



AGENDA

Planning and Economic Development Policy Committee

April 14, 2021

8:30 am

VIRTUAL MEETING

City of Aurora, Colorado

15151 E Alameda Parkway

Public Participation Dialing Instructions

Call in Number: (408) 418-9388

Access Code: 187 125 7294

Council Member Marsha Berzins, Chair
Council Member Dave Gruber, Vice Chair
Council Member Angela Lawson, Member

Council Goal: Be a great place to locate, expand and operate a business and provide for well-planned growth and development.

	Pages
1. Call to Order	
2. Approval of Minutes	
2.a. March 10, 2021 Draft Minutes - Council Member Berzins	1
3. General Business	
3.a. Solutions to Improving Public Works -Engineering Development Review Performance Metrics	10
Cindy Colip, Public Works Director/Victor Rachael, Deputy Director Public Works Engineering	
3.b. FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 146-4.7.9.D.2 TO THE CITY CODE AND AMENDING SECTIONS 146-4.7.9.E.1, AND 146-6.2 OF THE CITY CODE PERTAINING TO BATTERY- CHARGED FENCES	25
Dan Money, Senior Assistant City Attorney/Tim Joyce, Assistant City Attorney	

3.c. City Center Vision Project Update

65

Daniel Krzyzanowski, Planning Supervisor / Daniel Money, Senior Assistant
City Attorney

4. Miscellaneous Matters for Consideration

4.a. Aurora Economic Development Council

4.b. Havana Business Improvement District

4.c. Aurora Chamber of Commerce

4.d. Planning Commission

4.e. Oil and Gas Committee

149

1st Qtr 2021 Report attached.

4.f. Business Advisory Board

4.g. Retail

4.h. Small Business

4.i. Visit Aurora

5. Confirm Next Meeting Date

6. Adjournment



Planning and Economic Development
MINUTES

Date: March 10, 2021
Time: 8:30 am

Members Present Marsha Berzins, Dave Gruber, Angela Lawson

Others Present Becky Hogan, Andrea Barnes, Andrea Amonick, Ariana Muca, Becky Hogan, Bob Oliva, Bob Gaiser, Bruce Dalton, Chance Horiuchi, Curtis Bish, Daniel Money, Darcy Dodd, Dennis Lyon, Elena Vasconez, Eric Sakotas, Frank Butz, Garrett Walls, Gayle Jetchick, George Adams, Haley Busch Johansen, Heather Lamboy, Jacob Cox, Jason Bachelor, Jose Rodriguez, Karen Hancock, Liz Fuselier, Mike Dean, Mike Franks, Mindy Parnes, Morgan Cullen, Philip Nachbar, Rachel Gruber, Rachid Rabbaa, Sarah Wile, Scott Berg, Thomas Blevins, Tod Kuntzelman, Todd Hager, Victor Rachael, Yuriy Gorlov

1. Call to Order

2. Approval of Minutes

2.a February 10, 2021 Draft Minutes - Council Member Berzins

February 10 minutes were approved.

3. General Business

3.a 2020 Development Review Annual Report and Development Process Update

Summary of Issue and Discussion:

Jacob Cox and Tod Kuntzelman provided a presentation. “Development Review Fund and Process Overview”.

- Tod Kuntzelman started the presentation with an overview of the Development Review Fund (DRF) which was started in the early 2000’s to account for revenue and expenses of the city’s development review activities. Currently the fund includes budgets for the Office of Development Assistance, Public Works (both Building & Engineering), Planning,

Information Technology (for software implementation), and the Office of Process Improvement for Development. Across these work groups we are actively recruiting for 10-12 current vacancies.

- CM Gruber asked about the number of FTE's and outsourcing, bringing in outside help to augment full time staff. He asked if we were currently using any contractors. Tod deferred that question until later in the presentation.
- Tod presented DRF fees which are collected to support staffing and operational expenses in order to deliver quality, on-time and customer focused development services. This is all done while improving infrastructure, transportation systems, and ensuring safety through code compliance. The DRF Revenue slide showed revenue from Licenses, Permits, and Service Charges. From 2019 to 2020 actuals exceeded expected revenue, proving that economic development continues despite the pandemic. We see about a 7.6% increase in revenue from 2019 to 2020.
- Expenditures from 2017 through 2020 increased as well, due to the implementation and cost related to bringing Acela online to replace our current software system.
- Tod then discussed Performance Metrics. In 2020 Public Works Engineering's performance was only at 48%, down from both 2019 and 2018. Once this issue was identified, Public Works moved to correct it by bringing in a consultant to outsource plan reviews and get caught up from the backlog that occurred due to the pandemic, where staff needed to work remotely, taking time to get back to a regular work routine. It was also identified that an additional supervisor was needed as there were too many people reporting to one supervisor. Public Works worked with HR to get more vertical review of staffing which will help us bring forward new policy or new ways of reviewing our plans in engineering.
 - CM Berzins asked for clarity on what we're talking about when we say Public Works Engineering. Tod responded that these positions review Drainage and Civil Plans. CM Berzins asked if we have explained to the developers who haven't gotten their plans approved in a timely manner. "Have you let them know that it's not them it's us?" Tod responded we have.
 - CM Gruber said "48% is dismal. The fact that so many people are moving to Colorado is creating a supply deficiency that is exaggerating our housing prices. People that are moving into Aurora are paying

significantly more than they should have to pay based on a supply demand curve. The developers are concerned about it. The 48% is a failure. What can we do to fix this, do we need to hire more people, are we properly manned, outsourced, are additional funds available do we need more FTE's in that organization?" CM Gruber indicated that he was not blaming the people working on doing the jobs, But the overall process is a management problem that needs to be focused on and addressed at the top. "We need an action plan with measurable metrics that will allow us to show that we are building out of this and there is a way forward." He reiterated that he would like to go in all hands-on deck, and asked when we expect to be above the current 50%? "What are we doing to communicate to the building & development community that we are treating this with our highest level of urgency?" Tod indicated that he would continue to develop that plan and identify bottlenecks.

- CM Lawson asked about the relation between this and the budget. Are we projecting the possibility of growth or is this what's happening now? Tod responded it's mostly what's happening now. CM Lawson indicated that she doesn't understand why we aren't projecting out more.
- CM Berzins mentioned when Governor Polis exempted construction during the pandemic.
- CM Gruber asked what Metro Study reports are available to the city. He recommended those studies be used for forecasting. Growth in housing is expected to continue to expand. "I'd like to see a plan that we're fixing it summer or fall of this year."
- Tod presented a slide on Development workload showing 2021 looks robust. We don't see a slowdown. Once we onboard the 10 vacancies, we will look at workload and performance-based staffing so we can get ahead of the curve instead of behind the curve like we are today.
- Jacob Cox then presented a general overview of the Development Process. The Office of Development Assistance (ODA) conducts an initial application meeting process. This involves a concept meeting where we could literally take a napkin sketch from a mom and pop restaurant who wants to open, or work with a multi 1000 home development in the green field areas of E-470. This is a very beneficial service. We get a lot of kudos from the development community and other jurisdictions on our process. There is no fee for this service. The initial step is the pre application meeting process. Once a project is ready to formally submit, they go through the pre-submittal meeting which ensures we have quality submittals to process the plans more efficiently. Then

we have an electronic review & submittal process as well as computer tracking software. We are transitioning to Acela within the year which will provide efficiencies in our development review process.

- CM Berzins asked how long does it take a developer to get in for the development review, for the pre-app? Jacob responded we're generally 4-6 weeks out right now. We do those meetings every Thursday. We have about 4-5 meetings on the Thursday, which is standard if you look at our workload over the past four years. Most developers that work with us are aware of this review timeline. We also offer library times where for a smaller scale project we're able to review those internally and provide a set of notes. They don't have to go through the pre-app process it's just highly encouraged as it provides a more streamlined process when they come in formally. CM Berzins mentioned a developer she spoke with recently that it took 7 weeks and he was really frustrated. CM Berzins asked if meetings could be longer to help catchup? Jacob responded there are a lot of people involved and we're not really behind. There was no holiday dip this year that we normally see. They are trying to find some efficiencies in the process and be as transparent as possible as early as possible.
- ODA is the first step in the process. The goal is to build relationships with those developers. When the pre-app meeting occurs, it takes 3-6 months to first site plan submittal. During that time the staff is working on the design to make sure it meets code, and conduct early due diligence, etc. to facilitate and resolve issues. We work with each developer based on the context of their project looking at timeline and critical schedule items. Corrections can drive projects into multiple reviews if the corrections are not picked up before plans are re-submitted. What we often see and tell developers is if you need to take an extra week to address comments that's what's going to get them through the development process. We're trying to get back to meeting published time frames. I know councilmember Gruber asked about 3rd party reviewers which I'm seeing them pay immediate dividends with helping the Public Works workload in terms of offloading civil plans to get us back to a more consistent path. Often, we will offer a streamline package review to streamline the process so we can issue grading plans and get them working in the field as soon as possible. Strategizing with developers on case by case basis helps as well. Example of a good development review Project is: For In-N-Out we were the first location in the Denver Metro area to open because we had a good development review process. From pre-application to permit it took about 10 months which includes a gap up front meeting with corporate on

architectural requirements as well as coordination with mall ownership on detention ponds not owned by In-N-Out. Complex coordination for a relatively small project. Built in about 6 months. Example of a project that went well through the development process.

- CM Gruber stated as council members we are the people called when things are not going well. Do we have feedback from the development community? Are they allowed to make comments without retribution? Jacob responded yes we want to hear complaints and we want to fix issues. If they are not meeting code requirements or not turning in quality submittals, we'll have that conversation. We have the Joint Task Force to get feedback on the development review process. CM Gruber noted that the feedback council members are getting may not be the same feedback ODA is getting. Do we have a process for anonymous, honest feedback to allow us to modify our processes? We've introduced a feedback tracker for the development community to add their feedback based on their projects. It can be anonymous. Jason Batchelor responded that we are taking feedback from the task force and translating it to the tracker. ODA deals with the issues on a project by project basis. We're happy to talk to anyone coming directly to council.
- CM Gruber said he is concerned that other council members are getting calls as well and is thinking we should use development funds to hire an outside organization that query and get anonymous feedback, so the developers are not penalized. For the time being I'll let that stand. CM Berzins responded, I was going to suggest the same. Joint task force is great but it's not everyone. I would agree that I'd like us to move forward. Have someone make phone calls to the developers anonymously to give us their feedback or send them something they can send back. Jason responded as Tod mentioned we did that as part of the Bohannon Huston study we did last year. Periodic customer feedback is very important as we move forward in process improvement.

We will take that under advisement and get back to you. We will go back to Bohannon to get that customer outreach piece. CM Berzins asked, they will know by next meeting, April? Jason responded yes; we can give you an update. CM Berzins stated, a huge problem I'm hearing is drainage review issues which I think that falls under that 48% and also the late mark ups. It's coming from numerous developers. CM Gruber asked if we could go back to page 16 of the presentation regarding the 48%. Bottom line 48% is a failure, we are doing bad.

Cost to development community is increasing, timelines are extending and the cost to the end consumer have gone up significantly. I looked at the participants and don't see Jim Twombly on here. As a councilmember we are responsible for monitoring & ensuring the city is taking action. This is an "all hands-on deck problem". This is "we need to solve it as fast as possible". I'd like this to come back to the committee next month with the specific action items of what the city is doing to fix this. It affects the city and supporting projects. Who will address the 48% and the "get well plan"? Tod responded we will work on a strategy. I will work with Public Works, as well as Jacob, Cindy and Victor to have them put together a presentation and build a get well program in April. CM Gruber responded he is looking forward to having a solution briefing and asked CM Berzins if we could add that to our agenda next month. CM Berzins stated, it comes from the top. I understand you are the messengers. We need to figure it out and solve it. We want to be the best in the metro area. Brad Pierce asked where do Oil & Gas applications fall in the timelines we saw earlier? Jacob indicated he will get something to Mr. Pierce. CM Berzins stated, Kudos to the inspection's folks with 124,000 inspections. Tod will pass that on to Scott.

3.b Retail Development Update

Summary of Issue and Discussion:

- Bob Oliva provided a presentation updated from last year's Retail Update.

He started with a discussion of sales tax collections, comparing how Aurora fared compared to other municipalities along the front range. We came in 3rd place with the most sales tax (up 5.9%) overall. Retailers were analyzed by type. Home Improvement did fantastic. On average people working from home spent \$504 per person for home office improvements which explained the spike in revenues from August to November. Discount with Grocery is also doing great. Discount stores without grocery did not fare as well – these folks (such as Big Lots) were down. Grocery only, everyone thought they would do better, but the one stop shop offered by the Discount with Grocery (i.e., Target) hurt the grocery-only retailers. General Merchandise stores are not looking good. We saw the biggest shake up in May. Apparel shut down, but some had online presence and Apparel is coming back. We expect apparel to increase significantly. Now for restaurants - Fast food did great. They're quick, touchless which makes them set up for a pandemic. Fast food may drop a bit however, as people go back to fast casual dining. Fast Casual/QSR (i.e., Qdoba's, Chipotle, etc.) offer better fast food. As people were coming out of the shutdown QSR's could offer online; and they did better in summer. They are coming back as fast food is dropping. Sit down was dismal. A lot of mom & pops. No outside seating. Not having Christmas party's

in December was devastating. Fine dining, however, is celebratory. When people want to celebrate, they go to a nicer place. October was a good month for Fine dining, they dipped again over the holidays with the 2nd wave, but in January everyone went back to fine dining. The biggest savior of Aurora sales taxes was the Online sales. We started getting the online sales tax dollars about halfway through the year when the new online facilitator ordinance went into effect. This was a game changer and saved our tax collection. That's Amazon must collect sales tax and pay it for the smaller sellers it represents. When that kicked in in August a 360% increase happened. CM Gruber would like to give a shout out to Trevor Vaughn & Terri Velasquez for bringing the marketplace facilitator ordinance to the Management and Finance committee so council could vote on it. That was huge and we owe them a debt of thanks. Bob responded yes, this was a game changer and truly saved our tax collection. Bob continued with Retail Trends. In November and December everything was trending down, but now we can see 4 out of 6 categories trending up. So, everything is looking brighter. Restaurants are trending the same way, turning up now. Everyone is trending back towards the mean.

Next Bob discussed Vacancy Stats CM Lawson asked to add this. First statistics we were just using is from Trevor and we have the raw data. The vacancy stats are from costar, which is the industry standard, we do not have the raw data. Look at the vacancy rate. Last quarter was 16.1 % now at 22.2%. Most agreements include a clause if occupancy drops below 80% it causes what they call covenant triggers which cause the owner to refinance or sell. We will see a lot of turnover in the smaller retailers. Bigger developments will be okay. Vacancy Rates don't take into account bankruptcies.

- CM Lawson asked in Ward V this area seems like it's being forgotten and a lot more vacancies. Cornerstar is thriving on the Target side but then on the Office Depot side a lot of that has been vacant for a long time. Some are going other places. Bob responded Cornerstar is unique. They were not able to get the top tier of stores as those stores went to locations like Southlands. So, they got the 2nd Most of those were junior anchor spaces and were able to go online. Someone like Whole Foods would have it in their lease that if it drops below occupancy and they have an opportunity to move somewhere else then that's what they do. Exclusives play a part with top tiers. CM Lawson asked if the city could help businesses with leasing agreements. Are there any programs or can the city help with the leasing piece? They're vibrant places they always struggle. Bob responded I can get to leasing. There are things that happen like Market shares. When you have roads like E-470 popping developers grab the good corners which creates a market share. Some

centers get left behind and do go vacant which makes them right for redevelopment. We are over retail in the country and in Aurora significantly. The City doesn't have a seat at the Leasing table. The developer has people calling people every day. If we're not the landlord or have city. They look for us to incentivize them. Could we have our own leasing team, maybe, but we'd be stepping on brokerage teams. Bob wrapped it up if you are going to buy something from a store not in Aurora buy from it online so Aurora will receive the sales tax. CM Berzins noted that we want to support the local merchants. Bob added, please shop at the Aurora brick and mortar stores, local merchants.

4. Miscellaneous Matters for Consideration

4.a Aurora Economic Development Council

4.b Havana Business Improvement District

- Chance Horiuchi provided an update:

Annual audit is final and will be submitted shortly after the board reviews it. Regarding COVID-19's report and recovery we are doing & promoting workshops and training. We are working with over 15 different partners, City of Aurora, City Council, NAACP, SBDC, to host more equity vaccine clinics at the Stampede. The 2nd dose clinic is on March 27th at the Stampede. Haven't announced it yet as we are confirming with CDHPE on dose quantities. Hosting the 2nd round April 3rd & May 6th at the Stampede, both are Saturdays. Register by April 3rd. We're hoping we can get more businesses and the diverse community to sign up. We have new commercials. A lot of events for On Havana Street. It's small business month on the corridor. We have a \$500 give away. Four businesses remain closed by choice, 19 permanent closures as of yesterday. Construction is still on-going at Argenta. Schomp, Mazda & Stevenson Toyota are under redevelopment.

4.c Aurora Chamber of Commerce

4.d Planning Commission

Denis Lyon has no report for this PED meeting.

4.e Oil and Gas Committee

Brad stated that there was no report but would have one in April.

4.f Business Advisory Board

Elena Vasconez gave a brief overview of work being done by the Business Advisory Board. Working on updates to the fire code with the Aurora Fire Department will start to discuss residential fire systems. BAB awards are scheduled for April 29 at 6:00 Channel 8 will be hosting. There are four winners. Next BAB meeting we will be holding elections for Chair and Vice-Chair.

4.g Retail

4.h AER and Small Business

Marcia McGilley provided a list of brief updates, starting with the Advanced Colorado Procurement Expo is a virtual event on April 20th from 9-10am the City of Aurora through AURA is the co-presenter of the event. Mayor Coffman will give the Welcome since we are a presenter and there will be a slide show on the procurement process with City of Aurora. We will let you know when registration is open. Two new programs the first is the Leading-Edge business plan program April 29. English course had eight participants. Spanish language program had seven. Marcia discussed the Connect-to-DOT program. Transportation and Construction program at CDOT. There are 38 participants registered for the series that starts today. Offering one on one consulting now to make sure all citizen request are filled.

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Andrea Amonick has no report for this PED meeting.

Businesses that did not receive compensation can be entered into new programs as they become available.

4.i Visit Aurora

Bruce Dalton has no report for this PED meeting.

5. Confirm Next Meeting Date

Next meeting date: April 14, 2021 at 8:30 a.m. Teleconference meeting.

6. Adjournment

Marsha Berzins, Chair



CITY OF AURORA

Council Agenda Commentary

Item Title: Solutions to Improving Public Works -Engineering Development Review Performance Metrics
Item Initiator: Victor Rachael, Deputy Director Public Works Engineering
Staff Source/Legal Source: Cindy Colip, Public Works Director/Victor Rachael, Deputy Director Public Works Engineering
Outside Speaker: N/A
Council Goal: 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated.

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: N/A

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
 - Information Only
 - Approve Item and Move Forward to Regular Meeting
 - Approve Item as proposed at Regular Meeting
 - Approve Item with Waiver of Reconsideration
- Why is a waiver needed?[Click or tap here to enter text.](#)

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning & Economic Development

Policy Committee Date: 3/10/2021

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
 - Does Not Recommend Approval
 - Forwarded Without Recommendation
 - Recommendation Report Attached
 - Minutes Attached
 - Minutes Not Available
-

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

As part of the general business agenda of the March 10, 2021 meeting, Item 3a, 2020 Development Review Annual Report and Development Process Update, an overview of various departments on time review performance was discussed. The Public Works – Engineering were very far below the performance metric goals. PED Committee requested follow-up and additional discussion specifically around Public Works Development Review and solutions for improvement.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

Public Works will provide an update on immediate and future performance enhancements, provide current performance metric measures for 2021 and a brief overview on the overall development review process.

QUESTIONS FOR COUNCIL

N/A – this item is informational only

LEGAL COMMENTS

N/A – this item is informational only

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: N/A

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

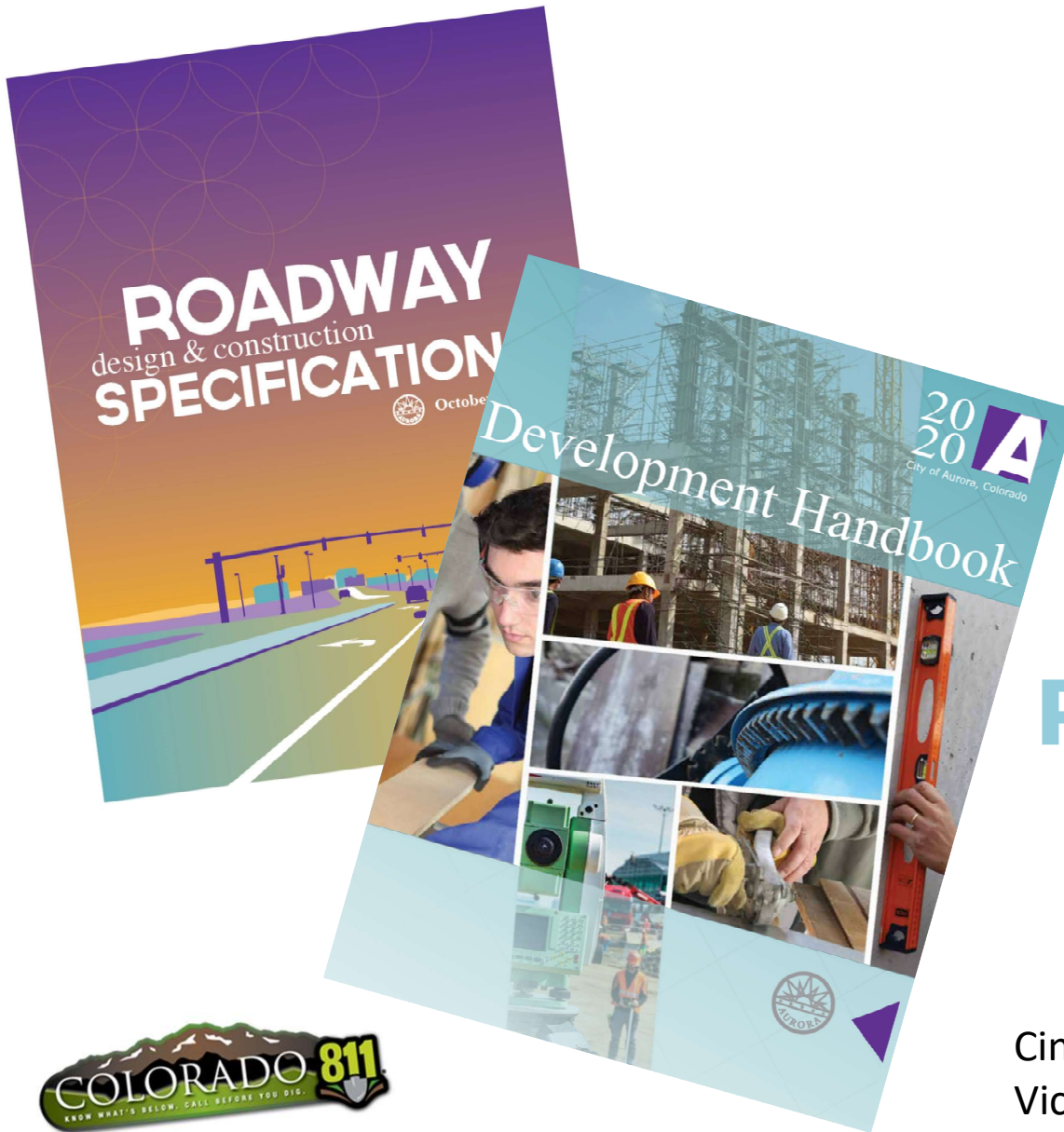
If Significant or Nominal, explain: N/A

City of Aurora



Public Works

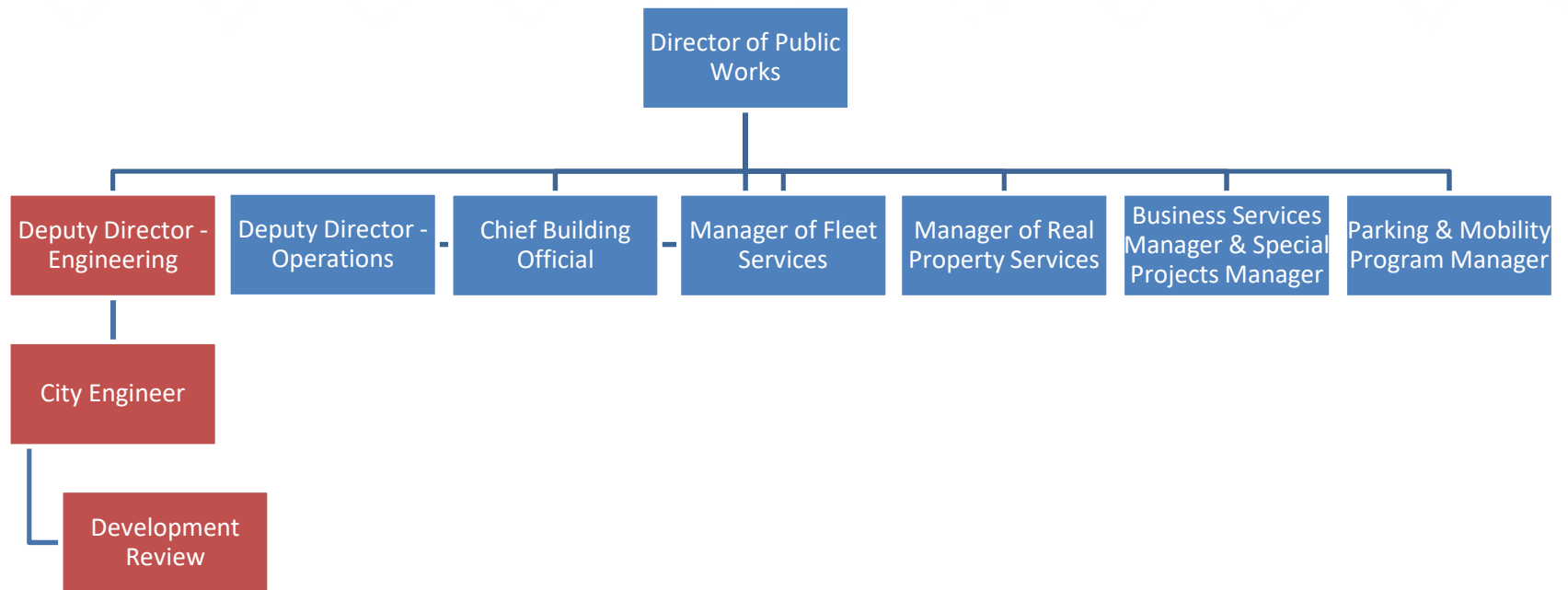
Cindy Colip, Director Public Works
Victor Rachael, Deputy Director,
Public Works



Public Works

Our Mission Statement

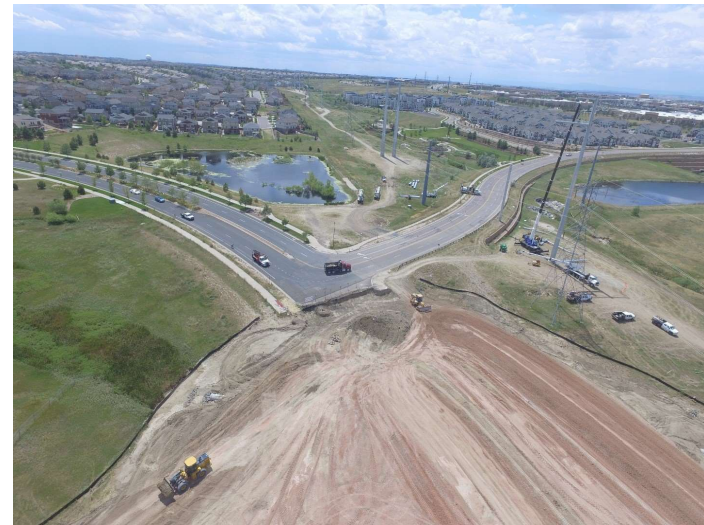
The mission of the Public Works Department is to effectively promote and maintain a high level of economic welfare and quality of life in Aurora through the planning, design, construction, inspection, review, approval and maintenance of Aurora's transportation and drainage infrastructure.



Public Works Engineering

Public Works Engineering Development Review Team Scope Includes:

- Participation in the Pre-Application Meeting at the start of a development project
- Coordination with external / adjacent municipalities, utilities, and authorities
 - Arapahoe and Adams County
 - CDOT
 - Mile High Flood District
 - Southeast Metro Stormwater Authority (SEMSWA)
 - Xcel, Century Link, etc.
 - PUC
 - DEN / Front Range Airport
 - FEMA
- Site plans
- Civil Plans
- Drainage Reports
- Lighting plans
- Structural Reviews
- Traffic Signals and Striping



Development Review Work Flow

1. **Pre-App Meeting:** Development team meets with City Staff to discuss project and go over requirements
2. **Master Plans (DA):** Overall plan for large scale development. Sets up infrastructure requirements, timing, and defines planning areas.
3. **Site Plans (DA):** Development plan & requirements for specific planning areas
 - Preliminary Drainage review – sets the stage for the entire engineering layout (utilities, grading, and geometric) and external tie in points.
 - Complex and/or large sites will require additional resources and time to set the project up for success (i.e. Transport)
4. **Civil Plans (CDs):** Detailed site design including transportation, grading and drainage
5. **Building Plans:** Details for vertical construction and associated elements

From the development handbook:



Challenges & Opportunities

Performance

- 2020 On Time Performance -> 48%
 - Within 5 days of review deadline -> 62%

Goal and Mission -> Be Predictable while ensuring engineering standards and code compliance

- Predictability
- Consistency
- Collaborative External Agency Referrals
- Communication among internal departments
- Meeting our metrics

Challenges

- Complex sites
- Large submittal sets (Handbook lists 80 sheets, and we're seeing plan sets with over 200 sheets)
- Request for variances from codes/standards and from process

Issues

- Meeting metrics
- Managing increase in workload
- Delayed on returning civil plan & drainage submittals
- New comments on civil plan & drainage at later submittals or Signature Set

Next Steps to Address Issues and Meet our Goals...



Focus on Performance

Short-Term – Address Workload & External Resources

(Completed / Immediate – 1 month)

- Bohannon Huston Inc. and HR Green hired as consultants / extension of staff to assist with reviews
 - Consultants work directly with staff and supervisors
 - Teams intricately familiar with City standards & processes
 - Assist in reviewing all facets of development review for Public Works
 - Reviews completed since start of contract (Dec 2020 – March 2021): 49
 - On Time Performance in March -> 71%
 - Within 5 days of review deadline -> 84%

Bohannon  **Huston**


HRGreen



Focus on Performance

Short-Term – Address Workload & Internal Staff Resources

- City Staffing
 - Re-Org
 - 1 additional supervisor added to allow for earlier management engagement in reviews (Plan review triangle)
 - Hiring and on-boarding
 - 2 new review City staff added to the Public Works Development Review Team in March / April.
 - Balancing structure and workload with additional and improved supervision
- City Staffing
 - 2021 On Time performance year to date -> 69%
 - Within 5 days of review deadline -> 81%



Focus on Performance

Short Term and Continued – Enhanced Work Flow

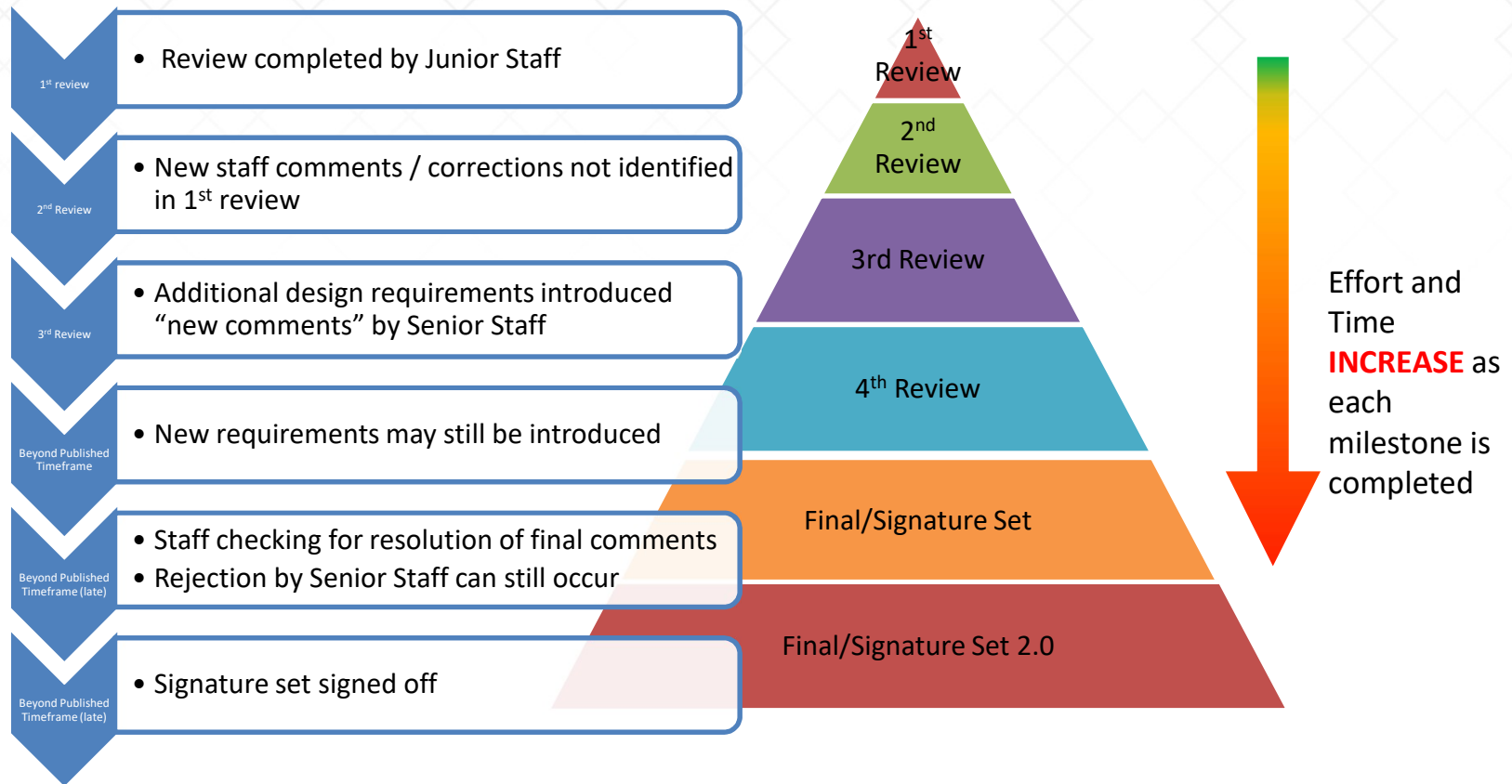
Balancing structure and workload with additional and improved supervision

1. **Pre-App Meeting:** Development team meets with City Staff to discuss project and go over requirements
2. **Master plan / Site Plan (DA):** Overall development plan & requirements
3. **Civil Plans (CDs):** Detailed site design including transportation, grading and drainage
Review Comments Quality Checked by Senior Level Staff at all submittals (First, Second...)
4. **Building Plans:** Details for vertical construction and associated elements



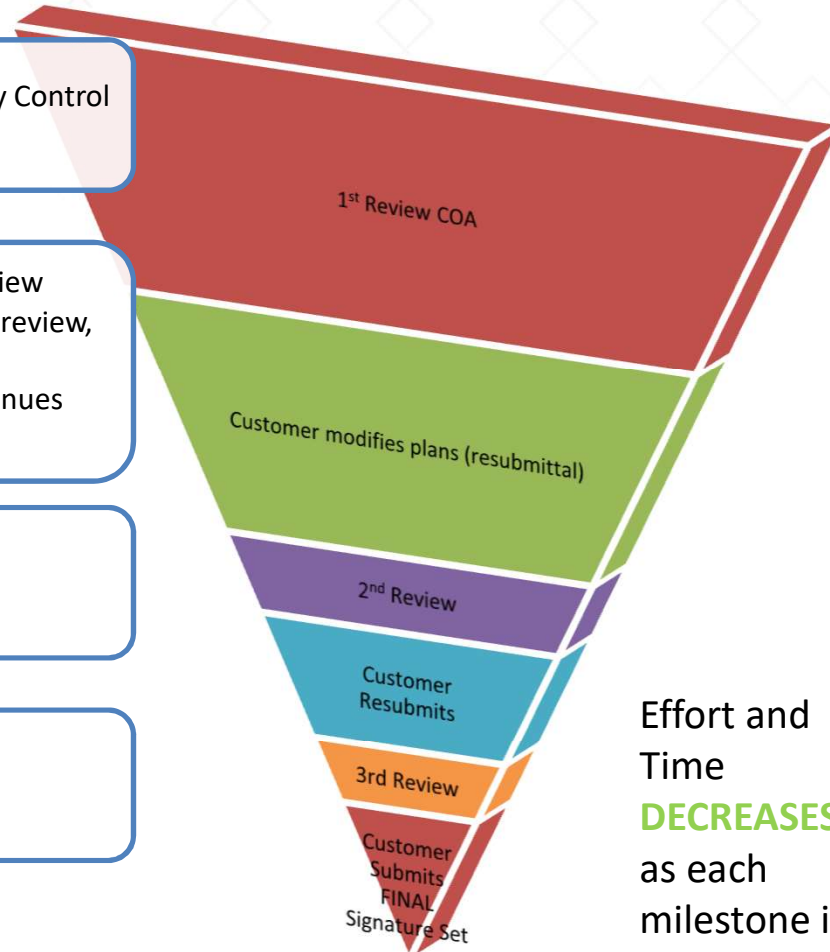
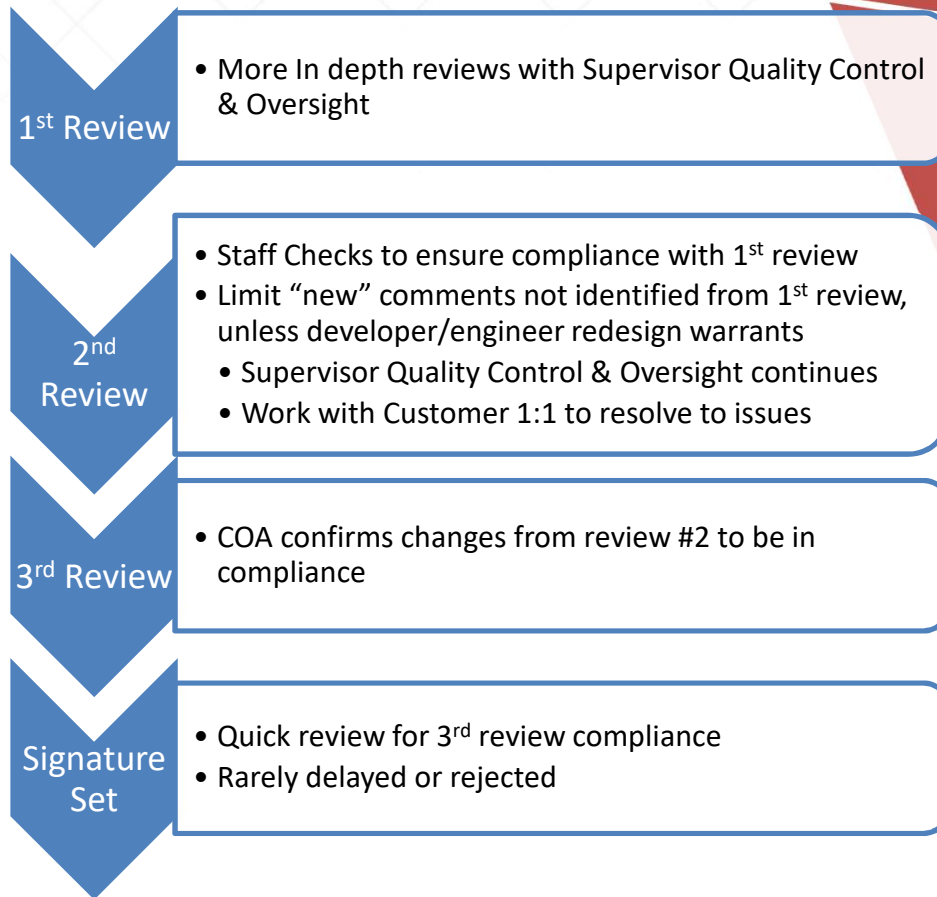
Focus on Performance

Plan Review Past State



Focus on Performance

Plan Review Goal / Customer Expectations



Effort and Time **DECREASES** as each milestone is completed



Focus on Performance

Mid Term and Continued

- On going management of the Department
 - Data – weekly, monthly, and quarterly reviews of on time performance
 - Continue ‘On the Job’ training program
- Update Manuals and Code
 - Roadway Design and Specification Manual (2016) & Drainage Manual (2010)
 - In process to update in this year
 - Align with all City codes “Holistically”
- Staffing
 - Organizational Structure of the Public Works
 - Continued evaluation with new supervisor position and consultants / extension of staff
 - Performance based staffing
 - Use market trends and leading indicators to evaluate current and future workload vs required FTEs and Consultant support we will need to meet 95% performance metric



Focus on Performance

Long(er) Term

- Identify and implement workflow efficiencies for Accela
- Review the published timelines and work with the development industry for possible future refinements
- Use leading indicators for estimating future workload / workflow
 - Pre-Applications
 - Planning Development Applications (DAs)
 - Coordination with Joint Task Force developer concerns as a regular agenda item
- Streamline processes by reviewing & updating resources such as check lists, FAQs, and other integral work tools





Questions?





CITY OF AURORA

Council Agenda Commentary

Item Title: FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 146-4.7.9.D.2 TO THE CITY CODE AND AMENDING SECTIONS 146-4.7.9.E.1, AND 146-6.2 OF THE CITY CODE PERTAINING TO BATTERY- CHARGED FENCES

Item Initiator: Karen Hancock, Principal Planner

Staff Source/Legal Source: Dan Money, Senior Assistant City Attorney/Tim Joyce, Assistant City Attorney

Outside Speaker: Representatives of AMAROK have requested to speak regarding this item

Council Goal: 2012: 5.0--Be a great place to locate, expand and operate a business and provide for well-planned growth and development

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: N/A

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Approve Item with Waiver of Reconsideration
- Information Only

Why is a waiver needed? [Click or tap here to enter text.](#)

PREVIOUS ACTIONS OR REVIEWS:

N

Policy Committee Name: N/A

Policy Committee Date: N/A

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Forwarded Without Recommendation
- Minutes Attached
- Does Not Recommend Approval
- Recommendation Report Attached
- Minutes Not Available

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Council Member Gardner requested that the proposed Battery-Charged Fence Ordinance be added to the April Planning and Economic Development policy committee meeting.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

This item proposes to add a new subsection, 146-4.7.9.D.2, titled Battery-Charged Fences, that includes provisions for when and where energized fencing may be used, including height, setback and signage requirements. Electrically charged fences are currently prohibited in the Unified Development Code (UDO), and language would be added to this subsection to clarify that Battery-Charged Fences are excepted from the prohibition.

Language would also be added to section 146-5.4.3.H stating that a fence permit is not required for use of a Battery-Charged Fence and to section 146-6.2, Definitions, providing a legal definition for Battery-Charged Fence, as shown in the attached draft ordinance.

Attachments include the draft ordinance, a staff presentation, and a presentation and additional information regarding Amarok’s solar powered electric charged fence interface.

QUESTIONS FOR COUNCIL

Does the Committee wish to forward this item to Study Session for review by the full Council?

LEGAL COMMENTS

Council has the power to make and publish from time to time ordinances not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the state constitution, statute or city Charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and the inhabitants thereof. (C.R.S. § 31-15-103 and City Code § 2-32) (TJoyce)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain: Type Text Here

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain: Type Text Here

ORDINANCE NO. 2021-_____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 146-4.7.9.D.2 TO THE CITY CODE AND AMENDING SECTIONS 146-4.7.9.E.1, AND 146-6.2 OF THE CITY CODE PERTAINING TO BATTERY-CHARGED FENCES

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The City Code of the City of Aurora, Colorado, is hereby amended to enact a section, to be numbered 146-4.7.9.D.2, which section read as follows:

Sec. 146-4.7.9. Fence and Wall Regulations

(D) Permitted Fence and Wall Materials

(2) Battery-Charged Fences meeting the following requirements are permitted in the City:

- (a) The installation and operation of the fence shall comply with the International Electrotechnical Commission Standard 60335-2-76, as amended;**
- (b) Interfaces with an alarm system, which complies with the requirements of Article II of Chapter 58 of the City Code, which alarm system is designed or used for the detection of unauthorized entry into an enclosed area and alerts the business and law enforcement to respond to an intrusion or burglary;**
- (c) Is located on property in mixed-use zoned districts, or special purpose districts;**
- (d) Has an energizer that is powered by a commercial storage battery that is not more than twelve (12) volts of direct current;**
- (e) Has an energizer that meets the standards set forth by the International Electrotechnical Commission Standard 60335-2-76, as amended;**
- (f) Is surrounded by a non-electrical perimeter fence or wall that is not less than five (5) feet in height;**
- (g) Is not more than the higher of:
 - (i) Nine (9) feet in height; or**
 - (ii) Two (2) feet higher than the height of the non-electrical perimeter fence or wall; and****
- (h) Is marked with conspicuous warning signs that are located on the Battery-Charged Fence at not more than 10 meters or 32.8-foot intervals and the reads:
“WARNING – ELECTRIC SECURITY FENCE”.**

Section 2. The City Code of the City of Aurora, Colorado, is hereby amended by adding to section 146-4.7.9.E.1, which section shall read as follows:

Sec. 146-4.7.9. Fence and Wall Regulations
E. Prohibited Fences, Walls, and Materials

The following types of fences, hedges, and materials are prohibited and cannot be erected:

1. Electrically charged fences, **except for Battery-Charged Fences, as described in section 146-4.7.9.D.2.**

Section 3. The City Code of the City of Aurora, Colorado, is hereby amended to add the following a definition to section 146-6.2, which definition shall read as follows:

Sec. 146-6.2. Definitions and Terms of Measurement

***Battery-Charged Fence* means a new or existing alarm system and ancillary components or equipment attached to such a system, including but not limited to, a fence, a battery-operated energizer which is intended to periodically deliver voltage impulses to the fence connected to it; and a battery charging device used exclusively to charge the battery.**

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed

Section 6. Pursuant to Section 5-5 of the Charter of the city of Aurora, Colorado, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2021.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of _____, 2021.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

 RLA

TIM JOYCE, Assistant City Attorney



Battery Charged Fence Ordinance

**Planning and Economic Development
City Council Committee**

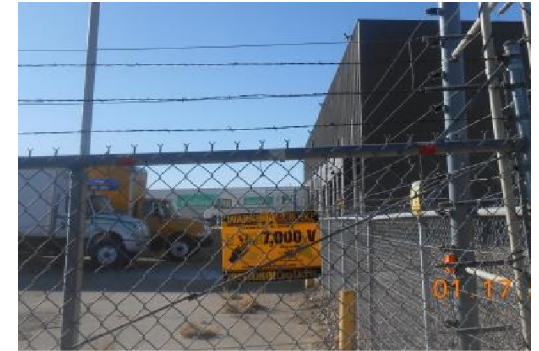
April 14, 2021



Battery Charged Fence Ordinance

Code Enforcement History

- 14000 E Moncrieff Pl. - 12/23/2019- UniFirst Uniform Services - Complaint received: "I believe they have an electric fence and they are not allowed in the city".



- 14896 E 38th Ave.- 2-18-2020 – Marijuana Facility. Electric fence observed when officer was doing proactive enforcement.
- Enforcement action currently on-hold.
- Both properties zoned I-1.



Battery Charged Fence Ordinance

UDO Section 146-4.7.9.E. Prohibited Fences, Walls, and Materials

The following types of fences, hedges, and materials are prohibited and cannot be erected:

1. **Electrically charged fences.**
2. Any sharp pointed fence of any material erected or maintained in Residential districts. Picket fences less than six feet six inches in height shall have the top of pickets sawed or rounded to provide a blunt end.
3. Barbed wire fences, except in Special Purpose districts, construction sites, and for enclosing a public or private utility installation. See Section 146-4.7.9.F.2 for time and placement limitations on these exceptions.
4. Any fence using concertina wire or similar materials except that government facilities may be exempt if approved by the Planning Director based on security needs.
5. Fences constructed of chicken wire, corrugated metal, fabric materials, fiberboard, garage door panels, plywood, snow fencing, agricultural, rope, and miscellaneous materials not commonly associated with residential fences.



Battery Charged Fence Ordinance

Staff Concerns:

Planning and Development Services

- Draft ordinance would permit battery charged fences in all mixed-use zoning districts which allow a variety of residential and commercial uses.
 - Southlands – MU-R
 - Gaylord/High Point – MU-A
 - Anschutz Campus – MU-OI
 - Hyatt Hotel – MU-FB
- If permitted, battery charged fences should be limited to Industrial zone districts (I-1 and I-2) and limited to where chain-link fences are permitted which is typically back of house as opposed to along major street corridors.



Battery Charged Fence Ordinance

Staff Concerns: Planning and Development Services

- Draft ordinance would permit a battery charged fence to be 2 feet higher than currently permitted (up to 11').
- The aesthetics and materials of installed fences is contrary to current fence regulations.





Battery Charged Fence Ordinance

Staff Concerns:

Housing and Community Services

- Visual and aesthetic impacts to area along public right-of-way.
- Maintenance issues in the area between the 2 fences.
- Officer and public safety.



Battery Charged Fence Ordinance

Staff Concerns:

Public Works Department - Life-Safety

- Draft ordinance references standards of the International Electrotechnical Commission which is not an adopted standard of the city.
- Concern regarding access to sites by emergency responders.



Battery Charged Fence Ordinance

Staff Concerns:

Aurora Fire Department

- Concern regarding access to sites by emergency responders and potential time delay in fire mitigation efforts.
- Need for predictable gating mechanisms for vehicles and pedestrian.
- Process for deenergizing electrified fencing prior to entry and appropriate verification notice.
- Safety concerns for fire personnel.



Battery Charged Fence Ordinance

Staff Concerns:

Aurora Police Department

- Concern regarding the potential safety impacts to officers and the public.
- Potential for these fences to be used in mixed use areas where there is the most routine activity occurring.
- Shut off devices (how can a responding officer quickly de-energize the fence?).
- Additional Signage.



Battery Charged Fence Ordinance

Other Metro Area City Standards

City	Electric Fence Allowed?	Additional Information
Commerce City	Treat low voltage systems as fence permit	CRS Statute 2019, Title 12, Article 115 excludes listed appliances and security systems under 50 volts
Denver	Y	In Industrial districts subject Fire Official approval. See attached policy.
Lakewood	N	
Parker	N	
Thornton	N	
Westminster	N	



Battery Charged Fence Ordinance

Denver Fire Policy for Electric Fences:

ELECTRIC FENCES

- **Electrified fences.** Electrified fences may be permitted by specific approval of the *fire code official*. Only fences powered by a 12- volt direct current (DC) power source shall be considered. The following shall be required for approval of an electrified fence.
- **A.** Provision for approved shutdown of fence power for emergency access. Property owner and fence manufacturer 24-hour contact information shall be provided in an approved location for emergency access.
- **B.** Procedures for facility inspection shall be developed and maintained on-site.
- **C.** Specific approval by a Nationally Recognized Testing Laboratory (NRTL) for the use of the equipment under the relevant codes and standards and for the application of use at a specified location.
- **D.** Provisions for fire drills and evacuation plan procedure, as applicable.
- **E. Installer certification issued by fence manufacturer.**
- **F.** Lease agreement with equipment manufacturer to include equipment maintenance plan and associated services
- **G.** Electric fence shall be located within the perimeter of a non-electrified fence not less than six feet tall.
- **H.** Electric fence and all associated operational components shall remain the property of the manufacturer and be maintained by same or manufacturer approved contractor.
- **I.** Property and fence manufacturer shall maintain liability insurance of at least one million dollars (\$1,000,000) for accident or personal injury as a result of the fence
- **J.** Upon transfer of property, new ownership shall agree to conditions for use of the electric fence and obtain a permit from the Fire Department.
- **K.** Upon cancellation/termination of the equipment lease, all electric fence components shall be removed, and the Fire Department notified.
- **L.** All equipment shall be installed in accordance with the manufacturer's installation instructions and appropriate equipment listings. There shall be **NO EXCEPTIONS** to this requirement.
- **M.** Warning signage shall be posted in accordance with manufacturer's recommendations, with not more than 150-feet of distance between signs.
- **N. Height of the electric fence shall not exceed 10 feet.**
- **O.** Annual inspection of security fence system shall be conducted by Fire Prevention personnel.



Battery Charged Fence Ordinance

Denver Fire Policy for Electric Fences (cont.):

Shop drawing submittal

- Two copies of installation shop drawings shall be provided to the department for review and approval prior to any electric fence installation. Information shall include:
 - **A.** Property owner name, address and signed authorization for installation and stated compliance with this policy.
 - **B.** Manufacturer name of the fence, contractor information installing the fence and contractor installation certification
 - **C. Property address and business function**
 - **D. Equipment cut sheets, and project specifications**
 - **E.** Installation drawings of fence location on property, property lines and streets and/or public alleys.
 - **F. Site access points**
- **IV. PERMITS**
- Upon approval of a Barb-Wire or Electric Fence Permit, a Denver Fire Department Fire Prevention Inspector will conduct a field inspection of the site. Compliance with **all** Fire Code requirements shall be maintained at all times. Permits shall be kept on site and posted. A permit is valid for the business/property owner, time frame, and site address indicated on the permit.
 - **A. Revocation** - A permit may be revoked if:
 - **1. Any of the conditions or limitations set forth in the permit have been violated.**
 - **2.** Compliance with written orders has not been achieved.
 - **3.** False statements or misrepresentations of information provided in the permit application are discovered.
 - **4.** The permit is issued in error or in violation of a City ordinance, or a Fire Code violation exists.
 - **B. Annual Permits**
 - **1.** Annual permits shall be issued upon approval, issuance, and final inspections of required construction fire permits.
 - **2.** An annual permit shall be obtained from the Denver Fire Department's Fire Prevention Division for Barbwire Electrical Fences as defined in the scope.
- **C. PERMIT COST**
 - 1. See Permit Fee Table at www.denvergov.org/Fire for current fees.



Battery Charged Fence Ordinance

Questions?



AMAROK

ULTIMATE PERIMETER SECURITY

**Monitored Perimeter
Security Alarm System**

City of Aurora



A LEADER IN PERIMETER SECURITY SOLUTIONS

#1 in the U.S. since 1991

4,000+ Installations – 1,200+ Jurisdictions – 48 States

36 Installations in Colorado

Protection of outdoor assets located on commercial, manufacturing and industrial sites.

1. Deter (Before Trespass)
2. Defend (Trespass Initiated)
3. Detect (Know What's Happening)
4. Deploy (Response)





OUR CUSTOMERS

- RV Sales and Repairs
- Trucking & Logistics
- Distribution
- Metal Recycling
- Collision & Automotive Repair
- Auto Parts & Dismantlers
- Equipment Rental
- Truck Sales & Service





MEMBERS AND CONTRIBUTORS TO AURORA



Councilmembers of Aurora,

I am writing to request your support of monitored, perimeter alarm security systems as proposed by AMAROK.

Bud Fox Enterprises LLC aka Bud Fox Supply Company has been in the Cannabis space since 2017. We are the first greenhouse in Aurora and have always enjoyed our relationship with the Aurora MED along with the city of Aurora.

- We purchased the land, roughly 2.5 acres and custom built our greenhouse for the cultivation of cannabis. Currently we employ roughly 25 employees.
- Our involvement with Amarok then Electric Guard Dog first came about from speaking with another Aurora company who had breakins, thefts and vandalism prior to installing EGD. They had mentioned after the install they have not had any problems. So, we decided to install and follow their lead.
- With the installation of the 100% solar fencing system from Amarok we have had zero instances or attempts of breakins, thefts or vandalism. The employees have mentioned to me many times they also feel safe and secure parking and moving about the property knowing the security of the fence brings them and their valuables, day and night.
- Our neighbors mentioned several months ago that they had a car stolen off their property and might install a fence as well if allowed to.

Bud Fox is voicing our support for Amarok's perimeter security system around our entire facility, where we store and operate millions of dollars worth of product, machinery and obviously personnel. We know the AMAROK perimeter security system is the most effective way of preventing criminal trespass and theft from our property. In addition, these security systems are preferred given the ease of installation, operation, discreteness and safety plus the earth friendly solar power system.

We would like you to declare the device a perimeter alarm or security system and allow the immediate use and further installation to prevent any loss of equipment or property, and more importantly before anyone is seriously harmed due to criminal acts associated with trespass and theft.

Kind regards,

Stu Hinton
General Manager
Bud Fox Enterprises LLC.
970-331-1907
stu@budfoxsupply.com





THE PROBLEM: EXISTING SECURITY MEASURES FAIL



Cameras record but do not prevent crime

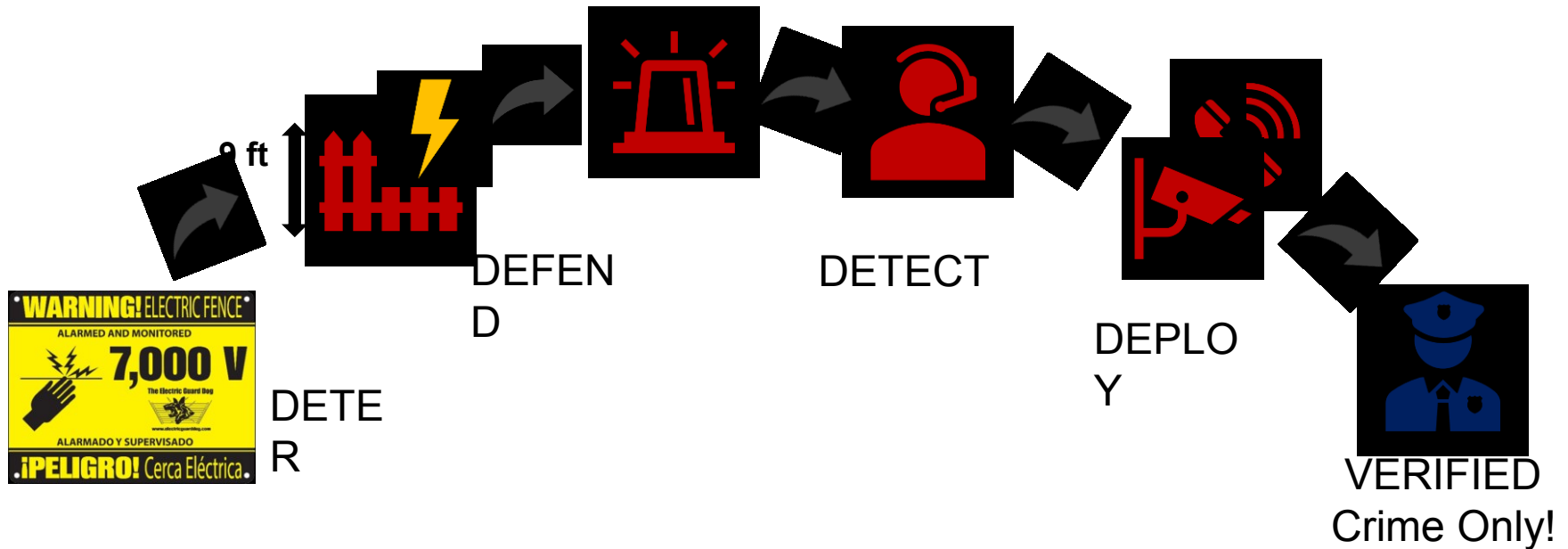
AMAROK Proprietary & Confidential. All rights reserved.





AMAROK PREVENTS CRIME

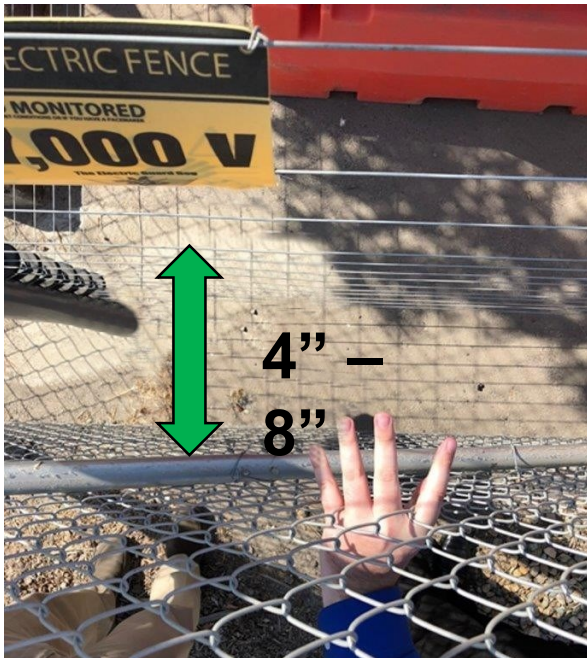
Proactive + Reactive Alarm System to Prevent Crime





AMAROK PREVENTS CRIME

How the Electrified Security Fence Works



- Electrified Security Fence Installed 4 to 8 inches **Inside the Perimeter Barrier**
- **Only Activated Outside Business Hours**
- DC Powered
- Pulse Electricity Every **1.3 Seconds** (Loop)
- Duration of **0.0003 Seconds**, and equivalent to a static shock

**MEDICALLY
SAFE**

If someone touches our system, they are trespassing!





AMAROK'S PRODUCT IS SAFE

THE NATION'S FOREMOST EXPERTS' STUDIES* SHOW:

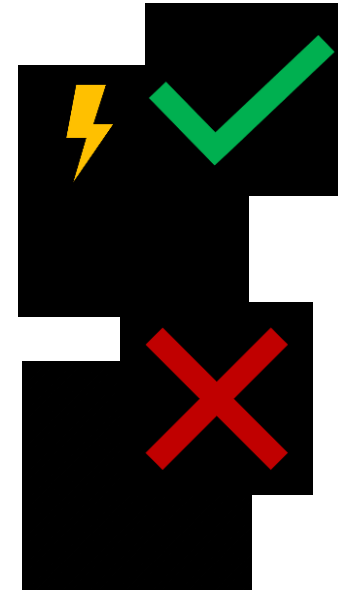
“The pulses emitted from AMAROK’s electric fences, while unpleasant, are not dangerous.”

New quote

Professor Mark Kroll, PhD (*ANSI standards, IEC standards, and ASTM Standards Committee Member*)

SAFE FOR CHILDREN, ANIMALS, PEOPLE WITH PACEMAKERS, AND CANNOT CAUSE FIRES.

*Please see appendix section for detailed information





AMAROK'S PRODUCT IS SAFE

We meet standards set by the International Electrotechnical Commission (IEC 60335-2-76), ASTM (F3296-19), and ANSI/CPLSO (60335-2-76).



<h2>Certificate</h2>		
Certificate no. T 72202389 01		
License Holder: Amarok LLC 550 Assembly St., 5th Fl Columbia SC 29201 USA	Manufacturing Plant: Electric Guard Dog LLC 550 Assembly St., 5th Fl COLUMBIA SC 29201 USA	
Test report no.: USA-TN 31980892 002	Client Reference: Carol Bausinger	
Tested to: EN 60335-1:2012+A11+A13 EN 60335-2-76:2005+A1+A2 ASTM F3296-19		
Certified Product: Electric Fence Perimeter Control System		License Fee - Units
Model Designation: 1) TUV-EP System consisting of TUV20ACS Charging System with other supporting cabinets (see Appendix); 2) TUV-HBC System consisting of TUV50ACS Charging System Cabinet with other supporting cabinets (see Appendix)		7
Rated Voltage: 1) Solar: DC 100V; Charging: DC 16.5V Rated Current: 1) 20A; 2) 50A Protection Class: I Ingress Protection: IP24 Special Remarks: Solely assessed per the standards above. Replaces Certificate T72193959.		
Appendix: 1, 1-11		7
Licensed Test mark: EN 60335-1 EN 60335-2-76 ASTM F3296 www.tuv.com ID: 0007900009	Date of Issue (day/mo/yr) 11/09/2020	
TUV Rheinland of North America, Inc., 12 Commerce Road, Newtown, CT 06470, Tel (203) 426-6885 Fax (203) 426-4039		





SHORT PULSED, CERTIFIED SAFE ENERGIZER

Electric security fences that satisfy US and International regulations are safe for human beings. These regulations have developed from over 100 years of experience and scientific testing. The pulses are extremely short and thus the brief, high current is not able to affect the heart (electrocute).

The best analogy is to a strong static shock which can be painful but has never injured anyone. Strong static shocks can damage electronics — which responds almost instantly — but the human body is not harmed by such brief shocks.

A strong static shock can have a peak current of 30 A (amperes) but is too short to be dangerous. Note that this is over 2x (twice) the peak current of an electric security fence. The peak current is irrelevant to safety for short shocks.

Why Are AMAROK Electric Security Fences Safe?

Mark W. Kroll, PhD, FACC, FHRS

24 July 2020



AMAROK SECURITY SYSTEM: INTEGRAL COMPONENTS



Alarm Panel, Keypad & Cell Unit



Alarm Monitoring



Visible Signage



Suspended Wires for Intrusion Detection + Deterrence



Battery
(does not exceed 12V DC)



Solar Panel For Recharging Battery



Energizer



Emergency Shutoff



SUSTAINABLE

The system is solely powered by 12-volt DC battery that is recharged by a solar panel, which is **environmentally friendly** as well as effective.

- Great addition to **green strategy**
- Not compromised by power failures
- **Not connected to mains/grid power**





SAFE FOR FIRST RESPONDERS

KNOX switch provides emergency responders with an emergency shut-off to deenergize the fence





AESTHETICS: DESIGN IS VISUALLY TRANSPARENT





AESTHETICS: SUPERIOR DESIGN

AMAROK can also include mesh on the perimeter fence to further appease aesthetics concerns.





LANDSCAPE WELL MAINTAINED

- AMAROK offers landscape maintenance between perimeter fence and EGD
- 4"-8" inch standard separation allows for lawn equipment access
- Most common form of maintenance is herbicide spray





AMAROK IS BENEFICIAL TO AURORA



- Medically SAFE Products



- Keeps Community Safe



- Helpful to the Police

- Reduces Taxpayer Expenditures



- Sustainable

- Aesthetically Pleasing



- Well Maintained



AMAROK

ULTIMATE PERIMETER SECURITY

Monitored Perimeter
Security System

THANK YOU



APPENDIX: INDEPENDENT RESEARCHERS



Mark Kroll, PhD

- Internationally recognized authority on electrical injury
- Author of over 100 published peer-reviewed articles
- Editor of 4 books dealing with electric shocks
- Served on committees for ANSI standards, IEC standards, and ASTM standards
- Member of the International Electrotechnical Commission Committee that sets the fundamental electrical safety limits for the world
- Adjunct Professor of Biomedical Engineering at the University of Minnesota and Cal Poly, San Luis Obispo



Why Are AMAROK Electric Security Fences Safe?

Mark W. Kroll, PhD, FACC, FHRS

24 July 2020

Electric security fences, that satisfy US and International regulations, are safe for human beings. These regulations have developed from over 100 years of experience and scientific testing.^{1,2} The pulses are extremely short and thus the brief, high current is not able to affect the heart (electrocute). The best analogy is to a strong static shock which can be painful but has never injured anyone. Strong static shocks can damage electronics — which responds almost instantly — but the human body is not harmed by such brief shocks. A strong static shock can have a peak current of 30 A (amperes) but is too short to be dangerous.³ Note that this is over 2x (twice) the peak current of an electric security fence.^{4,5} The peak current is irrelevant to safety for short shocks.⁶



Question 1:

I saw on the internet that 0.1 amperes (100 mA) is dangerous and that electric fences can have a peak current of over 10 A. Is that dangerous?

Answer: No. An AC current of over 0.1 A can be dangerous to humans but only if the shock lasts about 1 second or more.⁷ The AMAROK security fence pulse only lasts about 0.0001 seconds, so it is 10,000 times shorter than a danger shock.⁴

Question 2:

But still, that 10 amperes is 100 times as strong as the 100 mA danger level!

Answer: It is misleading to compare a peak current with an average current. Since the AMAROK security fence pulses only occur every 1.3 seconds, the average current is only 0.46 mA. Thus, the *average* current of an electric fence is 200 times less than the danger level. We rate AC currents by RMS (root-mean-square) which functions as an average.

Question 3:

How about wet conditions? How about children and wildlife?

Answer: The US and International Electric Fence Safety Standards assume a worst-case scenario of a barefoot child contacting the fence while standing on wet ground.^{8,9} Historical cases of tragic pediatric fatalities involved continuous AC (alternating current), and not the modern short DC (direct current) pulses satisfying today's safety standards.^{2,10} The same is true for wildlife.¹¹

Question 4:

What if the person has a pacemaker?

Answer: For technical reasons, this does not present a risk. The cardiology literature warns of various dangers for pacemaker patients; the electric fence is not included as a danger.¹²



Battery Powered Alarm Security Fences

Amarok’s solar powered electric charged fence interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal that allows for onsite alarm verification before law enforcement is notified.

- Powered by 12-volt DC battery
- Solar charged – charged and maintained with renewable energy
- Amarok systems are never connected to existing electrical infrastructure
- Amarok security fences are completely encased by non-charged perimeter fencing.
- Always a 4”-8” separation between low voltage battery charged fence and perimeter fence
- Signage every 30 feet and on all gate panels with international symbol for shock.
- Energizer conforms to characteristics dictated by IEC 60335-2-76
- Low voltage battery powered devices are pulsed at a rate of one pulse every 1.3 seconds (approx.)
- Pulsed electricity produces a harmless but startling effect
- Only installed in non-residential zones
- We recommend permitting as an alarm system
- Amarok is committed to working with law enforcement and other city staff to accommodate a best practices outline for the city of Aurora to include:
 - Police access to shut-off
 - Landscaping upkeep
 - Warning signage

Existing Colorado Facilities (Partial List)

Andersen’s Sales	Greeley	Paddock’s	Denver
Camping World	Golden	Sunstate Equipment	Fort Collins & Commerce City
Copart	Brighton	FedEx Freight	Commerce City
ABC Supply	Denver	Caliber Collision	Colorado Springs
United Rentals	Denver, Commerce City, Greeley & Grand Jct		



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Kind regards,

Stu Hinton
General Manager
Bud Fox Enterprises LLC.
970-331-1907
stu@budfoxsupply.com



CITY OF AURORA

Council Agenda Commentary

Item Title: City Center Vision Project Update
Item Initiator: Daniel Krzyzanowski, Planning Supervisor
Staff Source/Legal Source: Daniel Krzyzanowski, Planning Supervisor / Daniel Money, Senior Assistant City Attorney
Outside Speaker: N/A
Council Goal: 2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban centers

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: NA/A

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Information Only
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Approve Item with Waiver of Reconsideration
Why is a waiver needed?[Click or tap here to enter text.](#)

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Housing, Neighborhood Services & Redevelopment

Policy Committee Date: 12/8/2020

Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
 - Does Not Recommend Approval
 - Forwarded Without Recommendation
 - Recommendation Report Attached
 - Minutes Attached
 - Minutes Not Available
-

HISTORY (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

The City Center area has long been a priority area for development and planning efforts for Aurora. Throughout the 1980s, 1990s, and into the 2000s, the city conducted a number of studies and reports for the purpose of encouraging quality development in the city center area - those areas east of I-225 to the north and south of Alameda Parkway.

In February 2017, RTD opened the AuroraLine (R line) light rail service through Aurora. The city center location represents the third of the three major transit-oriented development (TOD) hubs along the AuroraLine (R Line) – the first two being Colfax Station and Nine Mile Station. This trio of locations also represents the three mixed-use, high density Urban District placetypes identified and prioritized in the Aurora Places Comprehensive Plan.

A new development proposal for the Metro Center property is under review, while the Aurora Town Center has redevelopment plans for a portion of the site, the first of what is likely to be a long-term effort to further develop and enhance the mall site. While the city has identified the area as a critical location and a portion of the study area has an urban renewal plan (2009) in place, there is not a documented vision and master development framework for the full study area against which to evaluate development proposals, incentives requests, and infrastructure investments. The attached map identifies these key property holdings.

To help shape and support this development interest, the city has initiated a planning process to develop a vision and development framework for the area. This process was anticipated to kick off in March/April and take 6 months to complete, however Covid-19 delayed the initiation of the steering committee and public input process. The public process kicked off this Summer and the first two rounds of public engagement have been completed.

The Housing, Neighborhood Services and Redevelopment Policy Committee was provided a preview of the project and process at the March 11, 2020, meeting, and an update and summary of community feedback at their December 8, 2020, meeting. Minutes for both meetings are attached. Staff's presentation from the December meeting is also attached.

The Planning and Zoning Commission was given the same presentation at their November 2020 meeting.

ITEM SUMMARY (Brief description of item, discussion, key points, recommendations, etc.)

Despite a delayed start due to Covid-19, the project was initiated in 2020. The project team has facilitated the steering committee and community engagement process, as well as started development of guiding principles and articulation of the community's vision for future development in the area. Key elements of the process include:

Steering Committee

The project is supported by a steering committee whose role is to provide oversight on process and input on key issues. The steering committee is comprised of City Council representatives, Planning and Zoning Commission representatives, major property owners (including Metro Center and Town Center at Aurora), nearby residents, RTD and Arapahoe County, and city staff. The steering committee has met periodically throughout the project and has been briefed on all aspects of the planning process. The steering committee is scheduled to review the draft recommendations at their meeting on April 8, 2021.

Community Engagement

The city hosted virtual public meetings on August 6 and October 21. At these online events, participants learned about opportunities for growth and development in the City Center area, as well as similar urban development in other area cities. Speakers included Visit Aurora, AEDC, representatives from Parkside at City Center, and city staff. Participants also were invited to provide input into their desired development character and activities for the area.

Additionally, the city asked for community input through an online survey that was open to the entire Aurora community and available in English and Spanish. Over 860 responses were received and provided the project team with a wealth of information on key topics that are important to the community. There was a lot of support for an active "downtown" district at City Center that included a wide variety of uses and activities. Unique or locally-owned businesses were especially desirable as were high-quality public parks and plazas. Respondents supported the idea of a "park once and walk" type of district that was safe, convenient, and comfortable to move

throughout the district. The attached presentation from the December 2020 Housing, Neighborhood Services and Redevelopment Policy Committee meeting provides a summary and details of the public input received.

Plan Development

Staff has developed a first draft of the City Center Vision document, which includes a vision statement, guiding principles, and series of recommendations to support implementation of the city’s vision for the area. The recommendations fall into four major categories:

1. Vision and development framework
This section articulates and illustrates the city’s vision for the future of the City Center area through a vision statement and guiding principles. It also describes the preferred land uses and district character, as well as recommendations for key locations within the area.
2. Zoning and development standards
This section provides zoning and development standards that provide regulatory direction that supports the vision. These standards address density and height, building design and placement, street design and connectivity, pedestrian and bicycle facilities, parking design, and integration of public parks, plazas, and open spaces, and other development considerations.
3. Financial framework
This section describes the toolkit of public incentives or support available to the city or future developers and outlines the types of development or infrastructure that City Council *may* consider for public support.
4. Organizational framework
This section highlights the value of branding and identity to the district and recommends shared benefits of formal organization of business and property owners in the district.

Staff’s presentation will address all of four of these categories in more detail.

QUESTIONS FOR COUNCIL

For Information Only

LEGAL COMMENTS

Local governments are granted broad authority to plan and regulate the use of land within their jurisdiction. C.R.S. Sec. 29-20-102(a)

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City under his supervision upon request of the Council. City Charter § 7-4(e)

(Money)

PUBLIC FINANCIAL IMPACT

YES NO

If yes, explain:

PRIVATE FISCAL IMPACT

Not Applicable Significant Nominal

If Significant or Nominal, explain:

AGENDA
HOUSING, NEIGHBORHOOD SERVICES, & REDEVELOPMENT
POLICY COMMITTEE

Wednesday, March 11, 2020 11:00 AM
Aurora Room, 1st Floor - Aurora Municipal Center

Council Member Crystal Murillo, Chair
Council Member Francoise Bergan, Vice Chair
Council Member Alison Coombs
Roberto Venegas, Deputy City Manager
Andrea Amonick, Manager, Planning & Development Services
Nancy Sheffield, Interim Director, Neighborhood Services Department

The Housing, Neighborhood Services, & Redevelopment Committee's Goal is to:

- Maintain high quality neighborhoods with a balanced housing stock by enforcing standards, in relation to new residential development, and considering new tools to promote sustainable infill development
- Plan for redevelopment of strategic areas, including working with developers and landowners to leverage external resources and create public-private partnerships

1. Welcome and Introductions
2. Review/Approval of Minutes – February 5, 2020
3. Announcements
4. New Items
 - Providence at the Heights Housing Support- One-time Funding (10/10)
Shelley McKittrick, Director, Homelessness Program
Regina Edmondson, Development Director, Second Chance Center
 - City Center Development Update (15/15)
Daniel Krzyzanowski, Principal Planner, Planning & Development Services
 - Restricted Breed Ordinance Discussion & Proposed Dangerous Dog Ordinance (10/10)
Claudine McDonald, Manager, Community Relations Division
5. Miscellaneous Matters for Consideration

Next Meeting: Wednesday, April 1, 2020

Total projected meeting time: 70 min

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HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE
February 5, 2020

Members Present: Council Member, Chair Crystal Murillo
Council Member, Vice-Chair Francoise Bergan
Council Member, Alison Coombs

Others Present: Council Member Juan Marcano, Roberto Venegas, Nancy Sheffield, Mike Marisco, Trudy Hernandez, Cecilia Zapata, Jessica Prosser, Daniel Krzyzanowski, Bob Oliva, Frank Butz, Karen Hancock, Susan Barkman, Mary W. Lewis, Andrea Amonick, George Adams, Sandra Youngman, Michael Bryant, Tim Joyce, Shelley McKittrick, Signy Mikita, Craig Maraschky, Chance Horiuchi, and Deana Foxen.

WELCOME AND INTRODUCTIONS

Council Member Murillo welcomed everyone to the meeting. A brief introduction was made by each person in attendance.

MINUTES

The October 23, 2019 minutes were approved by Council Member Murillo.

ANNOUNCEMENTS

Mary W. Lewis shared that Providence at the Heights is nearing completion. Volunteers will begin moving household items into 49 apartment units on February 17th, with residents and families to be housed by February 24th. Ms. Lewis invited the Committee to save the date, March 20th, for an 11 a.m. Housewarming party.

Shelley McKittrick, Homelessness Program Director, thanked everyone who helped with the Point in Time study.

NEW ITEMS

COMMUNITY DEVELOPEMENT DIVISION FIVE-YEAR CONSOLIDATED PLAN

Summary of Issue and Discussion

Jessica Prosser, Community Development Manager, introduced the draft 2020-2024 Consolidated Plan, and One-year Action Plan for 2020. The Consolidated Plan is a strategic plan required by the U.S. Department of Housing and Urban Development (HUD) that supports the proposed use of funds provided for the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) Programs. The City of Aurora receives approximately \$2,850,000 in CDBG dollars, \$1,100,000 in HOME and \$250,000 in ESG each year directly from HUD. Recommendations from the Analysis of Impediments to Fair Housing include adding affordable housing to the market, continuing to fund the city's home improvement loan program, and exploring an expanded program to buy down the cost of market rate units. Aurora's priority needs include mitigating homelessness by expanding and preserving affordable housing, supporting non-profit service providers, and expanding economic opportunities in the workforce.

Questions/Comments – Council Member Bergan asked about the salaries and workforce development options offered through the Arapahoe Douglas Workforce. Her specific concern is that salaries are disproportionate with current housing prices. Andrea Amonick, AURA Manager, sits on the Arapahoe Douglas Workforce Investment Board. She explained the Board conducts industry studies, researches existing jobs and workforce development, analyzes economic trends, and develops training that provides skills to workers that help them promote out of minimum wage jobs. Council Member Bergan would like to see job placement offered for the following industries; aerospace/aviation, nursing/healthcare, and hospitality & tourism. Council Member Murillo asked Ms. Amonick if statistical information could be shared with the Committee.

Outcome – Ms. Amonick will provide information from the Workforce Investment Board to the Committee. Council Member Murillo thanked Ms. Prosser for the presentation.

2020 WORK PLAN

Summary of Issue and Discussion –

Council Member Bergan requested a detailed list of Aurora’s existing affordable housing inventory and asked if there was a method in place to be alerted when something becomes available. Craig Maraschky, Aurora Housing Authority, explained most recent data would be available as part of the Market Study performed last year through the Realtor’s Association. Additionally, Council Member Coombs suggested conducting a Vacancy Study, and a presentation from the Aurora @ Home Collaborative’s Landlord Recruiter.

Council Member Marcano requested a report of the consolidation of single-family homes owned by property management groups and absentee landlords. Nancy Sheffield, Neighborhood Services Department Director, suggested this information may come as part of the Housing Study, which will be presented in March or April. Mr. Marcano would like to see the Committee explore rental property licensing options.

Council Member Coombs requested a discussion to develop solutions and recommend options for the city’s involvement with respect to trash haulers and services. Additionally, Council Member Bergan requested a discussion on Code Enforcement processes.

Council Member Murillo would like to incorporate the Mobile Home Task Force into an existing Committee or Citizen Advisory Group. Also requested, information concerning how other comparable sized cities allocate their Federal Funds in comparison to Aurora.

A delegation from El Salvador would like to expand their partnership with the city through a potential coffee export cooperative or through a potential restaurant incentive program, and Council Member Murillo would like to bring that item before the Committee as well.

MISCELLANEOUS MATTERS FOR CONSIDERATION

The next meeting: Tuesday, March 11, 2020

Meeting adjourned at 4:10 p.m.

APPROVED:

Committee Chair, Crystal Murillo



**Housing, Neighborhood Services and Redevelopment
Policy Committee**

Agenda Item Commentary

Item Title: Providence at the Heights Housing Support; One-Time Funding
Item Initiator: Crystal Murillo, Council Member
Staff Source: Shelley McKittrick, Homelessness Program Director
Deputy City Manager Signature:
Outside Speaker: Regina Edmondson, Development Director, Second Chance Center
Council Goal: 4.0: Create a superior quality of life for residents making the city a desirable place to live and work--2012: 4.0-- Create a superior quality of life for residents making the city a desirable place to live and wor

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Providence at the Heights provides permanent supportive housing. We are currently 95% leased up and are in need of residence support.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

Financial assistance is being requested for transition assistance, apartment furnishings, building furnishings, transportation, security, on-site staff assistance, on-site resources, and building finishes.

QUESTIONS FOR Committee

Does the Committee wish to approve the funding request and proceed to Study Session?

EXHIBITS ATTACHED:

Back-up not included

Providence at the Heights Housing Support
One-Time Funding



Housing, Neighborhood Services and Redevelopment Policy Committee

Agenda Item Commentary

Item Title: City Center Development Update
Item Initiator: Daniel Krzyzanowski, Principal Planner
Staff Source: Daniel Krzyzanowski, Principal Planner, 303-739-7187
Deputy City Manager Signature:
Outside Speaker:
Council Goal: 5.2: Plan for the development and redevelopment of strategic areas, station areas and urban centers--2012: 5.2--Plan for the development and redevelopment of strategic areas, station areas and urban center

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

The City Center area has long been a priority area for development and planning efforts for Aurora. Throughout the 1980s, 1990s, and into the 2000s, the city conducted a number of studies and reports for the purpose of encouraging quality development in the city center area - those areas east of I-225 to the north and south of Alameda Parkway.

In February 2017, RTD opened the AuroraLine (R line) light rail service through Aurora. The city center location represents the third of the three major transit-oriented development (TOD) hubs along the AuroraLine (R Line) – the first two being Colfax Station and Nine Mile Station. This trio of locations also represents the three mixed-use, high density Urban District placetypes identified and prioritized in the *Aurora Places Comprehensive Plan*.

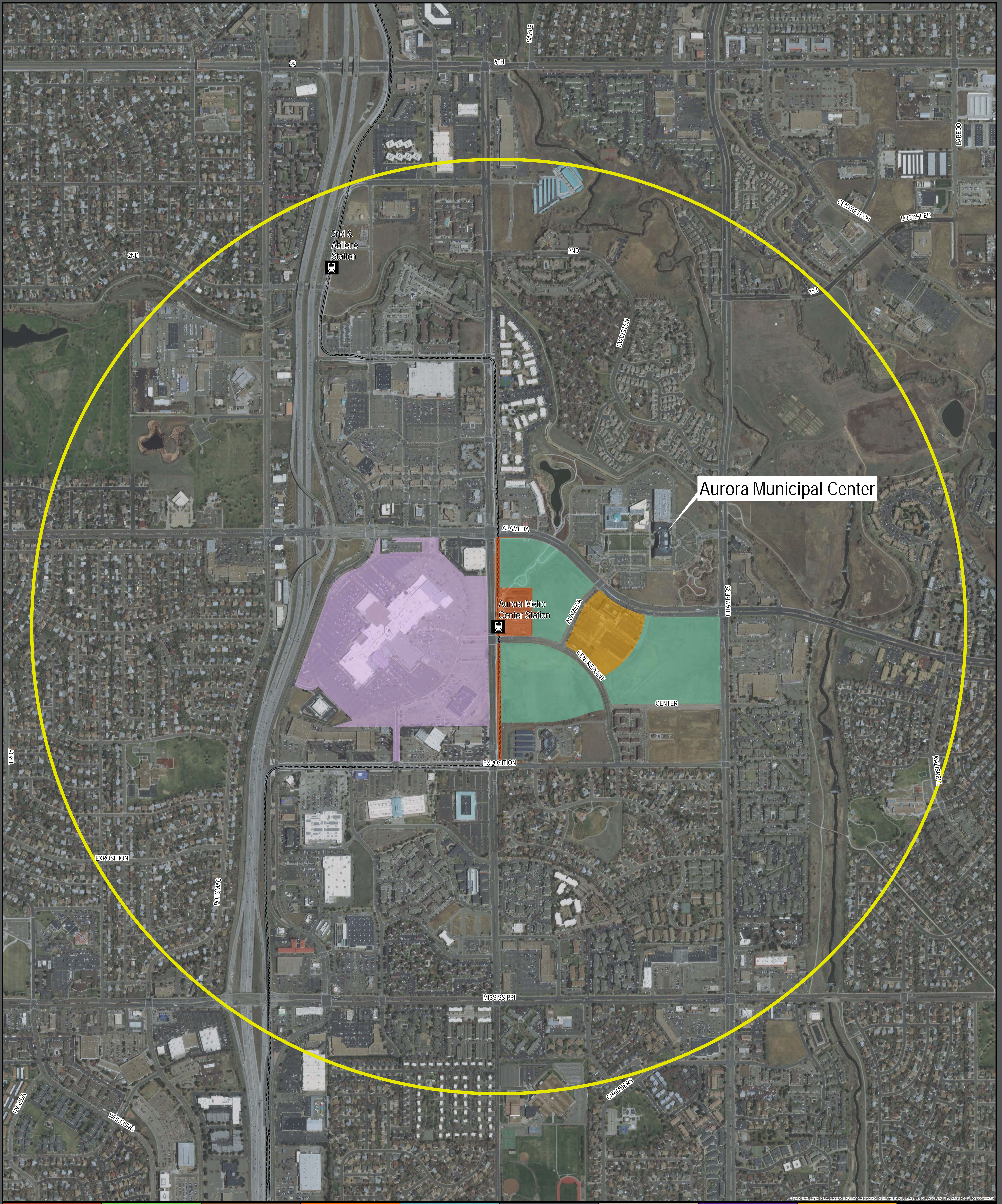
A new development proposal for the Metro Center property is imminent, while the Aurora Town Center has redevelopment plans for a portion of the site, the first of what is likely to be a long-term effort to further develop and enhance the mall site. While the city has identified the area as a critical location and a portion of the study area has an urban renewal plan (2009) in place, there is not a documented vision and master development framework for the full study area against which to evaluate development proposals, incentives requests, and infrastructure investments. The attached map identifies these key property holdings.

To help shape and support this development interest, the city will initiate a planning process to develop a vision and development framework for the area. This process is anticipated to take 6 months to complete and will feature a broad public input element for the community to share their desires for how this important part of Aurora continues to develop. Staff's presentation will preview the goals, participants, and schedule for this planning effort.

QUESTIONS FOR Committee

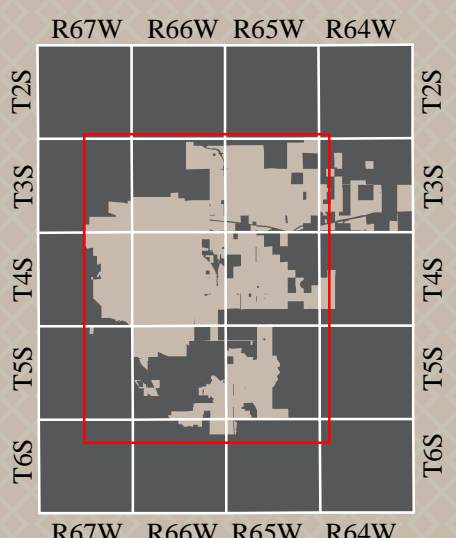
EXHIBITS ATTACHED:

Base Map LQ.pdf
3/11/2020



Planning and Development Services

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7000
GIS@auroragov.org



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City of Aurora, Colorado Aurora City Center and Vicinity Planning Areas

December 27, 2019
3000 Scale



Legend

- Light Rail Stations
- Light Rail Lines
- Aurora Metro Center Parcels
- Arapahoe County Building
- Town Center at Aurora Parcels
- RTD Parcels





**Housing, Neighborhood Services and Redevelopment
Policy Committee**

Agenda Item Commentary

Item Title: Restricted Breed Ordinance Discussion & Proposed Dangerous Dog Ordinance
Item Initiator: Claudine McDonald, Community Relations Division Manager
Staff Source: Claudine McDonald, Community Relations Division Manager x37653
Deputy City Manager Signature:
Outside Speaker:
Council Goal: 4.0: Create a superior quality of life for residents making the city a desirable place to live and work--2012: 4.0-- Create a superior quality of life for residents making the city a desirable place to live and wor

ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

HISTORY *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

The ordinance related to keeping pit bulls and other restricted breeds of dogs was approved by City Council and became effective in 2005. The ordinance was amended in 2011 to accommodate changes made to the Americans with Disabilities Act, and allow for certain exemptions. A ballot question was presented to the voters in 2014, finding approximately 36% of the votes were in favor or repealing the ordinance, and 64% in favor of retaining the ordinance.

ITEM SUMMARY *(Brief description of item, discussion, key points, recommendations, etc.)*

City Council has requested discussion of the Restricted Breed Ordinance, Section 14-75 of the Aurora Municipal Code.

QUESTIONS FOR Committee

1. Does the Committee wish to retain the Restricted Breed Ordinance Section 14-75 of the Municipal Code?
2. If the Committee wishes to repeal the Restricted Breed Ordinance Section 14-75 of the Municipal Code, does the Committee wish to do so by ballot? Or by Ordinance?
3. Does the Committee support moving the proposed draft ordinance forward to Study Session?

EXHIBITS ATTACHED:

- Proposed Ordinance.pdf
- Restricted Breed Memorandum.pdf
- Sec. 14-7 Keeping Agressive or Dangerous Animals.pdf

MEMORANDUM

TO: Housing, Neighborhood Services & Redevelopment Policy Committee
THROUGH: Roberto Venegas, Deputy City Manager
FROM: Nancy Sheffield, ^{NS}Interim Director, Neighborhood Services Department
Anthony Youngblood, Manager, Animal Services Division
DATE: March 4, 2020
SUBJECT: Restricted Breed Ordinance Discussion and Proposed Dangerous Dog Ordinance

City Council has requested discussion of the Restricted Breed Ordinance, Section 14-75 of the Aurora Municipal Code by the Housing, Neighborhood Services and Redevelopment Policy Committee. Several City Council Members have expressed an interest in repealing this ordinance. In November 2014, the question was put on the ballot as to whether the ordinance should be retained or repealed. At that time, approximately 64 percent of the votes were to retain the ordinance. The City Attorney's Office has indicated the vote was advisory, so if City Council wishes to repeal the ordinance, it could be repealed by returning to the voters with a ballot question, or it could be repealed by ordinance.

Background

The ordinance, approved by City Council on October 24, 2005, became effective on November 26, 2005 and by February 2006, 498 grandfathered, restricted breeds of dogs were licensed in Aurora.

February 11, 2008: City Council reviewed the ordinance in Study Session to determine its effectiveness. It was decided that no further action was needed to be taken at that time and to keep the ordinance as written. (Please see copy of report, attached.)

May 5, 2011: The ordinance was amended to

- Remove the ban for 7 of the 10 types of dogs originally defined as restricted breeds (American Bulldog/Old Country Bulldog, Dogo Argentino/Argentinian Mastiff, Presa Canario, Presa Mallorquin, Tosa Inu, Cane Corso and Fila Brasileiro) and continue to prohibit those defined as pit bulls (American Pit Bull Terrier, American Staffordshire Terrier, and Staffordshire Bull Terrier.)
- An exemption for pit bull service dogs was added to accommodate changes made to the Americans with Disabilities Act.
- DNA testing was included as a method for determining a dog's breed. Dogs with test results that denote 50 percent or less genetic pit bull composition are allowed in the city without restriction.

November, 2014: A ballot questions was presented to the voters and approximately 64 percent of the votes were to retain the ordinance and approximately 36 percent of the votes were to repeal the ordinance.

September, 2018: Chapter 14 Animal Code proposed revisions were brought by staff to City Council and Council requested staff to seek public input on the proposed revisions to Chapter 14. Public Engagement included social media postings, a dedicated page on Auroragov.org, and a survey. From May - July, 2019, staff continued the public engagement process with an on-line survey and three open houses.

October, 2019: Staff presented information from the public engagement process to the Housing, Neighborhood Services & Redevelopment Policy Committee.

We currently have a plan for additional public input and are working with Communications.

Questions for the Committee

1. Does the Committee wish to retain the Restricted Breed Ordinance Section 14-75 of the Municipal Code?
2. If the Committee wishes to repeal the Restricted Breed Ordinance Section 14-75 of the Municipal Code, does the Committee wish to do so by ballot? Or by ordinance?

We have had an Aggressive Animal ordinance in the Municipal Code for many years. Please see attached Sec. 14-7 – Keeping aggressive or dangerous animals. Although this ordinance has been effective throughout the years in dealing with aggressive dogs, staff recommends the adoption of the attached proposed ordinance which will allow greater flexibility with our enforcement and court cases. The proposed dangerous dog ordinance will allow for the following:

- Develop a tiered system for the judges to assess the action of the dog in determining the level of offense.
- Allow an Animal Protection Officer to have more discretion in handling each situation.
- Update the ordinance to be more current with other jurisdictions.

Staff will be present at the meeting to respond to questions of the Committee. Please let us know if you would like further information.

Question for the Committee

1. Does the Committee support moving the proposed draft ordinance forward to Study Session?

Below is exact ordinance verbiage:

Sec. 14-75. Unlawful Keeping of Pit Bulls or Restricted Breed of Dog:

Section 5. At the end of the two-year period measured from the effective date of this ordinance the City Manager or designee shall be required to perform a comprehensive study to evaluate the effectiveness of this ordinance. The study shall be completed within 90 days and results thereof shall be presented to the City Council at a study session. At a minimum the evaluation must include, tabulated by calendar year:

1. The number of pit bulls and restricted breeds involved in reported attacks and bites upon both persons and animals. *
2. The number of pit bulls and restricted breeds impounded, and the result of such impoundment. *
3. The number of convictions for any violation of chapter 14 of the Aurora City Code resulting from pit bulls and other restricted breeds. *
4. The amount of fines assessed for violations of this ordinance.
5. The number of pit bulls and other restricted breeds registered pursuant to this ordinance.
6. The amount of fees collected as a result of licensing pursuant to this ordinance.

This section 5 shall not be construed as any type of sunset provision and the ordinance shall remain in full force and effect until otherwise amended or repealed by City Council.

*Numbers 1, 2 and 3 of this evaluation must also include a comparative analysis to unrestricted breeds.

ENFORCEMENT ANALYSIS

Field Service Calls: Animal Care Officers are required to investigate complaint calls. They must also conduct property inspections to ensure owners have well-constructed fencing around their property, six-sided locked pens for confining their dogs, and warning notices posted on gates and at the front door of their residence.

	<u>Complaints Investigated</u>	+	<u>Property Inspections</u>	=	<u>Total Field Service Calls</u>
2006	532		498		1,030
2007	400		73		473

Bites: Prior to the passage of the Restricted Breed ordinance, the ten restricted breeds of dogs represented an unusually high number of bites in the community when compared to the number of Restricted Breeds licensed in the City. Bites from restricted breeds have dropped since enforcement began:

- 2007: 15 Restricted Breed bites; 9.6% of the 157 bites from all other dogs combined*
- 2006: 8 Restricted Breed bites; 6.2% of the 129 bites from all other dogs combined
- 2005: 27 Restricted Breed bites; 24.6% of the 110 bites from all other dogs combined
- 2004: 33 Restricted Breed bites; 18.5% of the 178 bites from all other dogs combined
- 2003: 28 Restricted Breed bites; 15.1% of the 185 bites from all other dogs combined

* For this report, "all other dogs/all other dog breeds" does not include any Restricted Breeds of dogs

Impoundment and disposition: 2006, the first year of enforcement for the Restricted Breed ordinance, saw a dramatic increase in the number of prohibited dogs impounded at the Aurora Animal Shelter (from 478 in 2005 to 758 in 2006). Prior to 2006, the majority of these dogs were impounded for running at large. That changed once City Council grandfathered dogs licensed at the time the ordinance became effective. Following the approval of the ordinance, Restricted Breeds were now impounded simply for being in Aurora without the proper license. Animal Care Officers are required to impound all unlicensed Restricted Breeds of dogs observed and issue corresponding summonses to the owners.

The number of Restricted Breeds impounded in the Aurora Animal Shelter dropped significantly after the initial year of enforcement (from 758 in 2006 to 269 in 2007). A few of these dogs were returned to their owners for permanent removal outside the City, and none of them were eligible for adoption in Aurora; subsequently a large number of these dogs were euthanized.

<u>Year</u>	<u>Restricted Breeds Impounded</u>
2007	269
2006	758
2005	478
2004	372
2003	289
2002	169

Convictions: Significantly more summonses were issued for violation of Sec. 14-75 in 2006, when the ordinance first took effect, than were issued in 2007. It is believed ordinance publicity and the community's 'word-of-mouth' about strict enforcement efforts helped reduce the number of these dogs in the City.

2006: 238 summonses issued with 779 charges and 215 Restricted Breed convictions

2007: 137 summonses issued with 480 charges and 89 Restricted Breed convictions

FINANCIAL ANALYSIS

Fines and Forfeitures: Conviction in Aurora Municipal Court of unlawfully keeping a Restricted Breed of dog carries a minimum fine of \$700. Per ordinance, judges may not suspend the fine. According to Municipal Courts, fines assessed and paid for the first two years of enforcement:

2006: Fines assessed: \$138,375 Fines paid: \$47,656

2007: Fines assessed: \$ 93,399 Fines paid: \$73,594

Not everyone can pay the entire amount of the fines assessed at the time of their court appearance. Fees collected in 2007 also reflect payments made towards penalties assessed by the court in 2006.

Fees / Registrations: Only those owners whose animals were grandfathered via registration in accordance with the ordinance are able to purchase (renew) licenses in the future. Therefore, the largest numbers of licenses sold were in 2006 and that number will decrease every year thereafter as animals are relocated out of the City or die. There will be a corresponding decrease in revenue fees associated with Restricted Breed registrations:

2006: 498 Restricted Breeds were licensed in the City with associated fees of \$99,600. Many owners used that first year to relocate their dog or move out of Aurora.

2007: 355 Restricted Breeds were licensed; revenue decreased to \$73,514.

Note: 2007 revenues also reflect some licenses renewed early at an increased fee rate for 2008 (\$200 per license in 2006 and 2007 compared to \$218 per license for 2008).

Status of Revenue and Expenditure:

City Council mandated that the management of the Restricted Breed Ordinance must be "budget neutral" so as to have no impact on the General Fund. Therefore, a designated revenue account was established for revenues and expenditures. City Council gave initial approval for the hiring of two contract employees, an Animal Care Officer and a Shelter Attendant and the outfitting of a van.

As of January 31, 2007, we had revenue deposits in the amount of \$363,074 from licenses, other administrative fees, and court fines.

	<u>2005</u>	<u>2006</u>	<u>Preliminary 2007</u>	<u>Total</u>	<u>Projected 2008*</u>
Court fees and fines	-	47,656	73,594	121,250	84,654
Administrative fees	-	22,115	33,862	55,977	56,020
License renewals	3,060	99,600	73,514	176,174	53,410
<u>Interest earned</u>	<u> </u>	<u>2,426</u>	<u>7,247</u>	<u>9,673</u>	<u> </u>
Total Revenue	\$3,060	\$171,797	\$188,217	\$363,074	\$194,084
Total Expense	\$8,901	\$ 95,394	\$102,380	\$206,674	\$194,084
2007 Preliminary Fund Balance				\$156,400	

At 2007 year-end there have been \$206,674 expenditures charged to this account for the management and enforcement of the Restricted Breed Ordinance. We have an estimated fund balance of \$156,400.

* Projected 2008 budget does not include actuals, but rather projected amounts.

SUMMARY

- The number of Restricted Breeds impounded in the Aurora Animal Shelter peaked during the first-year of enforcement, then dropped sharply to fewer than the number impounded in 2003.
- The number of dogs grandfathered via registration dropped the second year, as was expected. Registrations are anticipated to decrease annually until there are no licensed Restricted Breeds in the City.
- The revenue associated with registration declined the second year of enforcement and will continue to decline as dogs are moved out of the City or die.
- The number of bites from Restricted Breeds of dogs declined significantly the first year, and although the bites increased slightly the second year of enforcement, bites from Restricted Breeds remained lower than they were before passage of the ordinance.
- Fewer complaints were received by the Animal Care in 2007 than in 2006 regarding Restricted Breeds and fewer of these dogs were observed in the field by Animal Care Officers.
- The number of summonses issued for unlawful keeping of a Restricted Breed of dog declined significantly from 2006 to 2007. A corresponding decrease in convictions was reported by Municipal Courts.
- Municipal Courts report the amount of fines collected increased from 2006 to 2007.
- To date, this ordinance has remained budget-neutral, per Council's directive. Revenue has off-set expenditures.

NOTE: Please see attached chart (2006 and 2007 Report Required by Ordinance) and a copy of the ordinance.

Staff Recommendation

The study indicates that this ordinance has been effective with a reduction in the number of Restricted Breeds impounded, in the number of bites by Restricted Breeds, in the number of citizen complaints and in the summonses to court regarding Restricted Breeds. The financial analysis indicates that the revenues have paid for expenses with a fund balance of \$156,400 going into 2008. In addition to our costs of enforcement and shelter, we will have some charges against this fund balance in early 2008 to address some areas of the Animal Care facility that were impacted by this ordinance. We would like to see how many licenses are issued in 2008 and look at the revenue coming in from fines and other administrative fees. Staff will then be in a better position to make a recommendation regarding a potential change in the cost of the license should Council wish to make an adjustment for 2009.

KEY ISSUES: *(Special circumstances or requests, support or opposition)*

LEGAL COMMENTS:

Action on this item is within the sound discretion of City Council. The constitutionality of the ordinance is presently the subject of litigation in Federal District Court; given the relative strengths and weaknesses of the Parties' respective positions, the City Attorney's Office is guardedly optimistic about the eventual outcome of this lawsuit.

Signature: _____

FISCAL AND OPERATING IMPACT ON THE CITY: (If Yes, EXPLAIN) Yes No

Signature: _____

FISCAL AND OPERATING IMPACT ON OTHERS: (If Yes, EXPLAIN) Yes No

Significant Nominal

The owners of Restricted Breeds of dogs and convicted violators of the ordinance pay for the cost of enforcement, sheltering and all expenses related to the ordinance through the payment of license fee, other administrative fees and fines; thereby not creating an impact on the City's General Fund.

Signature: _____

STUDY SESSION QUESTIONS FOR COUNCIL:

Has City Code Section 14-75 related to the keeping of Pit Bulls and other Restricted Breeds of dogs been effective, as measured by the evidence presented in the comprehensive study?

EXHIBITS ATTACHED:

- A - Chart (2006 and 2007 Report Required by Ordinance)
- B - Ordinance No. 2005-84
- C -
- D -
- E -
- F -
- G -
- H -
- I -
- J -

**RESTRICTED BREED OF DOG
2006 AND 2007 REPORT REQUIRED BY ORDINANCE**

1. The number of pit bulls and restricted breeds involved in reported attacks and bites upon both persons and animals (*compared to all breeds).

Year	Restricted Breed Attacks/Bites on Humans	Restricted Breed Attacks/Bites on Animals	Restricted Breed Total Attacks/Bites	All Other Dog Breeds Attacks/Bites on Humans	All Other Dog Breeds Attacks/Bites on Animals	All Other Breeds Total Attacks/Bites
2006	8	0	8	123	6	129
2007	11	4	15	150	7	157

2. The number of pit bulls and restricted breeds impounded, and the result of such impoundment (*compared to all breeds).

Year	Impound	Released to owner	Adopt	Transfer	Rescue	Missing	Disposal	Died	Euthanized	Outcome Total
2006 Restricted Breed	758	130	0	5	3	0	7	4	636	785
2006 Other Dogs	2,158	893	576	73	73	1	52	12	413	2,093
2007 Restricted Breed	269	85	0	7	3	0	4	0	173	272
2007 All Other Breeds	2,141	897	594	106	109	0	51	9	363	2,131

Note: The outcome total number is different than the impound number because some animals are already in the shelter on January 1st of each year. There are also some animals still in the building on December 31st at the end of the year that do not have an 'outcome' until some time after the 1st of the year.

Restricted Breeds transferred or rescued out of the shelter are puppies of questionable heritage, younger than 3 months, have passed temperament and health evaluations and are transferred to facilities outside the City of Aurora. It is difficult to accurately assess a breed younger than 6 months because the physical appearance changes as a puppy 'grows into itself.' Puppies of owners living in Aurora require a second Breed Evaluation at 6 months.

3. The number of convictions for any violation of chapter 14 of the Aurora City Code resulting from pit bulls and other restricted breeds (*compared to all breeds).

Year	Restricted Breed Summonses Issued	Restricted Breed Charges Filed	Restricted Breed Convictions	All Other Dogs Summonses Issued	All Other Dogs Charges Filed	All Other Dogs Convictions
2006	238	779	215	1,397	11,026	7,316
2007	137	480	89	1,249	10,786	5,463

4. The amount of fines assessed for violations of this ordinance.

Year	Restricted Breed Fines Assessed	Restricted Breed Fines Paid
2006	\$138,375	\$47,656
2007	\$ 93,399	\$73,594

5. The number of pit bulls and other restricted breeds registered pursuant to this ordinance; and

6. The amount of fees collected as a result of licensing pursuant to this ordinance.

Year	Restricted Breed Registrations	Restricted Breed License Fees Paid
2006	498	\$99,600
2007	355	\$73,514

Sec. 14-7. - Keeping aggressive or dangerous animals.

- (a) *Prohibited.* It shall be unlawful for any person to keep or harbor an aggressive or dangerous animal. For the purposes of this chapter, the term "aggressive or dangerous animal" shall mean any dog or other animal that, without intentional provocation, bites or attacks humans or other animals or in an aggressive or dangerous manner approaches any person or other animal in an apparent attitude of attack, whether or not the attack is consummated or capable of being consummated. It shall be an affirmative defense to charges under this section if the actual or intended victim of any attack has made an unlawful entry into the dwelling of the owner.
- (b) *Guard dogs excepted.* Dogs maintained as guard dogs, as defined in section 14-74 and in compliance with such section, shall not be included under this section.
- (c) *Immediate destruction.* Nothing in this chapter shall be construed to prevent the immediate destruction by an animal care officer or a police officer of any aggressive or dangerous animal when less drastic methods, such as tranquilizing, are not available or effective and when an animal care officer, a police officer or the animal's owner is unable to promptly and effectively restrain or control the animal so that it might be impounded.

(Code 1979, § 7-4; Ord. No. 97-51, § 5, 10-13-97; Ord. No. 2004-52, § 4, 8-23-2004; Ord. No. 2014-23, § 2, 7-28-2014)

Editor's note— Ord. No. 2014-23, § 2, adopted July 28, 2014, amended the catchline of § 14-7 to read as herein set out. Section 14-7 formerly pertained to "Keeping vicious, aggressive or dangerous animals."

ORDINANCE NO. 2020-____

A BILL

FOR AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 14-1, 14-4, AND 14-7 OF THE CITY CODE RELATED TO ENACTING AN AGGRESSIVE ANIMAL, POTENTIALLY DANGEROUS ANIMAL AND DANGEROUS ANIMAL ORDINANCE AND ADDING A RECKLESS DOG OWNER PROHIBITION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. The following definitions shall be added to section 14-1 of the City Code of the City of Aurora, Colorado, which definitions shall read as follows;

Sec. 14-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aggressive animal means an animal, whether under the control of the owner or not, except a dog assisting a law enforcement officer engaged in law enforcement duties, which without provocation or justification approaches any person or other animal in an apparent attitude of attack. An animal that is on its owner's property that acts aggressively at a fence or barrier but does not leave the owner's property shall not be deemed to be an aggressive animal.

Aurora Animal Services Division Manager means the Manager of the Aurora Animal Services Division of the City of Aurora, Colorado or such other person designated by the City and the term shall also include such person's designee.

Bite(s) means any contact between an animal's teeth and the skin of a human which causes a puncture wound, laceration or other piercing of the skin.

Dangerous animal means any animal, whether under the control of the owner or not, except a dog assisting a law enforcement officer engaged in law enforcement activities, that

- (a) Has a second confirmed bite to a human or kills a domesticated animal;
- or
- (b) Has an owner that has failed to maintain or abide by the conditions of release of a dangerous dog ordered by the court or a dangerous animal permit.

Potentially dangerous animal means any animal, which while running at large, except a dog assisting a law enforcement officer engaged in law enforcement duties:

- (a) Bites a human; or
- (b) Has been previously adjudged to be a potentially dangerous animal, or a similar definition, by any jurisdiction that has not had the declaration waived.

Proper enclosure means a structure which:

- (a) Is suitable to prevent the entry of young children and to prevent the animal from escaping;
- (b) Is a six-sided structure with a bottom permanently attached to the sides and the sides must be at least 5 feet wide x 10 feet long x 5 feet high to prevent the animal from escaping;
- (c) Shall provide appropriate protection from the elements for the animal;
- (d) Shall provide adequate exercise room, light, and ventilation for the animal;
- (e) Must comply with all zoning and building ordinances of the City; and
- (f) Must be kept in a clean and sanitary condition and approved by an Animal Protection Officer.

Provocation means any action or activity, whether intentional or unintentional which would be reasonably expected to cause a normal animal in similar circumstances to react in a manner similar to that shown by the evidence.

Serious physical injury [as also defined in C.R.S. § 18-1-901 (2018)] means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures.

Section 2. That subsections (b) and (g) of section 14-4 of the City Code of the City of Aurora, Colorado, are hereby amended to read as follows:

Sec. 14-4. - Impoundment; court proceedings; ~~destruction~~ **surrender** of animals.

- (b) *Length of impoundment.* If there is probable cause to believe that there is a violation of section 14-5, 14-6, 14-7, 14-8, 14-10, 14-11, 14-12, 14-13, 14-71, 14-72, 14-74, 14-75, 14-101, 14-102, **14-131, 141-134** or 14-161, the animal may be taken into custody by the animal care protection officer or member of the police department and impounded in the animal shelter in a humane manner. Except as otherwise provided in subsection (g), such impoundment shall be for a period of not less than ~~three~~ **five (5) business days**, unless earlier claimed. If the owner fails to claim the impounded animal after ~~three~~ **five (5) business days** subsequent to being notified or reasonable efforts to notify have been made, the animal shall be **deemed surrendered to the Aurora Animal Services Division. become the property of the city and shall be disposed of in a humane manner at the discretion of the city manager or designee.** The owner shall still be subject to all fees and costs.

- (g) *Court findings; release of animal; surrender.* If a complaint has been filed in the municipal court against the owner of an animal impounded for violation of section 14-6, 14-7, 14-8, 14-10, ~~14-12, 14-13~~, 14-71, ~~14-72~~, 14-74 or 14-75, the animal shall not be released from impoundment except on the order of the municipal judge. **For violations of section 14-5, 14-11, 14-12, or 14-13, a field supervisor or the division manager have the discretion to release the animal without the need for a court ordered release or may hold the animal for an order from the municipal judge.** The municipal judge may, upon making a finding that the alleged owner has failed to appear for any court date on the complaint, order the animal to be surrendered to the Aurora Animal ~~Care Services~~ Division. ~~or destroyed in a humane manner.~~ When, at a **court disposition** hearing for release or surrender of an animal that has been found by the municipal court, by a preponderance of the evidence, to be a restricted breed **or the animal is in violation of any provision of section 14-75** the animal shall be ordered surrendered unless the owner produces evidence deemed sufficient by the court pursuant to section 14-75(e) that the restricted breed will be permanently taken out of the city. At any other hearing for release or surrender the animal shall be ordered surrendered **to the Aurora Animal Services Division** unless the municipal judge finds, by a preponderance of the evidence, there exists reasonable assurance that the animal can be safely maintained, cared for and controlled without danger to the community and that the animal does not create a nuisance to the surrounding neighbors or community. In determining whether the animal can be safely maintained, cared for and controlled by its owner, the judge shall consider all relevant and reliable evidence, whether or not the evidence is admissible at trial, including, without limitation, pre-bite or post-bite behavior indicative of aggressive or dangerous tendencies regardless of impoundment status. If the animal's owner wishes to have a behavior assessment performed before the surrender hearing, he or she shall notify and work with Aurora Animal Services to set up and complete such assessment following the Aurora Animal Service's shelter policies. Aurora Animal Services shall include language giving written notification (in bold print) of the right to a behavior assessment to any owner of an animal impounded and set for an impound hearing under this section. If the animal's owner chooses to conduct an assessment, the findings from each assessment shall be shared with the other party within five (5) **business** days of the assessment being conducted, and at least five (5) **business** days before the date of the impound hearing provided for in Section 14-4(g). The assessment shall be presented to the Judge at the impound hearing. The Judge shall also hear any proffered evidence of the circumstances of the initial bite including whether it occurred on the owner's property, including provocation and evidence relating to the ability to keep the animal on/with the owner utilizing any requirements able to be taken by the owner to minimize any recurrence. All options in lieu of surrender shall be considered. An order of ~~destruction~~ ~~or~~ surrender of an animal shall not relieve the owner of payment of fees, ~~or~~ costs, **or restitution** which resulted from the impoundment. **When making the determination the animal can be safely maintained, cared for and controlled without danger to the community and that the animal does not create a nuisance to the**

surrounding neighbors or community the municipal court judge shall make a determination the animal is:

- (i) A potentially dangerous animal;
- (ii) A dangerous animal; or
- (iii) An aggressive animal.

Section 3. That section 14-7 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 14-7. – Keeping **potentially dangerous**, aggressive, or dangerous animals.

- (a) **Potentially Dangerous Animal Prohibited.** It shall be unlawful for any person owner to possess, care for, keep, maintain or harbor an aggressive or a potentially dangerous animal. ~~For the purposes of this chapter, the term "aggressive or dangerous animal" shall mean any dog or other animal that, without intentional provocation, bites or attacks humans or other animals or in an aggressive or dangerous manner approaches any person or other animal in an apparent attitude of attack, whether or not the attack is consummated or capable of being consummated. It shall be an affirmative defense to charges under this section if the actual or intended victim of any attack has made an unlawful entry into the dwelling of the owner.~~
- (b) **Aggressive Animal Prohibited.** It shall be unlawful for any owner to possess, care for, keep, maintain or harbor an aggressive animal.
- (c) **Dangerous Animal Prohibited.** It shall be unlawful for any owner to possess, keep, care for, maintain or harbor a dangerous animal.
- (d) **Unknown Owner.** If the animal that meets the definition of potentially dangerous animal, dangerous animal, or aggressive animal and the identity of the owner of the animal cannot be reasonably determined the animal shall be immediately seized and impounded. Any animal impounded that is not claimed within a five-business day period the animal will be deemed to have been surrendered to the Aurora Animal Services Division.
- (e) **Penalty.** Any owner who is convicted of having a potentially dangerous, dangerous or aggressive animal shall be subject to the penalty provisions as provided in section 1-13 of the City Code.
- (f) **Keeping of an Aggressive Animal or Potentially Dangerous Animal.** After an owner has been adjudicated by the Aurora Municipal Court as having either an aggressive animal or potentially dangerous animal, as a condition of returning the aggressive animal or potentially dangerous animal to the owner, the Court shall order the owner:
 - (1) To apply for an aggressive or potentially dangerous animal permit within five (5) business days of the date of a conviction, and maintain and comply with the conditions of the permit and this section at all

times, until the Court waives the aggressive animal or potentially dangerous animal determination;

- (2) Not permit the aggressive or potentially dangerous animal to run at large or leave the owner's property unless the animal is securely leashed and muzzled; and
- (3) To spay or neuter the aggressive or potentially dangerous animal and provide proof of sterilization to the Aurora Animal Services Division within fourteen (14) calendar days of the Court's order.

In addition to any other penalty or condition imposed by the Court for violating this section the Court may revoke the aggressive or potentially dangerous animal permit and order the surrender of the animal to the Aurora Animal Services Division if the Court finds sufficient evidence the owner has not complied with all the conditions or restrictions ordered by the Court or has otherwise violated any other provision of Chapter 14. The owner of an animal ordered surrendered to the Aurora Animal Services Division is subject to the surrender requirements as provided in section 14-4.

- (g) *Waiver of the Aggressive Animal or Potentially Dangerous Animal Determination.* The owner of an aggressive animal or potentially dangerous animal may apply to the Aurora Animal Services Division Manager to have the declaration waived after two (2) years upon meeting the following conditions:
- (1) The owner of the aggressive animal or potentially dangerous animal has not been convicted of violating any provision of Chapter 14, other than one conviction of keeping barking dogs, for the previous two (2) years; and
 - (2) The owner of the aggressive animal or potentially dangerous animal has complied with all the Court ordered provisions, the provisions of this section, and the provisions of the aggressive or potentially dangerous animal permit for the previous two (2) years; and
 - (3) The owner provides proof to the Aurora Animal Services Division Manager of successful completion of a behavior modification program administered by a Certified Pet Dog Trainer, Certified Dog Behavior Consultant, or Veterinary Behaviorist, certified through the American College of Veterinary Behaviorists or equivalent training.
- The Aurora Animal Services Division Manager shall forward the waiver request to the Aurora Municipal Court for a hearing to waive or rescind the aggressive animal or potentially dangerous animal declaration.
- (h) *Keeping of a Dangerous Animal.* After an owner has been adjudicated by the Aurora Municipal Court as having a dangerous animal, as a condition of returning the dangerous animal to the owner, the Court shall order the owner to apply for a dangerous animal permit within five (5) business days of the date of a conviction, maintain and comply with the conditions of the permit and this section at all times, until the Court waives the dangerous

animal determination. The following conditions and requirements shall be part of the Court's order to release the dangerous animal to its owner.

- (1) *Enclosure.* Whenever outside of a residential structure the owner shall keep the animal in a locked proper enclosure;**
- (2) *Leash.* No owner of a dangerous animal shall allow the animal to exit its residential structure or proper enclosure unless the animal is securely attached to a leash not more than four (4) feet in length and held by a person who is both over the age of eighteen (18) and who has the physical ability to restrain the animal at all times. No owner shall keep or permit the animal to be kept on a chain, rope or other type of leash outside its residential structure or proper enclosure unless a person capable of controlling the animal is in physical control of the leash;**
- (3) *Muzzle.* When a dangerous animal is outside of its residential structure or proper enclosure the animal must wear a properly fitted muzzle to prevent the animal from biting humans or another animal. Such muzzle shall not interfere with the animal's breathing or vision. It shall be unlawful for any owner of a dangerous animal to allow the animal to be outside of its residential structure or proper enclosure without wearing a muzzle.**
- (4) *Confinement.* Except when leashed and muzzled as provided in this subsection, a dangerous animal shall be securely confined in a residential structure or confined in a locked proper enclosure;**
- (5) *Indoor Confinement.* No dangerous animal shall be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such house or structure on its own volition. In addition, no dangerous animal shall be kept in a house or structure when window screens, screen doors or wire screen doors are the only obstacle preventing the animal from exiting the house of structure;**
- (6) *Signs.* All owners of dangerous animals shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog";**
- (7) *Liability Insurance, Surety Bond.* Subject to judicial discretion, the Court may require the maintenance of either a homeowners, condominium or renter's insurance policy as applicable with a policy minimum of \$100,000.**
- (8) *Identification Photographs.* All owners of dangerous animals must within ten (10) calendar days of a determination the animal is**

dangerous provide the Aurora Animal Services Division with two color photographs of the registered animal clearly showing the breed, color and approximate size of the animal;

- (9) *Microchip.* All owners of dangerous animals shall microchip the dangerous animal within ten (10) calendar days of a determination the animal is dangerous and provide the microchip information to the Aurora Animal Services Division to register the animal as dangerous;**
- (10) *Spaying/Neutering.* All owners of dangerous animals, if not already so treated, shall spay or neuter the animal within fourteen (14) calendar days of a determination the animal is dangerous and provide proof of the sterilization to the Aurora Animal Services Division;**
- (11) *Sale or Transfer of Ownership.* No owner shall sell, barter or in any way dispose of or transfer a dangerous animal registered with the City as a dangerous animal to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the owner of the dangerous animal. The owner of a dangerous animal may sell or otherwise dispose of a registered dangerous animal to a person(s) who does not reside within the City if the owner transferring the animal discloses the animal has been declared to be a dangerous animal by the Aurora Municipal Court to the person who wants to be the animal's new owner and has the new owner of the dangerous animal read and sign a "Liability Waiver" provided by the Aurora Animal Services Division. The owner who transfers ownership of the animal shall immediately notify the Aurora Animal Services Division of any change of ownership of any dangerous animal and provide the Liability Wavier signed by the new owner to the Aurora Animal Services Division. It shall be unlawful for an owner not to follow the requirements of this subsection if the owner sells, barter, transfers or in any way disposes of a dangerous animal;**
- (12) *Immediate Notification.* The owner of a dangerous animal shall immediately notify the Aurora Animal Services Division if the dangerous animal escapes from its proper enclosure or restraint and is at large. The owner of a dangerous animals shall immediately notify the Aurora Animal Services Division if the dangerous animal bites or attacks a person or domestic animal; and**
- (13) *Failure to Comply.* It shall be a separate offense to fail to comply with any of the conditions or restrictions in this subsection. Any violation of this subsection shall result in the owner being charged with violating this subsection (h), and the animal being subject to immediate seizure and impoundment.**

- (14) ***Acknowledgement of Conditions.*** The owner shall be provided with a document setting forth all of these requirements and the owner shall attest their receipt thereof.

In addition to any other penalty or conditions imposed by the Court for violating any provision of this subsection the Court may revoke the dangerous animal permit and order the surrender of the animal to the Aurora Animal Services Division if the Court finds sufficient evidence the owner has not complied with all the conditions or restrictions ordered by the Court, the dangerous dog permit, this section, or has otherwise violated any other provision of Chapter 14. The owner of an animal ordered surrendered to the Aurora Animal Services Division is subject to the surrender requirements as provided in section 14-4.

- (i) ***Waiver of the Dangerous Animal Determination.*** The owner of a dangerous animal may apply to the Aurora Animal Services Division Manager to have the declaration of dangerous animal waived after three (3) years upon meeting the following conditions:
- (1) The owner of the dangerous animal has not been convicted of violating any provision of Chapter 14, other than one conviction of keeping barking dogs, for the previous three (3) years; and
 - (2) The owner of the dangerous animal has complied with all the Court ordered provisions, the provision of this section, and the provisions of the dangerous dog permit for the previous three (3) years; and
 - (3) The owner provides proof to the Aurora Animal Services Division Manager of successful completion of a behavior modification program administered by a Certified Pet Dog Trainer, Certified Dog Behavior Consultant, or Veterinary Behaviorist, certified through the American College of Veterinary Behaviorists or equivalent training.
- The Aurora Animal Services Division Manager shall forward the waiver request to the Aurora Municipal Court for a hearing to waive or rescind the dangerous animal declaration.
- (j) ***Aggressive Animal, Potentially Dangerous Animal Permit and Dangerous Animal Permit.*** In addition to the conditions listed by this section for such permit, applications for an aggressive animal or potentially dangerous animal permit and a dangerous animal permit shall include:
- (1) The name and address of the applicant and of the owner of the animal and the names and address of two (2) persons who may be contacted in the case of an emergency.
 - (2) An accurate description of the animal for which the permit is requested.
 - (3) The address or place where the animal will be located together with the property owner's written consent or authorization to permit the animal on the property.

- (4) **A permit fee. In addition to the license fees provided by this Chapter, the owner of an aggressive animal, potentially dangerous animal or dangerous animal shall pay an annual permit fee. The permit fee shall be established by the City Manager in accordance with section 2-587 of the City Code.**
 - (5) **The microchip number of the animal.**
 - (6) **Proof that the animal has a current rabies vaccination.**
 - (7) **Such other information as required by the Aurora Animal Services Division.**
- (k) ***Continuation of Declaration.* Any animal that has been declared aggressive, potentially dangerous, or dangerous, or similar definition by any jurisdiction, shall be subject to the provisions of this ordinance. The person moving into the City owning any animal designated as aggressive, potentially dangerous, or dangerous, by any jurisdiction other than the City, shall notify the Aurora Animal Services Division of the animal's address and the conditions of maintaining the animal ordered by a Court within ten (10) calendar days of moving the animal into the City. The restrictions and conditions imposed by any other jurisdiction for maintaining an aggressive, potentially dangerous, or dangerous animal shall remain in effect and in the event of a conflict between the provisions of this section and the provisions of the other jurisdiction's restrictions or conditions the more restrictive provision shall control.**
- (l) ***Affirmative Defense.* It shall be an affirmative defense to charges under this section if the actual or intended victim of any prohibited action of an animal under this section made an unlawful entry into the dwelling of the owner.**
- ~~(b)~~(m) ***Guard dogs excepted.* Dogs maintained as guard dogs, as defined in section 14-74 and in compliance with such section, shall not be included under this section.**
- ~~(e)~~(n) ***Immediate destruction.* Nothing in this chapter shall be construed to prevent the immediate destruction by an animal protection officer or a police officer of any aggressive or dangerous animal when less drastic methods, such as tranquilizing, are not available or effective and when an animal protection officer, a police officer or the animal's owner is unable to promptly and effectively restrain or control the animal so that it might be impounded.**

Section 4. That the City Code of the City of Aurora, Colorado, is hereby amended to add a new section to be numbered 14-73, which section shall read as follows:

Sec. 14-73. – Reckless Dog Owner.

- (a) **Any person convicted of:**
 - (1) **A violation of section 14-6, 14-7, 14-8, 14-12, 14-13, 14-71, or 14-75 of Chapter 14 of the City Code three (3) or more times in a twenty-four (24) month period; or**

- (2) **A violation of section 14-7, Keeping potentially dangerous, aggressive, or dangerous animals, two (2) or more times in any five (5) year period shall be declared a reckless dog owner.**
- (b) **If the Aurora Municipal Court determines an owner is a reckless dog owner the Court shall order the city licenses and permits of all dogs owned by the reckless dog owner to be revoked and shall order the owner not to own, keep, care-for, hold, possess, harbor, or maintain any dog for a period of three (3) years from the date of the declaration.**
- (c) **A person declared to be a reckless dog owner may apply to the Aurora Animal Services Division Manager to have the declaration waived after eighteen (18) months upon meeting the following conditions:**
 - (1) **The reckless dog owner has had no violations of this Chapter since the declaration by the Court; and**
 - (2) **The reckless dog owner has complied with all the provisions of this section for a period of eighteen (18) months since the date of the declaration by the Court; and**
 - (3) **The reckless dog owner provides proof to the Aurora Animal Services Division Manager of successful completion of a program designed to improve the person's understanding of dog ownership responsibilities and based upon an interview with the Aurora Animal Services Division Manager establishing that understanding.**
- (d) **If the Aurora Animal Services Division Manager, in his or her sole discretion, finds sufficient evidence that the person has complied with all conditions in this subsection, the application shall be forwarded to the Aurora Municipal Court for a hearing to waive or rescind the reckless dog owner declaration.**

Section 5. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 6. Repealer. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Section 7. Publication. Pursuant to Section 5-5 of the City Charter, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ AND ORDERED PUBLISHED this _____
day of _____, 2020.

PASSED AND ORDERED PUBLISHED BY REFERENCE this _____ day of -
_____, 2020.

MIKE COFFMAN, Mayor

ATTEST:

STEPHEN J. RUGER, City Clerk on

APPROVED AS TO FORM _____

TIM JOYCE, Assistant City Attorney

F:/Dept/City Attorney/CA/Tim/Ordinance/2019 Dangerous Dog/Ordinance Alternate Version Dangerous Dog Ordinance

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HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE
December 8, 2020

Members Present: *Council Member, Chair Crystal Murillo*
Council Member, Vice-Chair Francoise Bergan
Council Member, Alison Coombs

Others Present: George Adams, Andrea Amonick, Lana Dalton, Liz Fuselier, Lindsay Hammond, Karen Hancock, Chance Horiuchi, Tim Joyce, Daniel Krzyzanowski, Signy Mikita, Mindy Parnes, Jessica Prosser, Melissa Rogers, Melinda Townsend, Roberto Venegas, Sandra Youngman, Cecilia Zapata

WELCOME AND INTRODUCTIONS

Council Member Murillo welcomed everyone to the meeting.

MINUTES

The Committee unanimously approved the November 12, 2020 meeting minutes.

ANNOUNCEMENTS

Jessica Prosser, director of Housing and Community Services announced and introduced Lana Dalton, the City's new Homeless Program-Manager.

NEW ITEMS

RESOLUTION TO TEMPORARILY SUSPEND ENFORCEMENT OF CITY CODE SECTION 46-4.6.3.B.4 AT 3293 OAKLAND STREET

Summary of Issue and Discussion

As COVID-19 has continued to impact Aurora, assistance and protective measures for those most vulnerable in our community have continued. As we move into colder months, our population of people experiencing homelessness with a need for shelter will increase, thus increasing public health concerns. Aurora is also seeing an increase in encampments and people living in their cars. This is a public health issue and the City is working with partners to identify additional sheltering space to accommodate the need. Additional shelter space would be funded with County CARES funds through the end of the year and then HUD Emergency Solutions Grant (ESG-CV) funds starting in January. Eligible activities for ESG-CV include: Emergency shelter, housing stability, homelessness prevention, rapid re-housing, whole family health and wellness and support for Homeless Management Information Systems (HMIS).

Jessica Prosser presented the resolution to allow "Safe Parking" (sleeping in vehicles) exclusively at the 3293 Oakland Street shelter.

Questions/Comments – CM Bergan and CM Murillo asked for clarification about the end date of the resolution. Jessica responded that it coincides with either the end date of the Disaster Declaration and/or the end of the lease and operations at 3293 Oakland St., April 30, 2021. However, after the meeting, Assistant City Attorney Tim Joyce clarified by email, "the duration of the regulation proposed can only be as long as there is a disaster declaration by the City. A disaster declaration allows the City Manager to promulgate regulation necessary to protect life and property and preserve critical resources. Once the disaster declaration is terminated all the promulgated regulations will terminate."

Outcome – The Committee unanimously agreed to move the Resolution to study session consent.

HOUSING, NEIGHBORHOOD SERVICES AND REDEVELOPMENT POLICY COMMITTEE REVIEW OF SCOPE AND NAME

Summary of Issue and Discussion

The Neighborhood Services department finalized a reorganization and department name change on June 1, 2020. The department is now named Housing and Community Services.

On August 5, 2020, the Housing, Neighborhood Services and Redevelopment Policy Committee members reviewed the current Council Rules which define the Housing, Neighborhood Services and Redevelopment Committee as follows:

Housing, Neighborhood Services and Redevelopment Committee

The Housing, Neighborhood Services and Redevelopment Committee shall recommend objectives and Initiatives in the following areas:

1. Neighborhood stability and code enforcement
 - a. City housing and animal codes
 - b. Policies and procedures of code enforcement
2. Incentives for redevelopment
3. Urban Renewal projects
 - a. Redevelopment policies
 - b. Economic development and business/Chamber groups (urban renewal)
4. Community housing needs
 - a. Community development programs (including housing counseling and homelessness prevention programs)
 - b. Programs to address the foreclosure issue (including vacant property registration and the Neighborhood Stabilization Program)
5. Programs to strengthen and enhance neighborhood organizations and address neighborhood and business community issues including:
 - a. Neighborhood liaison programs, including the Neighborhood Fence Replacement Program
 - b. Graffiti
 - c. Citizens' Code Enforcement Academy
 - d. Learn about Aurora, Neighbor to Neighbor roundtables, and the Neighborhood Referral Program
6. Annual reports from the following boards and commissions:
 - a. Aurora Housing Authority
 - b. Building Code, Contractors Appeals & Standards Board

After discussion, the Committee agreed to defer to the Rules Committee for review of the Housing, Neighborhood Services and Redevelopment Policy Committee scope and possible name change. The Housing, Neighborhood Services and Redevelopment Policy Committee members deferred to the Rules Committee to review the committee's scope to assure it falls in line with the direction of the Committee. The Rules Committee was not be able to accommodate the request in a timely manner, and therefore it was agreed to return the agenda item to the Housing, Neighborhood Services and Redevelopment Policy Committee for review. After review of the item on October 7, 2020, the Committee requested staff's support in identifying what the Committee is about, how they operate, and what the goals should be. Staff was to communicate via email with the Committee during the next month, and before the next committee meeting, especially when talking about specific text for the goals. A short presentation was to be given by staff at the next committee meeting

At the November 12, 2020 Housing, Neighborhood Services and Redevelopment Policy Committee meeting, CM Murillo reminded staff of the pending item and requested to have the item placed on the December meeting agenda.

In early December, Jessica convened staff from several departments to discuss the history, different objectives and initiatives associated with the policy committee. Staff discussed the best use of committee resources in light of the

fact many areas of overlap with other departments, committees, and boards. The conversation with staff focused on long-range redevelopment planning with an emphasis on community engagement. Staff also discussed quality-of-life areas such as waste hauling, animal services, etc. The group affirmed a focus on housing and the implementation of a housing strategy. These foci will need to be captured by any council sub-committee.

Questions/Comments – Andrea Amonick discussed the process for consideration of some overlapping matters (e.g. urban renewal projects) which bypass policy committees and are discussed by the AURA (the Aurora Urban Renewal Authority) Board. CM Coombs asked whether these discussions could be more focused within the committee, which is familiar with the topics and may be able to look more closely at topics pertaining to redevelopment than the Board in general. Andrea responded that the Board awaits two new members but is well-equipped to discuss redevelopment matters despite its large scope. Andrea detailed selections from the Board’s thirteen goals which are aligned with those of the Policy Committee and are generally considered by Council without intermediary consideration by sub-committees. CM Bergan indicated the over-arching goals of the Board and the Policy Committee have a lot of overlap. CM Coombs clarified her question as to whether AURA issues can be considered within the Policy committee for coordinating with policy objectives, she requested a review in light of the housing survey results. CM Murillo enumerated the factors that will likely need to resolve before moving forward in combining, restructuring, or otherwise finalizing changes to the name and scope of the Committee. CM Murillo further described hesitation with combining based on key distinctions between development of land and development of communities. CM Coombs circled back to the reason for the discussion of committee name arising from the change of name (from “Neighborhood Services”). Mindy added that department aims to do a lot of sub-area planning that requires community engagement. CM Bergan mentioned overlap of economic impact with housing discussions. She requested a presentation of plans to include economic impact (e.g. what urban development will mean for area jobs). Andrea responded process for urban renewal planning includes community engagement and communicating community interests to council and the board. The draft is reviewed by planning commission before going to study session as a whole. CM Murillo reiterated the distinctions between the logistical and social development of an undeveloped area and restoring existing neighborhoods. CM Coombs, *et al.* discussed opportunities for collaboration between the committees given shared interests and goals. CM Bergan requested a presentation on economic impact of City Center development. Andrea described community engagement efforts to include diverse voices in the plan and said they would be able to further present on their findings pursuant to CM Bergan’s request.

Outcome – The conversation provided the components of the Committee’s direction, but definitive next steps can neither be determined nor taken without the resolution of other matters.

CITY CENTER VISION PROJECT UPDATE

Summary of Issue and Discussion

The City Center area has long been a priority area for development and planning efforts for Aurora. Throughout the 1980s, 1990s, and into the 2000s, the city conducted a number of studies and reports for the purpose of encouraging quality development in the city center area - those areas east of I-225 to the north and south of Alameda Parkway.

In February 2017, RTD opened the Aurora Line (R line) light rail service through Aurora. The city center location represents the third of the three major transit-oriented development (TOD) hubs along the Aurora Line (R Line) – the first two being Colfax Station and Nine Mile Station. This trio of locations also represents the three mixed-use, high density Urban District place types identified and prioritized in the Aurora Places Comprehensive Plan. A new development proposal for the Metro Center property is under review, while the Aurora Town Center has redevelopment plans for a portion of the site, the first of what is likely to be a long-term effort to further develop and enhance the mall site. While the city has identified the area as a critical location and a portion of the study area has an urban renewal plan (2009) in place, there is not a documented vision and master development framework for the full study area against which to evaluate development proposals, incentives requests, and infrastructure investments. The attached map identifies these key property holdings.

To help shape and support this development interest, the city has initiated a planning process to develop a vision and development framework for the area. This process was anticipated to kick off in March/April and take 6 months to complete, however Covid-19 delayed the initiation of the steering committee and public input process. The public process kicked off this Summer and the first two rounds of public engagement have been completed. The Housing, Neighborhood Services and Redevelopment Policy Committee was provided a preview of the project and process at the March 11, 2020, meeting.

Despite a delayed start due to Covid-19, the project was initiated earlier in 2020. The project team has facilitated the steering committee and community engagement process, as well as started development of guiding principles and articulation of the community's vision for future development in the area. Key elements of the process include:

Steering Committee

The project is supported by a steering committee whose role is to provide oversight on process and input on key issues. The steering committee is comprised of City Council representatives, Planning and Zoning Commission representatives, major property owners (including Metro Center and Town Center at Aurora), nearby residents, RTD and Arapahoe County, and city staff. The steering committee has met periodically throughout the project and has been briefed on all aspects of the planning process.

Community Engagement

The city hosted virtual public meetings on August 6 and October 21. At these online events, participants learned about opportunities for growth and development in the City Center area, as well as similar urban development in other area cities. Speakers included Visit Aurora, AEDC, representatives from Parkside at City Center, and city staff. Participants also were invited to provide input into their desired development character and activities for the area.

Additionally, the city asked for community input through an online survey that was open to the entire Aurora community and available in English and Spanish. Over 860 responses were received and provided the project team with a wealth of information on key topics that are important to the community. There was a lot of support for an active "downtown" district at City Center that included a wide variety of uses and activities. Unique or locally-owned businesses were especially desirable as were high-quality public parks and plazas. Respondents supported the idea of a "park once and walk" type of district that was safe, convenient, and comfortable to move throughout the district. More detail on the public input will be provided as part of staff's presentation.

Plan Development

Staff has started to draft key elements and content of the vision and plan document. This content will reflect the community input received to date, staff recommendations, and any direction provided by City Council. A draft plan document will be presented to the public at a third and final stage of public engagement for review and further feedback. (No date has been set at this time.) Staff's Policy Committee presentation will review the project's goals as well as address the public input received and planning completed to date.

Staff presented a PowerPoint that detailed:

1. Project Overview
2. Understanding City Center
3. Public Input Summary
4. Draft Guiding Principles
5. Next Steps

Questions/Comments – CM Coombs said she was interested in hearing more about initiative from a standpoint of equity and inclusivity (of businesses and residents) standpoint. Staff responded that it was a recurring theme in the

customer feedback and could be provided. Another major theme in the feedback was an emphasis on unique, locally- and minority-owned businesses in the city center. This is already a strength within Aurora on Havana and Colfax.

CM Murillo expressed appreciation for the geographical visuals and reiterated her focus on equity, ensuring that development concentrates on accessible price points. Staff responded that this was a recurring and leading theme and is a priority focus.

Outcome – This item was informational only.

MISCELLANEOUS MATTERS FOR CONSIDERATION

There were no miscellaneous matters for consideration.

Next meeting: Wednesday, January 6, 2021 at 3:00 p.m. (Tentative)

Meeting adjourned at 4:24 p.m.

APPROVED: Crystal Murillo Digitally signed by Crystal Murillo
Date: 2021.02.19 21:38:12 -0700
Committee Chair, Crystal Murillo



City Center Vision and Development Framework

An Amendment to the City Center Station Area Plan

Planning & Economic Development Policy Committee

April 14, 2021 ▪ 8:30 to 10:00 AM

Study Area

Focus of study is on area east of I-225, north and south of Alameda Avenue



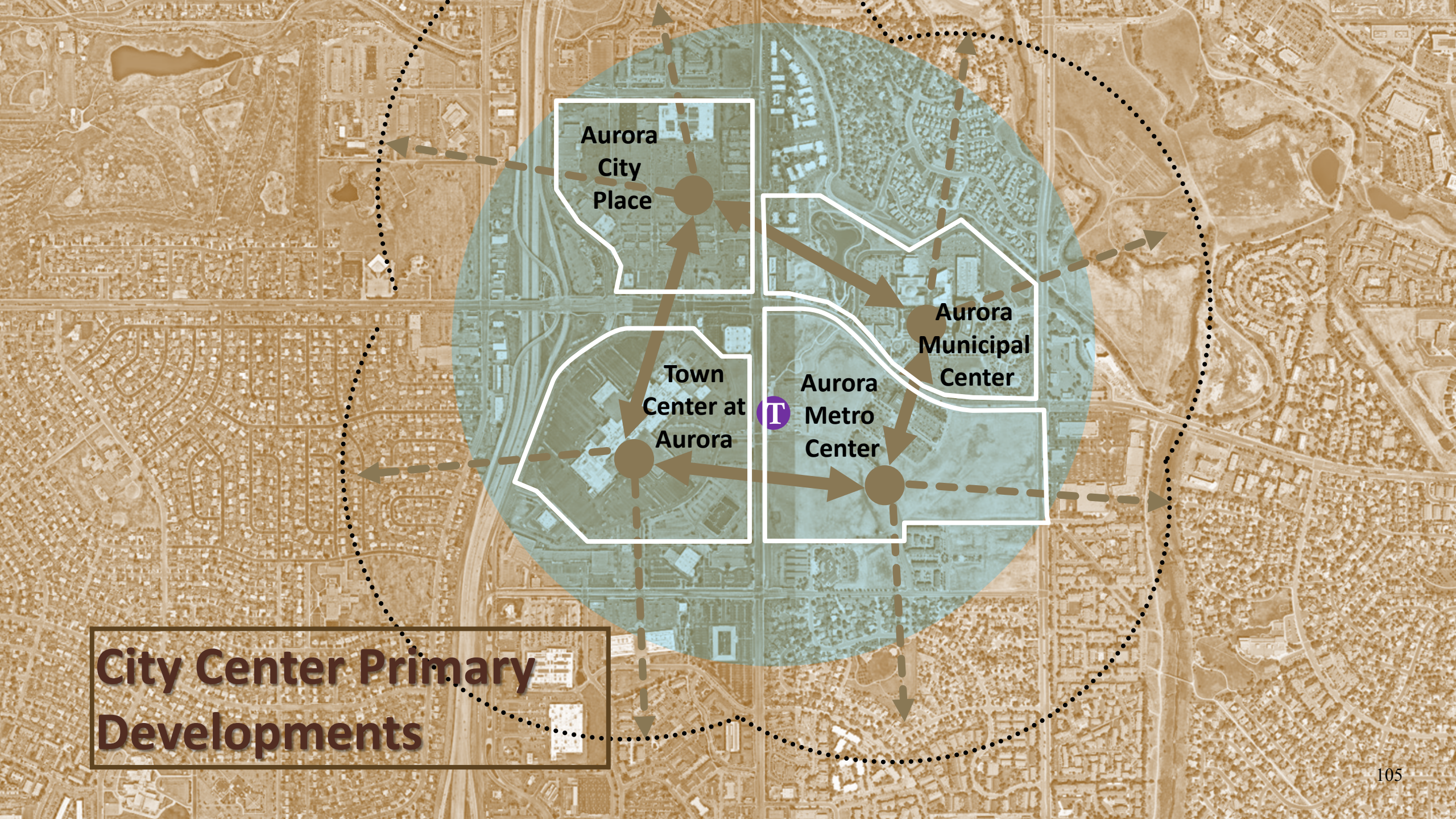
City Center Primary Developments

Aurora City Place

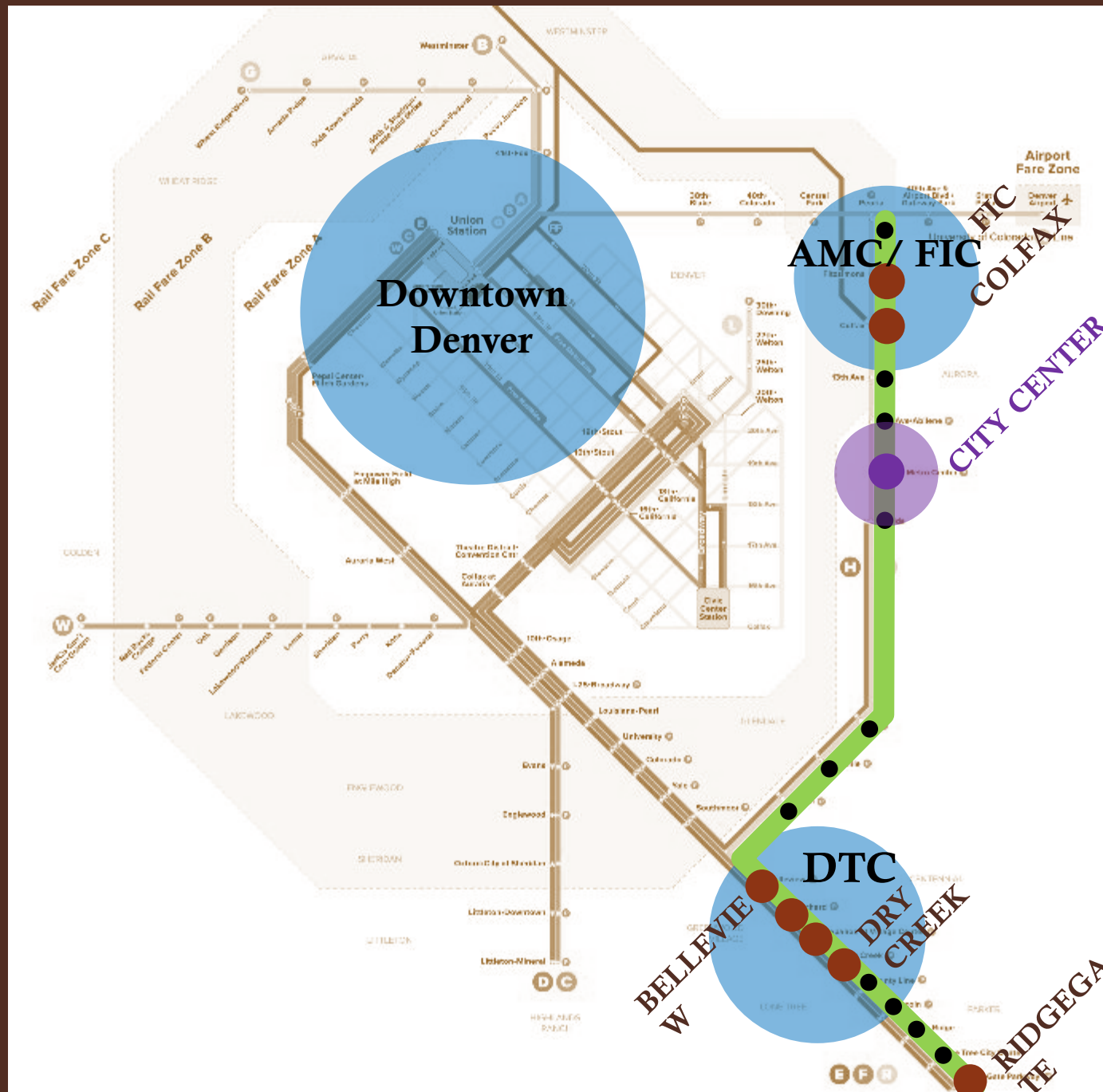
Town Center at Aurora

Aurora Metro Center

Aurora Municipal Center



REGIONAL CONTEXT



City Center District: Historic Plans and Investment

Over \$410
million of
city funds
invested
since 2000

Over the last 30+ years, the City, through its Council and citizens, has focused on the creation of an intense and vibrant downtown in City Center.

In the past 20 years alone, **over \$410 million of city investment** in infrastructure and development improvements have included:

- I-225 and Alameda interchange
- Aurora Municipal Center Campus
- Aurora City Place
- Aurora Town Center improvements
- Light rail corridor and station improvements & enhancements
- Drainage and park improvements
- Trail connections
- Alameda street improvements

Recent Development

- ◆ Parkside at City Center (mixed-use)
- ◆ Fieldhouse USA (entertainment)
- ◆ Raising Cane's (restaurant)
- ◆ In-and-Out (restaurant)
- ◆ Alameda View (affordable housing)





Project Overview

Project Summary and Process

- ◆ Assess current conditions, opportunities, and challenges within area.
- ◆ Engage the public about their desires for City Center's future.
- ◆ Identify a vision and development framework for future growth.
- ◆ Create a planning document to help guide development and public improvements.



Why Are A Vision and Plan Important?

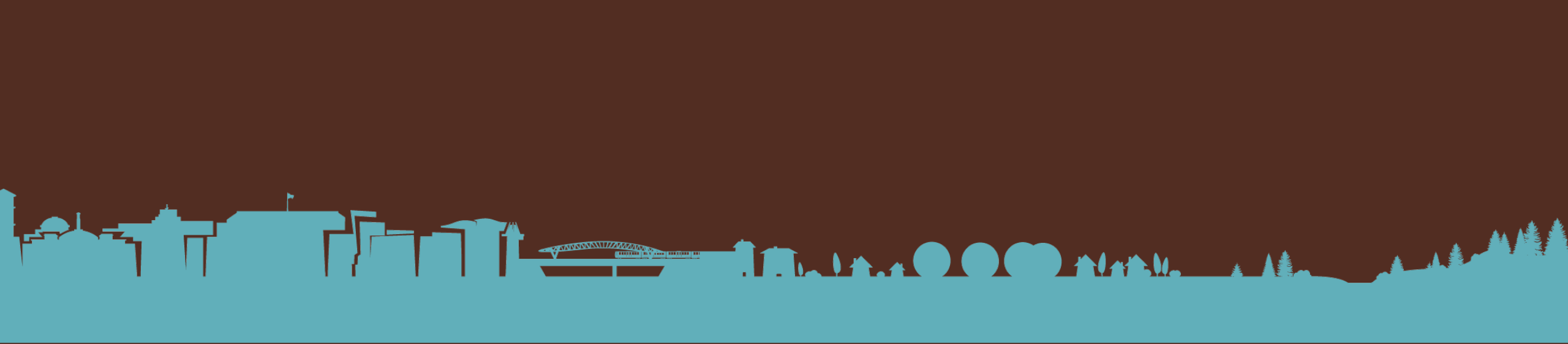
- ◆ Articulates the **community's shared desires** for how the area will grow and change in the future.
- ◆ **Signals to developers** what types of development opportunities are available and what the city desires.
- ◆ Can be used as a **marketing or economic development tool** for attracting desired development.
- ◆ Provides context and direction for **zoning and development standards** and a measure against which to review proposals.
- ◆ Provides context and direction for **infrastructure planning and budgeting** to support anticipated development.
- ◆ Supports and strengthens **grant funding applications**.



Project Schedule to Date

- ◆ Project initiated April 2020
- ◆ Steering Committee formation August 2020
- ◆ Virtual public meeting #1 August 6 (Community Discussion)
- ◆ Online survey August 9 to September 15
- ◆ Online public meeting #2 October 21 (Preference Survey)
- ◆ Public review draft released 2nd Quarter 2021





Plan Components

1. Existing Conditions & Historical City Investment
2. Community Survey Results
3. City Center Vision
4. Development Framework
5. Financial Framework
6. Organizational Framework



Community and Property Owner Input

Community Survey Results Summary

- ◆ Strong support for **additional retail, restaurant, and entertainment choices**, with an emphasis on unique, locally-owned, or first-to-market businesses.
- ◆ Support for **employment opportunities and a diversity of housing** options at a variety of prices.
- ◆ Strong desire for City Center to offer an **attractive and popular destination** for shopping, dining, entertainment, employment, and other activities
- ◆ Desire for **multiple modes of transportation**, with an emphasis on providing **safe, convenient connections** across major thoroughfares and to surrounding areas.
- ◆ A **“park once and walk”** district received strong support.
- ◆ Strong **support for active public spaces**, including urban parks, plazas, and enhanced street frontages with outdoor dining, seating, and landscaping.
- ◆ Support for the City Center area to grow into **Aurora’s “downtown” district**.
- ◆ Desire for a district that offers a variety of activities and serves a **diversity of residents, employees, and visitors**.
- ◆ Respondents support a district that highlights the community’s character and **redefines expectations about Aurora**.



Vision and Guiding Principles

Draft Vision Statement

City Center is envisioned as Aurora's dense, mixed-use, downtown district. It is one of the city's most important economic and cultural centers. Its strong sense of community, reflection of the city's diversity, and local culture make it unique within the region.

The district offers an unprecedented opportunity to build upon public and private investment, and attract a range of new jobs, retail, entertainment, and housing choices to underutilized land around the Metro Center Station.

Draft Guiding Principles for City Center

- **Serve as an Economic Engine for the City**
- **Foster Community, Diversity and Local Culture through creation of an Authentic Place**
- **Promote Health, Well-being and Resiliency**
- **Create a Connected and Multi-modal District**
- **Focus on Identity, Branding and Technology**



Draft Guiding Principles

Serve as an Economic Engine for the City

- Offer a dense mix of uses and activities that draw visitors from Aurora and the region
- Provide a concentration of diverse and well-paying jobs
- Build upon public investment and private development momentum
- The District should be a substantial tax revenue generator

Foster Community, Diversity, and Local Culture through the Creation of an Authentic Place

- Create a true city center or downtown as a focal point for community interaction
- Provide high quality and active open spaces for a diversity of residents, employees, and visitors
- The District embraces diversity and includes locally-owned businesses
- Foster an identity that is authentic Aurora and redefines expectations



Draft Guiding Principles

Foster Health, Well-being and Resiliency

- Create a safe and welcoming environment for all
- Design to encourage healthy, active lifestyles
- Create a multigenerational neighborhood
- Offer a variety of housing types and prices to meet diverse household needs
- Design infrastructure and buildings that support sustainability

Create a Connected and Multi-modal District

- Strengthen Aurora Metro Center Station as a multimodal hub
- Create a safe and convenient network for pedestrians and bicycles
- Offer convenient wayfinding and public parking facilities
- Connect to surrounding neighborhoods and existing trails and open space amenities



Draft Guiding Principles

Identity, Branding and Technology

- Promote and develop the area as a collection of distinct urban districts
- Organize public and private stakeholders to work toward shared goals
- Invest in technology infrastructure to meet the changing needs of residents, businesses, and the community





Development Framework

High-level Foundational Principles for Physical Development

District Character

- Envision the district as Aurora's downtown
- Central public spaces and the public realm give an identity to the district; design and function is high priority
- District should be highly walkable, designed around pedestrian convenience and safety



District Character

- Sufficient density and activity to create an active center; thoughtfully mix land uses, require urban-scale density
- Build on past infrastructure investments and plan for new public improvements to support private investments



Downtown Westminster design concept

Walkability and Connectivity

- Continued focus on bus and light rail service at Metro Center Station
- Consider redevelopment of RTD parking lot and bus parking to shared structured parking and mixed-use development



2013 City of Aurora and SEM study



Bel Mar design concept

Walkability and Connectivity

- Sable and Alameda intersections: enhance pedestrian comfort and safety; and provide alternative routes
- Require pedestrian, bicycle, and street connections between developments as area builds out or redevelops
- Introduce unique art to brand district crossings



Crosswalk design examples

Future Development: New Activities, Experiences & Economic Generators

Retail and restaurants

- Retail and restaurants continue as a primary element of the district
- Community desire for more diversity of options for shopping and dining
- Strategically locate along main streets or active public spaces
- Tenant selection is important element, should mix in local or first-to-market

Office

- As part of mixed-use development, highest density along I-225 frontage
- Employees can help support retail and restaurants; this type of district character is draw to employees and businesses
- Long-term development horizon



Future Development: New Activities, Experiences & Economic Generators

Housing

- Mix of housing types, including market and affordable, rental and owner, variety of price points

Entertainment, recreation, cultural, and civic facilities

- Public support for options that appeal to young, families, seniors, visitors
- Regional location offers opportunity to draw from metro area
- Programming of public spaces is essential to consider
- May include hotel, event space, or other hospitality uses



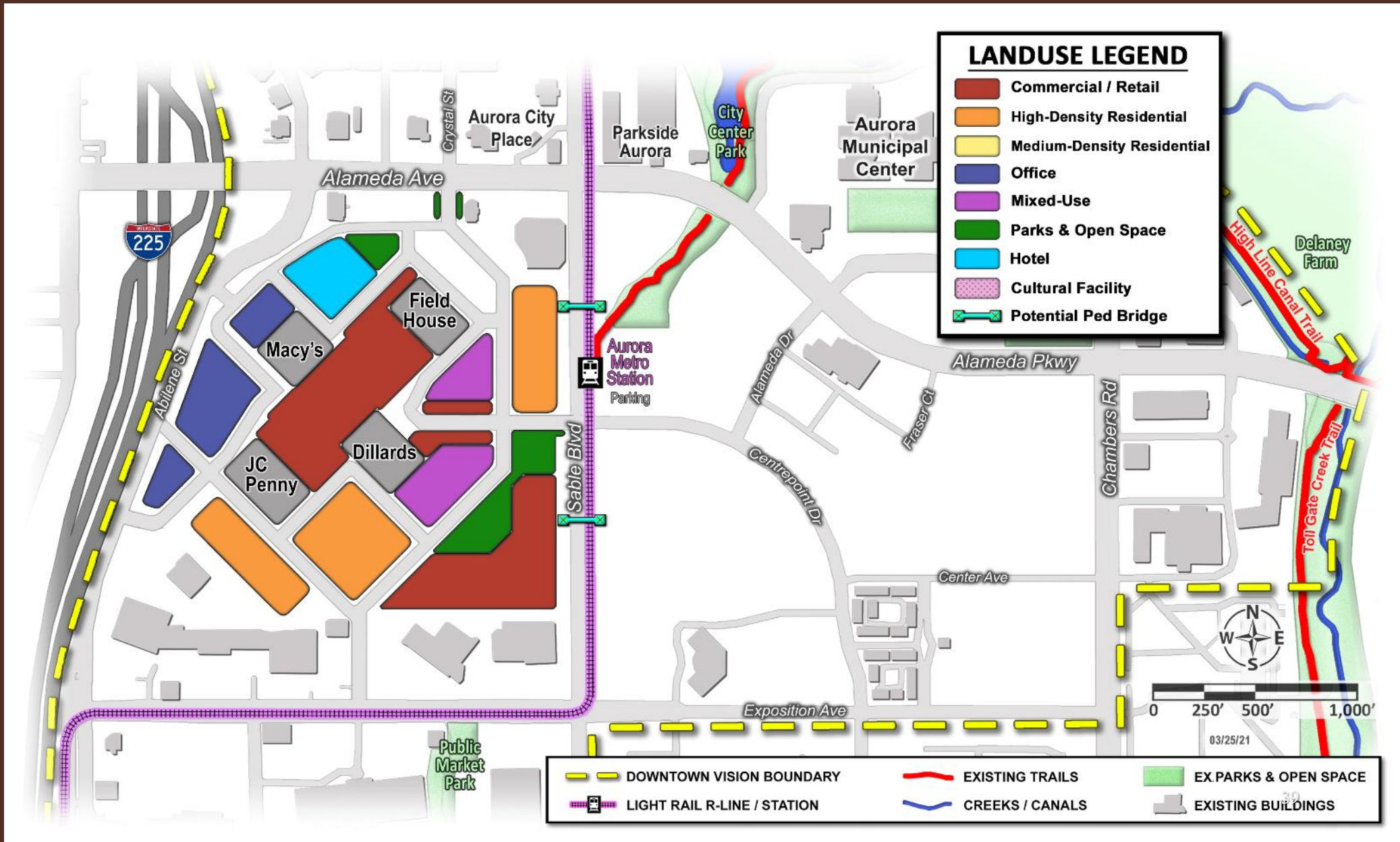
City Center as a Series of Subdistricts

- Overall vision for the entire district
- Subdistricts each take on own character or focus
- Each is built around a central activity node or public space
- Connections between subdistricts and to surrounding areas



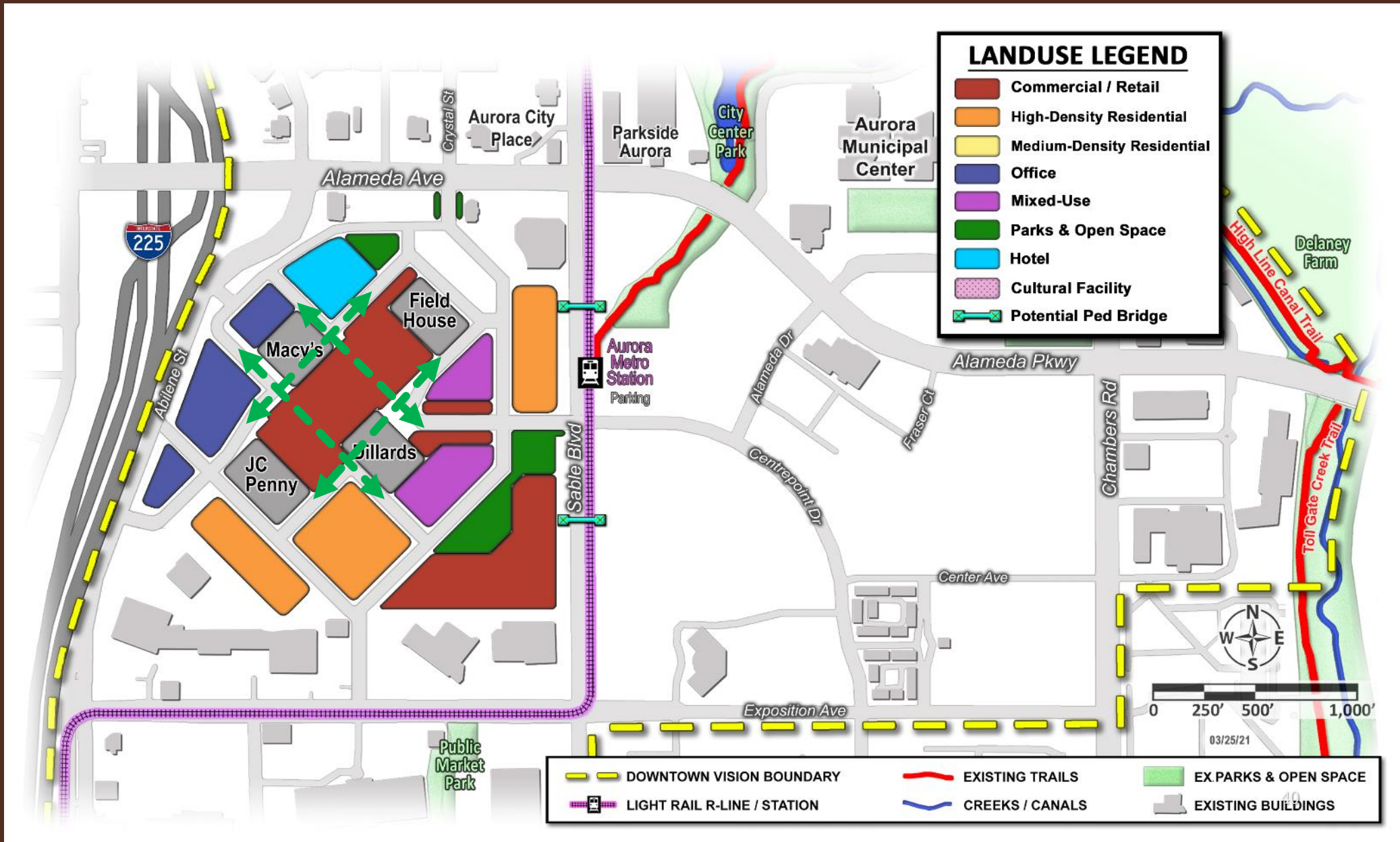
Town Center at Aurora Sub-District

Incremental Infill Scenario

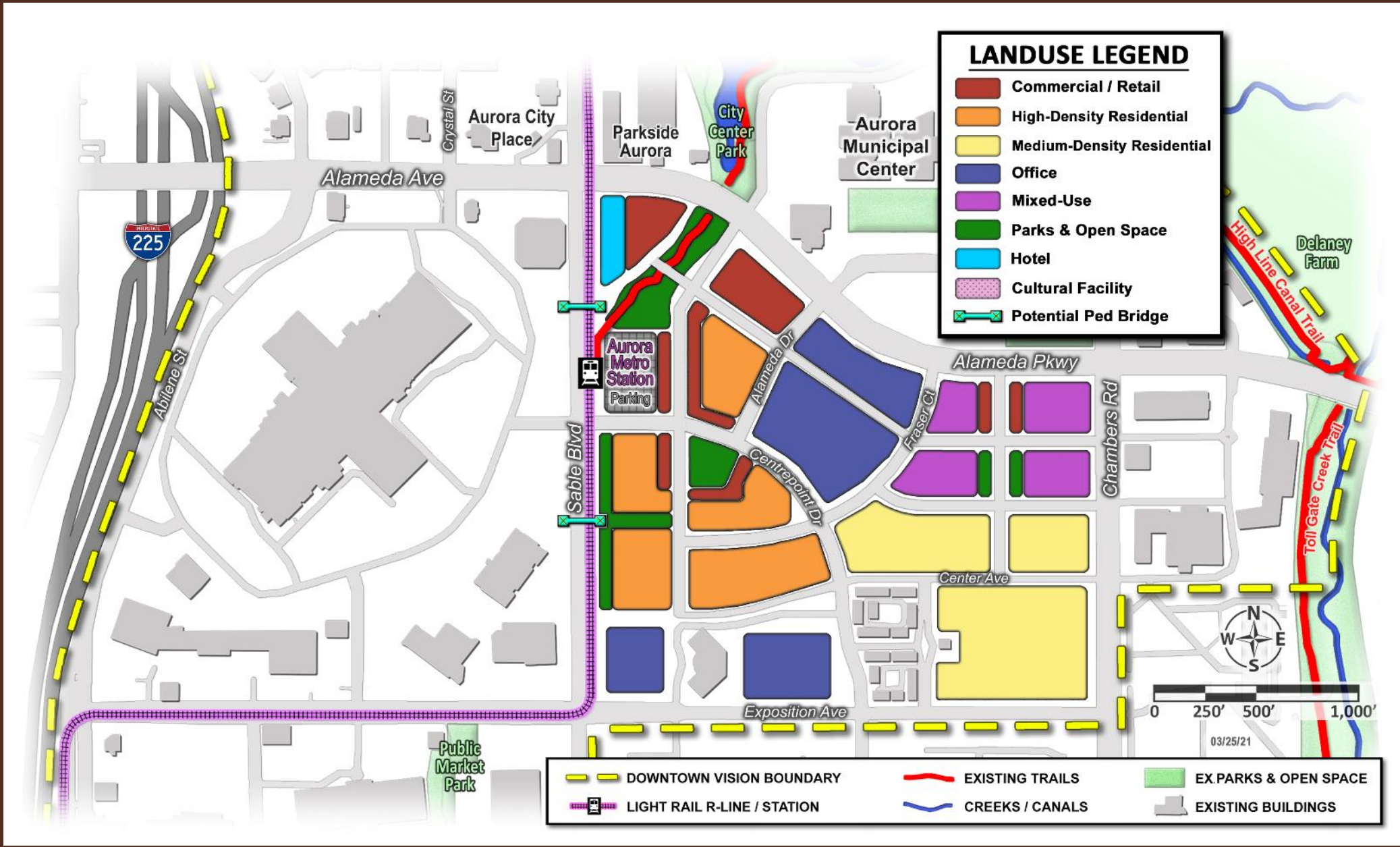


Town Center at Aurora Sub-District

This scenario retains the future possibility of an urban street network.

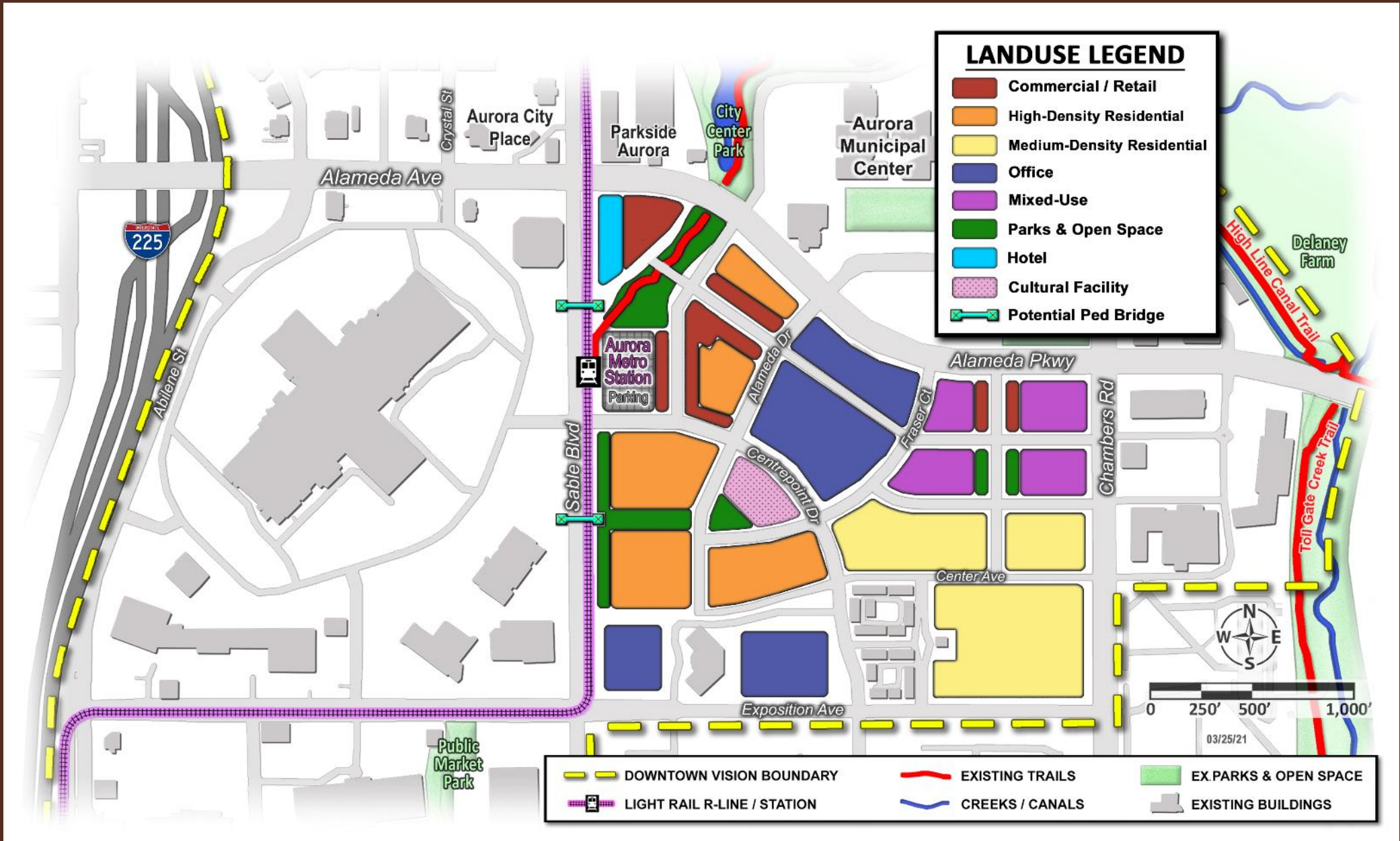


Metro Center Sub-District Scenario A



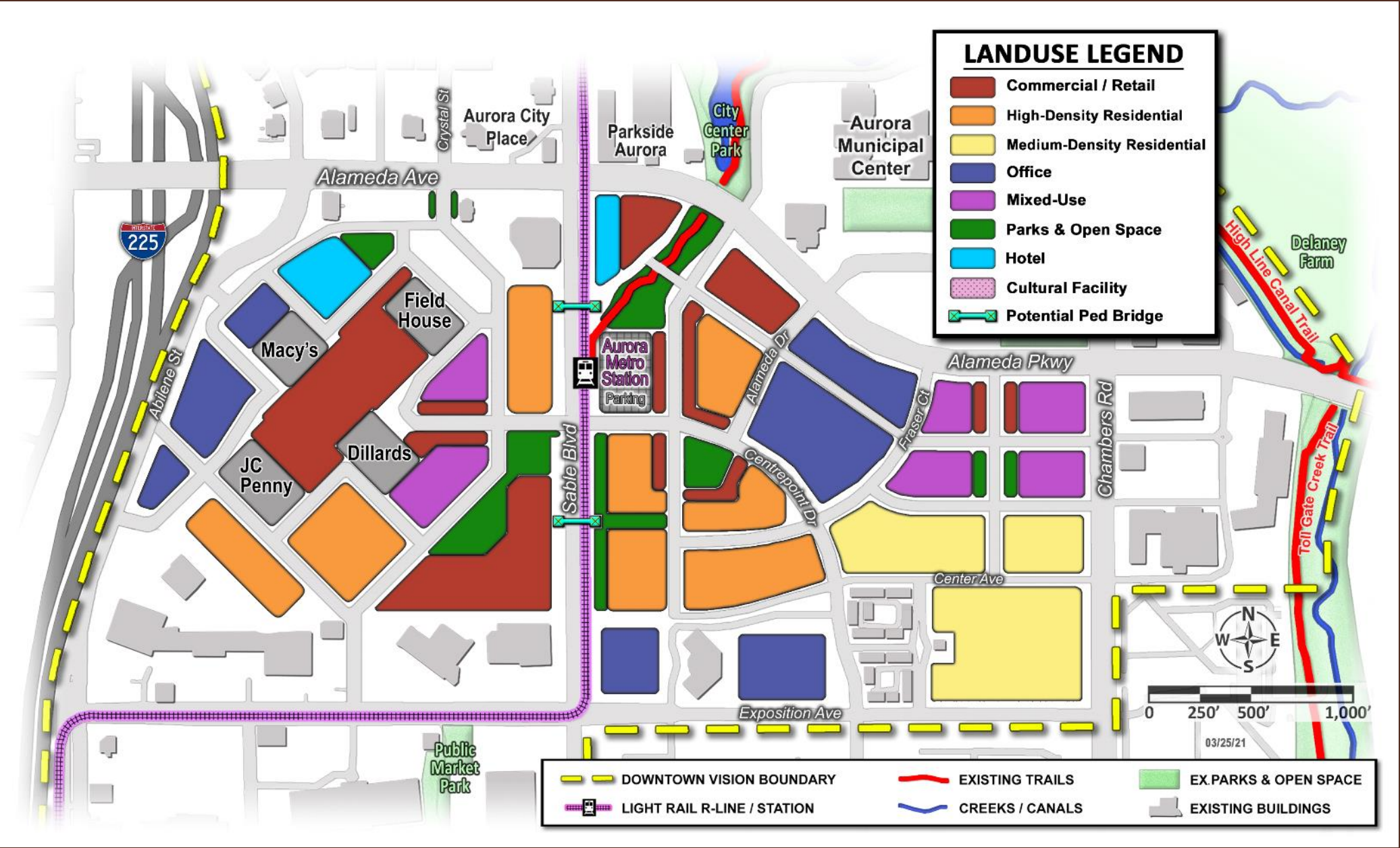
Metro Center Sub-District

Scenario B



Town Center & Metro Center Scenario A

Combined Land Use Illustration





Zoning and Design Standards

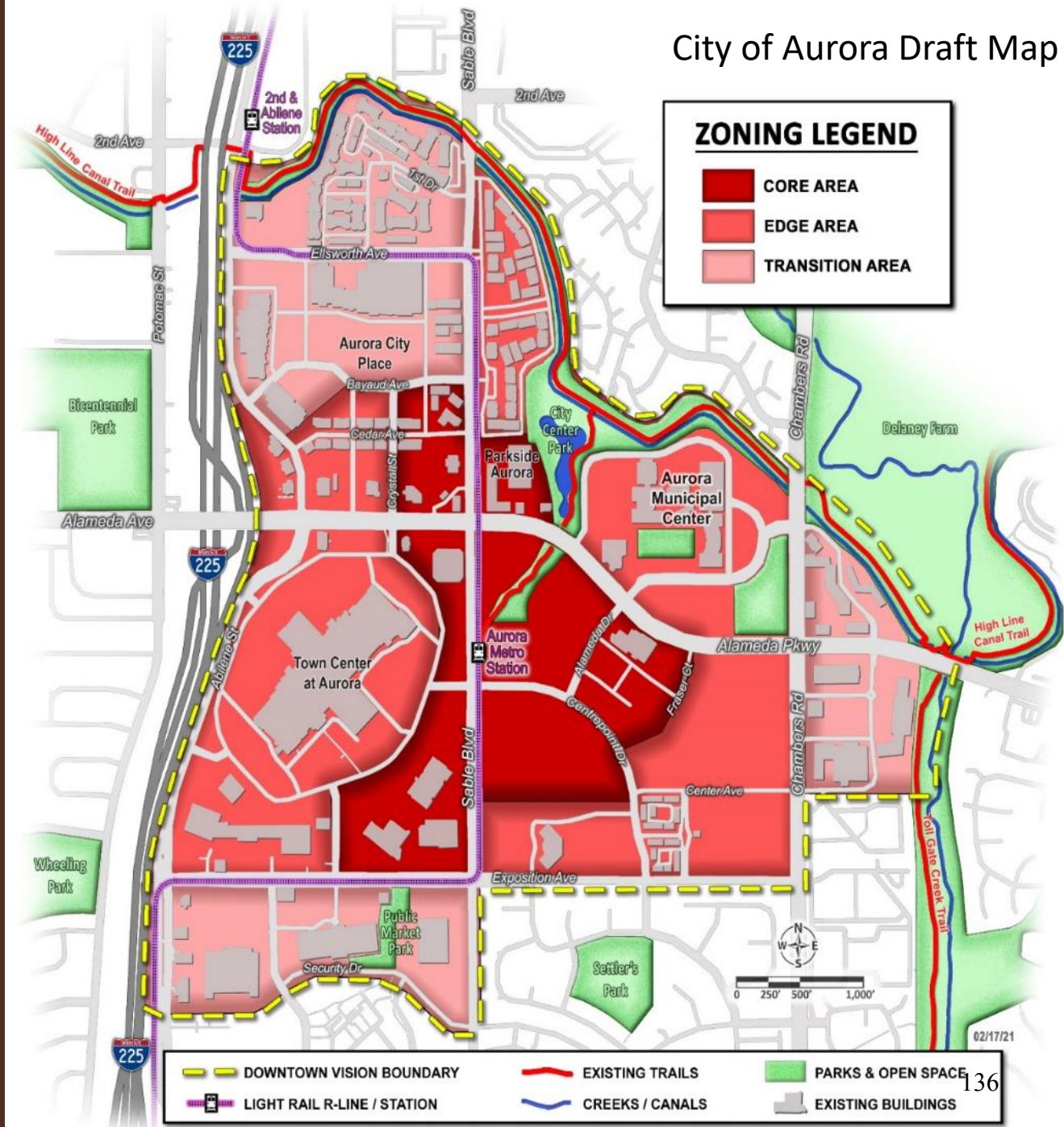
Zoning and Design Standards

Subarea standards

- Core, Edge, and Transition

Development standards

- Urban-scale density and height requirements
- Building forms and placement
- Architecture and materials
- Design or location of streets, parking, and public spaces





Financial Framework

Financial Toolkit

Financial toolkit includes:

- ◆ Federal Opportunity Zone
- ◆ Metro District
- ◆ Urban Renewal District
- ◆ As well as variety of other funding tools for infrastructure, housing development, or business development



Urban Renewal City Council Priorities

- ◆ Vertical and/or horizontal mixed use
- ◆ New or desired retail concepts
- ◆ Increased housing density at urban centers and TODs
- ◆ Specific quality and design features
- ◆ New housing and/or business choices
- ◆ Public gathering spaces
- ◆ Multi-modal connections
- ◆ Job creation
- ◆ Creation and enhancement of “great places”
- ◆ Energy efficiency and environmental design
- ◆ Maintaining “affordable” units while creating a diversity of new units
- ◆ Preservation of existing small businesses
- ◆ Community wealth building





Organizational Framework

Organizational Framework

District Identity and Branding

- Lack of cohesion cited through public input
- Downtown districts use branding to strengthen district to customers and business community
- Expression of vision and opportunities

District Organization

- Consider establishing a downtown organization, such as a BID, DID or merchant association
- Roles could include advocacy, business development, public improvement and services, marketing, event programming



Draft Action Recommendations

Draft Action Recommendations

1. Adopt this document as an **update and replacement to the previous City Center Station Area Plan.**
2. **Revise UDO sections on MU-TOD and MU-R zoning districts to clarify and strengthen relationship with Station Area Plans.**
3. **Establish a Design Review Committee (DRC) of design professionals and area stakeholders to implement the vision and standards.**



Draft Action Recommendations

4. Initiate a joint effort with Washington Prime to **develop a master plan for the Town Center at Aurora property** (and surrounding properties?). Identify and pursue funding sources and partners for this planning activity.
5. Continue to discuss with RTD the **redevelopment scenarios for the RTD bus facilities and parking lot**, including development of the property as a residential or mixed-use project and/or a shared parking garage.
6. Initiate a study or establish a Business Improvement District, Downtown Development District, Merchant or Business Owners Association, or other organization to **develop a district-wide branding strategy**, and support development, services, marketing, and events in the district.

Draft Action Recommendations

7. Update the **blight study for the area and re-establish an Urban Renewal Area** for targeted properties; update applicable Urban Renewal Plans.
8. **Improve primary and secondary crossings of major thoroughfares** to enhance vehicle, pedestrian, and bicycle usage. Pursue grant funding for planning, design, and construction of these intersection improvements.
9. Identify funding sources for priority public improvements; **integrate priority public improvements into the city's capital improvement plan.**





Next Steps

Next Steps

“Information only” presentations to:

- Steering Committee (April 8)**
- PED Policy Committee (April 14)**
- Planning & Zoning Commission (April 14)**

HORNS Policy Committee (May 6)

- Staff will seek direction to release public review draft and gather public input**



Thank you!

For more information about the project, visit
auroragov.org/citycenter

Or contact the city's project team at:
citycenter@auroragov.org or 303-739-7187



MEMO

TO: COUNCIL MEMBER MARSHA BERZINS, CHAIR PLANNING AND ECONOMIC
DEVELOPMENT POLICY COMMITTEE
COUNCIL MEMBER ANGELA LAWSON
COUNCIL MEMBER DAVE GRUBER

FROM: BRAD PIERCE, CHAIR OIL AND GAS ADVISORY COMMITTEE

SUBJECT: FIRST QUARTER 2021 REPORT

DATE: APRIL 2, 2021

I am pleased to provide the First Quarter 2021 Report of the activities of the Oil and Gas Advisory Committee. We had two meetings on WebEx in the First Quarter on January 20, 2021 and March 17, 2021.

January 20, 2021 Virtual Meeting on WebEx:

- Staff provided updates on current Oil and Gas Permit applications and on inspections.
- Public Comment:
 - One member of the public inquired about the Nevin wellpad. Staff responded that the Operator (Extraction) has not submitted an application to the City.
- Mr. Moore gave a PowerPoint presentation summarizing COGCC regulations that became effective on January 15, 2021.
- The committee interviewed an applicant for the Surface Owner vacancy, Dave Carro. The committee voted unanimously to recommended Mr. Carro for appointment to City Council.

March 17, 2021 Virtual Meeting on WebEx:

- Re-election of Officers for 2021 – Brad Pierce, Chair and Josh Redell, Vice Chair
- Staff provided updates on current Oil and Gas Permit applications, inspections and Oil and Gas Manual.
 - Staff is visiting Crestone Peak Resources locations with an infrared camera to look for gas leaks
 - Additional comments have been submitted to staff for the Oil and Gas Manual

- There was no public comment
- Our speaker was Bob Reynolds, Denver Museum of Nature of Science. He has long and extensive career in education, employment and teaching. He explained the nature and protection of the water aquifers in Aurora.

Respectfully Submitted,

A handwritten signature in black ink that reads "Brad Pierce". The signature is written in a cursive style with a large, stylized "S" at the end of the name.

Brad Pierce
Chair, Oil and Gas Advisory Committee