



AGENDA

Planning and Economic Development Policy Committee

June 14, 2023

8:30 am

VIRTUAL MEETING

City of Aurora

15151 E Alameda Parkway

Public Participation Dialing Instructions

Call in Number: 1(408)418-9388

Access Code: 2481 161 4524

[Click here to join the WebEx meeting](#)

This meeting will be live-streamed on the city's YouTube channel. Watch at [YouTube.com/TheAuroraChannel](https://www.youtube.com/TheAuroraChannel)

Council Member Francoise Bergan, Chair
Council Member Steve Sundberg, 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	1
May 10, 2023 Draft Subject to Approval Councilmember Bergan	
3. General Business	
3.a UNIFIED DEVELOPMENT ORDINANCE AMENDMENT– RELATING TO TURF AND ORNAMENTAL WATER FEATURES	7
UDO Amendments to match, as applicable, the recently adopted turf and ornamental water features ordinance (2022-46)	
Sponsor Name: Councilmember Francoise Bergan	
Staff Source: Kelly Bish, Senior Planner II	
Estimated Presentation / Discussion Time: 10 minutes / 10 minutes	
4. Miscellaneous Matters for Consideration	

4.a Aurora Economic Development Council

NO REPORT

4.b Havana Business Improvement District

NO REPORT

4.c Aurora Chamber of Commerce

NO REPORT

4.d Planning Commission

NO REPORT

4.e Oil and Gas Committee

NO REPORT

4.f Business Advisory Board

NO REPORT

4.g Retail

NO REPORT

4.h Small Business

Marcia McGilley

4.i Visit Aurora

NO REPORT

5. Confirm Next Meeting Date

Tentatively scheduled for July 12, 2023, at 8:30 AM MT

6. Adjournment

**PLANNING AND ECONOMIC DEVELOPMENT POLICY COMMITTEE MEETING
MINUTES**

Date: May 10, 2023

Time: 08:00 am

Members Present Chair: Councilmember Françoise Bergan, Councilmember Angela Lawson

Others Present Adrian Botham, Aja Tibbs, Andrea Amonick, Andrea Barnes, Becky Hogan, Blake Fulenwider, Brad Pierce, Brandon Cammarata, Bruce Dalton, Cathy DeWolf, Chance Horiuchi, Cindy Colip, Crystal Vigil, Daniel Brotzman, Daniel Money, David Schoonmaker, Diana Rael, Elena Vasconez, Gayle Jetchick, Jack Bajorek, Jacob Cox, Jason Batchelor, Jeannine Rustad, Jeffrey Moore, Jennifer Orozco, Jessica Prosser, Jose Rodriguez, Julie Patterson, Kelly Bish, Kevin Hougen, Laurie Womer, Leah Ramsey, Mac Callison, Marisa Noble, Mark Witkiewicz, Melvin Bush, Mindy Parnes, Philip Nachbar, Rachel Allen, Robert Oliva, Scott Berg, Stephen E Rodriguez, Steven Durian, Thomas Blevins, Tod Kuntzelman, Tom Oldenburg, Yuriy Gorlov

1. CALL TO ORDER

2. APPROVAL OF MAY 10, 2023, DRAFT MINUTES–COUNCIL MEMBER BERGAN

2.a. The minutes were approved.

3. GENERAL BUSINESS

3.a. 2023 Northeast Aurora and Aerotropolis Development Update

Summary of Issue and Discussion:

Mindy Parnes, Planning Manager, provided an update on the Northeast Aurora and Aerotropolis Development. She mentioned various residential and industrial developments, such as High Point, Painted Prairie, Aurora Highlands, Green Valley Ranch East, Windler, Porteos, JAG Logistics, Majestic, Prologis, Aurora Commerce Center, Stafford Logistics, and Horizon Uptown. She discussed the progress made in each development, highlighting the number of constructed and planned units, acreage, and the types of buildings. Parnes also mentioned several

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more projects in the pipeline and noted that the development review team was present to answer any specific questions.

- CM Lawson appreciated the presentation and raised concerns about the potential for gridlock in the city due to the increase in development. She emphasized the need for more transportation options, especially for the senior community in Green Valley, and expressed concern about the lack of transportation connections in the new areas of development. M. Parnes responded by acknowledging the city's transportation concerns, mentioning that the new Transit Demand Management Group would focus on this issue. She also referred to the upcoming Multimodal Transportation Master Plan, suggesting the city needs to explore all transit options, including non-traditional ones such as shuttles.
- CM Lawson suggested the implementation of park and ride systems for workers and stressed the need for proactive measures to prevent transportation issues. Mac Callison pointed out the ongoing initiatives to improve transportation, including a Transportation Demand Management Corridor Study by the Colorado Department of Transportation (CDOT), Bustang services, and bike/ped trails. He also mentioned the possibility of partnering with businesses for shuttle rides.
- CM Bergan then asked about the role of the Aerotropolis Regional Transportation Authority (ARTA) in regional infrastructure development.
- Callison gave an update on ARTA's projects, including final designs for I-70 Aerotropolis Interchange and connections to other major roads. He highlighted ARTA's success in providing continuous connections in the transportation network.
- CM Bergan acknowledged the importance of transportation in the development plans and looked forward to the upcoming discussion on attracting businesses to the area. She requested a printed copy of the presentation from Parnes, who agreed to provide it.

Outcome:

Information only.

Follow-up Action:

None required.

3.b. ICSC RECON

Summary of Issue and Discussion:

Robert Oliva, Retail Commercial Supervisor, shared about the upcoming ICSC Conference. Oliva noted that city leaders and staff attend ICSC annually, and this year seven representatives will be attending from May 21st to 23rd. Their goal is to attract, retain, and expand retail opportunities in the city.

He explained that the video needed to be updated due to the rapid growth and change in the northeast region of the city. The video was produced with the help of

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the Communications Department. He also detailed the types of groups they meet with at the conference, including developers, brokers, retailers, restaurant operators, and center owners. Oliva stated that their schedule for the conference is already fully booked with half-hour meetings. He also elaborated on the city's specific goals, such as attracting grocery stores to the Murphy Creek area and assisting developers in determining their target market mix for mixed-use projects. He also mentioned the tools and services they present to attract desirable businesses to Aurora. They offer demographic information, traffic counts and patterns, competitive analysis, and site and location services, among other things.

R. Oliva touched on the opportunity to connect retailers and restaurant operators directly with developers, and the use of advanced technology to assist these businesses. He also mentioned a welcome packet they've been sending out to new retailers in the city, noting they've sent out 720 such letters.

R. Oliva also described the purpose of the video they'll be sharing at the conference, which is to draw people to their booth. The video will be played on a loop on three monitors, without sound or music due to the high level of ambient noise at the convention.

Robert Oliva initiated the playback of a video to be showcased at the ICSC Conference. The video appeared choppy due to the method of display, but Oliva assured that it runs smoothly in actuality. He pointed out the taglines that were developed with the help of the Communications Department to market Aurora effectively.

After the video, Oliva praised the City Council's past decision to participate in the ICSC Conference, stating that it paved the way for other cities. He noted that this year, many other Colorado cities, including small towns from Adams County, would also have booths at the conference.

Oliva revealed that Aurora's booth would be open to their developers for meetings, and that the city is now in competition with other Colorado cities at the ICSC Conference. He mentioned plans to possibly upgrade their booth next year, emphasizing that other cities have followed Aurora's lead in utilizing the ICSC Conference as a means to attract business.

- CM Angela Lawson praised the video and asked if they receive questions about challenges Aurora may face, particularly from developers or restauranteurs. She also queried about the comparison of quality of life and permit processes between Aurora and other cities. Oliva responded that they generally don't receive such broad questions, with most queries centered on specific business concerns. However, they do get asked about the speed of their permit process, which they assure is expedited.
- CM Bergan complimented the video and asked about the nature of the half-hour meetings. Oliva explained that the meetings happen both at their booth and at others. He discussed the logistical challenges of the conference, particularly given

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its size and the fact that some of the larger players prefer to stay at their booths. He also mentioned the strategic location of Aurora's booth, which is visible from the other side of the building and stands out due to its brightness and height.

- CM Bergan inquired about the opportunities for marketing retail and restaurant spaces in areas of Aurora that are mostly built out. Oliva confirmed that they heavily market existing properties as these deals can be made sooner than those involving properties still under development.
- CM Lawson further asked if they consider the unique gaps in each Ward in Aurora in terms of the types of businesses that might be needed. Oliva mentioned that a colleague, Tom Oldenburg, does an impressive job at identifying every possible opportunity.

Outcome:

Information only.

Follow-up Action:

None required.

4. MISCELLANEOUS MATTERS FOR CONSIDERATION

4. a. Aurora Economic Development Council

- Yuri Gorlov
NO REPORT

4.b. Havana Business Improvement District

- Chance Horiuchi
NO REPORT

4.c. Aurora Chamber of Commerce

- Kevin Hougen:
NO REPORT

4.d. Planning Commission

- Becky Hogan
NO REPORT

4.e. Oil and Gas Committee

- Brad Pierce:
NO REPORT

4.f. Business Advisory Board

- Garrett Walls
NO REPORT

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4.g. Retail

- Bob Oliva

NO REPORT

4.h. Small Business

Elena Vasconez, provided updates on the visit of the SBA's Associate Administrator for International Trade, Mr. Gabe Esparza, on April 26. The aim of Mr. Esparza's visit was to understand the challenges businesses face with international trade. A roundtable discussion was held with Aurora's small business owners involved in import/export, local banks, and Community Development Financial Institutions (CDFIs), as well as staff from Colorado SBA, the Office of Economic Development and International Trade (OEDIT), and the new SBDC State Director. The discussion was fruitful, and Mr. Esparza was satisfied with the information gathered.

E. Vasconez then introduced the new Associate Director for the South Metro SBDC, Laurie Womer, who had been promoted from Senior Small Business Consultant. Laurie gave an update about the events of April 27. She mentioned that Mr. Esparza attended a ribbon-cutting ceremony for the new SBDC Satellite Office in Castle Rock at the Arapahoe Community College's Sturm Collaboration Campus. The event was attended by over 100 clients and VIPs. After the event, there was a lunch with Mr. Esparza, where he discussed the issues affecting international trade and various available programs. The lunch was sponsored by the Independent Bank.

4.i. Visit Aurora

- Bruce Dalton

NO REPORT

- CM Bergan asked Jason Batchelor about a point of discussion from the Northeast Aerotropolis Development Update. She noted that during an AEDC meeting, a representative from Buckley Air Force Base mentioned a significant challenge: the need for a substation to be built. This led to a broader discussion about power grids and infrastructure, including a comment that Westminster is no longer able to develop due to a lack of power grid infrastructure.
- CM Bergan inquired whether the Xcel Megasite, as mentioned in the Aerotropolis update, was intended to expand the power grid. Jason Batchelor responded that it's part of Xcel's service plan, and that while there are challenges related to supply chain issues, workforce issues, and contractor availability, Xcel has generally been keeping up with demands. He said that they maintain regular communication with Xcel about development activities and that this is something they're monitoring closely.
- CM Bergan then inquired about their communication with Xcel regarding future development, to which Jason confirmed regular contact. They also discussed the

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need for a substation on Buckley, which needs to be completed by 2027, or Buckley would risk losing its mission. Councilmember Lawson added that this was a critical issue discussed in DC with Congressman Crow and the Deputy Secretary at the Pentagon. Jason affirmed that this was a known issue and something they've discussed with Buckley and Xcel, and he committed to following up to see if there were any specific issues or delays they could help address.

5. CONFIRM NEXT MEETING DATE

Scheduled for June 14, 2023, at 8:30 AM MT.

6. ADJOURNMENT

APPROVED: _____
Françoise Bergan, Committee Chair



CITY OF AURORA

Council Agenda Commentary

Item Title: UNIFIED DEVELOPMENT ORDINANCE AMENDMENT- RELATING TO TURF AND ORNAMENTAL WATER FEATURES

Item Initiator: Brandon Cammarata, Planning Manager

Staff Source/Legal Source: Kelly Bish, Senior Planner II/ Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: N/A

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: TBD

2nd Regular Meeting (if applicable): TBD

Item requires a Public Hearing: Yes No

ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

UDO Amendments to match, as applicable, the recently adopted turf and ornamental water features ordinance (2022-46)

Sponsor Name: Councilmember Francoise Bergan

Staff Source name and Title: Kelly Bish, Senior Planner II

Estimated Presentation / Discussion Time: 10 minutes / 10 minutes

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

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration
Reason for waiver is described in the Item Details field above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

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

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

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.)*

In September 2022, the City of Aurora adopted an ordinance to amend City Code Chapter 138 to limit turf and ornamental water features (ord. 2022-46). Portions of this ordinance impacted the landscape requirements in the Unified Development Ordinance (UDO) (City Code Chapter 146, aka the zoning code).

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

The proposed UDO amendments address the following:

- Limit the use of turf to the rear lots of residential homes
- Remove the use of turf in curbside landscapes, medians, and landscape buffers surrounding the perimeter of developments
- Refine the terminology used in referencing allowable plant species
- Clarify the requirements for front yard landscaping as specified in Table 4.7-3 Residential Yard Landscape Requirements

Planning Staff has coordinated with Aurora Water in the development of these changes.

This proposal will need to go to Planning Commission and then to City Council for a decision.

FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact
 Budgeted Expenditure Impact
 Non-Budgeted Expenditure Impact
 Workload Impact
 No Fiscal Impact

REVENUE IMPACT

Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

BUDGETED EXPENDITURE IMPACT

Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

NON-BUDGETED EXPENDITURE IMPACT

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

WORKLOAD IMPACT

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

QUESTIONS FOR COUNCIL

Does the council wish to approve unified development code amendments relating to turf and ornamental water features?

LEGAL COMMENTS

An application for an amendment to the text of this UDO or a legislative rezoning of a large area shall only be recommended if the Planning Director and the Planning and Zoning Commission find that the following criteria have been met, and shall only be approved if City Council finds that the following criteria have been met. i. The applicant has demonstrated that the proposed Ordinance amendment is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and a. The change to the Ordinance text is required because of changed conditions or circumstances in all or a portion of the city; or b. The change to the Ordinance text is required to address a new or unforeseen threat to the public health, safety, and welfare; or c. The change to the Ordinance text is required to promote economic growth and investment that will not create material risks to the public health, safety, and welfare. (City Code § 146-5.4.1.C.3.B) (Money)

EFFECTIVE DATE: 10/15/2022

ORDINANCE NO. 2022- 46

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, ENACTING SECTION 138-191 OF THE CITY CODE PERTAINING TO THE
USE OF TURF AND ORNAMENTAL WATER FEATURES

WHEREAS, Aurora Water is responsible for providing water for the residents of the City of Aurora; and

WHEREAS, water scarcity in the arid west is compounded by water availability and population growth; and

WHEREAS, water used in irrigation and ornamental water features severely limits the amount of water that can be recaptured by Aurora Water's Prairie Waters potable reuse system; and

WHEREAS, low water-use landscapes are attractive, require less maintenance, save water and better withstand drought. Eliminating high water use turf in nonfunctional and aesthetic areas maximizes the amount of available reusable water, a primary goal of Aurora Water.

WHEREAS, the intent of section 138-191 is to help Aurora Water meet future water needs and is in the interest of the health, safety and general welfare of the residents of Aurora.

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

Section 1. Section 138-191 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 138-191 Use of turf and ornamental water features.

(1) Definitions. As used in this section 138-191 the following words and phrases shall have the meanings ascribed to them below:

***Turf* means any cool season turf species, variety or blend, including but not limited to Kentucky bluegrass and Fescue.**

***Aesthetic Turf* means turf areas designed for aesthetic appeal only and are not conducive to active or programmed recreation.**

Water-wise landscape means landscapes designed with shrubs, perennials and warm-season grasses with an annual irrigation water requirement of less than 15” (9.345 gallons per square foot).

Median means the landscaped area between opposing directions street traffic lanes.

Curbside Landscape means the landscaped area between a sidewalk and curb.

Residential development perimeter or common landscape means any landscaped area within a residential development not irrigated by a residential water meter and not dedicated as a park per the City of Aurora’s Parks Recreation and Open Space Dedication and Development Criteria Manual.

Commercial development means any development that meets the commercial user definition in section 138-221.

Landscaped common area means areas within a private community designed for community use in section 138-151.

Multi-family residential development means developments that meet the multi-family user development definition in section 138-221.

Active or Programmed recreation area means an area with a primary function of sport field but can also accommodate secondary functions including but not limited to non-organized sporting events, cultural activities and organized social gatherings.

Ornamental water feature means any exterior decorative fountains, waterfalls, basins, ponds, lakes, waterways or other similar aesthetic structures unless required under Chapter 138, Article VIII – Stormwater of the City Code.

- (2) The intent of this section 138-191 is to assist the City in meeting future water needs.
- (3) Use of turf and ornamental water features. The provisions of this section 138-191 apply to all development and redevelopment within the City.
 - (a) Exemptions. Developments with complete Site Plan application submitted to the City prior to the date of September 30, 2022 are exempt from this section.
 - (b) An exemption may be granted for consistency within developments when a Site Plan approved prior to January 1, 2023 is adjacent to a Site Plan without approval prior to January 1, 2023 and a net water savings can be accomplished beyond what is minimally required under this section 138-191.

An exemption under this section 139-191(3)(b) must be approved by both the General Manager of Aurora Water and the City of Aurora Director of Planning.

- (4) Turf that serves primarily an aesthetic purpose shall not be permitted.
- (5) The installation of new turf shall be restricted as follows:
 - (a) Turf shall not be installed in the front or side yards of any single-family dwelling except as specified in section 138-191(5)(b).
 - (b) The installation of new turf in alley load residential front yards where backyard size prohibits the installation of turf shall not exceed the lesser of: forty-five percent (45%) or five hundred (500) square feet.
 - (c) The installation of new turf in residential backyards shall not exceed the lesser of: forty-five percent (45%) of the backyard area as defined by the Unified Development Ordinance; or five hundred (500) square feet.
 - (d) The removal of water-wise landscaping for the purpose of installing turf is prohibited, regardless of building permit issue date.
 - (e) Turf shall not be installed in medians or curbside landscapes.
- (6) The installation of turf in the following developments shall be allowed only in active or programmed recreation areas:
 - (a) Multi-family developments;
 - (b) Commercial developments;
 - (c) Public and private schools;
 - (d) Interior landscaped common areas on a common irrigation meter designed for recreation and conforming to the City's Unified Development Ordinance, as modified from time to time; and
 - (e) Formal sports fields, informal play areas, active and reflective recreation areas only as defined in the City's Parks and Recreation and Open Space Dedication and Development Criteria Manual.
- (7) Turf shall not be installed for the development of golf courses.
- (8) Ornamental water features. The use of water in all public and private exterior ornamental water features and ponds is prohibited.
- (9) Median and Curbside landscape. The installation of new spray and/or sprinkler irrigation systems in median and curbside landscaping is prohibited.
- (10) Except as indicated in section 138-191(3)(a) and (b) above, there shall be no waivers or variances to this section 138-191 permitted.
- (11) Three years after the effective date of this ordinance, the City Manager shall have a third party economic study conducted to include at least the following elements: impact of this ordinance on water usage in the City of Aurora; impact of this ordinance on household water rates in the City of Aurora; impact of this ordinance on home values and prices in the City of Aurora; impacts of this ordinance on new home construction in the City of Aurora; and adoption of similar ordinances by other jurisdictions within the Denver metropolitan area.
 - (a) The results of this economic study shall be presented to City Council within thirty-nine (39) months of the effective date of this ordinance.

Section 2. 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 3. Penalty. City employees violating the terms, directives, or mandates of this Code are not subject to the general penalty provisions contained in Section 1-13 of this City Code.

Section 4. 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.

Section 5. Repealer. All orders, resolutions, or ordinances 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.

INTRODUCED, READ AND ORDERED PUBLISHED this 8th day of August, 2022.

PASSED AND ORDERED PUBLISHED this 12th day of September, 2022.


MIKE COFFMAN, Mayor

ATTEST:


KADEE RODRIGUEZ, City Clerk



APPROVED AS TO FORM:

RLA

Ian Best, Assistant City Attorney

Planning and Economic Development Committee

June 14, 2023

UDO Amendments to Address Water-Wise Provisions

Planning & Development Services Department



Why Amend The UDO ?

- City Council passed Ordinance No. 2022-46 (The Non-functional Turf and Ornamental Water Features Ordinance) in September 2022 and it became effective as of October 15, 2022.
- This amendment is being proposed to address the inconsistencies between the two ordinances

Section 146-4.7. Landscape, Water Conservation, Stormwater Management

- Limit the use of turf to the rear lots of residential homes
- Remove the use of turf in curbside landscapes, medians and landscape buffers surrounding the perimeter of developments
- Refine the terminology used in referencing allowable plant species
- Clarify the requirements for front yard landscaping as specified in Table 4.7-3 Residential Yard Landscape Requirements

Why Amend The UDO ?

Prior to Adoption of Non-Functional Turf Ordinance

- Landscape plans submitted before October 1, 2022, are allowed to follow the regulations in place at the time they submitted the application and are not required to comply with the non-functional turf ordinance



Comments?

Planning & Development Services Department



ORDINANCE NO. 2023- _____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 146 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, AS IT RELATES TO THE USE OF TURF AND ORNAMENTAL WATER FEATURES

WHEREAS, the City's Unified Development Ordinance lists development and zoning standards for City development, which include general landscaping standards and plant and turf requirements; and

WHEREAS, in 2022, the City Council passed Ordinance No. 2022-46 pertaining to new regulation of turf, ornamental water features, and non-functional turf material; and

WHEREAS, UDO Sec. 146-4.7 Landscape Water Conservation Storm Water Management conflicts with Ordinance No. 2022-46 and needs updating to comply with the Ordinance; and

WHEREAS, City Council finds these amendments necessary for the City's health, safety and welfare of the City to authorize the current requirements within Section 146-4.7 be amended to comply with Ordinance 2022-46.

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

Section 1. That Section 146-4.7.3.B. of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

4.7.3. General Landscaping Standards

B. Plant Material Requirements.

12. *Turf Regulations*. The design of all new turf areas shall comply with the following requirements.

a. *Turf Area Limitations*.

i. *Turf Area Limitations for Each Lot Containing Single-Family Detached, Two-Family and Single-Family Attached Duplex Homes*. Turf requirements for such areas shall be subject to all the requirements listed in Table 4.7-3, Residential Yard Landscape Requirements and **Section 138-191 of the City of Aurora code**.

ii. *Turf Area Limitations for All Other Development Areas Except Playfields and Golf Courses.* In all other development sites except playfields ~~and areas as defined by Section 138-191 Use of Turf and Ornamental Water Features of the City of Aurora Code of Ordinances, golf courses,~~ the use of cool-season grass sod, seed and seed mixtures that contain cool-season grass species shall be limited to not more than 33 percent of the site’s total landscaped areas. The area consisting of high-water using species of cool-season grasses such as Kentucky Blue Grass shall be contiguous, ~~and patches located throughout the site shall be avoided.~~ For the purposes of these standards “contiguous” shall mean all abutting areas and areas that may be separated by a pedestrian walk or trail. Areas separated by pavement used for vehicular circulation are not considered contiguous.

b. *Cool Season Grass.*

i. *High Water Usage Cool Season Grasses.* A cool season grass species shall be considered high water use if it requires **more than 15” of annual irrigation.** ~~one and one half inches of water or more per week to survive.~~

ii. ~~*Exceptions and Exemptions.* Tot lots and recreational areas that benefit from the durability of cool season grasses are exempt from contiguity requirements of this section. All other requirements shall apply.~~

Section 2. That Section 146-4.7.5.C.2. of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

4.7.5. Required Landscaping

C. Curbside Landscaping

2. Detached Walks.

a. *Minimum Plant Material Quantities.* One tree per 40 linear feet of street frontage plus **shrubs, water wise xeric grass species** ~~sod~~, native seed, ~~or a combination of shrubs,~~ ornamental grasses, and perennials, as required by this Section [146-4.7.5.C.](#)

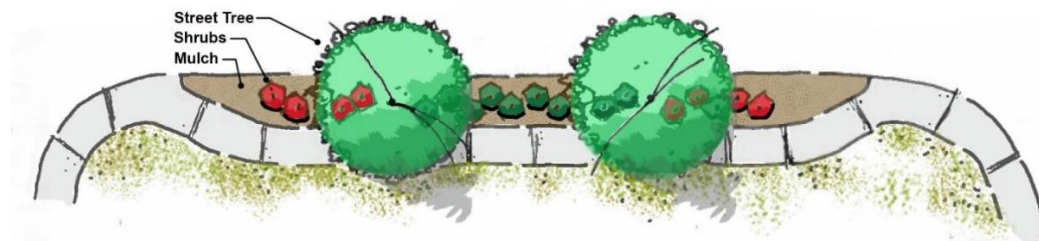


Figure 4.7-3: Substitute for **Non-Xeric, Cool Season Grass Sod** in Curbside Landscape Area

iii. Curbside landscape areas that are between **eight** and 10 feet in width shall be planted with shrubs at a minimum. Ornamental grasses ~~as well as are optional~~ water conserving (xeric) seed and/or ~~sod~~ grass species ~~varieties~~ may be provided in between shrub and ornamental grass beds. ~~See Landscape Reference for a list of optional water conserving native seed and sod varieties.~~

iv. Curbside landscape areas that are 10 feet in width or wider may be planted entirely with either a water conserving (xeric) ~~or cool season~~ grass **species** or native seed. A combination of shrubs and ornamental grass beds may be incorporated within the curbside landscape area **meeting the minimum quantity requirements as defined by this section.**



Figure 4.7-4: Curbside Landscape Native Seed Application

c. *Use of Living and Non-Living Materials.* The following standards apply to sites with detached sidewalks.

i. In addition to the required street trees, curbside landscaping within the right-of-way may consist of both living and non-living landscape materials.

ii. Living materials shall include Water-wise deciduous or evergreen shrubs, ornamental grasses, perennials, ground covers, **water-wise xeric grass species** ~~sod~~, and/or native seed consistent with Section 146-4.7.5.C.2.a.ii.



Figure 4.7-8: Examples of Detached Sidewalk Curbside Landscapes

Section 3. That Section 146-4.7.5.M.1. of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

4.7.5 Required Landscaping

M. Detention and Water Quality Ponds

1. *General.* Detention and water quality ponds shall be integrated physically, functionally and aesthetically into the total landscape design. Standing water shall be avoided to the maximum extent practicable, unless part of an **existing** recirculating water feature or located in wetland vegetated areas.

Section 4. That Section 146-4.7.5.O. of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

4.7.5 Required Landscaping

O. Medians.

All medians in the public street rights-of-way that are to be maintained by the Parks, Recreation and Open Space Department (PROS) shall be landscaped in accordance with the PROS Dedication and Development Criteria Manual. A copy of the manual is available on the City's website. The applicant shall prepare median design and construction drawings for submission to PROS for review and approval independent of the required site plan submittal to the Planning and Development Services Department. A separate review fee is collected by PROS at time of submission. Coordinate with PROS on specific submittal requirements.

Trees: One deciduous canopy/shade tree (two and one-half inches) or ornamental tree (two inches) every 35 feet on average. At least half of the trees shall be canopy or shade trees. Evergreen trees are not permitted within medians unless a narrow species is selected and preapproved by Planning staff. Ornamental trees may be grouped closer together to achieve a specific aesthetic look.

Shrubs: Shrubs shall be provided at a ratio of six shrubs per 36 linear feet of median. Shrub installation size shall be five-gallon containers.

Ornamental Grasses: Ornamental grasses may be provided but may not count for more than 30 percent of the total shrub quantity. Ornamental grass installation shall be five-gallon containers.

~~Sod/~~ **Water-Wise Xeric Grass Species/Native Seed:** ~~The installation of sod is discouraged.~~ Native seed may be provided in combination with shrubs, ornamental grasses, **water-wise xeric grass species** and trees at a ratio of six shrubs per 36 linear feet of median. The shrub quantity is calculated first and the remainder of the median may be native seed. Ornamental grasses may not count for more than 30 percent of the total shrub quantity.

Irrigation: Permanent irrigation is required for all plants except native seed mixes and Z-zone plant species. Overhead irrigation utilizing spray, rotor or rotary heads is prohibited as defined by Section 138-191. Above ground temporary overhead irrigation may be permitted for a three-year establishment period and permission is determined by the size and spatial layout of the landscape design. All landscaping requires irrigation. Temporary irrigation may be provided for the native seed, but all shrubs, trees and ornamental grasses must remain on a permanent irrigation system tied to a domestic water system, i.e. a tap. An isolation valve may be provided to turn off the irrigation to the native seed areas once established. Native seed is established when no more than 10 percent of the native seed consists of nonnative species or weeds. In addition, no bare areas shall be larger than 12 inches by 12 inches.

Section 5. That Section 146-4.7.5.P. of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

4.7.5 Required Landscaping

P. Residential Yard Landscape.

1. *General.* Before the issuance of a permanent certificate of occupancy, the developers of all new single-family detached, ~~single-family attached~~, and two family (duplex) residential developments shall provide front and side yards of corner lots visible from public view with landscaping on each lot meeting ~~either the Water-wise or turf~~ landscape options as described below.

2. *Irrigation.* Landscaping for front, side and corner lots shall include automatic irrigation. Side yard landscaping and irrigation shall also be installed where the side yard faces a public right-of-way or public space in accordance with the City’s irrigation ordinance.

3. ~~*Water wise and Turf Options.* For calculations of allowed turf, curbside landscapes are considered part of the front yard.~~

Section 6. That Section 146-4.7.5.P. Residential Yard Landscape, Table 4.7-3 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Table 4.7-3 Residential Yard Landscape Requirements Front, side, and rear yard landscaping requirements for single-family detached and two-family (duplex) dwellings		
Front yards for lots of 4,500 square feet or larger Areas located in front of the house elevation not including the streetscape area between the sidewalk and street curbs. Side and rear yards visible to the public shall comply with front yard standards.		
A	Turf {1}	Water wise option: 0% turf. Turf option: Shall not exceed the lessor of 45%. Min. = 400 sq. ft. or 500 sq. ft. Max. 40% or 1,000 sq. ft., whichever is less; must be contiguous. Refer to Note 1 below.
B	Trees {1} {2}	1 shade tree (≥ 2.5 in. caliper) and either or 1 ornamental tree (≥ 2 in caliper) or 1 evergreen tree (≥ 6 ft. tall). Refer to 146-4.7.5. P. 6.c. and 6.d.
C	Shrubs	Min # of shrubs = front yard landscaped area in sq. ft. x 0.025. Artificial turf is permitted after the shrub count is met. At least 30% of shrub count can be ornamental grasses or perennials. When 9 or more shrubs are required, at least 3 plant species must be included to provide seasonal/visual interest

Table 4.7-3

Residential Yard Landscape Requirements

Front, side, and rear yard landscaping requirements for single-family detached and two-family (duplex) dwellings

~~Front yards for lots of 4,500 square feet or larger~~

Areas located in front of the house elevation not including the streetscape area between the sidewalk and street curbs.

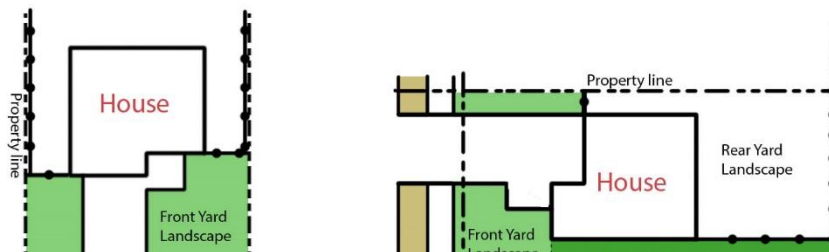
Side and rear yards visible to the public shall comply with front yard standards.

D	Rock and Inorganic Mulches	If the water wise option is used, Mulch is required and may be organic or inorganic. If all inorganic mulch is proposed, two different types, and sizes are required. Up to 50% of the areas may be inorganic rock mulch. White rock, red lava rock and rubber mulches are not permitted. When rock mulch is used and abuts a hard surface (concrete, curb, pavers, sidewalk) it must be a minimum size of ½" screened.
E	Pavers	If the xeric or non turf option is used, u Up to 25% of landscape area can be provided as pavers such as brick and natural stone
F	Features	When the water wise option is used, e One of the following shall be incorporated in the front yard: a. Wall 1-2.5 ft. high made of decorative stone, stucco, or CMU b. Fence c. Earth berm ≤ 2.5 ft. tall with slopes not to exceed 1:4 rise:run d. Natural boulders ≥ 2 ft. x 2 ft. x 2 ft.
G	Side Yards	Side yards with no public view: No plant material required; mulch required Side yards with public view: Front yard standards apply + 1 tree per 25 linear feet
H	Rear Yards	Rear yards with no public view: No standards; May have the lessor of < 45% turf or 500sf. Rear yards with public view: Front yard standards apply

Note:

{1} New turf installations are limited to the rear lots of residential homes and the front yards of alley loaded residential homes and shall not exceed the lessor of 45% or five hundred 500 square feet of the front or back yard areas.

~~{2}~~ **2** This requirement may not be applicable based upon lot size and a reduction or exemption may be approved by the Planning Director based on lot and site constraints and other landscaping, screening, and buffering provided for the development.



Section 7. 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 8. 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.

Section 9. Repealer. All orders, resolutions, or ordinances 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.

INTRODUCED, READ AND ORDERED PUBLISHED this _____ day of _____, 2023.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2023.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

DANIEL L. MONEY, Senior Assistant City Attorney

DRAFT