shall require conditional use approval under section 15.02.060.C.

e. Off-Street Parking

Unless specified as a condition of approval on the short term rental permit, no additional parking is required for short term rentals.

f. Signs

A short term rental permit authorizes no additional signage at the location.

g. Posting of Short Term Rental Permit

A copy of the short term rental permit shall be posted in a prominent location within the rental. The permit shall specify the term of the permit, occupancy approved for the short term rental,

relevant provisions of section 10.20.100 regarding unreasonable noise, the location of fire extinguisher(s), the property manager address, phone number and email address, and any conditions of approval.

h. Posting of City Permit on Listings

The applicant shall post the city permit number on all short term rental advertisements and listings.

24. Car Wash

- a. Car washes shall comply with the storage and accessory sales of materials and equipment standards for vehicle fueling stations in section 15.04.030.D.27.
- b. Car washes within 250 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.

25. Equipment Sales, Rental, and Repair

Equipment sales, rental, or repair uses shall be subject to the following standards:

- a. Outdoor display, storage, sales, rental, or repair shall require conditional use approval under section 15.02.060.C.
- b. Vehicle or equipment displays shall not be located within a required buffer area and no portion of the vehicle or equipment shall exceed 20 feet in height.
- c. Not more than one vehicle display pad, which may be elevated up to two feet above adjacent displays or grade, shall be permitted per 100 feet of street frontage. There shall also be no racks that tilt vehicles in any way to show the underside, unless they are used inside a showroom. Motor vehicle display shall not be allowed on top of any building.
- d. No other materials for sale shall be displayed between the principal structure and the street.

26. Parking Lot or Structure

- a. In the MU-D zoning district, a parking lot shall not be located on a lot adjacent to Main Street.
- b. Parking structures shall comply with standards in section 15.05.120.C.9.

27. Vehicle Fueling Station

Vehicle fueling stations shall comply with the following standards:

a. Location and Minimum Separation

- i. In the MU-D zoning district, vehicle fueling stations, except for electric vehicle charging stations, shall not be located on a lot adjacent to Main Street.
- ii. Such uses, except for electric vehicle charging stations, located within 250 feet of any school, day care center, residential use or residential zoning district shall require conditional use approval under section 15.02.060.C.

b. Storage and Accessory Sales of Materials and Equipment

- i. No outdoor displays of vehicle equipment, including tires, shall be allowed.
- ii. Storage of unlicensed, inoperable, or junked vehicles is prohibited.
- iii. Long-term storage of vehicles for more than 30 days shall be prohibited.

c. Fuel Pump Location

- i. Fuel pumps, excluding electric vehicle charging stations, shall be located at least 30 feet from all property lines.

- ii. Fuel pumps shall be oriented away from adjacent residential uses.
- iii. All tanks containing fuel, oil, waste oils and greases, or similar substance shall be placed underground at least 30 feet from any property line, and vented, according to Colorado State health and safety requirements.

d. Fuel Pump Canopy

A canopy over the fuel pumps may be erected provided the following conditions are met:

- i. The height of the canopy from the ground to the underside of the canopy shall not exceed 16 feet.
- ii. The canopy structure shall not be enclosed.
- iii. The canopy shall use the same architectural and design treatment, including roof forms, materials and colors, as the principal building.
- iv. All lighting on the underside of the canopy shall be recessed. A maximum of 25 percent of each canopy facade area visible from a public street may be illuminated. Each side of a fuel pump canopy shall be considered a separate facade area.

e. Repair Work

- i. All permitted repair work, vehicle washing, lubrication, and installation of parts and accessories shall be performed within an enclosed structure.
- ii. All dismantled vehicles, parts, and repair supplies shall be stored within an enclosed building or totally screened from view by a solid fence. All vehicles awaiting repair or service shall be stored on-site in approved parking spaces and not on a public right-of-way.

28. Vehicle Repair and Maintenance

a. Generally

- i. Vehicle repair and maintenance facilities shall comply with the standards for vehicle fueling stations under section 15.04.030.D.27.
- ii. Vehicle repair and maintenance facilities within 250 feet of any school, day care center, residential use or residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.
- iii. Vehicle painting and bodywork facilities shall not be located closer than 500 feet from any school, day care center, residential use or residential lot in a residential zoning district.
- iv. Vehicle painting and bodywork facilities is prohibited in the MU-D and MU-R zoning districts, and shall require conditional use approval under section 15.02.060.C in the MU-C and MU-E zoning districts.
- v. Outdoor vehicle repair and maintenance is prohibited in the MU-C and MU-R zoning districts, and shall require conditional use approval under section 15.02.060.C in the MU-E zoning district.

b. MU-D Zoning District

- i. Shall not be located on a lot adjacent to Main Street.
- ii. Outside activities or work associated with this use is prohibited.
- iii. Substantial bodywork, or any dismantling or storage of wrecked vehicles, is prohibited.

29. Vehicle Sales and Rental

- a. In the MU-R zoning district, vehicle sales are limited to new car dealerships.

- b. Vehicle sales and rental shall comply with the standards for equipment sales, rental, and repair under section 15.04.030.D.25.
- c. Vehicle sales and rental within 250 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.

30. Adult or Sexually-Oriented Business

All adult or sexually oriented business uses shall comply with the distance/spacing, licensing, and operational standards stated in LMC chapter 6.65, sexually oriented business regulation.

E. Industrial Uses

1. Artisanal Manufacturing

- a. In the MU-D zoning district, artisanal manufacturing is permitted in a Main Street storefront only if it includes accessory retail.
- b. In the MU-N and MU-D zoning districts, artisanal manufacturing uses over 5,000 square feet shall require conditional use approval under section 15.02.060.C
- c. In the MU-C and MU-R zoning districts, artisanal manufacturing uses over 15,000 square feet shall require conditional use approval under section 15.02.060.C
- d. Outdoor activities and storage are allowed only as an accessory use under section 15.04.040.C.6.

2. Light Industrial

- a. In the MU-C zoning district, light industrial uses over 5,000 square feet shall require conditional use approval under section 15.02.060.C.
- b. Outdoor activities and storage are allowed only as an accessory use under section 15.04.040.C.6.

3. Medium Industrial

For uses with outdoor activities and storage greater than allowed as an accessory use under section 15.04.040.C.6, conditional use approval shall be required under section 15.02.060.C.

4. Mining Operation

A mining operation constitutes a city and state approved interim use for a property subject to an approved reclamation plan.

5. Oil and Gas Well Operation or Facility

All oil and gas well operations and facilities shall comply with the procedures and standards in section 15.05.090.

6. Printing, Publishing, and Production Facility

In the MU-D zoning district, printing, publishing and production facilities shall not be in a Main Street storefront.

7. Contractor's Shop

Outdoor storage of equipment, supplies, or vehicles may be stored on site, except that any material stored on site shall not exceed a height of eight feet.

8. Self-Storage Warehouse

- a. Self-storage warehouses shall not be located on a lot adjacent to a highway or arterial street.

- b. Self-storage warehouse facilities shall provide adequate drive aisles between all buildings for vehicle circulation and fire and emergency access.
- c. Self-storage warehouse facilities are allowed one on-site resident manager/caretaker living unit.
- d. All buildings in the self-storage warehouse facility shall be architecturally compatible with the surrounding development in terms of architectural style and building materials and colors.
- e. Hours of public access to a self-storage warehouse adjacent to a residential zoning district shall be restricted to 7:00 a.m. to 10:00 p.m. unless the applicant demonstrates that the use will not create an adverse impact through screening, buffering, noise mitigation, or other techniques.

9. Wholesale Trade

In the MU-D zoning district, wholesale trade is permitted in a Main Street storefront only if it includes accessory retail.

10. Airport and Associated Uses

Airport and associated uses shall satisfy all applicable requirements of the FAA and the local airport rules and regulations.

11. Bus, Railroad, or Public Transit Terminal

- a. In the MU-D zoning district, bus, railroad, or public transit terminals shall not be located on a lot in the 200 through 800 blocks adjacent to Main Street.
- b. Terminals within 500 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.

F. Public and Semi-Public Utility Uses

1. Wireless Telecommunication Facility

All wireless telecommunication facilities shall comply with the standards in section 15.05.170. Where required by state law, wireless telecommunications facilities in the right-of-way shall be a permitted use subject to the standards and regulations of this code.

15.04.040 Accessory Uses and Structures

A. Purpose

The purpose of this section is to authorize the establishment and continuation of land uses and structures that are incidental and customarily subordinate to principal uses. This section is intended to allow a broad range of accessory uses and structures provided they are listed in Table 4.1, Table of Allowed Uses, and comply with the standards in this section.

B. General Standards for All Accessory Uses and Structures

1. Relationship to Principal Use or Structure

- a. Except as otherwise allowed in this development code, an accessory use or structure shall not be established or constructed before the establishment or construction of the principal use or structure.
- b. If the principal use or structure is destroyed or removed, the accessory use or structure shall be considered nonconforming.

- c. The total floor area of any one accessory structure to a residential use shall not exceed 50 percent of the floor area of the principal structure(s).
- d. The total floor area of all accessory structures to a residential use shall not exceed 75 percent of the total floor area of the principal structure(s).
- e. Accessory uses shall not be permitted as the exclusive use of any property.
- f. Accessory structures in residential districts shall not be taller than the principal structure(s).

2. Location of Accessory Uses and Structures

- a. No accessory structure shall be located within any platted or recorded easement or over any known utility, or in an area designated as a fire lane or emergency access route on an approved site plan.
- b. No accessory structure shall impede the access to or function of a vehicle use area.
- c. Accessory structures more than 120 square feet in size shall be located a minimum of five feet from the property line. Accessory structures less than 120 square feet shall not occupy more than 50 percent of the combined required rear and side setbacks and shall be located a minimum of three feet from the property line and located to accommodate lot drainage.
- d. Accessory structures shall not be located closer to the front property line than the principal structure(s).

3. Same Ownership Required

Accessory uses and structures, and principal uses and structures, shall be under the same ownership.

4. Use of Accessory Structures

Accessory structures, except for accessory dwelling units, shall not be used for living or sleeping quarters and shall not contain plumbing capable of facilitating a bathroom or kitchen. Accessory structures, including garages, shall not be used for the storage of goods, vehicles, or maintenance tools related to another use off-site.

C. Standards Applicable to Accessory Uses

1. Accessory Dwelling Unit

Accessory dwelling units (ADU) are allowed pursuant to Table 4.1 and subject to the following standards:

a. Location and Use

- i. Shall only be permitted as accessory to single-family detached dwellings.
- ii. An accessory dwelling may be integrated into the principal dwelling structure or located in a detached, accessory structure such as a garage.
- iii. The accessory dwelling unit shall be located on the same lot as the principal single-family detached dwelling.
- iv. Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units and shall not be used as permanent dwellings in any zoning district pursuant to the Municipal Code.

b. Number and Size of Accessory Units

- i. Only one accessory dwelling unit is allowed on a lot in addition to the principal single-family detached dwelling.

- ii. Accessory dwellings shall not exceed one-half of the finished floor area of the principal dwelling unit.
- iii. Accessory dwelling units located in detached structures shall not exceed the height of the principal dwelling unit.

c. Setbacks

i. New Detached ADU

New detached ADUs shall comply with the following setbacks from property lines:

- (A). Front: 20 feet; however, no ADU shall be located closer to the front property line than the principal dwelling unit.
- (B). Rear: 10 feet.
- (C). Side: 5 feet.

ii. ADU located in Existing Detached Structure

Accessory dwelling units located in existing detached structures shall not be required to meet new setback standards unless such structure is expanded.

iii. Attached ADU

Accessory dwelling units that are attached to the principal structure shall meet setbacks for the principal structure.

d. Limit on Sale, Tenancy, and Occupancy

- i. The property owner shall occupy the principal or accessory dwelling unit.
- ii. Accessory dwelling units shall not be sold separately from the principal dwelling.
- iii. Accessory dwelling units may be leased or rented for tenancies of less than 30 days as a short-term rental only when the property owner is present.

e. Review Procedures

Accessory dwelling units shall comply with site plan waiver requirements under section 15.02.070.C.

2. Day Care Center

In the R-SF, R-MN, and R-MF zoning districts, a day care center is permitted only as an accessory to a nonresidential use.

3. Dwelling Unit for Owner, Caretaker, or Employee

- a. Except for properties in the R-MH zoning district, these units shall be permitted only as an accessory to a nonresidential use.
- b. Only one such dwelling unit per property shall be allowed.
- c. In nonresidential zoning districts, the dwelling unit shall be inside or attached to the principal building.

4. Home Occupations

It is the intent of this subsection to regulate home occupations so that the average neighborhood resident, under normal circumstances, will not be negatively impacted by and will be minimally aware of their existence. Home occupations shall meet the following standards:

- a. Home occupations shall only be permitted as accessory to a principal residential use.

- b. Home occupations shall be conducted entirely within the principal structure or an accessory structure associated with the residential use, and shall be carried on by at least one resident of the principal dwelling as well as no more than one additional non-resident.
- c. Home occupations shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the residential character of the property.
- d. Size for home occupation:
 - i. For home occupations not serving the public at the location, the total area used for the home occupation shall not exceed an area representing 50 percent of the gross floor area of the principal dwelling unit.
 - ii. For home occupations engaged in serving the public at the location, the total area used for the home occupation shall not exceed an area representing 15 percent of the gross floor area of the principal dwelling unit unless the area of the home occupation is a live/work unit as defined in the building code as adopted by the City of Longmont.
- e. There shall be no advertising or other display or indications of a home occupation.
- f. There shall be no substantial retailing or wholesaling of stocks, supplies, or products conducted on the premises of a home occupation; however, delivery of retail products to the consumer off the premises, such as in the course of a mail order business, shall be permitted.
- g. There shall be no exterior storage on the premises of supplies or material used in the home occupation, nor of any chemically hazardous, explosive, or combustible material within the dwelling or upon the exterior of the property.
- h. A home occupation shall provide additional off-street parking area adequate to accommodate all needs created by the home occupation, without changing the residential character of the premises.
- i. A home occupation shall not generate or result in nuisances such as traffic, on-street parking, noise, vibration, odor, glare, fumes, electrical interference, or hazards greater than that usually associated with residential uses.

5. Livestock Uses

a. Applicability

Livestock uses, as specified on the animal unit chart, shall be permitted as accessory uses only by public and private educational agencies and scientific research facilities, provided that the following requirements are met:

b. Plan Required

An operation plan shall be submitted to and approved by the director. The following issues shall be satisfactorily resolved:

- i. Control of odors, noise, insects, pests and rodents;
- ii. Waste disposal;
- iii. Containing and cleaning the runoff from the site;
- iv. Containing the animals;
- v. Lighting the facilities;
- vi. Hours of operation of equipment such as tractors, trucks, feed mills, feed-processing operations and other noise- and dust-producing equipment necessary for operation.

c. Setbacks

- i. Livestock uses located within 1,000 feet of a residential lot in a residential zoning district shall require conditional use approval under section 15.02.060.C.
- ii. All buildings associated with the accessory use shall be located a minimum of 50 feet from all property lines.

d. Minimum Amount of Open Area

A minimum area of one acre of open area is required.

e. Maximum Number of Animals

The maximum number of animals must not exceed 1½ animal units per one acre of open area if the animals are to be primarily located outside. Animal units are calculated based on the animal unit chart below. For animals contained within a structure, the maximum number of animals permitted shall be determined by recognized livestock industry standards.

Table 4.3: Animal Unit Chart	
Livestock Category	Animals per Animal Unit
Cattle/Buffalo/Horse	1
Swine/Ostrich	5
Goat/Sheep/Llama	5
Poultry	50
Other Livestock	1
Note: Young animals shall not be counted until they are weaned.	

6. Outdoor Sales, Display of Merchandise, Storage, or Other Activity

Outdoor sales, display of merchandise, storage, or other activity shall be limited to ten percent of the total gross floor area of the principal use, and shall comply with the standards for outdoor service, storage, equipment, loading, and display in section 15.05.130.

7. Recycling Collection Point

- a. Recyclable materials shall be collected and stored in a completely enclosed building unless the director determines that completely enclosed containers located adjacent to or behind a building will be compatible with the surrounding businesses and neighborhood.
- b. No materials shall be left outside of the building or containers.

8. Retail Sales

a. Retail Sales as Part of Industrial and Warehouse Uses

- i. All retail sales shall be conducted within the same structure housing the principal industrial or warehouse use, and no permanent outdoor retail sales activity shall be allowed;
- ii. Items for sale shall either be manufactured by the principal use or part of the principal warehouse's stock;
- iii. Maximum area of the accessory retail use shall be 25 percent of the total gross floor area of the principal use.

b. Retail Sales as Part of Agricultural Uses

- i. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

- ii. Items for sale shall be agricultural goods produced on-site (excluding livestock of any type or form) as part of an allowed agricultural use.
- iii. The maximum area of the accessory retail use shall be 25 percent of the area of all buildings on the parcel.

9. Storage or Parking of Vehicles or Recreational Equipment

In the MU-D and N-AG zoning districts, these uses shall be allowed only as accessory to residential uses.

10. Vehicle Rental Accessory to Self-Storage Warehouse

- a. No more than five trucks or trailers available for rent shall be allowed on-site.
- b. Rental trucks and trailers shall be parked when not in use behind or in-between the warehouse buildings and screened according to the standards in this code.

11. Vehicle Wash Bay

A single-bay car wash shall be allowed only as accessory to a permitted gasoline service station use, public vehicle storage and maintenance facility, or motor vehicle sales and rental use.

12. Other Accessory Uses, as Determined by the Director

The director shall have the authority to determine other appropriate accessory uses not otherwise listed as such in Table 4.1., if such uses comply with the general standards in subsection B above, comply with applicable review criteria, and do not adversely impact surrounding properties.

D. Standards Applicable to Accessory Structures

1. Flagpoles, Satellite Dishes and Antennas, Solar Energy Systems, and Wind Turbines

- a. The height shall not exceed the maximum structure height for the zoning district in which they are located, except that roof-mounted solar energy systems may exceed the structure height per Table 3.19.
- b. Satellite dishes and antennas, solar energy systems, and wind turbines shall not be located in the front setback in a residential zoning district.
- c. Ground-mounted solar energy systems shall represent the lowest profile as technically feasible.

2. Residential Garages and Carports

a. Height

The maximum height shall not exceed the height of the principal structure.

b. Size

The maximum size shall not exceed half of the size of the gross floor area of the principal dwelling unit. However, a dwelling unit with a gross floor area of less than 1,000 sq. ft. shall be allowed a detached garage or carport up to 500 sq. ft.

15.04.050 Temporary Uses

A. Purpose

The purpose of this section is to authorize the establishment of certain uses and structures of a limited duration. This section is intended to ensure that such uses or structures do not negatively impact adjacent land, are discontinued upon the expiration of a set period of time, and do not involve the construction or alteration of any permanent building or structure.

B. Applicability

1. Activities that Require a Temporary Use Permit

The following temporary uses shall require a temporary use permit:

- a. Temporary event;
- b. Seasonal and holiday sales;
- c. Real estate sales office;
- d. Retail mobile food vending;
- e. Cell on wheels; and
- f. Other temporary uses described below in subsection D.6.

See chapter 13.04 for work in the right-of-way and chapter 13.37 for use of public places.

2. Exempt Activities

The following events or activities are exempt from the requirements of this section, but remain subject to this development code and the Longmont Municipal Code:

- a. Temporary events or activities occurring within, or upon the grounds of, a private residence or upon the common areas of a multifamily residential development.
- b. Temporary uses and structures needed as the result of a natural disaster or other health and safety emergencies during the period of the emergency.

C. General Standards Applicable All Temporary Uses

1. Traffic

The use shall be served by streets or drives with improvements adequate to accommodate the anticipated type and quantity of traffic that such temporary use will or could reasonably generate in addition to existing traffic.

2. Parking

The use shall provide adequate parking area and improvements, either on-site or at alternate locations, adequate to accommodate anticipated vehicular traffic reasonably expected to be generated by such use in addition to existing traffic.

3. Signs

Any signs permitted under the permit shall comply with chapter 15.06.

4. On-Site Lighting

All on-site lighting shall conform to the outdoor lighting provisions of section 15.05.140, and shall be removed when the permit expires, unless authorized by other provisions of this code.

5. Waste Material

The temporary use permittee is responsible for storage and removal of all waste material on the site. All waste storage areas shall be screened from view from adjacent rights-of-way and residential areas, and the site shall be maintained in a clean and safe manner.

6. Noise

All temporary uses shall comply with noise standards in sections 10.20.100 and 10.20.110 unless exempted by other provisions of this code.

7. Hours of Operation

The decision making body may restrict the hours of operation to mitigate impacts of the use on surrounding properties and uses.

8. Review Criteria

All temporary uses shall meet the requirements of section 15.02.080.C, temporary use permit.

D. Specific Temporary Use Standards

1. Temporary Events

a. Referral Authorized

A completed temporary use application shall be referred to other appropriate city departments or agencies for approval, as needed.

b. Grounds for Denial of Permit

An application for a temporary event permit may be denied upon the director's written determination that one or more of the following exists:

- i. The application contains intentionally false or materially misleading information.
- ii. The proposed event creates an unreasonable risk of significant:
 - (A). Damage to public or private property beyond normal wear and tear;
 - (B). Injury to persons;
 - (C). Public or private disturbances or nuisances;
 - (D). Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;
 - (E). Additional police, fire, waste removal, maintenance, or other public services demands;
 - or
 - (F). Other adverse effects upon the public health, safety, or welfare;
- iii. The proposed special event is of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event; or
- iv. The time and location requested for the proposed special event has already been permitted or reserved for other activities.

c. Term of Permit

An event authorized under this subsection shall be limited to a maximum duration of 14 days, which may be nonconsecutive, unless otherwise specifically authorized by the director.

2. Temporary Seasonal and Holiday Sales

a. Locations Permitted

Seasonal and holiday sales activities shall be permitted in all nonresidential zoning districts.

b. Term of Permit

The term of the temporary use permit shall not exceed 60 days, which may be nonconsecutive, unless otherwise specifically authorized by the director, or restricted by another provision of the Municipal Code.

c. Standards

Permitted sales activities may occur within required zoning district setbacks provided the following conditions are satisfied:

- i. No activity or display shall encroach more than 50 percent into a required setback;
- ii. No activity or display shall be located within 25 feet of an abutting residential lot or use;
- iii. No activity, display, or related equipment shall be located within a required intersection or driveway sight triangle; and
- iv. No activity shall be within a required landscape buffer, nor occupy more than ten percent of a required off-street parking area.

3. Real Estate Sales Office and Model Homes

a. Locations Permitted

Temporary real estate sales offices, including model or show homes, shall be permitted in all zoning districts when incidental to a new residential development.

b. Term of Permit

The temporary use permit shall automatically expire 30 days after completion of construction of the last housing unit or one year after issuance, whichever occurs first. Permits may be renewed in one-year increments upon written request and a finding that the use is in compliance with the original permit.

c. Commencement of Use

A real estate sales office or model home shall not be moved onto or erected on the development site until construction acceptance for the development has been granted, unless the public improvement agreement stipulates another date.

d. Activities Allowed

- i. Temporary real estate sales offices and model homes shall be used only as temporary field offices for new home sales or leasing and for storage of incidental supplies, and shall not be used as any type of dwelling.
- ii. Use of the temporary real estate sales office or model home for sales of residential sites or projects located off-site is prohibited.
- iii. A model home shall not be open for public viewing or business before 8:00 a.m. or later than 8:00 p.m.

e. Building Setbacks

All temporary real estate sales offices and model homes shall comply with the building setbacks in the zoning district in which the building is located.

f. Off-Street Parking

An accessible paved parking area for visitors shall be provided if the director determines on-street parking is not sufficient.

g. Restroom Facilities

Americans with Disabilities Act (ADA) compliant restroom facilities shall be provided for all temporary real estate sales offices and model homes.

h. Completion of Use

Upon termination of the permit, all temporary real estate sales offices shall be removed, and all model/show homes closed for viewing and the site of the temporary office use shall be returned to its original condition.

4. Retail Mobile Food Vending

a. Locations Permitted

Mobile retail food establishments and pushcarts are permitted in all nonresidential zoning districts subject to the following separation requirements:

- i. They shall be located at least 250 feet from any restaurant, measured in a direct line from the mobile retail food establishment or pushcart to the nearest edge of the building of a restaurant, unless written permission is obtained from all restaurant owners within 250 feet of the proposed mobile retail food establishment or pushcart location.
- ii. Exception: Ice cream vendors are permitted in residential zoning districts.

b. Criteria for operation

- i. A mobile retail food vending permit is required and must be kept with the mobile retail food or pushcart operators and presented to authorized city officials upon request.
- ii. Operators are responsible for obtaining consent of property owners to operate on private property.
- iii. Operators are responsible for maintaining trash receptacles and maintaining all areas used for food vending in a safe and clean condition, and must dispose of all waste in accordance with health department regulations.
- iv. Mobile retail food establishments and pushcarts must be removed from any site at the end of each business day (unless otherwise approved).
- v. Operators must obey all parking and traffic laws.
- vi. Mobile retail food establishments and pushcarts must not obstruct pedestrian or bicycle access or passage, or parking lot circulation nor impede traffic flow.
- vii. Structures, canopies, tables or chairs must not be set up around the mobile retail food establishment or pushcart.
- viii. If operated on public property (including city rights-of-way), operators must have liability insurance in amounts of \$1,000,000.00 per occurrence, as approved by the city risk manager, and must provide a certificate of insurance naming the City of Longmont as an additional insured. Applicant can petition city manager for full or partial waiver of this insurance requirement.

c. Term of the Permit

All permits shall be valid for one year from the date of issuance.

5. Cell on Wheels

a. Locations Permitted

Cells on wheels (COW) shall be permitted in all mixed use and nonresidential zoning districts.

b. Term of Permit

The term of the temporary use permit shall not exceed 180 days unless otherwise authorized by the director, or restricted by another provision of the Municipal Code. The permit may be renewed on an as-need basis with approval from the director.

c. Setbacks

A cell on wheels shall meet the greater of the following minimum setbacks from all property lines:

- i. The setback requirements for buildings within the applicable zoning district; or
- ii. The maximum tower height of the COW including antennas.

d. Facility Height

COW facility height including antennas shall not exceed the maximum building height of the applicable zoning district.

e. Landscaping and Screening

The director may require landscaping and screening where adjacent or nearby properties or tenants may be impacted.

f. Site Plan Review

COWs are subject to site plan review or waiver, taking into consideration the proposed location of the COW, the height of the COW, and its visual impacts on the surrounding neighborhood.

6. Other Temporary Uses

Subject to this section and the temporary use procedures and criteria in section 15.02.080.C, the director may approve other temporary uses and activities if it is determined that such uses do not adversely impact surrounding properties.