



General Development Standards

Article 11, Chapter 146, Aurora Municipal Code
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City of Aurora

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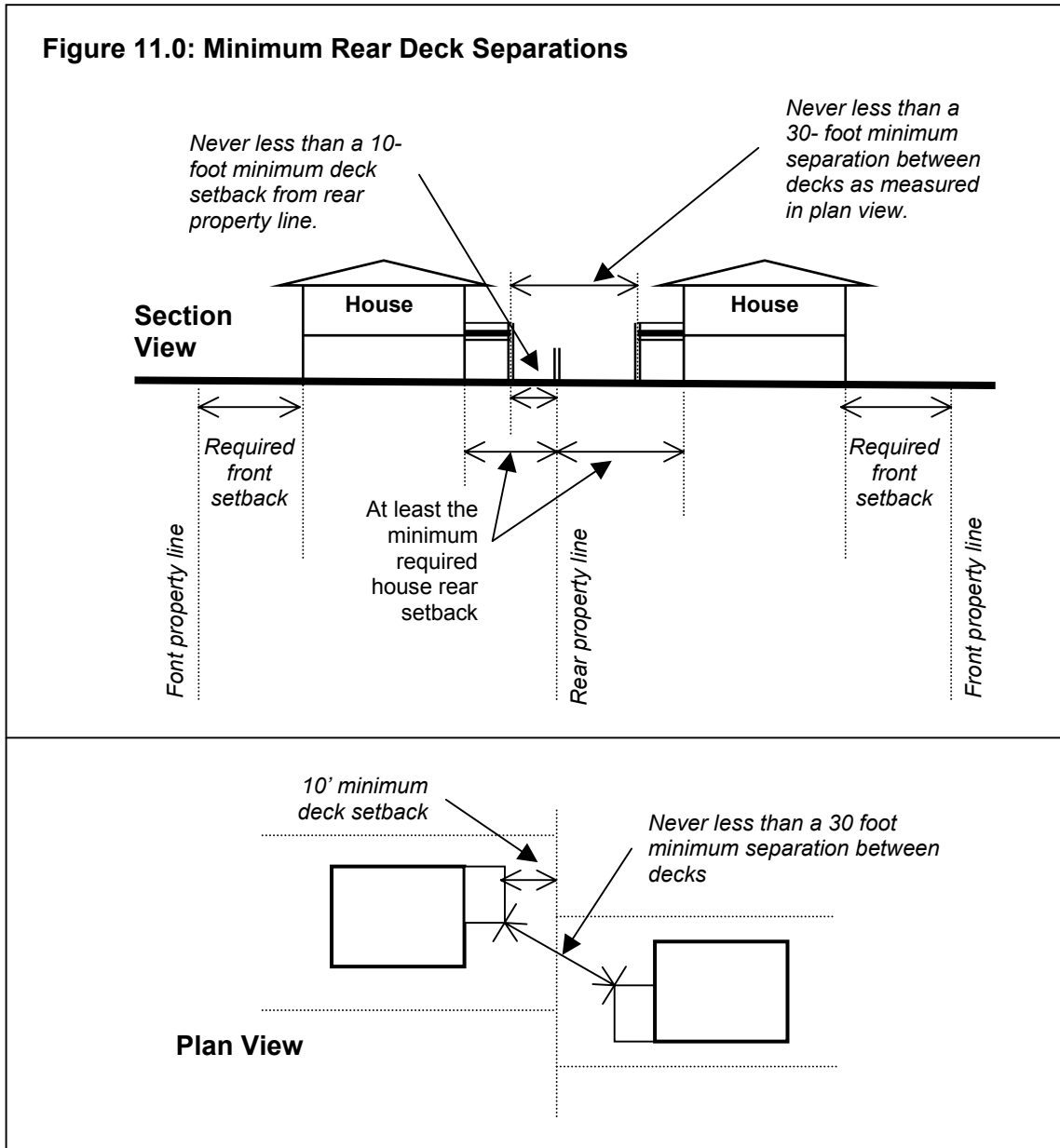
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ARTICLE 11. GENERAL DEVELOPMENT REGULATIONS

Sec. 146-1100. Setback and Yard Requirements.

- (A) *Generally.* Every part of the setback area required under this chapter shall be unobstructed from its lowest point to the sky, except for fences, landscaping, and other specific building features specified in this chapter. No structures shall be located in the setback areas created by the setback requirements in the zoning district standards, except for fences and building features otherwise specified in this chapter.
- (B) *Projection into Setback Areas.* Projections of masonry ledges, window sills, belt courses, chimneys, fireplaces, architectural features, cornices, eaves, and roof overhangs are permitted to extend no more than two feet into a required setback. Chimneys, fireplaces, cantilevers, and similar building projections shall not project more than two feet into a required setback and if so projecting, shall not exceed eight feet in length. Bay windows shall not project more than two feet into a required setback and if so projecting, shall not exceed twelve feet in length. Fences, landscaping and stairways are exempted from the regulations contained within this subsection.
- (C) *Terraces and Unenclosed Porches and Patios.* One-story unenclosed porches, patios and decks may extend a maximum of eight feet into the required front yard setback. Posts may support these structures, provided that the porch, patio or deck does not occupy more than two-thirds of the building to which it is attached. Porches, patios or decks 30 inches or less in height above grade may project into the required rear yard setback. Porches, patios or decks greater than 30 inches in height above grade must meet all setback requirements with the exception that on standard lots porches, patios and decks may encroach to within no closer than 10 feet of the rear lot line. However, in no case shall decks on standard lots with abutting rear lot lines be within 30 feet of each other at any point. (See Figure 11.0 below.) Projections are not permitted within five feet of the front setback line in the R-5 zone district.
- (D) *Fire Escapes.* Open fire escapes may extend a maximum of four feet into any required setback.
- (E) *Alleys.* No structure or use shall be permitted within ten feet of the centerline of any alley.
- (F) *Abutting Different Zoning Districts.* Property situated in a zoning district that requires a ten-foot front setback, which immediately abuts a zone district requiring a greater front setback, must provide a front setback of 15 feet unless the written consent of the abutting property owner is obtained waiving the additional required setback.
- (G) *Business Districts Abutting Residential Districts.* Where business and residential districts abut each other within the same block, a yard equal in width or depth to the setback required in the residential district shall be provided along abutting property lines. The business site is exempt from the setback requirements of abutting residential districts whenever it is separated from the residential district either by an alley or rear lot line.

Figure 11.0: Minimum Rear Deck Separations



- (H) *Places of Worship.* Buildings or structures used as places of worship shall have a minimum setback of 25 feet from any property line. The limitation in this section shall not apply to places of worship lawfully existing or lawfully approved pursuant to the provisions of this chapter as of December 31, 1993.
- (I) *Sight Triangle Required.* No structure or vegetation shall be placed within a defined sight triangle that will obscure vision of either roads or driveways for drivers in the intersection. Other requirements of this ordinance notwithstanding, the placement of all fences and walls along roadways, including alleys, shall conform with the sight distance requirements of the American Association of State Highway and Transportation Officials (AASHTO), City of Aurora Traffic Standards, and with subsection 2 of this subsection.

1. *Obstruction prohibited.* No person shall place or maintain any structures, fences, landscaping, or any other objects within any sight triangle area described in subsection 2 of this subsection that obstruct or obscure sight visibility through such structures, fencing, landscaping, or other objects in the vertical plane above the sight triangle area between a height of 42 inches and 96 inches above the roadway surface. The following are exceptions to these restrictions:
 - a. Landscaping, structures, or fences that protrude no more than 26 inches above the adjacent roadway surface may be permitted within the sight triangle area.
 - b. Landscaping, structures, fences, or any other objects that obstruct or obscure sight visibility less than or equal to 25 percent through such structures, fences, landscaping, or other objects in the vertical plane above the sight triangle area between a height of 26 inches and 42 inches above the roadway surface.
 - c. Trees may be planted and maintained within the sight triangle area if all branches are trimmed to maintain a clear vision for a vertical height of 96 inches above the roadway surface. The location of the trees planted, based on the tree species' expected mature height and size, shall not obstruct sight visibility by more than 25 percent of the sight triangle area.
2. Sight triangle area. For purposes of this section, the sight triangle area is:
 - a. The triangular area formed at a corner intersection of two public or private streets whose two sides are 30 feet, measured along the flow line of the streets and whose third side is a line connecting the two sides; or
 - b. The area formed at a corner intersection of an alley and a public or private street whose two sides are 15 feet, measured along the right-of-way line of the alley and the flow line of the street, and whose third side is a line connecting the two sides.
 - c. The area formed at the intersection of a public or private street and a non-residential driveway aisle, whose two sides are 15 feet, measured along the flow line of the street and the edge of the driveway aisle, and whose third side is a line connecting the two sides.
3. *Modifications.* The requirements of this section may be modified by the city traffic engineer if accepted engineering practice would indicate that a modified visibility distance, either greater or lesser, would be acceptable or necessary for the safety of pedestrians, motorists, and bicyclists.
4. *Violations.* No person shall violate or fail to prevent or remedy any violation of the provisions of this section on such property. When a violation of this section is observed, the city manager will provide a written notice to correct the condition to the property owner or occupant, whichever is applicable. Personal service of such notice or mailing to the last known address of the owner of the premises by certified mail shall be deemed sufficient service. Any such notice shall describe the violation, describe the corrective measures necessary, and set forth a time limit for compliance, dependent upon the hazard created, which time limit shall not be more than seven days from the service of the notice.
5. *Failure to comply.* In the event that there is failure to comply with the notice

when the time limit prescribed therein has expired, the city manager may trim or cause to be trimmed or otherwise remove the obstruction described in the notice. Such action shall not preclude any prosecution for violation of the terms of this section. The costs of such action shall be paid by the property owner, and, if not paid, may be certified by the city manager to the county treasurer for collection as taxes.

- 6. *Public nuisance.* Notwithstanding any other provisions in this section, any landscaping, structure, fence, or other obstruction, which the city manager deems as an immediate and serious danger to the public, is hereby declared a public nuisance. Such obstruction may be immediately trimmed or otherwise removed by the city manager if the property owner or occupant fails to do so. The city manager shall attempt by all reasonable means to give the owner or occupant at least 24 hours' notice.

(Ord. No. 2001-72, 12-3-2001; Errata of 2-20-2002, 17; Errata of 9-11-2002, 74-78; Errata of 9-27-2002)

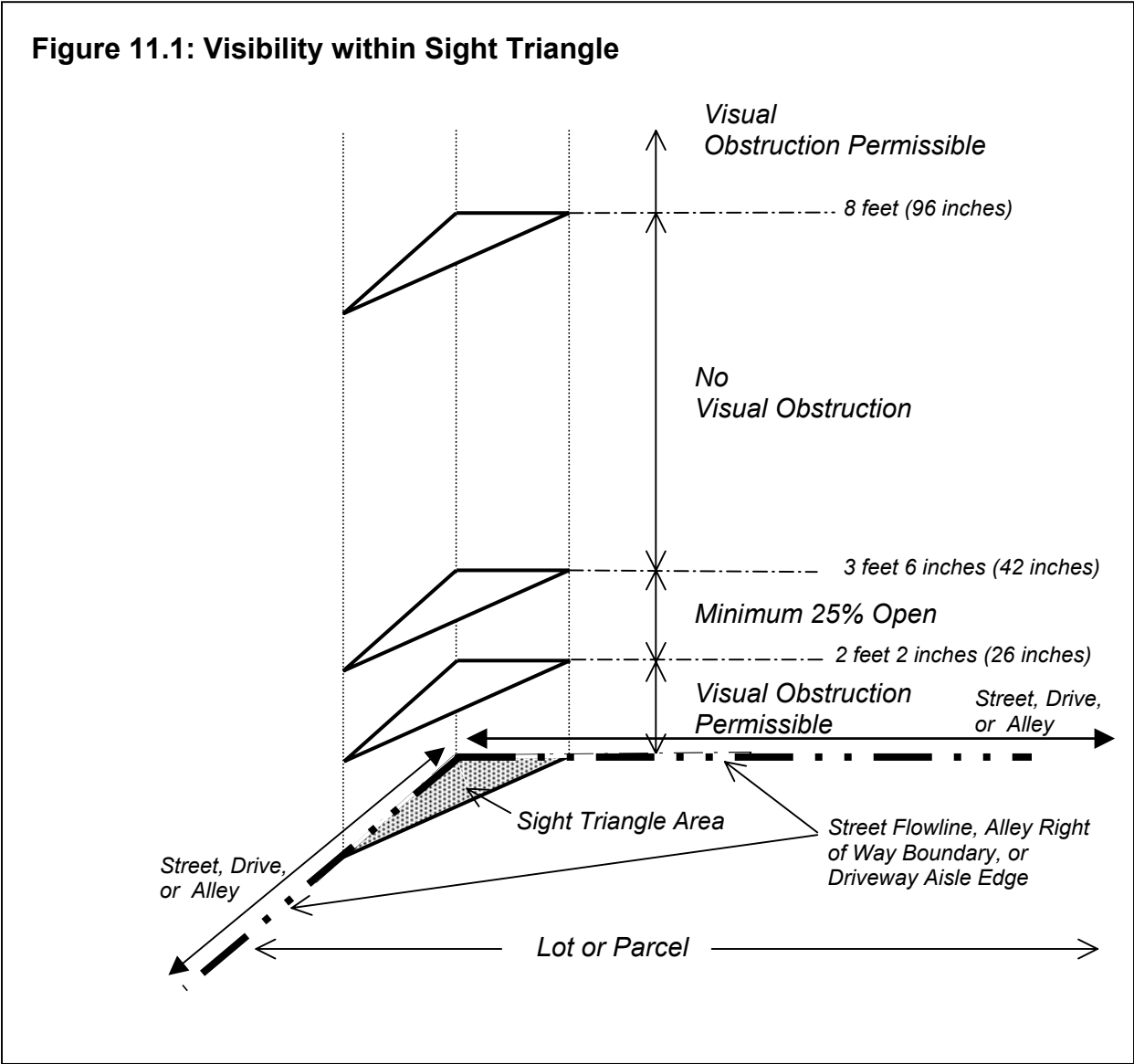
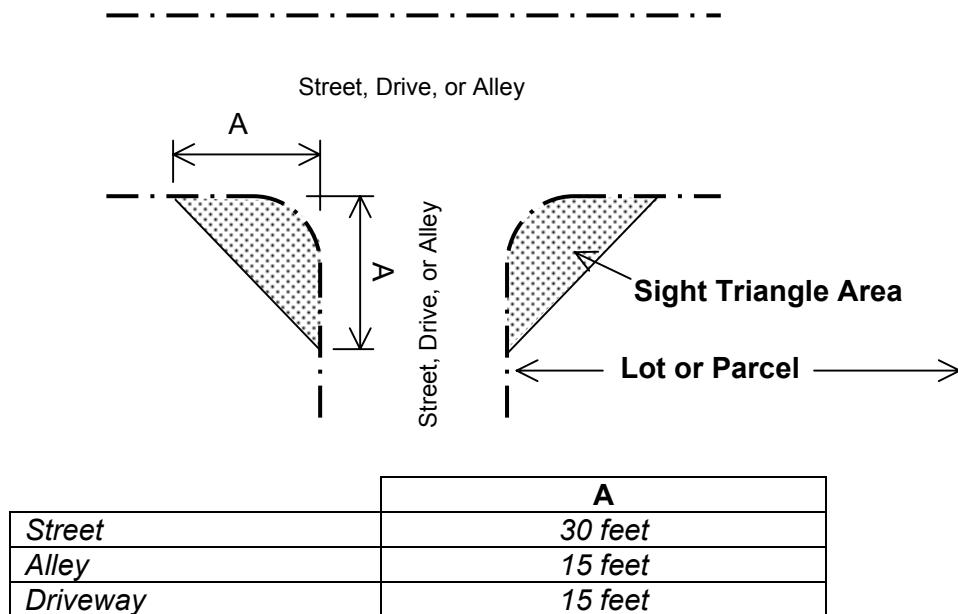


Figure 11.2: Sight Triangle



Requirement by Intersection Type
 (Measured along street flowline, alley right of way or driveway aisle edge, as appropriate)

Sec. 146-1101. Lot Requirements.

(A) *Single-Family Detached Lots of 6,000 Square Feet or Greater.* Lots of from 6,000 square feet through 8,999 square feet intended for development of single-family detached houses shall be known as "standard lots." Lots 9,000 square feet and greater intended for development of single-family detached houses shall be known as "large lots." For the purposes of this ordinance, the calculation of such lot sizes shall include all of the area within a lot's boundary lines, plus a credit of 300 square feet of area for lots fronting on streets where a minimum five-foot sidewalk and minimum eight-foot tree lawn are both included outside of the front property line.

1. *Standard Lot and Large Lot Frontages Less than 60 Feet.* All standard lots and large lots shall comply with the frontage requirements of zoning districts in which they are located. If required minimum lot frontages are less than 60 feet in width, such lots shall also at minimum meet all the requirements of Table 11.3, "Regular Small Lot Development Standards," except for minimum lot size. Such lots, however, shall not be subject to other provisions of this ordinance limiting location, distribution, number, or percentage of small lot dwelling units in an area.

(B) *Single-Family Detached Lots Less than 6,000 Square Feet (Small Lots).* Lots of less than 6,000 square feet intended for development of single-family detached houses shall be known as "small lots," and are permitted in some zoning districts in order to encourage creative site designs for smaller lots. For the purposes of this ordinance, the

calculation of such lot sizes shall include all the area within a lot's boundary line, plus a credit of 300 square feet for lots fronting on streets where a minimum five-foot sidewalk and minimum eight-foot tree lawn are both included outside of the front property line. No lots smaller than 3,700 square feet shall be permitted in any zone district.

1. *Purpose.* The purpose of the small lot single-family design standards is to provide housing for individuals and families seeking convenience and to minimize home maintenance. The small lot subdivision-site plan shall be specifically designed to provide adequate light and air between units, adequate drainage between lots, interior and exterior privacy, open space relief on the individual lot and throughout the neighborhood, low maintenance building materials, innovative and architecturally interesting home design, attractive streetscapes, and adequate parking. In addition, the standards are designed to increase the variety of lot sizes, preserve open space, enhance natural features and site amenities, provide landscaped buffers, and promote energy conservation.
2. *Maximum Percentage of Small Lots.* Small lots must be platted as part of a larger subdivision containing a mix of lot sizes to meet all of the following requirements:
 - a. *Infill Development Parcel.* In an infill development, the maximum percentage of small lots shall be no more than 10% higher than the percentage of small lots in existing single-family developments located partly or entirely within 1,320 feet of the boundaries of the proposed subdivision. If such single-family detached developments in the area so defined contain no small lots, small lots shall not be allowed within the infill development parcel.
 - b. *Individual Development Parcel.* On an individual development, the maximum percentage of small lots shall be determined pursuant to those columns of Table 11.1 applicable to individual development parcels.
 - c. *Master Planned Communities.* In a master planned community, the maximum percentage of small lots shall be determined pursuant to those columns of Table 11.1 below, applicable to master planned communities.

| Table 11.1 Maximum Percentage of Small Lots Permitted | | |
|---|----------------------------------|-----------------------------|
| | Individual Development Parcel | Master Planned Community |
| All Aurora Zone Districts with maximum single-family-detached density of 2 du/gross ac or less (including E-470 Low Density Residential Subareas) | 0% | 15% |
| All Aurora Zone Districts with maximum single-family-detached density of 4 du/gross ac or less (including E-470 Reservoir Density Residential Subareas) | 15% | 25% |
| All Aurora Zone Districts with maximum single-family-detached density of 8 du/gross ac or less (including E-470 Medium Density Residential Subareas) | 25% | 35% |
| NO LOTS SMALLER THAN 3,700 SF SHALL BE PERMITTED IN ANY ZONE DISTRICT | | |

3. *Distribution of Small Lots.*

- a. *Infill Development.* There are no restrictions on the distribution of small lots.
 - b. *Individual Development Parcels.* The total number of small lots on the parcel should be, roughly, evenly distributed between each neighborhood. No more than 100 small lots shall be platted, either adjacent to each other (within the same block) or across a local street from each other.
 - c. *Master Planned Communities.* The total number of small lots on the parcel should be roughly evenly distributed between each neighborhood. No more than 100 small lots shall be platted, either adjacent to each other (within the same block) or across a local street from each other.
 4. *Small Lot Development Standards.* All small lots, whether constructed as part of an infill development, an individual development parcel, or a master planned community, shall comply with: (1) the standards for regular small lots set forth below; or (2) the standards for offset side yard small lots set forth below; or (3) the standards for clustered small lots set forth below. In the event of a conflict between the provisions of any of those three sections and any other portion of this chapter, the most restrictive provisions of the three sections below shall govern.
 - a. *Regular Small Lots.* All small lots shall comply with the standards set forth in Table 11.2 below.
- (C) *Offset Side Yard Small Lots.* In an offset side yard small lot development, houses are shifted to one side of their lot to provide for greater usable yard space on each lot. These developments require that planning for all of the house locations be done at the same time.
1. *Applicability.* Offset side yard small lot developments are permitted in all residential zoning districts.
 2. *Basic Standards.* Offset side yard small lot developments shall meet all the standards described in Table 11.2, except that side setback lines on one side of the lot may be reduced to 3 feet as long as the minimum separation between houses remains at least 12 feet. The ability to reduce side setback lines to zero does not apply to the side setbacks facing streets or to interior side setbacks adjacent to lots that are not part of the Offset side yard small lot project. A deed restriction must be recorded on the deed of each applicable lot to ensure continued compliance with this setback.
 3. *Use Easements.* When the side wall of a house is located within 3 feet of a side property line (Lot 1), the owner of Lot 1 shall be required to grant to the adjacent lot owner (Lot 2) an easement to use such 3-foot side yard for any purpose, which easement shall obligate the owner of Lot 2 to maintain such side yard in good condition. In return, the owner of Lot 2 shall be required to grant the owner of Lot 1 an easement to use the 3 feet of Lot 2 closest to the property line for repair and maintenance of the house on Lot 1.
 4. *Privacy.* If the side wall of the house is on or within 3 feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are

allowed.

- (D) *Clustered Small Lots.* A clustered small lot development is a subdivision in which lots are smaller than otherwise required in the zoning district, but in which the overall number of lots does not exceed the maximum number of lots limited by the zoning district. Clustered small lot developments must meet the following requirements.
1. *Applicability.* Clustered small developments are permitted in all residential zone districts on parcels or tracts with a minimum gross area of 10 acres.
 2. *Basic Standards.* Clustered small lots shall be exempt from the maximum permitted percentages of small lots contained in Table 11.1. Clustered small lot developments shall meet all the standards described in Table 11.2, except that:
 - a. The minimum size of any cluster lot shall be 4,000 square feet (or 3,700 square feet if the lot fronts on a street with a minimum five-foot sidewalk and eight-foot tree lawn both of which are located outside of the lot's property line), regardless of the location or access point for the garage;
 - b. The minimum lot width/frontage and minimum side setbacks shall be waived where one or more side lot lines are adjacent to common open space;
 - c. The minimum front setback distances shall be waived where the front lot line is adjacent to common open space; and
 - d. The minimum rear setback distances shall be waived where the rear lot line is adjacent to common open space. In order to qualify for a waiver of lot width/frontage, or setbacks under this section, the adjacent common open space shall be at least 50 feet in width (measured perpendicularly to the lot line for which the waiver is being requested).
 3. *Minimum Common Open Space Requirement.* For each cluster lot, common open space shall be provided in the amount of 6,000 square feet, (or 5,700 square feet if the lot fronts on a street with a minimum five-foot sidewalk and eight-foot tree lawn both of which are located outside of the lot's property line) minus the actual size of the small lot. This common open space shall be in addition to any parks and open space land required to be dedicated by city code section 147-48. Of that required common open space area, at least two-thirds shall be designed as contiguous, common open space located in accordance with section 147-32.
 4. *Organization of Common Open Space.* Common open space shall be organized, and pedestrian connections to such open space shall be provided so that the walking distance between each lot and the common open space, measured along street frontages or pedestrian walkways, shall not exceed 1,320 feet.
 5. *Landscaping of Common Open Space.* Each portion of the designated common open space shall be landscaped in accordance with the City of Aurora landscape standards.
 6. *Access to Common Open Space.* Access to such common open space shall not be denied to any resident of the small lot cluster development, but such access may be conditioned upon the payment of an entry or membership fee applicable to other members of the general public.

7. *Deed Restriction or Easement on Common Open Space.* The minimum required common open space shall be preserved from development for a period of at least 40 years through the use of a dedication or recorded deed restriction or easement conveyed to the city or a property owners association or other organization with responsibility for maintenance of the open space and the ability to collect assessments or dues for such purpose. Proof that such a deed restriction or easement has been recorded must be submitted before any building permits for construction on a small lot cluster development shall be issued.

(Ord. No. 2001-72, 12-3-2001; Errata of 9-11-2002, 79; Errata 12-31-2002; Ord. No. 2003-50, §§ 6--8, 8-11-2003)

**Table 11.2
Regular Small Lot Development Standards**

| | | Item | | (A) Standard |
|----|---|--|---|--|
| 1 | | Maximum number of dwelling units per lot | | One |
| 2 | | Types of housing permitted | | All small lots shall only contain single-family detached dwellings, regardless of the types of residential uses permitted in the applicable zoning district. |
| 3 | Minimum lot size | Where garage driveway access of from any street frontage. | Where an attached or detached garage is located in front of, even with, or to the side of the house. | 5,000 square feet, except that where such a lot fronts on a street with a minimum of 8-foot tree lawn and a 5-foot sidewalk, both located outside of the property line, the minimum lot size may be reduced to 4,700 square feet. (See Figure 11.3 |
| 4 | | | Where an attached or detached garage is located to the rear of the house. | 4,500 square feet, except that where such a lot fronts on a street with a minimum 8-foot tree lawn and 5-foot sidewalk, both located outside of the lot's property line, the minimum lot size may be reduced to 4,200 square feet. (See Figure 11.4) |
| 5 | | Where access to an attached or detached garage is from an alley. | | 4,000 square feet, except that where such a lot fronts on a street with a minimum 8-foot tree lawn and 5-foot sidewalk, both located outside of the lot's property line, the minimum lot size may be reduced to 3,700 square feet. (See Figure 11.5) |
| 6 | | Where lots abut a Motor Court as defined by this ordinance. | | 4,200 square feet. (See Figures 11.8 and 11.9) |
| 7 | | All lots | | All lots shall front on a public or private street; or a Motor Court or Loop Lane as defined by this ordinance. (See Figures 11.8, 11.9, and 11.10) |
| 8 | Minimum Lot frontage. (Minimum lot frontage may be reduced on cul-de-sacs or similarly curved street frontages, provided that at the required front setback line the width of the lot shall be at least equal to the specified minimum frontage.) | Where garage driveway access is from the required lot frontage on a street or Loop Lane. | Where the garage is located in front of, even with, or to the side of the main house. | 50 feet, or 35 feet on cul-de-sacs or curved streets with an outside radius equal to or less than 60 feet. (See Figure 11.3) |
| 9 | | | Where the garage is located to the rear of the main house. | |
| 10 | | Where garage driveway access is from a Motor Court. | | 50 feet, except that the minimum frontage on no more than two lots may be reduced to 30 feet. (See figures 11.8 and 11.9) |
| 11 | Where garage access is from an alley. | | 38 feet, or 25 feet on cul-de-sac streets or curved streets with an outside radius equal to or less than 60 feet. (See figure 11.5) | |

| <i>Table 11.2 continued</i> | | | | | |
|--|---|--|--|--|---|
| <i>Regular Small Lot Development Standards</i> | | | | | |
| | | <i>Item</i> | | <i>(A)</i> | |
| | | | | <i>Standard</i> | |
| 12 | Minimum front yard setbacks | Where required frontage is on a local street with a minimum 8-foot tree lawn and 5-foot detached sidewalk, both of which are outside of the property line. | Minimum garage setback. | <ul style="list-style-type: none"> • Front load garages: 20 feet from the front property line to nearest garage door. • Side-loaded garages: 8 feet from the property line to the garage sidewall containing no garage doors. | |
| 13 | | | Minimum setback to the remainder of the house. | <ul style="list-style-type: none"> • 15 feet measured from the property line to the nearest portion of the house, exclusive of open porches and chimneys, and exclusive of bay windows of up to 8 feet in width. • 10 feet from the property line to unenclosed porches, or to bay windows of up to 8 feet in width. | |
| 14 | | Where required frontage is on any other type of street or Loop Lane. | Minimum garage setback. | <ul style="list-style-type: none"> • Front load garages: 20 feet from property line to the nearest garage door. • Side-loaded garages: 15 feet from the property line to the garage sidewall containing no garage doors. | |
| 15 | | | Minimum setback to the remainder of the house. | <ul style="list-style-type: none"> • 20 feet measured from the property line to the nearest portion of the house, exclusive of open porches and chimneys, and exclusive of bay windows of up to 8 feet in width. • 15 feet from the property line to unenclosed porches, or to bay windows of up to 8 feet in width. | |
| 16 | | | Where required frontage is on a Motor Court. | | All setbacks shall be in accordance with the configurations and minimum distances established by Figures 11.8 and 11.9. |
| 17 | | Minimum side yard setbacks | Where the side yard abuts another lot. | Where side yard drains both to the front and rear of the lot. | 5 feet |
| 18 | Where side yard drains in one direction only. | | | 6 feet | |
| 19 | | Where side yard abuts a public or private street or Loop Lane. (Corner Lots.) | | 12 feet from property line to the building, exclusive of chimneys and bay windows 8 feet in width or less. Where the property line abuts an intervening landscaped open space tract, the required setback may be reduced by one foot for each foot of open tract width, except that the setback distance to the property line shall not be reduced to a total of less than 8 feet. | |
| 20 | | Where the lot is part of a Motor Court. | | All setbacks shall be in accordance with the configurations and minimum distances established by Figures 11.8 and 11.9. | |
| 21 | Rear yard setbacks | On lots with alley-loaded garages | | <ul style="list-style-type: none"> • From closest edge of alley flow line to any garage doors: Either (1) No less than 4 feet and no more than 10 feet; or (2) 20 feet or more. • From all other structures: No less than 10 feet. | |
| 22 | | On lots without alley-loaded garages | | <ul style="list-style-type: none"> • Minimum of 10 feet from property line for houses including houses with attached garages. • Detached garages may be located on the property line. (See Figure 11.3) | |
| 23 | Lot Encroachment | | House corners may protrude into standard side and rear setback areas but shall not be less than 5 feet from a rear yard property line or 3 feet from a side yard line. (See Figure 11.6) | | |

| <i>Table 11.2 continued</i> <i>Regular Small Lot Development Standards</i> | | |
|---|--|---|
| | <i>Item</i> | <i>(A)</i> <i>Standard</i> |
| 24 | Minimum usable private open space per dwelling unit | Each lot shall incorporate a private, usable outdoor space with direct access to the lot's dwelling unit. Such a space shall: (1) Contain at least 360 square feet, with a minimum dimension in one direction of a least 18 feet and minimum in the other of at least 20 feet; and (2) Be clearly demarked by patio paving or ground decking, a privacy screen, low wall, or landscape screening. Driveway and parking areas shall not be counted toward meeting this space requirement. Except for lots fronting on an Auto Court, such private open spaces shall not be locating in required front yards. A portion of this space may be contained on an adjacent lot if proper use easements are obtained. |
| 25 | Street Standards | <ul style="list-style-type: none"> • Developments shall comply with adopted street standards. • Single-family detached homes shall not front on a collector. • Single-family attached duplexes may front on a collector where no driveways attach to the collector and where the minimum building setback as measured from the collector flowline is at least 48 feet. • Single-family attached townhomes may front on a collector where no driveways attach to the collector. |
| 26 | Maximum block length | The unbroken length of all newly platted local street segments with at least one small lot on the segment shall not exceed 700 feet. Street lengths may be said to be broken if intersected by a street or pedestrian path at least 25 feet in width connecting to an adjoining street. |
| 27 | Additional site planning requirements covering landscaping, adjacent setbacks, garage orientation, and non-repetitive design | All lots shall comply with applicable City Codes and adopted standards. |
| 28 | Architectural design requirements Covering elevation materials, windows, and prominence of garage doors | All lots shall comply with applicable City Codes and adopted standards. |
| 29 | | When garage doors appear on a house elevation facing a street along which the required lot frontage has been measured, the total width of such doors shall not exceed 45% of the total elevation width; except that the total width of such doors accessing non-tandem parking for three or more vehicles shall not exceed 53% of the total width. |
| 30 | Private Storage | No detached outdoor storage sheds shall be allowed. However, an exterior door on the home may provide the only access to a storage area. |
| 31 | Additional landscape requirements | Homeowners associations shall be responsible for the maintenance of front yard landscaping of all contiguous small lots with garage access from an alley. |
| 32 | Fences | Fences for side and rear lot lines shall be standardized and installed by the developer. |

Figure 11.3: Dimensional Standards for Small Lots with Front Loaded Garages

Minimum lot size for this configuration is 5,000 square feet, except that where a lot fronts on a street with a minimum 8-foot tree lawn and 5-foot detached sidewalk both located outside of the property line, the minimum lot size may be reduced to 4,700 square feet.

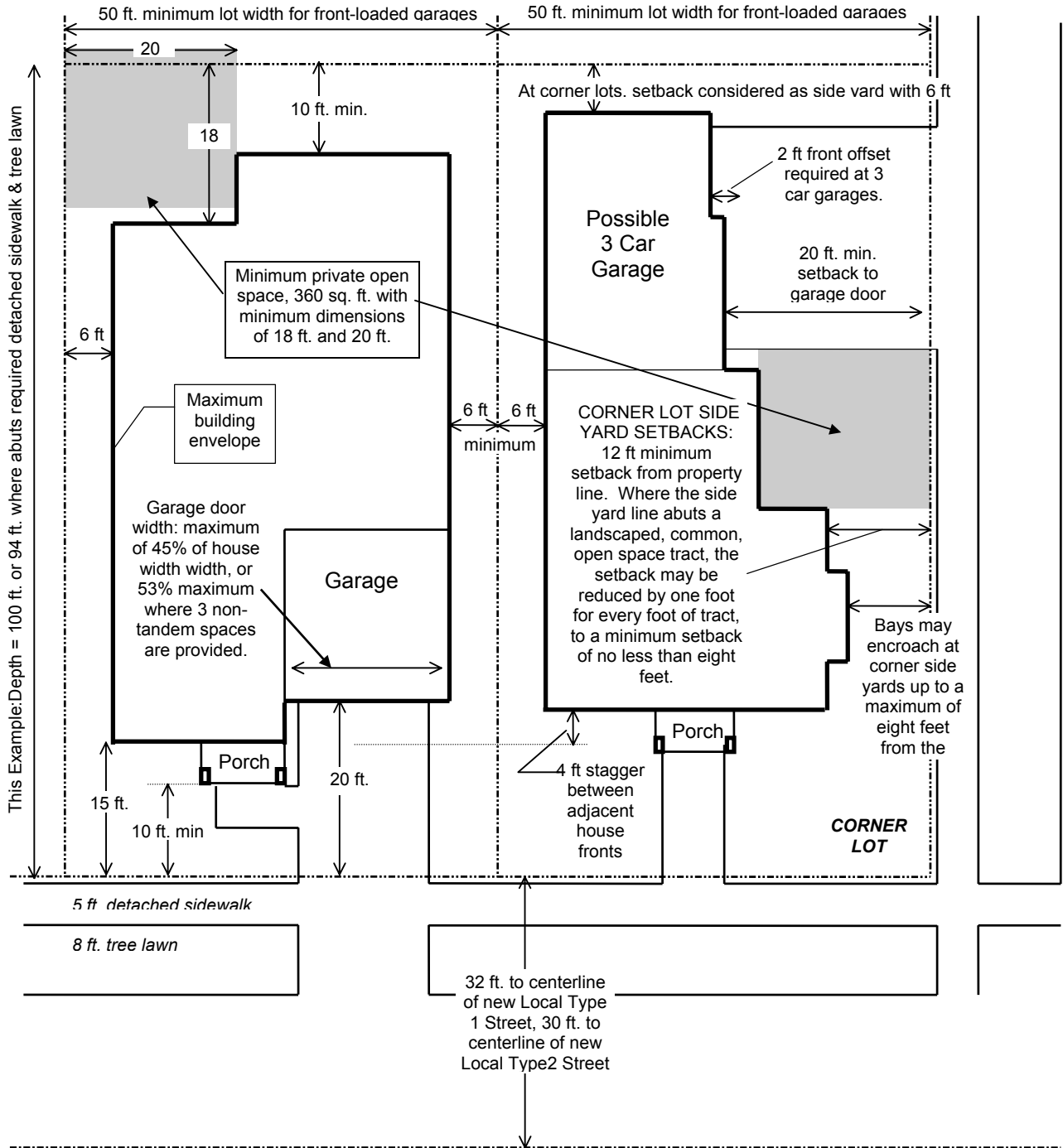


Figure 11.4: Dimensional Standards for Small Lots with Front Loaded Garages Located in Rear Yards

Minimum lot size for this configuration is 4,500 square feet, except that where a lot fronts on a street with a minimum 8-foot tree lawn and 5-foot detached sidewalk both located outside of the property line, the minimum lot size may be reduced to 4,200 square feet. Garages may be attached or detached.

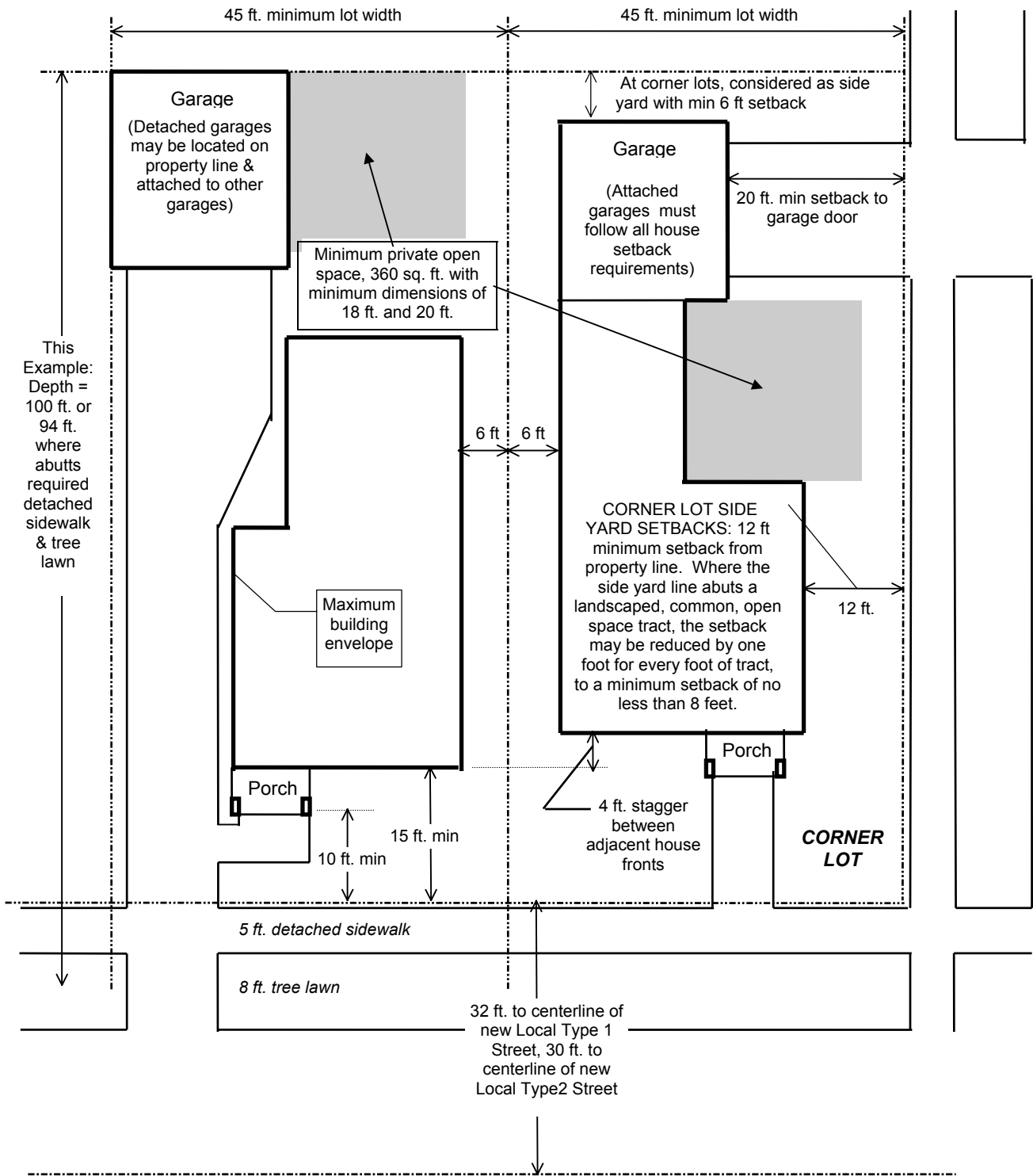


Figure 11.5: Dimensional Standards for Small Lots with Alley Loaded Garages in Rear Yards

Minimum lot size for this configuration is 4,000 square feet, except that where a lot fronts on a street with a minimum 8-foot tree lawn and 5-foot detached sidewalk both located outside of the property line, the minimum lot size may be reduced to 3,700 square feet. Garages may be attached or detached.

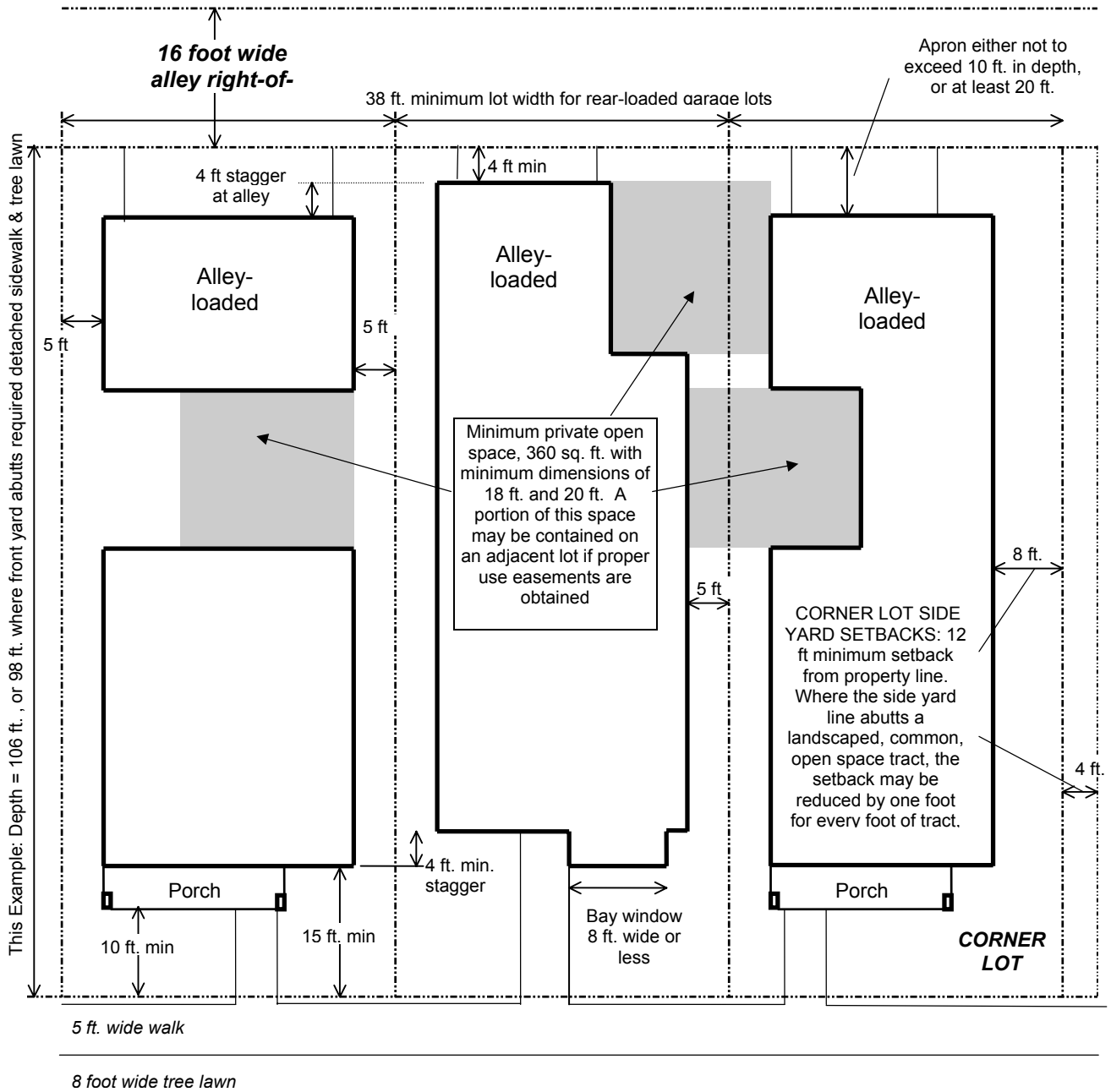
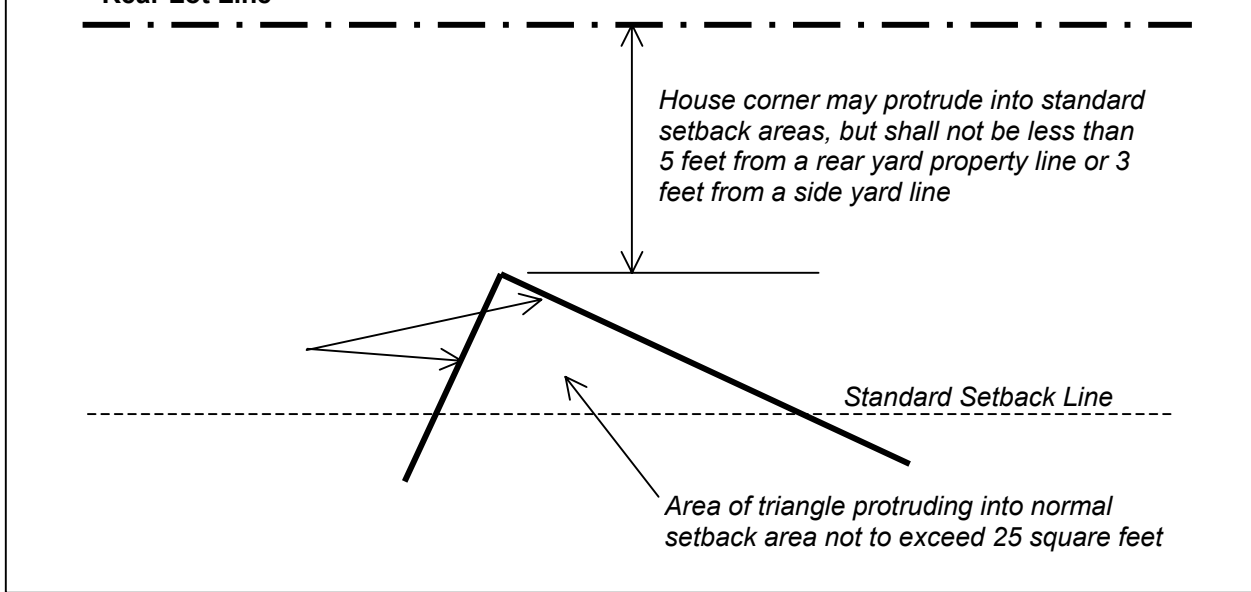


Figure 11.6: Small Lot Encroachment of House Corner into Side and Rear Setback Areas



Sec. 146-1102. Building Heights.

- (A) *Generally.* No structure shall exceed the height limitations described in the zoning district standards except as specified in this chapter.
- (B) *Height Waivers.* City council may waive any height limitations after a public hearing and recommendation from the Planning and Zoning Commission. Wherever the director of planning, the planning and zoning commission, and the city council are empowered to waive height limitations, such waiver shall be reviewed subject to the following criteria:
1. Topography of the site.
 2. Size of the parcel being developed.
 3. Height of adjacent structures.
 4. Compatibility with existing, adjacent structures.
 5. Impact upon light and shadows with regard to adjacent streets and property.
 6. Consistency with other ordinances.
 7. General impact upon the surrounding area, to include but not be limited to traffic impact and surrounding zoning.
- (C) *Special Structural Features.* Height limitations as set forth under any particular zoning classification shall not apply to church spires, belfries, cupolas, domes not used for human occupancy nor to chimneys, ventilators, skylights, water tanks, bulkheads, similar features and necessary mechanical appurtenances usually carried above the roof level. Such features shall be erected only to such height necessary to accomplish the purpose they serve. In making this determination, compatibility with adjacent buildings and

surrounding property shall be considered.

- (D) *Sirens, Antennae, and Public Safety Devices.* The maximum permitted height for structures built to support, shelter or enclose emergency warning sirens, communication antennae, or other public safety devices operated by government agencies shall be ten feet above the height limitation set forth in the underlying zone district. Heights in excess of the provisions of this subsection may be approved by the city council upon a finding that additional height is needed to facilitate the function of the public safety device. Requirements for commercial mobile radio service facilities are contained in section 146-1200.

(Ord. No. 2001-72, 12-3-2001)

Sec. 146-1103. Accessory Uses.

- (A) *Generally.* All uses in this chapter which are incidental only to the permitted use, may be operated as an accessory use if they comply with all of the following conditions:

1. The use is clearly incidental and is customarily and commonly associated with the permitted use;
2. The use is operated and maintained under the same ownership and on the same building site as the permitted use;
3. The use does not include structures or structural features inconsistent with the permitted use; and
4. The use does not include residential occupancy except by domestic employees employed on the premises.

- (B) *Accessory Buildings in Residential Zoning Districts.* Accessory buildings in residential zones other than RA, residential agricultural district, shall:

1. Be constructed within the rear yard only;
2. Not occupy more than 50 percent of the total rear yard;
3. Not exceed 50 percent of the gross floor area of the principal building;
4. Not exceed the height of the principal building;
5. Be set back a minimum of three feet from the rear and side yard lot lines if the accessory building does not exceed six feet in height. An additional one foot of setback from both the rear and side lot lines shall be provided for each additional foot in height over six feet. However, accessory buildings built pursuant to subsection (C) of this section or abutting an alley at the rear property line shall maintain a minimum three-foot setback from the rear property line.

Accessory buildings exceeding 120 square feet in area in residential zoning districts. Any accessory building having a floor area exceeding 120 square feet shall have design, colors, roof pitch, and building materials, similar and complementary to, or compatible with the principal building and the neighborhood, and shall not be clad in unpainted or galvanized metal. Any appeal from or waiver of this subsection shall be made to the board of adjustment and appeals.

- (C) *Accessory Buildings of 120 Square Feet or Less in Residential Zones.* Accessory buildings which are 120 square feet of floor area or less, including play structures and buildings used for tool sheds or storage, may be placed within the side and rear setback

requirements of all residential zones if the buildings conform to the following requirements:

1. The buildings shall be located in the rear one-half of the rear yard not within six feet of any structure, other than a fence. Accessory buildings meeting this requirement are exempt from the fire safety construction standards of the Uniform Building Code (UBC).
 2. The buildings shall not alter grading and drainage requirements as regulated in section 22-536 of the City Code for the City of Aurora.
 3. The buildings shall not be placed within a utility easement unless the property owner obtains a revocable license from the city and the accessory building is constructed in a manner allowing easy access removal or relocation.
- (D) *Carports and Garages.* Carports and private garages detached from the principal building requiring a building permit shall:
1. Be constructed within the rear or side yard;
 2. Meet the side setback requirements for the underlying zone district. The rear setback shall be determined by the requirements found in subsection 146-1103(B)5.
- (E) *Agricultural Buildings.* Accessory buildings in residential agricultural zones and planned developments that permit agricultural uses shall:
1. Be constructed within the rear or side yard;
 2. Be set back a minimum of three feet from rear and side yard lot lines if the accessory building does not exceed six feet in height. An additional one foot of setback from both the rear and side lot lines shall be provided for each additional foot in height over six feet.
 3. Not exceed five percent of the lot area.
- Agricultural accessory buildings exceeding 120 square feet in area.* Any accessory building having a floor area exceeding 120 square feet shall have design, colors, and roof pitch similar and complementary to or compatible with the principal building and the neighborhood, and shall not be clad in unpainted or galvanized metal. Any appeal from or waiver of this subsection shall be made to the board of adjustment and appeals.
- (F) *Motor Vehicle Repair.* Motor vehicle repair shall not be permitted as an accessory use in the B-1 and B-2 zone districts.
- (G) *R-4 and R-4H Districts.* Accessory uses in an R-4 or R-4H District will normally include only service facilities for the occupants and tenants. Retail sales facilities, open to the public, may be permitted by the city council provided that:
1. The principal permitted uses and structure will house in excess of 50 dwelling units; and
 2. Retail sales facilities are not otherwise readily available to the occupants and tenants of the structure.
- (H) *Industrial Districts.* Any use may be operated as an accessory use in an industrial district if it complies with all of the following conditions:

1. Is clearly incidental and customary to and commonly associated with the operation of the permitted use.
2. Is operated and maintained under the same ownership or lessees or concessionaires thereof and on the same site as the permitted use.
3. Does not include structures or structural features inconsistent with the permitted use.
4. Does not include residential occupancy except for caretakers.

(Ord. No. 2001-72, 12-3-2001; Errata of 2-20-2002, 18, 19; Ord. No. 2004-20, § 1, 5-3-2004)

Sec. 146-1104. Outdoor Storage and Display.

- (A) *Generally.* It shall be unlawful for any owner or occupant to place, deposit, or maintain outdoor storage on any premises or property except as permitted in this chapter.
- (B) *Outdoor Display by Retail Uses.* Retailers of both new and used merchandise shall be permitted to display outdoors. The following conditions shall apply to the display of merchandise outdoors:
1. Display of merchandise must be set back ten feet from all property lines;
 2. No merchandise may be placed on a public sidewalk. Merchandise may be placed on a private sidewalk as long as all other conditions for display are met, including a four-foot clearance;
 3. All merchandise shall be located within the confines of the retailer's owned or leased property;
 4. No merchandise may be placed on landscaping, within three feet of either side of a working doorway or within ten feet directly in front of a working doorway;
 5. Merchandise shall not be placed in a designated sight triangle or in any location which would impair a driver's view of a street;
 6. Merchandise shall be displayed and maintained in a neat, clean, tidy, and orderly manner;
 7. Temporary parking lot sales shall be a permitted use in business districts, as long as the sales are conducted as an extension from a permanent structure containing a retail business. In addition, minimum off-street parking requirements must be maintained, as well as any other provisions of this Code. This section shall not be construed to allow a sub-lessee to occupy a parking lot for the purpose of conducting independent sales activity;
 8. The size of the outdoor display area for secondhand goods or merchandise shall be limited to ten percent of the total indoor gross floor area of the business (excluding accessory buildings, as allowed by this chapter) and in no event shall exceed 100 square feet;
 9. No secondhand goods or merchandise shall be displayed or stored or otherwise left outdoors during non-operating hours of the business;
 10. This section shall not apply to the sale of motor vehicles, trailers, or boats.
- (C) *Outdoor Storage in Equipment Rental Businesses.* Storage areas shall be fully

screened from view from adjacent properties by an approved treatment that may include building placement, walls, fencing, and landscaping. Such storage areas shall not be located in the front setback or buffer area.

- (D) *Outdoor Storage in Industrial Districts.* Outdoor storage in any industrial district shall be allowed if listed in the specific district regulations. Towing services, trash removal services, or landscape contractor yards with outdoor storage or equipment materials, abandoned or inoperable vehicle storage, and similar uses are not permitted. Railroad boxcars and trailers may not be used for storage or warehousing purposes. Outdoor storage shall be screened with a visual barrier that adequately conceals material from the view of residential areas, public rights-of-way, trails or trail corridors. Outdoor storage shall be behind required front setbacks.

All outdoor storage facilities for manufacturing equipment, fuel, raw materials, subassemblies, finished goods and defective or repairable goods shall be enclosed by an opaque fence or other appropriate treatment. Such fence or treatment shall be adequate to conceal such facilities from adjacent property. Acceptable barriers include opaque fencing, berming, or other landscape treatment. Chain link fencing with slats for screening is prohibited.

No highly inflammable or explosive liquids, solids, or gases shall be stored in bulk above ground. Tanks or drums or fuel directly connected with heating devices or appliances located on the same site as the tanks or drums of fuel are excluded from this provision as well as liquefied and gaseous noncombustible materials.

The planning and zoning commission may grant a waiver to screening requirements for outdoor storage upon approval of a site plan. The exception shall be based on a visual analysis of the site and proposed development identification of unusual topographic or elevation conditions, strategic design treatment, and demonstration that the strict enforcement of screening is not practical. Views into the site will determine the amount and location of landscaping.

(Ord. No. 2001-72, 12-3-2001)

Sec. 146-1105. Abandoned or Discontinued Construction.

Any building or portion thereof upon which construction has ceased shall have a chain link security fence, no less than six feet high, with a no trespassing sign erected. Any building which has been abandoned or upon which construction has been discontinued shall have not more than 90 days within which to comply with this section after receiving notice. Enforcement of this section may be against either the owner, the holder of any mortgage, the beneficiary under a deed of trust, or any person in possession.

(Ord. No. 2001-72, 12-3-2001)

Sec. 146-1106. Exterior Maintenance.

- (A) *Exterior Walls.* Every exterior wall shall be weatherproof, watertight, and kept free of deterioration, holes, breaks, loose or rotting boards, or timbers.
- (B) *Painting or Staining.* When 30 percent of the finished surface of a building exhibits deterioration of its finished surface on any wall, that wall shall be painted or stained. Such painting and staining shall be completed within 90 days from the date of the first application of the paint or stain.

- (C) *Architectural Projections.* All shutters, cornices, moldings, lintels, sills, windows and similar projections shall be kept in good repair and free from cracks and defects which make them hazardous or unsightly. Chimneys, antennae, air vents and other similar projections shall be structurally sound and in good repair. Such projections shall be secured properly, where applicable, to an exterior wall or exterior roof.
- (D) *Roof Surfaces.* Roof surfaces shall be tight and have no defects which admit water. All roof drainage systems shall be secured and hung properly.
- (E) *Boarded Windows and Doors.* Building windows and doors, which have been boarded and secured, shall be painted or stained to be compatible in color with the adjacent or surrounding walls.
- (F) *Grading and Drainage.* Every yard, court, vent passageway, parking lot, driveway, and other portion of the lot on which the building stands shall be maintained to be consistent with original grading and drainage standards and to prevent accumulation of water on any such surface or adjacent property.
- (G) *Accessory Structures.* All accessory structures shall be maintained in a state of good repair and vertical alignment. All exterior appurtenances or accessory structures that are in a deteriorated condition shall be repaired or removed. Such structures include but shall not be limited to porches, terraces, entrance platforms, loading docks, storage buildings, garages, driveways, carports, walls, fences, and miscellaneous sheds.

(Ord. No. 2001-72, 12-3-2001)

Sec. 146-1107. Motor Vehicle, Pedestrian and Bicycle Access.

- (A) *Purpose.* The purpose of this section is to create an efficient automobile circulation system that avoids the creation of large, isolated tracts without routes for through traffic. It is also to create a safe, continuous pedestrian and bicycle network that minimizes conflict with automobile and pedestrian movement while promoting a convenient option for movement within and between developments.
- (B) *Standards Applicable to All Development.*
 - 1. All multi-family and non-residential use areas shall provide internal pedestrian and automobile connections to each adjoining local or collector street.
 - 2. For all uses other than single-family detached residences, sidewalks or walkways serving the site shall be designed so that: (1) Each primary access to a residential unit, (2) Each primary access to a non-residential building (including those located on pad sites in the same development, whether or not located on the same lot or tract), and (3) Each area of parking spaces, garages, or carports accommodating more than ten cars, has direct access to a system of sidewalks as defined below:
 - a. Each system of sidewalks shall connect each of the points listed above: (1) to each other, (2) to any sidewalks on adjacent properties that extend to the boundary of such properties, and (3) to any system of sidewalks along the perimeter streets around the development site. Connections between internal and perimeter sidewalks shall be provided at an average spacing of 1,320 feet along the perimeter street (i.e., pedestrians along the perimeter sidewalks shall be able to find a sidewalk connection into the interior sidewalk system without walking approximately 1,320 feet

along the perimeter); and

- b. Each sidewalk system shall enable pedestrians to make each of the connections identified above without walking across grass or landscaped areas.
3. Primary circulation and access to and from multi-family and non-residential use areas shall be oriented toward predominantly non-single-family residential streets. If necessary, secondary and emergency access may be provided onto such streets.
4. Provision of on- and off-street bicycle facilities shall comply with the recommendations shown on the Aurora Bike Plan facility map (as amended), and as described in related policies, which require linkages between and among new developments as well as continuity across and alongside major transportation corridors.
5. All sidewalks and pedestrian walkways shall be aligned and connected with those on adjacent properties and public rights-of-way.
6. Except for single-family dwellings, private full movement driveways giving access to development sites shall be aligned across arterial, collector, and local streets to contribute to circulation efficiency.
7. Whenever feasible and appropriate, motor vehicle connections shall be made between uses contained within a single site plan, framework development, general development plan or master plan. Such connections shall be made in a fashion so that vehicles are not required to use streets external to the plan to access all uses in the plan.
8. Whenever feasible and appropriate, on arterial or collector streets, interior motor vehicle access shall be provided between the adjoining new and existing uses. Such access shall be provided so that vehicles are not required to use the arterial or collector street to travel between the uses.
9. All private walkways in the city, which provide access to the primary entrance to a building. Shall be maintained in good condition by repairing deteriorating surface material with similar surface material and keeping such walkways clear of loose trash or debris or any hazards endangering the safety of persons using the walkway.

(C) *Standards Applicable to Residential Development.*

1. All single-family detached homes, two-family homes, and single-family attached townhouses shall have direct vehicular and pedestrian access from, and shall directly abut, a public or private street, motor court, or loop lane.
2. All multi-family buildings shall have direct vehicular and pedestrian access from, and shall directly abut, a public or private street, motor court, loop lane, or drive lane.
3. The required parking space or spaces associated with each multi-family dwelling unit shall have a direct vehicular and pedestrian access from a public or private street, drive lane, or driveway.
4. Gated residential developments shall provide the same pedestrian and bicycle

connections to open space and adjacent communities as required from other residential developments, although a gate or security device may be installed at the point of entry.

5. Residential uses that abut a major arterial are not permitted to have curb cut access to the arterial, except for R-4, R-5, and R-4H districts. Curb cut access is allowed to provide immediate access to adjacent public and private schools, places of worship, public parks and playgrounds, and public libraries. The number, size, and location of curb cuts allowed for these activities are subject to approval by the city council.

(D) *Standards Applicable to Single-Family Attached or Multi-Family Residential Development. (See Figure 11.7 below.)*

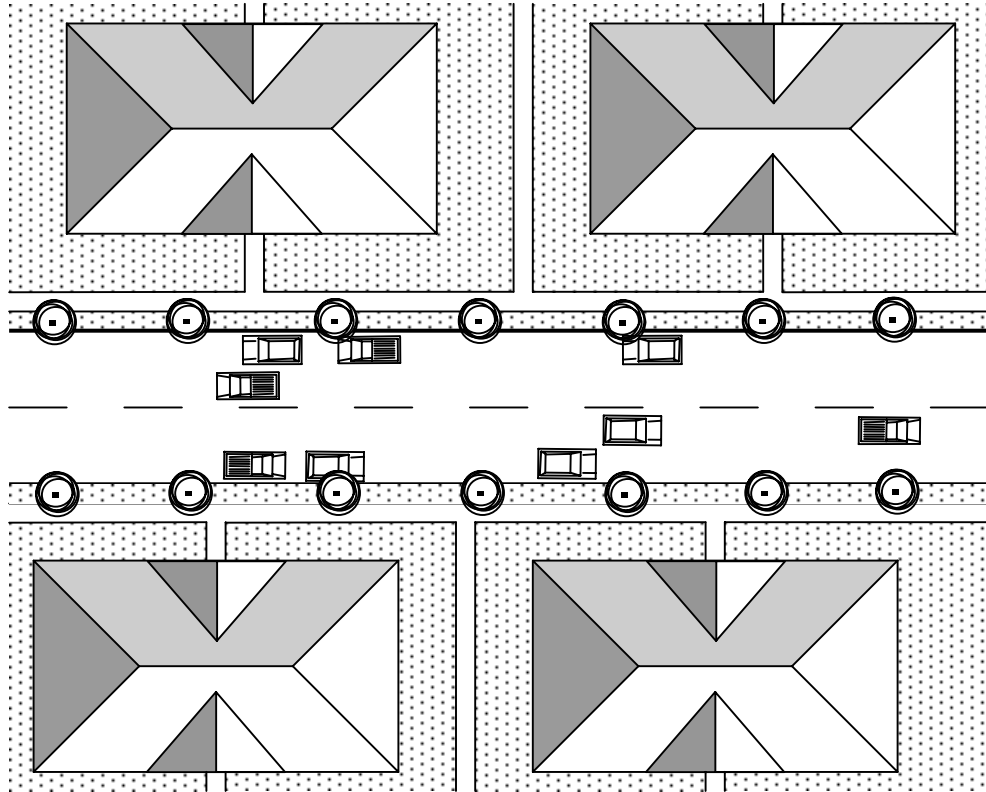
1. Single-family attached townhouse and multi-family development sites containing 12 acres or more but less than 22 acres shall at minimum include one public or private internal street that is built to meet city standards. Such a street shall begin at one existing outside boundary street and continue through the development to a second boundary street. Wherever possible, the existing internal street shall connect and align with other existing or proposed streets serving the interior of other parcels abutting the subject site. Where preexisting physical barriers prevent the internal street from making such connections, the internal street shall still be provided, but one end may terminate near the site's boundary line or form an internal looping street within the development.
2. Single-family attached townhouse and multi-family development sites containing 22 acres or more shall include a minimum of two public or private streets that are built to meet city standards, and each such street shall meet the requirements of subsection (A) above.
3. The director of public works has the authority to determine which classification of street shall apply to any internal streets required by this section.

(E) *Standards Applicable to Industrial Development.*

1. Where any industrial use occurs along arterial frontage and residential use areas are located across the arterial, entries serving the industrial use shall be placed out of alignment with residential use area entries to keep heavy commercial traffic out of residential neighborhoods.
2. Curb cuts for primary approach drives or for other primary access purposes in industrial districts shall not be permitted on streets which separate single-family detached uses or R-1A residential zone districts from the industrial zone district. The planning and zoning commission, however, may permit curb cuts for secondary approach drives or for other secondary access purposes in M-1 districts on streets which separate single-family detached uses or R-1A residential zone districts from industrial zone districts. Such approval shall be granted as a part of site plan approval.

(Ord. No. 2001-72, 12-3-2001; Errata of 9-11-2002, 80, 81)

Figure 11.7: Auto and Pedestrian Connections in Single-Family Attached Townhouse & Multi-Family Development



Sec. 146-1108. Motor Courts and Loop Lanes.

Indirect access from single-family detached dwellings to public streets may be provided by means of a motor court or loop lane, as described below.

(A) *Motor Courts.* (See Figures 11.8 and 11.9 below.) Within residential zoning districts, up to 6 single-family dwellings may share a single drive lane access to a public street through the use of a motor court layout, provided that the following conditions are met:

1. Shared driveways shall be no longer than 150 feet and shall be at least 23 feet in width. They shall be surfaced with concrete and shall be dedicated to a property owners association with responsibility for maintaining the shared driveway and the power to enforce payment of dues from individual homeowners in order to do so. The property owners association shall be created and the shared driveway shall be dedicated to the association before a certificate of occupancy is issued for any dwelling unit using the shared driveway.
2. Motor Court driveways less than 30 feet wide shall be surfaced with concrete. Driveways 30 feet or greater may be constructed with asphalt if

provided with full concrete curbs and gutters.

3. Individual driveways leading from the shared driveline to each dwelling unit shall be at least 20 feet long, as measured between the front of the garage or carport and the closest edge of the shared driveline or sidewalk, if one exists.
4. The design of the motor court shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees in either direction without any portion of the vehicle: (a) leaving the individual driveway from which the vehicle is exiting or the shared driveline, or (b) entering on or over the individual driveways of any other residence. The ASHTO turning template for a "P" design vehicle shall be used to confirm that this standard is met.
5. Each motor court with a shared driveline longer than 100 feet from the public street shall have a fire hydrant adjacent to the shared driveline at a point determined by the fire department.
6. City utility meter pits shall be located on the motor court side of the dwelling units.
7. Motor Court drivelines shall accommodate at least one guest parking space for every two lots where a garage driveway is accessed via the driveline.

Figure 11.9: Small Lot Standards for Single-Family Detached Homes on Motorcourts: (4,200 square foot minimum lot size). At least one guest parking space shall be provided for each two homes whose garages are accessed from the motor court.

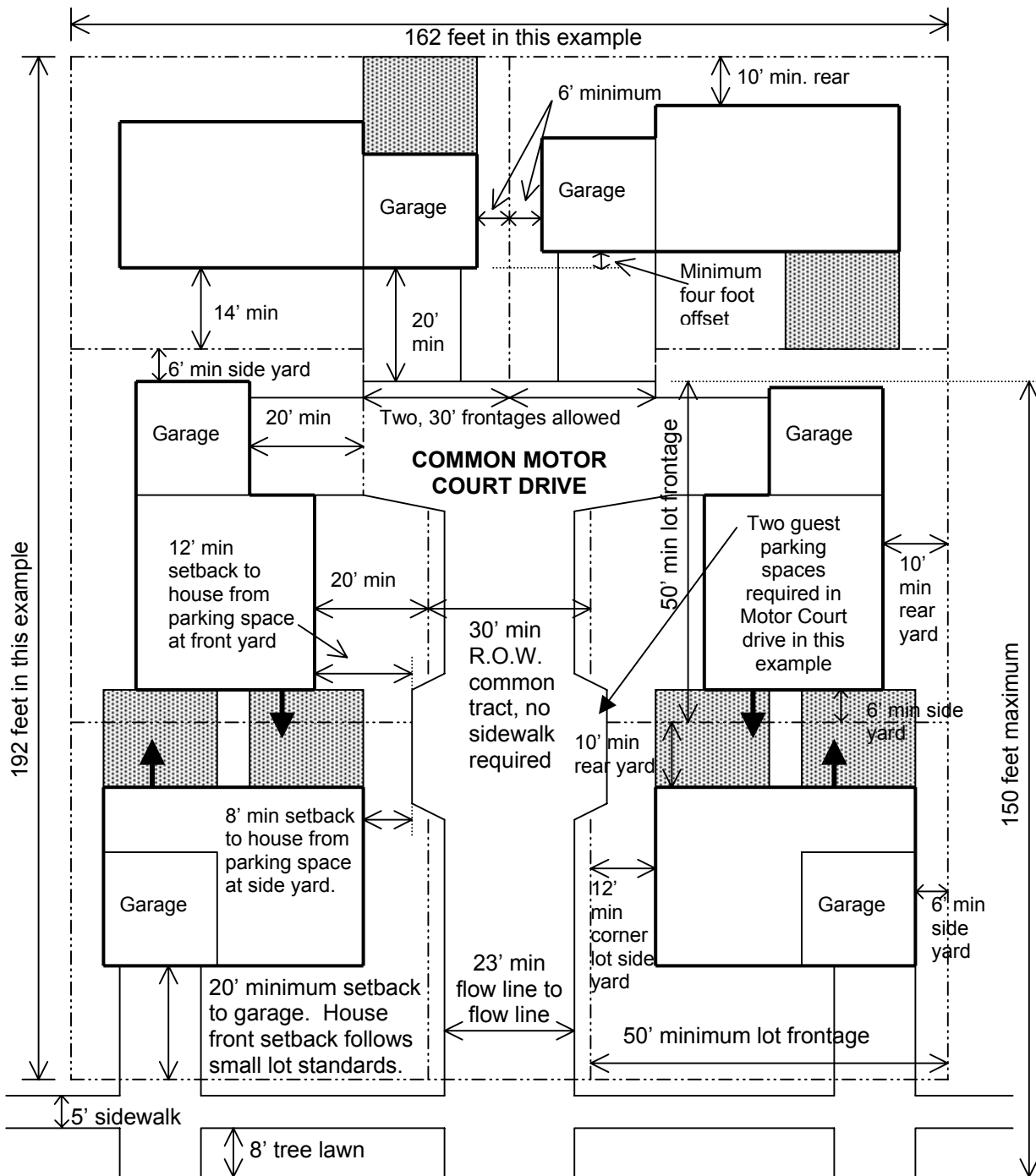
(B) *Loop Lane*. (See Figure 11.10 below.) Within residential zoning districts, up to 10 single-family dwellings may share access to a public street through the use of a loop lane layout, provided that the following conditions are met:


1. The surface of the loop lane shall be 18 feet wide.
2. No portion of the loop lane shall extend more than 250 feet from the public street to which it gives access.
3. The common area surrounded by the loop lane shall be at least 60 feet wide.
4. The loop lane shall be surfaced with concrete. Both the loop lane and the common area surrounded by the loop lane shall be dedicated to a property owners association with responsibility for maintaining the loop lane and the common area. The homeowners association shall have the power to enforce payment of dues from individual homeowners in order to maintain the loop lane and common area. The owners association shall be created and the loop lane and common area shall be dedicated to the association before a certificate of occupancy shall be issued for any dwelling unit using the loop lane.
5. Individual driveways leading from the loop lane to each home shall be at least 20 feet long, as measured between the front of the garage or carport and the closest edge of the loop lane.

6. The design of the loop lane shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees in either direction without any portion of the vehicle: (a) leaving the individual driveway from which the vehicle is exiting or the loop lane, or (b) entering on or over the individual driveways of any other residence. The ASHTO turning template for a "P" design vehicle shall be used to confirm that these standards are met.
7. The loop lane development shall comply with off-street parking requirements applicable to single-family dwellings and shall provide one guest parking space per dwelling unit with a minimum of one such space located within 125 feet of each dwelling. Such parking may be located on the abutting public street, as head-in parking in the common area, or as parallel spaces on individual lots. On-street parking on the loop lane shall be prohibited.
8. Each loop lane with a shared driveway longer than 100 feet from the public street shall have a fire hydrant adjacent to the shared driveway at a point determined by the Fire Department.

(Ord. No. 2001-72, 12-3-2001; Errata (4) of 12-30-2002, 16)
Secs. 146-1109--146-1199. Reserved.

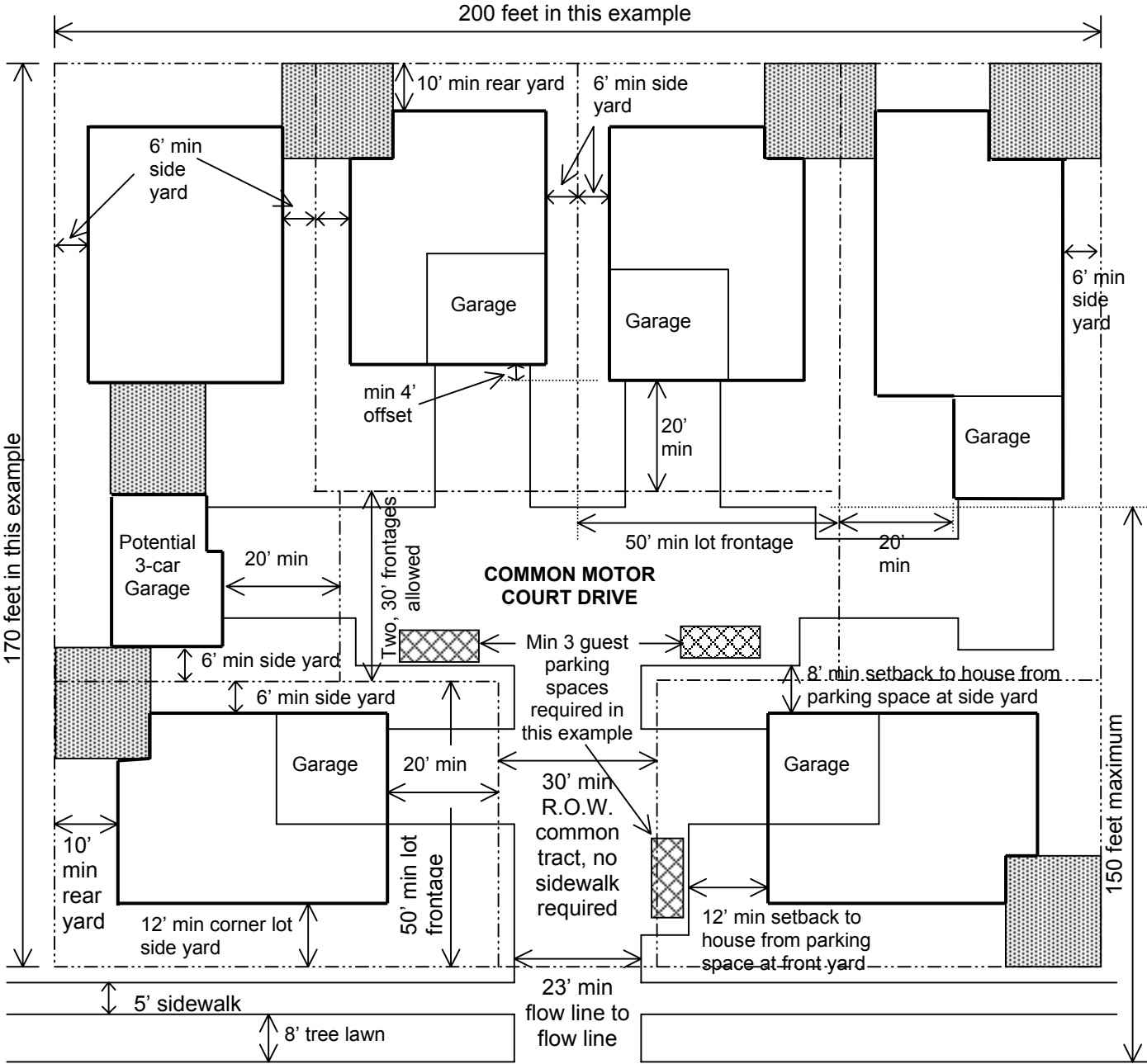
Figure 11.8: Minimum Dimensional Standards for Single-Family Detached Homes on Motor Courts, Example 1.



 Shaded areas show possible locations for required 20' x 18' private open spaces. In motor courts only, such spaces may be located within a required front yard.
 Minimum lot size for homes fronting on a Motor Court shall be 4,200 square feet.

Scale:
 approximately
 1" = 30'

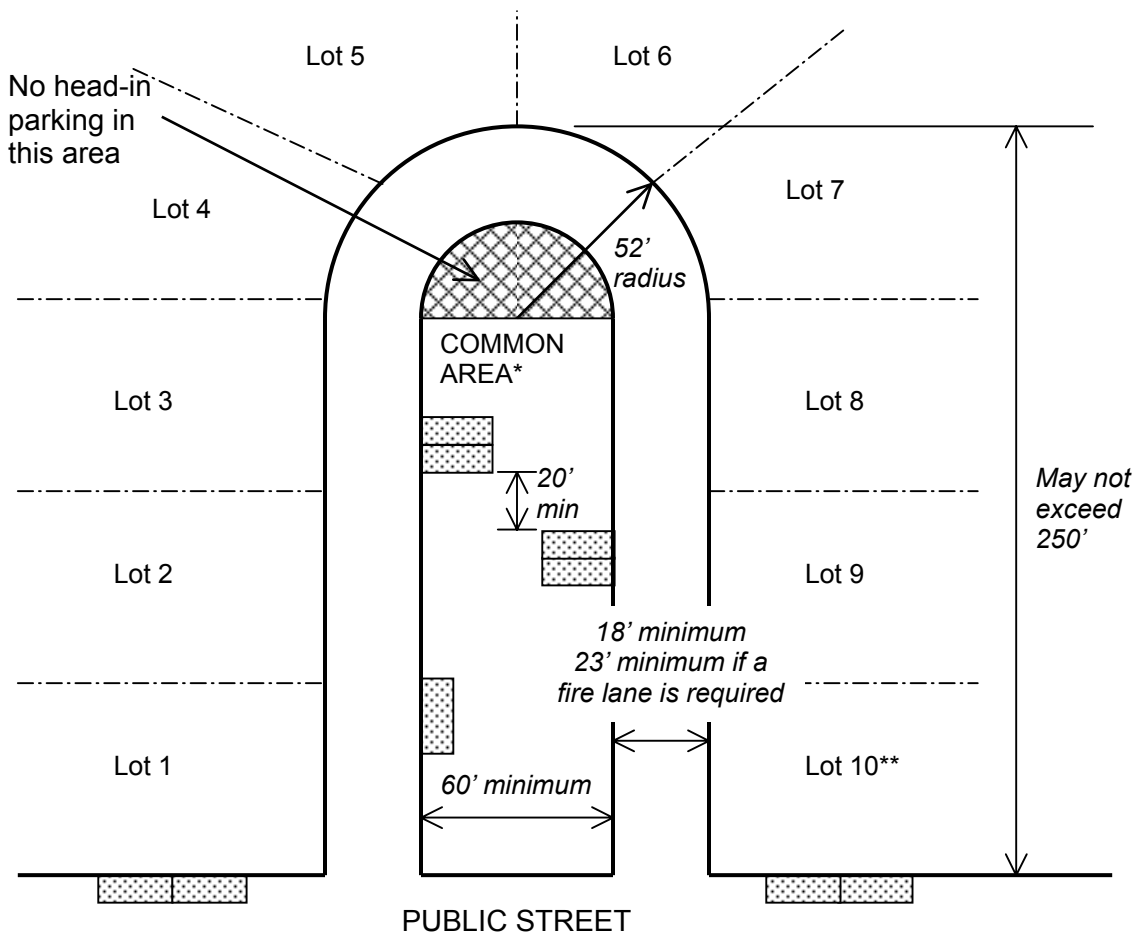
Figure 11.9: Minimum Dimensional Standards for Single-Family Detached Homes on Motor Courts, Example 2.



Shaded areas show possible locations for required 20' x 18' private open spaces. In motor courts only, such spaces may be located within a required front yard. Minimum lot size for homes fronting on a Motor Court shall be 4,200 square feet.

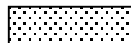
Scale:
approximately
1" = 30'

Figure 11.10: Loop Lane Standards



* The Common Area (Park) should not be hardscaped within the city easement. Landscaping should be predominately grass. Street trees and shrubs should be permitted only on the perimeter of the common area.

** Loop Lanes may not contain more than 10 lots.

 Guest parking may occur on the abutting public street and/or within the common area as head-in or parallel parking. Head-in parking on opposite sides of the common area shall be offset by a minimum of 20 feet.