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Article 146-1  General Provisions

1.1  TITLE
This ordinance shall be officially known as the Aurora Unified Development Ordinance, but is sometimes referred to within this document as “this Code”, “this Ordinance”, or “this UDO”. A copy of the official UDO is available on the Aurora website or in the Aurora Planning Department.

1.2  AUTHORITY
1.2.1. This Ordinance is adopted pursuant to the Home Rule powers granted to the City by Article XX of the Colorado Constitution, the Aurora Home Rule Charter, and the powers and authority conferred by the laws of the State of Colorado upon all municipal corporations, including without limitation those in C.R.S. Sec. 24-65.1-101 et. seq. (Areas and Activities of Statewide Interest), C.R.S. Sec. 29-20-101 et. seq. (Local Government Land Use Enabling Act), C.R.S. Sec. 31-23-301 et. seq. (Zoning), and C.R.S. Sec. 31-23-101 et. seq. (Subdivision), C.R.S. Sec. 29-20-104 et. seq. (Impact Fees).

1.2.2. Authority is granted to the Planning and Zoning Commission for the interpretation and administration of the Subdivision Standards pursuant to the authority granted to the City of Aurora by the Aurora Municipal Charter and according to the powers and authority pursuant to Title 31, Article 23 of the Colorado Revised Statues, as amended and other applicable laws, statutes, ordinances and regulations of the State of Colorado.

1.2.3. It is the intent of the City to have available all powers of a Home Rule municipality under Colorado law to control land uses, land development, and the impacts of land use and development.

1.2.4. The City Council of Aurora recognizes that past practices such as redlining and discriminatory lending have led to generational inequity for communities of color and minorities. It is important to acknowledge the role of the City’s land use regulations in affirmatively helping to address those inequities. The Unified Development Ordinance (UDO) provides a baseline set of land use and zoning regulations and it is important for the City to complete the Affordable Housing Study to affirmatively address the historic inequities. It is the intent of the City to develop a comprehensive affordable housing policy to complement the UDO.

1.3  PURPOSE
The purpose of this UDO is to:

1.3.1. Implement the Comprehensive Plan, as that plan may be amended or replaced from time to time.

1.3.2. Ensure that all development in the City is consistent with the spirit and intent of any other plans and policies adopted by City Council.

1.3.3. Promote the creation of safe, unique, interesting, inclusive, and economically vibrant places throughout the city.

1.3.4. Protect the quality and character of stable residential neighborhoods.

1.3.5. Promote the economic development and fiscal sustainability of the City.
1.3.6. Encourage efficient and connected multimodal transportation and circulation systems serving drivers, bicyclists, pedestrians, and transit riders.

1.3.7. Encourage the conservation and efficient use of water and other natural resources.

1.3.8. Ensure the provision of adequate public facilities and services for new development and redevelopment.

1.3.9. Provide for the consistent, predictable, and equitable administration of City land use and development regulations.

1.3.10. Implement a connected system of parks, trails, and open spaces that promote improved outdoor activity and public health.

1.3.11. Provide protection from nuisances and hazards.

1.3.12. Protect the health, safety, and general welfare of the public.

1.4 APPLICABILITY

1.4.1. This Ordinance shall apply to all land within the City, including any land that is annexed into the City after the Effective Date.

1.4.2. No building or land shall be used or occupied, and no building, structure, or part of a building or structure shall be erected, moved, or altered, and no land shall be subdivided into lots or parcels for development, and no boundaries of an existing subdivided lot shall be modified or consolidated except in conformity with the provisions of this UDO and in conformity with all regulations adopted by the City (including but not limited to the building code, the Aurora Roadway Design and Construction Specifications Manual, the Aurora Parks, Recreation and Open Space Dedication and Development Criteria Manual, and other planning reference manuals, ) unless state or federal law or court decisions require that the development be completely or partially exempted from the regulation.

1.4.3. Projects that involve expansions of existing land uses or buildings, but not the construction of new primary buildings, shall be required to bring the property into compliance with the standards in Sections 146-4.6.7 (Drive-Through Stacking Areas), 146-4.7.5.K (Parking Lot Landscaping), 146-4.8 (Building Design Standards), and 146-4.9 (Exterior Lighting) to the extent required by the “Touch Rule” defined in Section 146-6.2 (Definitions and Terms of Measurement).

1.4.4. The applicability of the Touch Rule shall not relieve any applicant from the requirement to comply with provisions of this UDO not listed in Section 146-1.4.3 or requirements to comply with other applicable regulations, including without limitation adopted Aurora Building Codes or the Americans with Disabilities Act.

1.4.5. In the interpretation and application of this UDO, all provisions shall be considered as minimum requirements unless specifically stated otherwise; liberally construed in favor of the City; and deemed neither to limit nor repeal any other powers granted under state statutes.

1.5 OFFICIAL ZONING MAP

1.5.1. The standards and regulations in this UDO applicable to specific zone districts or overlay zone districts apply to the areas of the City shown with those zone district or overlay zone district designations on the Official Zoning Map.
1.6. Relationship to Other Regulations

1.6.1. If two or more of the regulations in this UDO conflict with each other, or conflict with other applicable laws or regulations of the City, or conflict with applicable state or federal law, the stricter provision shall apply, except as noted in Section 146-1.6.2.

1.6.2. If any regulation contained in Section 146-2.7 of this UDO (Overlay Districts) conflicts with any other regulation in a different section of this UDO, the provisions of Section 146-2.7 shall apply regardless of whether it is more or less strict than the base zone district, except that in the case of Section 146-2.6.1 (Flood Protection Overlay (-FPO)) the stricter standard, including standards in an existing easement, covenant, or deed restriction, shall prevail.

1.6.3. If there is a conflict between any regulation of this UDO and adopted state or federal regulations governing the construction of public utility facilities, the provisions of this UDO shall be modified to the minimum extent necessary to allow compliance with such state or federal regulations.

1.6.4. All references to a standard, regulation, or manual in this UDO refer to the latest edition or version of that standard, regulation, or manual adopted by the City.

1.7. Relationship to Private Covenants and Conditions

This Development Code applies to all land uses and development regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than a private agreement or restriction, without affecting the applicability of any agreement or restriction. The City shall not have any obligation to enforce any private covenant or agreement unless it is a party to the covenant or agreement; if the City is a party to the covenant or agreement, enforcement shall be at the discretion of the City.

1.8. Effective Date

The effective date of this UDO shall be ______________________ (the “Effective Date”).

1.9. Transition from Previous Ordinances

1.9.1. An application for a permit or approval that has been accepted by the Planning Department as complete prior to the Effective Date shall be processed in compliance with the requirements in effect when the application was accepted as complete. Notwithstanding the provisions of Section 146-5.3.15.A (Minor Amendments), minor amendments to applications in this category may also be processed in compliance with the requirements in effect when the application was accepted as complete, but major amendments to applications in this category shall be processed pursuant to Section 146-5.3.15.B (Major Amendments). Major and minor amendments are listed in Section 146-5.3.15 (Amendments of Existing Approvals).

1.9.2. An application for a permit or approval that has not been accepted by the Planning Department as complete prior to the Effective Date, or that is submitted after the Effective Date, shall be processed in compliance with the requirements of this UDO.

1.9.3. Framework Development Plans approved prior to the Effective Date do not expire, but shall be deemed to be Master Plans approved under this UDO. Permitted land uses, intensities of development, and approved waivers from development standards, and any items included in approved annexation agreements or development agreements with the City, shall continue to be governed by those previously approved plans or agreements, notwithstanding different regulations that would otherwise apply under this UDO.
1.10. Severability

1.9.4. Contextual Site Plans approved prior to the Effective Date, and that have not expired, shall be deemed to be Site Plans or Final Subdivision Plats approved under this UDO, depending on whether the Contextual Site Plan was approved as a zoning or subdivision action.

1.9.5. Permits and approvals issued by the City pursuant to the zoning ordinance or subdivision regulations in effect prior to the Effective Date shall lapse or expire as provided in such permit or approval, or in the zoning ordinance or subdivision regulations in effect prior to the Effective Date. If the permit or approval contains no expiration or lapsing date, such permit or approval shall lapse as shown for that type of permit or approval (or for the successor type of permit or approval under this UDO) in Section 146-5.3.14 (Lapsing of Approvals), as if that the permit or approval was issued on the Effective Date.

1.9.6. Any violation of the City zoning, subdivision, or land development regulations in effect prior to the Effective Date will continue to be a violation under this UDO unless the development or other activity that was a violation of the previous regulations conforms with the requirements and regulations of this UDO.

1.9.7. No provision of this UDO shall operate to modify or invalidate any vested right approved by the City prior to the Effective Date, including but not limited to those approved in a development agreement or other agreement approved by the City and those included on a site-specific development plan approved by the City (based on provisions regarding vested rights and site-specific development plans that applied prior to the Effective Date).

1.9.8. No provision of this UDO shall operate to modify or invalidate any provision included in an annexation agreement, development agreement, or other agreement between a property owner and the City regarding the development or redevelopment of land, approved by the City prior to the Effective Date.

1.10 SEVERABILITY

If a court of competent jurisdiction declares any part of this UDO to be invalid, that ruling shall not affect any other provisions of this UDO not specifically included in that ruling. More specifically, if any development standard, sign regulation, or other requirement of this UDO is declared to be invalid, this UDO shall be interpreted to produce a development approval as close as possible to that which would have occurred if the development standard, sign regulation, or other requirement had not been ruled invalid.
2.1 DISTRICTS ESTABLISHED

The zone districts listed in Table 2.1-1 are hereby created.

These districts shall have the boundaries shown on the Official Zoning Map maintained in electronic form by the Planning Department and available on the City of Aurora website. The base zone districts are grouped into four types — Residential districts, Mixed-use districts, Special Purpose districts, and Planned Development districts. In addition, there are several Overlay zone districts that supplement — but do not replace — the base zone districts over which they are applied.

2.2 THREE CHARACTER AREAS

To tailor zoning, subdivision, and development standards to different areas of Aurora, this UDO defines three different character areas. The three character areas generally reflect areas of the city that were platted and developed at different times.

Subarea A generally includes areas of west Aurora that were primarily developed and platted before or within the decade after World War II, with development occurring in the southern portion of the area into the 1970s. These areas are generally characterized by rectangular blocks with a typical 330 ft. by 660 ft. dimension, often bisected by a north-south or east-west alley. Residential lots were often created with street frontages of between 25 and 50 feet, and arterial and collector street frontages were often designed for small-scale commercial or multifamily uses. Both residential and non-residential buildings tend to be smaller than those in Subarea B, and often reflect traditional designs and brick, stone, and masonry construction methods. Currently, Subarea A includes a mix of industrial, residential and commercial developments. Future development will occur as mainly infill as well as redevelopment of existing sites and structures. Larger developments are expected to occur along transit routes. Execution of the landscape standards within Subarea A is more challenging due to the existing infrastructure and the largely adaptive re-use of existing structures. As a result, landscape standards will focus on building frontages (i.e. streetscapes and pedestrian corridors) as well as the integration of Low Impact Development (LID) practices to address ongoing stormwater management issues.
Subarea B generally includes areas that were platted and developed after World War II. These areas are generally characterized by larger blocks, often with curvilinear streets that do not create predictable block dimensions. These areas often have fewer local through streets and often rely on larger arterial and collector streets for connectivity between neighborhoods. Building architecture is generally less traditional, reflecting a variety of post-war styles, and often include a variety of surface materials, including stone, masonry, wood, stucco, as well as metal as an accent material. In many areas, lot platting oriented the rear property lines of residential lots along street rights-of-way, which has in some cases created “fence canyons” and auto-oriented streetscapes. Subarea B has a suburban character, with a mix of older residential subdivisions existing retail strip shopping centers, and growing industrial campuses. Future development will occur as mainly infill as well as redevelopment of existing sites and structures.

Subarea C generally includes rolling, semi-arid, largely undeveloped lands with large open fields of prairie grass in northeast Aurora and mostly developed newer developments in southeast Aurora. It currently includes expanding residential developments, industrial parks and areas of City-owned open spaces and parks. Development pressures within Subarea C continue to rise as the demand for more housing choices intensifies; the pressure for large industrial storage facilities increases and the need for expanded infrastructure to accommodate the demands of growth become a priority. Because these lands will develop over a long period of time, their layouts, design, and building styles need to be flexible enough to accommodate new forms of development at a variety of development densities while avoiding patterns and practices that have increased traffic congestion and/or reduced the visual appeal of the city in the past.

Some development standards in this UDO vary depending on where the property is located. Figure 2.3-1 is a conceptual map showing the general boundaries of each Subarea. More detailed official maps depicting the official boundaries of each Subarea are available from the Planning Department.
2.3. Residential Districts

2.3. Residential Districts

2.3.1. Residential -- Rural District (R-R)

A. Purpose
The purpose of the R-R district is to allow very low density, single-family residences and limited agricultural uses within a rural environment. This district is intended to prohibit most commercial activities and permitted home occupations that are unrelated to agricultural or rural activities. The lots in the R-R district are generally larger than in other Residential districts, and some limited recreational, educational, and other uses are permitted, as shown in Table (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.3-1 Cross-References to Other Applicable UDO Sections</th>
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<tbody>
<tr>
<td>Use Regulations</td>
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<td>Dimensional Standards</td>
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<tr>
<td>Lot Access and Connectivity</td>
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<td>Parking, Loading, and Stacking</td>
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<td>Landscaping, Screening and Stormwater Management (including fence and wall regulations)</td>
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<tr>
<td>Building Design Standards</td>
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<td>Signs</td>
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</table>
C. Dimensional Standards

Basic dimensional standards for the R-R zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
2.3.2. RESIDENTIAL -- LOW-DENSITY SINGLE-FAMILY DISTRICT (R-1)

A. Purpose
The purpose of the R-1 district is to promote and preserve safe and attractive low-density, single-family residences. This district is intended to prohibit all commercial activities except for permitted home occupations. The R-1 district is generally comprised of medium to large suburban single-family lots, but development pursuant to a Small Residential Lot option is allowed in Subarea C. Some limited recreational, educational, gardening, and other uses are also permitted, as shown in Table (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Use Regulations</th>
<th>Article 146-3</th>
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<tbody>
<tr>
<td>Dimensional Standards</td>
<td>Section 146-4.2</td>
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<tr>
<td>Lot Access and Connectivity</td>
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<td>Parking, Loading, and Stacking</td>
<td>Section 146-4.6</td>
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<td>Landscaping, Screening and Stormwater Management (including fence and wall regulations)</td>
<td>Section 146-4.7</td>
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<tr>
<td>Building Design Standards</td>
<td>Section 146-4.8</td>
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<tr>
<td>Signs</td>
<td>Section 146-4.10</td>
</tr>
</tbody>
</table>
C. **Dimensional Standards**

Basic dimensional standards for the R-1 zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards). Some optional provisions are listed in Subsection D below.

D. **Special Standards for Subarea C**

All land in the R-1 zone district in Subarea C shall comply with the permitted and conditional uses as shown in the Use Regulations in Article 146-3 and shall comply with the dimensional standards applicable to the R-1 zone district shown in Section 146-4.2 (Dimensional Standards), except that:

1. Residential development may occur pursuant to the optional provisions of Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) or other provisions in Section 146-4.2.3 applicable to particular land uses or forms of development. If the Small Residential Lot option is selected or other provisions of Section 146-4.2.3 apply, those provisions shall supersede any inconsistent standards in Article 146-3 (Use Regulations) and Article 146-4 (Development Standards).

2. Portions of the land may be developed as mixed-use centers in accordance with the standards applicable to the MU-N zone district or the MU-C zone district pursuant to the procedures in Sections 146-5.4.3.I (Administrative Activity Center Designation).
2.3.3. RESIDENTIAL -- MEDIUM-DENSITY DISTRICT (R-2)

A. Purpose

The purpose of the R-2 district is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities. Development pursuant to a Small Residential Lot option is allowed in Subarea C. This district is intended for use close to collector streets and public transit facilities. The primary use in this district is single-family residences, but several types of attached dwellings are also permitted. The district generally prohibits commercial activity except for home occupations and typical neighborhood services. Other uses are as shown in Table (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections

All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

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<tr>
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<td>Section 146-4.8</td>
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<td>Signs</td>
<td>Section 146-4.10</td>
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</table>
C. Dimensional Standards

Basic dimensional standards for the R-2 zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards). Some optional provisions are listed in Subsection D below.

D. Special Standards for Subarea C

All land in the R-2 zone district in Subarea C shall comply with the permitted and conditional uses as shown in the Use Regulations in Article 146-3, and shall comply with the dimensional standards applicable to the R-2 zone district shown in Section 146-4.2 (Dimensional Standards), except that.

1. Residential development may occur pursuant to the optional provisions of Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) or other provisions in Section 146-4.2.3 applicable to particular land uses or forms of development. If the Small Residential Lot option is selected or other provisions of Section 146-4.2.3 apply, those provisions shall supersede any inconsistent standards in Article 146-3 (Use Regulations) and Article 146-4 (Development Standards).

2. Portions of the land may be developed as mixed-use centers in accordance with the standards applicable to the MU-N zone district or the MU-C zone district pursuant to the procedures in Sections 146-5.4.3.1 (Administrative Activity Center Designation).
2.3.4. RESIDENTIAL -- MEDIUM-DENSITY MULTIFAMILY DISTRICT (R-3)

A. Purpose
The purpose of the R-3 district is to promote and preserve development of medium-density single-family and multifamily housing in close proximity to collector streets and public transit facilities. Uses in this district include a diverse range of housing types ranging from single-family and two-family residences to medium-density multifamily housing and limited lodging and rooming facilities. The district generally prohibits commercial activity except for home occupations and typical neighborhood services. Other uses are as shown in Table (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
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<td>Use Regulations</td>
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</table>
C. Dimensional Standards

Basic dimensional standards for the R-3 zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
2.3. Residential Districts

Article 146-2 Zone Districts

2.3.5. Residential -- High-Density District (R-4)

2.3.5. RESIDENTIAL -- HIGH-DENSITY DISTRICT (R-4)

A. Purpose
The purpose of the R-4 district is to allow for high-density residential development to occur in close proximity to arterial or collector streets, public transit facilities, and other public amenities. Uses in this district include a diverse range of housing types ranging from single-family and two-family residences to the highest density multifamily housing and limited lodging and rooming facilities. Some of the higher density developments may include ground floor commercial uses. Development of neighborhood services should include convenient automobile, bicycle, and pedestrian connections to nearby residential uses. The R-4 district also generally permits home occupations, neighborhood services, medical facilities, and some limited office uses. Other uses are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.3-5</th>
<th>Cross-References to Other Applicable UDO Sections</th>
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</tbody>
</table>
C. Dimensional Standards

Basic dimensional standards for the R-4 zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
2.3.6. RESIDENTIAL -- MANUFACTURED HOME PARK DISTRICT (R-MH)

A. Purpose
The purpose of the R-MH district is to accommodate residential communities designed for (a) Manufactured Home dwelling units, and (b) Pre-1976 Mobile Homes installed in this zone district or its predecessor district before the Effective Date, (c) co-housing dwelling developments, (d) cottage housing dwelling developments, and (e) Tiny House dwellings, and to require those areas to incorporate high quality planning and design. Uses permitted in the R-MH district are shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

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C. Dimensional Standards

Basic dimensional standards for the R-MH zone district are in Table 4.2-1 and Table 4.2-2, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District Specific Standards

All Manufactured Homes, Pre-1976 Mobile Homes installed before the Effective Date, and Tiny House Dwellings shall comply with all standards in Articles I, II, III, and IV of Title 90 of the Aurora City Code, and in addition shall comply with the following standards. If there is a conflict between the provisions of Articles I or II of Title 90 of the Aurora City Code and this Section 146-2.3.6, the stricter provision shall apply.

1. Installation
   All Tiny House Dwellings shall have wheels removed, shall be installed on a permanent foundation, and shall be connected to City water, sewer, and electric utilities before occupancy for a period of more than 30 consecutive days.

2. Minimum Area Per Dwelling Unit
   a. The use must contain a defined area for the use of each dwelling unit.
   b. No Manufactured Home, Pre-1976 Mobile Home installed before the Effective Date of this UDO, or Tiny House Dwelling shall occupy a defined area smaller than 1,000 square feet or one and one-half times the gross floor area of the dwelling unit, whichever is larger.

3. Landscaping
   a. The minimum amount of outdoor common area incorporated into any project shall be 25 percent of the gross acreage.
   b. Landscaped setbacks for Manufactured Home Parks shall comply with 146-4.7 (Landscape, Water Conservation, Stormwater Management), 4.7-2 including but not
2.3. Residential Districts

Article 146-2 Zone Districts  2.3.6. Residential -- Manufactured Home Park District (R-MH)

limited to Table 4.7-2 (Buffer Widths and Allowed Reduction Table) as applicable to multifamily development.

4. Detention Ponds
   Any required detention and retention ponds shall be integrated into the site design and shall meet the requirements of the Aurora Storm Drainage Design and Technical Criteria and the Aurora Roadway Design and Construction Specifications Manual (which addresses retaining walls for detention ponds).

5. Street Standards
   a. All streets, both public and private, shall be designed and constructed to standards and specifications established by the City Engineer.
   b. All streets shall provide safe and convenient access to all units and park facilities and for access by emergency vehicles, as indicated by standard City criteria and practices.
   c. Roadway identification signs shall be provided on private streets, indicating the street name and address ranges for that section of the roadway if it has no outlet.

6. Pedestrian Linkages
   Convenient, safe pedestrian path networks at least five feet wide shall be provided from dwelling units to recreation areas, bus stops, parking areas, commercial uses, nearby schools, and any public facility. All access shall conform to City standards.

7. Refuse Disposal
   Trash dumpsters and recycling bins in each R-MH district shall be located at convenient locations throughout the site and screened by a minimum six-foot-high enclosure, accessible by gate.

8. Recreational Vehicle Parking Requirements
   a. Any outdoor storage area for boats, trailers, campers, or other vehicles provided shall be screened from view from surrounding streets pursuant to Section 146-4.7.8.B.2 (Service, Loading, Storage, and Trash Area Screening Standards).
   b. No boat, trailer, or detached camper shall be kept, stored, or parked on any public right-of-way or private road within the park for more than 24 hours.

9. Exterior Lighting
   Exterior lighting shall be provided and located to emphasize entrances, exits, and any barriers, and shall comply with Section 146-4.9 (Exterior Lighting).
2.4 MIXED-USE DISTRICTS

2.4.1. MIXED-USE -- NEIGHBORHOOD DISTRICT (MU-N)

A. Purpose
The MU-N district is intended to accommodate neighborhood scale commercial nodes. The MU-N district supports small-scale, mixed-use neighborhood activity centers with comfortable gathering places that are located and scaled to provide minor/convenience services near residential neighborhoods while avoiding strip development patterns and avoiding the creation of destination retail or business uses serving areas beyond the immediate neighborhood. Other uses are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-1 Cross-References to Other Applicable UDO Sections</th>
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<td>Signs</td>
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C. Dimensional Standards

Basic dimensional standards for the MU-N zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District-Specific Standards

1. For MU-N districts mapped after the Effective Date of the UDO in Subareas B and C, a conditional use approval shall be required for any primary or accessory use operating between the hours of 10:00 midnight and 6:00 a.m.

2. In Subarea C, no MU-N may be located abutting the E-470 right-of-way.

3. Each MU-N district shall contain the following elements:
   a. An outdoor gathering area containing at least 1,000 square feet of area, that is clearly visible from an adjacent street, with seating for patrons of the district;
   b. At least one pedestrian and one auto connection to the local street system in the adjacent neighborhood(s), which shall permit residents of such neighborhood(s) to enter the district without using an arterial street.

4. All development and redevelopment that includes a residential use component shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

5. A conceptual illustration of a possible layout of an MU-N zone district is shown below.
2.4.2. MIXED-USE -- OFFICE/INSTITUTIONAL DISTRICT (MU-OI)

A. Purpose
The purpose of the MU-OI district is to accommodate office, institutional, and related low impact uses near residential areas. This district is intended to allow low- to medium-scale, low traffic generating office and residential uses in areas that can serve to buffer single-family residential areas from nearby more intensive commercial development. This district allows both residential and small- and moderate-scale commercial activities, with limited retail, services, and institutional uses. Other uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-2 Cross-References to Other Applicable UDO Sections</th>
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<td>Signs</td>
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C. Dimensional Standards

Basic dimensional standards for the MU-OI zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District-Specific Standards

1. Each individual MU-OI district mapped after the Effective Date in Subareas B and C, and containing more than two acres of land, shall contain a public plaza or outdoor meeting area clearly visible from an adjacent street.

2. All development and redevelopment that includes a residential use component shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.
2.4.3. MIXED-USE -- CORRIDOR DISTRICT (MU-C)

A. Purpose
The purpose of the MU-C district is to provide retail goods and services to satisfy the household and personal needs of the residents of nearby residential neighborhoods, those traveling on adjacent collector and arterial corridors, and to allow for higher intensity general business and service activities. The MU-C district should be located and designed to allow for access by pedestrians, bicyclists, and public transportation, in addition to automobiles. In Subareas A and B, the MU-C district is intended to promote sustainable infill redevelopment of older commercial sites, while mitigating the impacts of redevelopment on surrounding areas. In Subarea C, the MU-C district is intended to enable sustainable development of new medium-scale mixed-use centers. Uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

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<tr>
<th>Table 2.4-3 Cross-References to Other Applicable UDO Sections</th>
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C. Dimensional Standards

Basic dimensional standards for the MU-C zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District-Specific Standards

1. All development and redevelopment that includes residential uses shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

2. Additional Standards for Subarea C

In Subarea C, the following elements shall be incorporated into each development, unless the element is already included in an adjacent development in the same MU-C zone district and residents and patrons of the proposed development will have convenient and efficient access to those elements:

a. At least one public plaza or outdoor meeting area clearly visible from an adjacent street and containing at least 400 square feet of plaza or meeting area.

b. At least one pedestrian and auto connection to the local street system in an adjacent residential neighborhood, which connection shall be designed and located to allow residents of the neighborhood to enter mixed-use and non-residential area of the MU-C district without using an arterial street.

c. At least one walkable internal street or drivelane that (i) has a minimum travel width of 23 feet, (ii) is bordered by on-street parking and street trees, (iii) connects the MU-C zone district to one of the adjacent arterial or local streets, (iv) is bordered along at least 40 percent of its length by plazas or buildings with facades no more than 15 feet from the sidewalk, and (v) is interrupted by no more than one driveway per 100 linear feet.
3. A conceptual illustration of a possible layout of an MU-C zone district is shown below.
2.4.4. MIXED-USE -- ORIGINAL AURORA DISTRICT (MU-OA)

A. Purpose

The purpose of the MU-OA zone district is to enhance the character of and create a unique identity for Original Aurora, to protect existing residential neighborhoods by creating zoning suitable to the area’s urban context while also attracting quality mixed-use development and redevelopment that encourages architectural diversity and high quality design, and to further the community’s vision as outlined in the Comprehensive Plan. It is the intent of the MU-OA zone district to (1) Ensure a high quality appearance and promote pedestrian-friendly design while also allowing flexibility, individuality and creativity; (2) Strengthen the image, identity, and unique character of Original Aurora and enhance its business economy; (3) Protect and enhance residential neighborhoods, commercial areas, and other areas by encouraging physical development that is of high quality and is compatible with the character, scale, and function of its surrounding area; (4) Promote developments that relate well to adjoining public streets, common open spaces, and existing neighborhoods; and (5) Encourage development and redevelopment that contains a compatible mix of residential and non-residential uses in close proximity to each other, rather than separating uses. Uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

B. Zone District and Boundaries and Five Subdistricts

1. The MU-OA zone district is divided into the following five subdistricts.
   a. MU-OA-R1
   b. MU-OA-R2
   c. MU-OA-RMU
   d. MU-OA-MS
   e. MU-OA-G
2. Each subdistrict is subject to different development standards.

C. Zone District Subdistrict Purposes

1. Original Aurora Low Density Residential – MU-OA-R1
   The Original Aurora Low Density Residential subdistrict shall promote and protect residential neighborhoods and improve the overall image and character of Original Aurora. The building form standards and permitted uses work together to promote desirable residential areas. These regulations shall reinforce the existing development patterns while also encouraging reinvestment and new types of housing.

2. Original Aurora Medium Density Residential – MU-OA-R2
   The Original Aurora Medium Density Residential subdistrict shall promote active and pedestrian-oriented areas that have a mix of residential and small, neighborhood-scale commercial uses. The subdistrict shall permit a broad range of housing types that are compatible in scale with existing single-family homes while providing diverse housing choices for households of different ages, sizes and incomes.

3. Original Aurora Residential Mixed-Use – MU-OA-RMU
   The Original Aurora Residential Mixed-Use subdistrict shall promote active and pedestrian-oriented areas that have a mix of high-density residential uses with the option for neighborhood-scale commercial uses on the ground floor of multifamily buildings. The subdistrict shall permit a broad range of moderate- to high-density housing types that provide a diversity of choices for households of different age, size and income.

4. Original Aurora Main Street – MU-OA-MS
   The Original Aurora Main Street subdistrict shall promote safe, active, pedestrian-scale and diverse areas through the use of building forms that clearly define and activate the public realm. Development that engages the pedestrian is encouraged and will enhance the character of this mixed-use district. The subdistrict shall enhance the convenience, ease, and enjoyment of transit, walking, shopping and public gathering within the neighborhood and shall reflect its historic character.

5. Original Aurora General – MU-OA-G
   The Original Aurora General subdistrict shall promote an urban, mixed-use environment along key corridors and retail streets within the neighborhood that contains entertainment, commercial, office and residential uses. The subdistrict supports attractive architectural design and promotes pedestrian activities while also allowing for higher density, vertical development that takes advantage of the significant mountain views.

D. Cross-References to Other Applicable UDO Sections
   All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Use Regulations</th>
<th>Article 146-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dimensional Standards</td>
<td>Section 146-4.2</td>
</tr>
<tr>
<td>Neighborhood Protection Standards</td>
<td>Section 146-4.4</td>
</tr>
<tr>
<td>Lot Access and Connectivity</td>
<td>Section 146-4.5</td>
</tr>
<tr>
<td>Parking, Loading, and Stacking</td>
<td>Section 146-4.6</td>
</tr>
<tr>
<td>Landscaping, Screening and Stormwater Management</td>
<td>Section 146-4.7</td>
</tr>
<tr>
<td>(including fence and wall regulations)</td>
<td></td>
</tr>
<tr>
<td>Building Design Standards</td>
<td>Section 146-4.8</td>
</tr>
<tr>
<td>Signs</td>
<td>Section 146-4.10</td>
</tr>
</tbody>
</table>
### E. Dimensional Standards

Basic dimensional standards for the MU-C zone district are in Table 2.4-5 below, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards). If there is a conflict between the provisions of Table 2.4-5 and Section 146-4.2 (Dimensional Standards), the provisions of Table 2.4-5 shall apply.

#### Table 2.4-5
**MU-OA District Dimensional Standards**

<table>
<thead>
<tr>
<th>Standards</th>
<th>MU-OA-R1</th>
<th>MU-OA-R2</th>
<th>MU-OA-RMU</th>
<th>MU-OA-MS</th>
<th>MU-OA-G</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached/Duplex/Townhome Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot area (single-family detached / townhome end lot or duplex / townhome interior lot), minimum</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>2,500 sf.</td>
<td>2,500 sf.</td>
<td>2,500 sf.</td>
<td>2,500 sf.</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>1,800 sf.</td>
<td>1,800 sf.</td>
<td>1,800 sf.</td>
<td>1,800 sf.</td>
</tr>
<tr>
<td>Lot width (single-family detached / townhome end lot or duplex / townhome interior lot), minimum</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>18 ft.</td>
<td>18 ft.</td>
<td>18 ft.</td>
<td>18 ft.</td>
</tr>
<tr>
<td>Side setback (interior / abutting street or alley), minimum [2]</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td></td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td></td>
<td>3 ft.</td>
<td>3 ft.</td>
<td>3 ft.</td>
<td>3 ft.</td>
<td>3 ft.</td>
</tr>
<tr>
<td>Building height, maximum</td>
<td>35 ft.</td>
<td>38 ft.</td>
<td>38 ft.</td>
<td>38 ft.</td>
<td>38 ft.</td>
</tr>
<tr>
<td>Multifamily, Mixed-Use, and Commercial Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot area, minimum</td>
<td>N/A</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
</tr>
<tr>
<td>Lot width, minimum</td>
<td>N/A</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Front setback - landscape buffer, minimum [2]</td>
<td>N/A</td>
<td>12 ft.</td>
<td>0-12 ft.</td>
<td>0-12 ft.</td>
<td>0-12 ft.</td>
</tr>
<tr>
<td>Side setback - landscape buffer (abutting street or alley / interior), minimum [2]</td>
<td>N/A</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Rear setback - landscape buffer, minimum [2]</td>
<td>N/A</td>
<td>10 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Building height, maximum</td>
<td>N/A</td>
<td>38 ft.</td>
<td>100 ft.</td>
<td>50 ft.[3]</td>
<td>No max.[4]</td>
</tr>
</tbody>
</table>

Notes:
F. **Permitted Use Standards**

Development and redevelopment in the MU-OA district shall comply with all of the Use Regulations in Article 146-3 (Use Regulations), as supplemented by the following standards.

1. **Corner Commercial Use**
   Where Article 146-3 (Use Regulations) permits an art studio or workshop, office, personal service, restaurant, or retail use to be located in the MU-OA-R2 or MU-OA-RMU subdistricts at the corner of two streets, the commercial use shall comply with the following additional standards.

   a. **Intent**
      The intent of these Corner Commercial Use standards is to allow a neighborhood-friendly and pedestrian-oriented use, and for that intent to be a priority in all elements of the project, from building design to parking and lighting; to encourage the conversion of an existing corner residence to a Corner Commercial Use rather than constructing a new building to accommodate the use; and to encourage the preservation of residential character during the conversion of any such residential structure to accommodate the Corner Commercial Use.

   b. **Maximum Size**
      This use shall not exceed 2,000 square feet in gross floor area.

   c. **Hours of Operation**
      Hours of operation for all Corner Commercial Uses shall be limited to between 6:00 am and 10:00 pm, and all deliveries and trash pick-up shall occur during those business hours.

   d. **Design Standards**
      i. If a new building is constructed to accommodate a Corner Commercial Use, the design standards in Section 146-2.4.4.H.2 shall apply.
      ii. Corner Commercial Uses shall be of a design and scale that is complementary to the surrounding area.
      iii. Signage shall comply with Section 146-4.10 (Signs).
      iv. Service areas (i.e. waste collection) shall be located to minimize impacts to adjacent residences and shall not be visible from adjacent street frontages to the maximum extent practicable. Screening materials for waste collection shall be the same as, or of equal quality to, the materials used for the primary building.
      v. Sidewalks adjacent to the development shall be improved to comply with Section 146-2.4.4.G.4 (Streetscape Standards).
      vi. Outdoor seating or plaza areas shall be provided along street frontages for all Corner Commercial Uses where consistent with sidewalk safety and clear passage standards to the maximum extent practicable. These areas shall be located away from adjacent residential uses to the maximum extent practicable.

   e. **Parking**
      The provisions of Section 146-4.6 (Parking, Loading, and Stacking) shall apply except as modified by the following standards.
2.4. Mixed-Use Districts

Article 146-2 Zone Districts

2.4.4. Mixed-Use -- Original Aurora District (MU-OA)

i. If a new building is constructed after the Effective Date to accommodate the Corner Commercial Use, the amount of off-street parking required by Section 146-4.6.3 shall be provided unless the applicant submits a parking analysis that documents that a lower amount of off-street parking will meet the needs of employees and patrons of the use without creating negative parking impacts on the surrounding neighborhood, and the Planning Director determines that the findings of that analysis are substantially accurate.

ii. Parking for new buildings constructed after the Effective Date shall be located behind an existing or new building so that it is screened with a low wall or hedge from adjacent street frontages and properties to the maximum extent practicable.

iii. On-street parking that abuts the property can count towards on-site parking requirements. If a public parking lot is available within 300 feet of the property, spaces in that lot can also count towards on-site parking requirements.

2. Ground Floor Commercial Use

Where Article 146-3 (Use Regulations) permits an accessory art studio or workshop, office, personal service, restaurant, or retail use to be located in the MU-OA-RMU subdistrict on the ground floor of existing or proposed multifamily buildings, the commercial use shall comply with the following additional standards.

a. Intent

The intent of these Ground Floor Commercial Use standards is to allow a neighborhood-friendly and pedestrian-oriented use, and for that intent to be a priority in all elements of the project, from building design to parking and lighting;

b. Hours of Operation

Hours of operation for all Ground Floor Commercial Uses shall be limited to between 6:00 am and 10:00 pm, and all deliveries and trash pick-up shall occur during business hours.

c. Design Standards

i. Ground Floor Commercial Uses shall front a street or a common courtyard.

ii. When Ground Floor Commercial Uses are added to an existing multifamily building, the design standards in Section 146-2.4.4.H.2.c regarding ground floor articulation shall apply to the maximum extent practicable.

iii. When Ground Floor Commercial Uses are proposed in a new multifamily building, the design standards in Section 146-2.4.4.H.2 shall apply to the commercial component of the project.

iv. Signage shall comply with Section 146-4.10 (Signs).

v. Service areas (i.e. waste collection) shall be located to minimize impacts to adjacent residences and shall not be visible from adjacent street frontages to the maximum extent practicable. Screening materials for waste collection shall be the same as, or of equal quality to, the materials used for the principal building.

vi. Sidewalks adjacent to the development shall be improved to comply with Section 146-2.4.4.G.4 (Streetscape Standards).

d. Parking

The provisions of Section 146-4.6 (Parking, Loading, and Stacking) shall apply except as modified by the following standards.

i. If a new building is constructed to accommodate the Ground Floor Commercial Use, the amount of off-street parking required by Section 146-4.6.3 shall be provided unless the applicant submits a parking analysis that documents that a lower amount of off-street parking will meet the needs of employees and patrons of the use without creating negative parking impacts on the surrounding
neighborhood, and the Planning Director determines that the findings of that analysis are substantially accurate.

ii. Parking for new buildings constructed after the Effective Date shall be located behind an existing or new building so that it is screened from adjacent street frontages and properties to the maximum extent practicable. Parking lots shall be screened along street frontages by a low wall, landscape hedge or ornamental fence.

iii. On-street parking that abuts the property can count towards on-site parking requirements. If a public parking lot is available within 300 feet of the property, spaces in that lot can also count towards on-site parking requirements.

G. Site Development Standards

The development standards in this Section 146-2.4.4.G shall apply to all development and redevelopment in the MU-OA zone district except as otherwise noted. If the provisions of this Section 146-2.4.4.G conflict with standards in Article 146-4 (Development Standards), the provisions of this Section 146-2.4.4.G shall apply.

1. General Purpose of Development Standards

The general purpose of the MU-OA district development standards is to ensure that buildings will reinforce the character of, and avoid creating adverse impacts on, surrounding developments and streets, and will create a cohesive visual identity and attractive street frontage; ensure that site design promotes efficient pedestrian, bicycle and vehicle circulation patterns and creates a high-quality street and sidewalk environment; ensure that buildings are oriented to and reinforce the intended character of the abutting roadways, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment; provide opportunities for uses that enliven and enrich the roadway, bicycle and pedestrian environment, such as outdoor dining, porches, patios, and landscape features; and ensure that large sites are developed in a manner that supports and encourages connectivity and create a cohesive visual identity and streetscape with common open spaces.

2. Permitted Building Types, Building Envelopes, and Lot Requirements

All new lots created and new structures constructed after the Effective Date shall comply with the standards set forth in Table 2.4-8 and Section 146-4.2 (Dimensional Standards), unless otherwise noted.

3. Landscape Buffer Standards

a. All new structures constructed after the Effective Date, and all primary structures whose gross floor area is expanded by more than 25 percent after the Effective Date, shall provide for building perimeter landscaping only within the front yard setback or the designated buffer. Building perimeter landscape requirements may be found in Sections 146-4.7.5.J and 146-4.7.5.P, as applicable.

b. The standards in Subsection 1 above shall not apply to single-family detached, single-family attached, or two-family dwellings.

4. Streetscape Standards

a. Purpose

The purpose of the MU-OA streetscape standards is to create an environment that is safe, accessible, visually pleasing and comfortable for all users; encourage pedestrian, vehicle, bicycle and transit travel equally; integrate the streetscape design into the overall site layout; and allow flexibility in the design of streetscapes to accommodate different conditions.
b. Standards

All development and redevelopment approved after the Effective Date shall conform to the streetscape standards in Table 2.4-6, unless otherwise noted.

<table>
<thead>
<tr>
<th>Table 2.4-6</th>
<th>MU-0A District Streetscape Standards</th>
<th>X indicates a required element. Sidewalks may be attached or detached to reflect the intent or average existing condition of a particular block as shown in adopted plans or policy documents.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Multifamily, Mixed-Use and Commercial</td>
<td>Single-Family Detached, Duplex and Townhome</td>
</tr>
<tr>
<td></td>
<td>New Construction</td>
<td>Adaptive Reuse</td>
</tr>
<tr>
<td>Original Aurora Low Density Residential (MU-OA-R1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Street Trees (1 per 35 linear ft.)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Curbside Landscaping Area</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Original Aurora Medium Density Residential (MU-OA-R2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>5 ft.-16 ft.</td>
<td>5 ft.-16 ft.</td>
</tr>
<tr>
<td>Street Trees (1 per 35 linear ft.)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Openings 5 ft. x 15 ft.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planters / Planting Beds [1]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Grates [2]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Curbside Landscaping Area</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Original Aurora Residential Mixed-Use (MU-OA-RMU)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>5 ft.-16 ft.</td>
<td>5 ft.-16 ft.</td>
</tr>
<tr>
<td>Street Trees (1 per 35 linear ft.)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Openings 5 ft. x 15 ft.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planters / Planting Beds [1]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Grates [2]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Curbside Landscaping Area</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Original Aurora Main Street (MU-OA-MS)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>14 ft.-16 ft.</td>
<td>5 ft.-16 ft.</td>
</tr>
<tr>
<td>Street Trees (1 per 35 linear ft.)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Openings 5 ft. x 15 ft.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planters / Planting Beds [1]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Grates [2]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Original Aurora General (MU-OA-G)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Width</td>
<td>14 ft.-16 ft.</td>
<td>5 ft.-16 ft.</td>
</tr>
<tr>
<td>Street Trees (1 per 35 linear ft.)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Openings 5 ft. x 15 ft.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planters / Planting Beds [1]</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tree Grates [2]</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

[1] Where utilities prevent the installation of street trees or where sidewalks are less than 6 ft. in width, above ground planters shall be provided and shall include a combination of ornamental grasses, shrubs and perennials. A minimum of 4 ft. of clear pedestrian passage shall be provided around all planters. Planters shall meet the Public Realm Design Standards in Section 146.2.4.4.G.5.

[2] Tree grates can be used as an alternative when site constraints impact the ability to develop the parcel and/or when outdoor seating is part of the design.

5. Public Realm Design Standards

a. Purpose

The purpose of these public realm design standards is to create a clear and consistent design aesthetic for streetscapes within Original Aurora by specifying uniform standards for site furnishings, sidewalks, street trees, walls, fences, lighting, public art and parks; and to enhance the overall character of the area by creating a distinct and identifiable place.

b. Standards

The preferred Site Furnishing Components, Sidewalk Design Components, Landscape Design Components, Screening Components, and Lighting Fixtures are
shown in the Original Aurora Public Realm Design Standards, which is on file in the planning department.

6. Connectivity

a. Purpose
The purpose of these connectivity standards is to accommodate the safe, efficient, and convenient movement of pedestrians, vehicles, bicycles, and transit through Original Aurora as well as to and from adjacent properties and land uses.

b. Standards
i. All sites or developments approved after the Effective Date shall provide either private drive or public street connections to existing drives or streets on sites that share a common side lot line to the maximum extent practicable.

ii. Site plans shall designate possible future connections to adjacent development if not feasible at the time of development.

iii. Walkways within the site shall be located and aligned to directly and continuously connect areas or points of common pedestrian origin and destination, and shall not be located and aligned solely based on the vehicular drive aisle or parking lot configuration.

iv. Walkways shall link street sidewalks with building entries through vehicular drive aisles or parking lots. All on-site primary buildings shall be connected with walkways at least five feet wide. Sidewalks, internal pedestrian paths, and bicycle paths shall be lit with full cutoff lighting fixtures no more than 16 feet tall that provide consistent illumination of at least one footcandle on the walking surface.

v. Where it is necessary for the primary pedestrian access to cross drive aisles or internal roadways, the crossing design and construction shall emphasize pedestrian safety by continuing the material, color, or design of the pedestrian access as it crosses the vehicle driving lane.

7. Access

a. Purpose
The purpose of these access standards is to ensure that the access to all development is safe, efficient, convenient and attractive for all modes of transportation that will use the system, including pedestrians, cars, trucks, transit, bicycles and emergency vehicles.

b. Standards
i. When an alley is present, it shall serve as the primary vehicular access point.

ii. Curb cuts shall be minimized and located in a manner least likely to impede pedestrian circulation and on-street parking to the maximum extent practicable.

iii. All developments shall contribute to the construction of a local street system that will allow access to and from the proposed development, as well as access to all existing and future adjacent development. All required contributions shall comply with all applicable state and federal law.

iv. To the maximum extent practicable, pedestrian and vehicle access shall be separated through provision of a sidewalk or walkway. Where complete separation of pedestrians and vehicles is not practicable, potential hazards shall be minimized by using landscaping, bollards, special paving, lighting and other means to clearly delineate pedestrian areas.

v. The on-site pedestrian and bicycle circulation system shall be designed to provide or allow for direct connections to major pedestrian and bicycle destinations including, but not limited to, trails, parks, schools and transit stops that are located either within or adjacent to the development.
vi. Developments with existing or proposed motor vehicle access off of Colfax Avenue will be referred to the Colorado Department of Transportation (CDOT) for review, and a CDOT access permit will be required prior to construction in the CDOT right-of-way.

8. Outdoor Space Standards

a. Purpose

The purpose of these outdoor space standards is to assure usable outdoor space for new commercial, mixed-use and multifamily buildings to enhance the quality of life for residents and visitors;

b. Standards

i. Commercial or Mixed-Use Building

Any primary building constructed after the Effective Date shall provide on-site outdoor space in an amount equal to at least five percent of the building footprint plus an additional one percent of building footprint for each story of the building greater than two stories.

ii. Multifamily or Mixed-Use Residential Building

a. Any primary building constructed after the Effective Date that contains residential units shall provide at least 100 square feet of on-site outdoor space per dwelling unit.

b. Up to 40 percent of this requirement may be accommodated by outdoor decks and balconies.

c. Each square foot of area included in rooftop amenities, internal courtyards, and similar features shall be weighted as one-and-one-half (1.5) square feet of open space towards the requirement in Subsection ii.a above, provided that five percent of the building footprint and an additional one percent for each story of the building greater than two stories is provided as open space fully meeting the design standards (which include being highly visibility and accessible from the street).

iii. Design

The open space requirement of Subsections i, and ii above that is not met through the credits for outdoor decks, balconies, rooftop amenities, internal courtyards, or similar features as described in Subsections i, and ii above shall be met through the provision of a courtyard, a gateway, or a plaza, or a combination of those types of open space, as indicated on the Site Plan.

iv. Neighborhood Park Dedication

All development and redevelopment that includes residential uses shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

H. Building Design Standards

The building design standards in this Section 146-2.4.4.H shall apply to all development and redevelopment in the MU-OA zone district except as otherwise noted. If the provisions of this Section 146-2.4.4.H conflict with standards in Article 146-4 (Development Standards), the provisions of this Section 146-2.4.4.H shall apply.
1. Purpose
The purpose of these building design standards is to strengthen Original Aurora’s unique identity; create buildings with appropriate human scale and ensure that buildings contribute to the creation of a pedestrian-friendly environment through the provision of glazing, shading, and shelter at the pedestrian level; encourage the use of high quality materials that promote overall building longevity; provide visual interest that promotes a distinct architectural character; and encourage durable and well-designed residential developments with access to parks and open space that add to the quality of the neighborhood.

2. Commercial and Mixed-Use Building Design Standards
The following standards apply to all buildings constructed after the Effective Date in which the primary use is commercial or mixed-use development.

a. Building Form
   i. All sides of the building shall include materials and design characteristics consistent with those used on the front facade.
   ii. Except as necessary to comply with the minimum required front setbacks in Table 4.2-2, buildings shall be placed close to the street and oriented create spaces that are active, attractive and inviting for pedestrians.
   iii. Primary building entries shall directly face the street and shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or overhang. When a building is located at a corner, both street facades shall be fenestrated, articulated and finished as “front” facades, and the entrance shall be located at or near the building corner to the maximum extent practicable.

b. Massing
   i. Each primary building with more than two floors shall have an articulated base, middle and top. Each primary building with two floors shall have an articulated top.
      a. Examples of a recognizable base include thicker walls, ledges or sills; integrally textured materials such as stone or other masonry; integrally colored and patterned materials such as smooth-finished stone or tile; and lighter or darker colored materials or panels.
      b. Examples of a recognizable top include cornice treatments; sloping roof with overhangs and brackets; and stepped parapets.
   ii. At least one change in plane, either horizontally or vertically, shall be provided on the primary facade.
   iii. At least one change in color, texture or material, either horizontally or vertically, shall be provided on each facade.

c. Ground Floor Articulation
   i. All buildings shall provide clear glass storefront windows covering at least 40 percent of the primary street frontage façade area between three and eight feet above grade.
   ii. On all facades facing the public right-of-way, the ground floor level shall be at least 13 feet as measured from the finish floor level to finished ceiling height.
   iii. Windows shall be defined with detail elements, such as frames, sills, and lintels that extend in front of, or are recessed into, the building facade.
   iv. Side or rear walls that face walkways shall include fenestration treatments such as windows and door openings defined by frames, sills and lintels, or modulations of the wall with proportions similar to frames, sills, and lintels.
d. Roof Design  
   i. Roofs shall be of a flat, pitched or curved design. Mansard roofs shall not be allowed.  
   ii. All buildings shall have a minimum parapet height of at least 19 feet above sidewalk grade.  
   iii. Parapets and walls shall be high enough to screen all mechanical equipment from public view from adjacent public streets.

e. Materials and Colors  
   i. All building façade materials used shall be high quality and durable.  
   ii. Building materials that shall be used for commercial and mixed-use buildings include brick, CMU block, decorative tile, natural stone, architectural glass, architectural metal panel, three-coat stucco, and detailed cast concrete.  
   iii. Primary colors for facades shall be low reflectance, warm colors. The use of bright or fluorescent colors shall be prohibited.  
   iv. Building trim and accent areas may feature brighter colors.  
   v. Buildings in the area bounded by 14th Avenue to the south, 16th Avenue to the north, Yosemite Street to the west, and Oswego Street to the east shall comply with the Colfax Exterior Color Palette that is on file in the planning department.

f. Compatibility  
   i. New developments in or adjacent to existing developed areas with an established architectural character shall use a design that is complementary to that character.
   ii. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns and/or the use of building materials that have color shades and textures similar to those existing in the immediate area.  
   iii. Architectural designs that are specified as requirements or options by a corporate entity in order to establish a corporate image or character for an owner, occupant, or user of the property may only be approved if the decision-making body determines that the design is consistent with the adjacent development and/or the purpose of these standards.  
   iv. When land uses with significantly different visual character are proposed abutting each other and where gradual transitions are not possible, the development shall, to the maximum extent practicable, achieve compatibility through the provision of landscape buffers and passive open space.  
   v. When a new building is significantly taller than existing buildings on adjacent lots, a building step back or transitional building height shall be incorporated to the maximum extent practicable. The step back or transitional building height shall occur at a level that is no higher than the height of the shorter building on the adjacent lot. A building step back is required in the MU-OA-G subdistrict when a building meets the criteria shown in Table 2.4-8.

g. Service Areas  
   i. All utility panels and meters mounted on a building façade shall be integrated into the building design and shall be flush with the façade or inserted inconspicuously into a wall recess and painted to match the building façade. Avoid placing utility panels and meters on the primary façade to the maximum extent practicable.  
   ii. Loading docks, truck parking, trash collection and other service functions shall be incorporated into the overall design of the building so that the visual impacts of these functions are fully contained and screened. Screening materials for waste
collection and loading areas shall be the same as, or of equal quality to, the materials used for the primary building.

iii. All rooftop mechanical equipment shall be screened from public view from street level as viewed from all adjacent streets and walkways by integrating it into building and roof design.

h. Signs
i. All signs shall comply with the regulations in Section 146-4.10 applicable to the MU-OA zone district.

ii. Signage in the area bounded by 14th Avenue to the south, 16th Avenue to the north, Yosemite Street to the west, and Oswego Street to the east shall comply with special regulations in Section 146-4.10.10.B. Buildings that are located west of Geneva Street are considered to be in the MU-OA-MS subdistrict and buildings located east of Geneva Street are considered to be in the MU-OA-G subdistrict for purposes of Tables 4.10-2 and 4.10-4.

iii. Multi-tenant developments and properties included in Master Plans have the option of submitting a uniform sign program per Section 146-4.10.12 (Sign Programs for Multi-Tenant Developments).

3. Residential Building Design Standards
The following standards apply to all buildings constructed after the Effective Date in which the primary use is residential.

a. Multifamily
The following standards apply to multifamily buildings:

i. Building Form and Massing
   a. At least one change in each wall plane, either horizontally or vertically shall be provided on the primary building facade,
   b. At least one change in color, texture, or material, either horizontally or vertically, shall be provided on each façade.
   c. Each primary building with more than two floors shall have an articulated base, middle and top. This typically includes a distinctive ground floor design, consistent articulation of middle floors, and a distinctive roofline.
   d. Each primary building with two floors shall have an articulated top.
   e. All corridors and stairwells shall be fully enclosed within the building envelope.

ii. Building Orientation to the Street
   a. Design primary building facades and entries to be visible from public sidewalks and streets with clearly demarcated, accessible and lighted pathways between sidewalks and building entries.
   b. Incorporate architectural elements such as porches, stoops, terraces and covered outdoor entries that create usable pedestrian places between the public and private realms.
   c. Provide windows that overlook sidewalks, streets and outdoor spaces.

iii. Architectural Features
   a. Building facades shall contain architectural design elements that enhance the pedestrian environment and surrounding properties, including pedestrian-scaled fenestration, wall plane and parapet variation, entrance designs, lighting and variation in building materials.
   b. Utilize cornice expressions, overhangs and projections in the design of the building.
c. The first story shall provide variation from the upper portions of the building by incorporating architectural features that enhance the pedestrian experience.

d. Use shaped, sloped, and pitched roof forms, or a combination of these roof forms.

iv. Materials and Colors
a. Building materials that shall be used for each building façade include brick (masonry), split face masonry block, decorative tile (masonry), natural stone (masonry), composite wood, architectural metal panel, three coat stucco and detailed cast concrete.

b. The minimum percentage of masonry on the net façade area is 15 percent.

c. Primary colors for facades shall be low reflectance, subtle, neutral or earth tone colors. The use of bright or fluorescent colors shall be prohibited.

d. Buildings in the area bounded by 14th Avenue to the south, 16th Avenue to the north, Yosemite Street to the west, and Oswego Street to the east shall comply with the Colfax Exterior Color Palette that is on file in the planning department.

v. Balconies
At least 30 percent of all units shall have a balcony, deck or patio. Balconies shall consist of at least 40 square feet of usable area.

vi. Service Areas
a. All utility panels and meters mounted on a building façade shall be integrated into the building design and shall be flush with the façade or inserted inconspicuously into a wall recess and painted to match the façade. Avoid placing utility panels and meters on the primary façade to the maximum extent practicable.

b. Loading docks, truck parking, trash collection and other service functions shall be incorporated into the overall design of the building so that the visual impacts of these functions are fully contained and screened. Screening materials for waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the primary building.

c. All rooftop mechanical equipment shall be screened from public view from street level as viewed from all adjacent streets and walkways by integrating it into building and roof design to the maximum extent practicable.

b. Townhomes
The following standards apply to townhomes:

i. General
Townhome buildings shall include not less than three, nor more than eight, connected units.

ii. Building Form
a. The front door of each dwelling unit shall face a public street.

b. Each townhome shall be articulated to provide identity for individual units and to reduce perceived building mass and bulk.

c. Use changes in the wall planes, both horizontally and vertically, to create buildings with varied facades and avoid the impression of a single continuous building.

iii. Architectural Features
a. Building facades shall contain architectural design elements that enhance the pedestrian environment and surrounding properties, including fenestration that is similar in size and orientation to those on nearby buildings, as well as
2.4. Mixed-Use Districts

**Article 146-2 Zone Districts**

2.4.4. Mixed-Use -- Original Aurora District (MU-OA)

- wall plane and parapet variation, entrance designs, lighting and building materials.
- A clearly defined, street-facing covered front porch or stoop shall be provided for each townhome. It shall be large enough to accommodate seating for two people.

iv. **Roof Design**

Roof design shall be architecturally integrated with the design and scale of the building.

v. **Materials**

a. Acceptable building materials for townhomes that shall be used for at least 50 percent of each building façade surface area include brick (masonry), CMU block, decorative tile (masonry), natural stone (masonry), composite wood, metal panel, three coat stucco and detailed cast concrete.

b. The minimum percentage of masonry on the net façade area is 15 percent.

vi. **Private Outdoor Space**

The lot containing a townhome shall include a private outdoor space of at least 360 square feet. Each lot containing a primary structure with multiple townhomes shall include a private outdoor space of at least 360 square feet per townhome. Permitted private outdoor space types that count towards the satisfaction of the required amount of outdoor space include elevated terraces, patios, balconies, yards, decks and rooftop gardens. An equivalent amount of outdoor open space may be provided if private outdoor space is not feasible.

c. **Single-Family Detached and Duplexes**

Single-family detached homes and duplexes in the MU-OA zone district shall comply with the requirements set forth in Section 146-4.8.3 (Design Standards for Single-Family Detached and Two-Family Dwellings) and those portions of Section 146-4.6.5.C (Single-Family Detached and Two-Family Lots) applicable to Subarea A.

I. **Parking**

All development and redevelopment shall comply with the parking requirements in Section 146-4.6 (Parking, Loading, and Stacking), including but not limited to the minimum amounts of parking required in Table 4.6-1, except as modified by this Section 146-2.4.4.1.

1. **Purpose**

The purpose of these MU-OA district parking standards is to regulate the placement, use and design of parking lots and garages; provide well-defined circulation routes for vehicles, bicycles and pedestrians within parking areas; ensure that accommodations for motor vehicles enriches and support the pedestrian and bicycle environment; avoid parking congestion on neighborhood streets; and prevent residential streetscapes from being dominated by protruding garage doors, and to allow the active, visually interesting features of the house to dominate the streetscape.

2. **Parking Design Standards**

The following standards apply to all parking areas and garages constructed after the Effective Date.

a. **General**

i. Minimize the visual impact of surface parking by locating it at the rear or to the side of a site or block to the maximum extent practicable.

ii. Parking stall dimensions shall comply with Section 146-4.6.5 (Parking Design and Location).

iii. Parking lots shall be screened along street frontages by a low wall, landscape hedge or ornamental fence. A landscape hedge with an anticipated height of
approximately three feet shall be required when fencing is used. Landscaping shall consist of the following:

a. A low continuous hedge between two feet six inches and three feet tall planted in a double row at three feet on center in a triangular pattern or a decorative masonry wall between two feet six inches and three feet tall in combination with landscaping; or
b. A decorative rod iron fence with a low continuous hedge.

iv. Landscaped islands with raised curbs shall be used to define the ends of all parking aisles and the location and pattern of primary internal access drives, and to provide pedestrian refuge areas and walkways. Include sustainable design strategies in parking lots, including the use of bioswales and permeable paving to manage stormwater, and extensive use of trees and other plant material to reduce the urban heat island effect, to the maximum extent practicable.

b. Commercial and Mixed-Use Buildings

i. No more than 50 percent of the lot frontage along streets shall consist of surface parking or drive aisles.

ii. Parking areas near building entries must provide clear pedestrian access to the building, unobstructed by parked vehicles. Pedestrian access that connects sidewalks to building entries shall be provided.

iii. Parking areas shall be designed and landscaped to break up expansive parking areas and provide shade and pedestrian shade and protection for pedestrians through the use of landscaping or other site features.

iv. The parking lot layout shall provide continuous, direct pedestrian and bicycle access while minimizing the need for pedestrians and bicycles to cross drive aisle to the maximum extent practicable. Raised pedestrian crossings, special paving, signs, lights and bollards shall be provided at significant points of conflict.

v. To the maximum extent practicable, the ground floor of parking structures shall be designed with active uses along the street frontage except along those portions of the façade required for vehicular and pedestrian access. To the maximum extent practicable, stories above the ground floor of a parking structure shall be designed with building materials similar to the ground floor and shall include windows, openings and other architectural features to enhance the parking structure design.

c. Multifamily Buildings

i. No more than 50 percent of the lot frontage along streets shall consist of parking or drive aisles.

ii. At least 35 percent of resident parking shall be in garages, and at least 50 percent of those garages shall be attached to a residential structure.

iii. Any detached garage façade that faces a street or adjacent development shall include at least one change in wall plane, materials, roof plane, or shall include functional windows or doorways or architectural features of similar proportions to windows and doorways to avoid long blank walls.

iv. Any detached structure containing a parking garage that faces a street or adjacent development shall not exceed 60 feet in length along that street frontage. A minimum of seven feet of landscaping must be provided between any two such perimeter garages.

v. Parking areas near building entries shall provide clear pedestrian access to the building, unobstructed by parked vehicles. Pedestrian access that connects sidewalks to building entries shall be provided.

vi. To the maximum extent practicable, the ground floor of parking structures shall be designed with active uses along the street frontage except where frontage is needed to provide for vehicular and pedestrian access. To the maximum extent
practicable, stories above the ground floor of a parking structure shall be designed with building materials similar to the ground floor and shall include windows, openings and other architectural features to enhance the parking structure design.

d. **Townhomes**
   i. Off-street parking shall be located behind the dwelling and access to such parking shall be gained from an alley or, if there is no alley, then from the street via a driveway extending to the rear building line of the house that does not exceed 10 feet in width.
   ii. All townhomes shall contain either an attached or detached garage.
   iii. Any parking garage constructed after the Effective Date shall maintain a minimum setback of three feet between the garage and the rear the property line.

e. **Single-Family Detached and Duplexes**
   i. Off-street parking shall be located behind the dwelling and access to the parking shall be from an alley or, if there is no alley, then from the street via a driveway which does not exceed 10 feet in width up to the rear building line of the house.
   ii. No lot that abuts an alley shall have parking in the required front setback area.
   iii. All parking garages constructed after the Effective Date shall maintain a minimum setback of three feet between the garage and the rear the property line.

**J. Adaptive Reuse**

1. **Applicability**
   a. Notwithstanding the provisions of Section 146-1.4.3, the standards in this Section 146-2.4.4.J apply to the reuse or modification of buildings where such reuse or modification is within the limits of the “Touch Rule” described in Article 146-6. If there is conflict between the provisions of this Section 146-2.4.4.J or the definition of the Touch Rule in Article 146-6, the provisions of this Section 146-2.4.4.J shall apply.
   b. Applications for reuse or modifications beyond the limits of that Touch Rule are considered new construction and shall comply with all standards applicable to new construction rather than the standards in this Section 146-2.4.4.J.
   c. The adaptive reuse of a building is permitted in all Original Aurora subdistricts except MU-OA-R1.
   d. The proposed adaptive reuse must be a permitted use or must be approved as a conditional use in the Original Aurora subdistrict in which the building is located as shown in Table 3.2-1 (Permitted Use Table).

2. **Purpose**
   The purpose of these adaptive reuse standards is to encourage and facilitate the reuse of existing buildings that are underutilized or underperforming by modifying site development standards that would otherwise make the reuse or existing buildings, structures and sites impracticable. Enhancements to the exterior of an adaptive reuse building should focus on elements that improve ground floor design of the building. Ground floor designs should support a pedestrian-friendly environment, define the main entry, provide visual interest and enhance the public realm.

3. **Setbacks**
   Any additions or façade changes involving greater than 25 continuous linear feet of exterior wall facing a public right-of-way shall comply with zoning setbacks.
4. Height
The heights of buildings existing on the Effective Date shall be exempt from building height limits established by this Section 146-2.4.4 or Section 146-4.2 (Dimensional Standards). The addition of parapets or roof structures, equipment or other enclosures or non-habitable space is allowed. Any new or additional habitable spaces or floors shall comply with the height limits established by this Section 146-2.4.4 for the MU-OA subdistrict where the property is located.

5. Design Standards
When an adaptive reuse project includes the alteration, reconstruction or remodeling of the exterior walls or facades of a building, the design standards in Section 146-2.4.4.H.2 shall apply to the facades being altered or reconstructed to the maximum extent practicable.

6. Access and Infrastructure
a. Existing access points and driveways may remain in use.

b. Developments with access off of Colfax Avenue will be referred to the Colorado Department of Transportation (CDOT) for review, and a CDOT access permit will be required prior to construction in the CDOT right-of-way.

c. Sidewalks adjacent to an adaptive reuse project shall be improved to comply with Section 146-2.4.4.G.4 to the maximum extent practicable.

d. Adaptive reuse projects shall provide site furnishings, sidewalks, landscaping, screening and lighting in conformance with Section 146-2.4.4.G.5 to the maximum extent practicable.

7. Landscaping
a. Dead or missing landscaping in designated landscape areas existing before the Effective Date shall be replaced or installed as part of an adaptive reuse project.

b. Trees and other landscaping shall be provided in tree openings, tree grates, planters or planting beds along the adjacent street frontages to the maximum extent practicable.

c. Where the scale or character of the proposed adaptive reuse differs significantly from the scale and character of development on abutting properties, as determined by the Director, the Director may require the installation of fences, walls, or vegetation to mitigate impacts of the proposed adaptive reuse on the abutting property to the maximum extent practicable given the size and dimensions of the adaptive reuse property.

8. Parking
a. Additional parking spaces shall not be required for an adaptive reuse project, provided that any existing on-site parking spaces are not removed, or unless the existing parking spaces to be removed are not needed to meet the minimum parking standards of Section 146-4.6.

b. The location of new parking areas for an adaptive reuse project shall comply with Section 146-4.6.5.A (Location and Use of Parking Facilities) to the maximum extent practicable.

9. Process
a. Prior to submitting an application for an adaptive reuse project, a meeting shall be held with staff from appropriate departments to determine what requirements will apply, based on the anticipated impacts of the reuse.
2.4. Mixed-Use Districts

2.4.4. Mixed-Use -- Original Aurora District (MU-OA)

b. A Redevelopment Plan shall be submitted for all adaptive reuse projects.
2.4.5. MIXED-USE -- FITZSIMONS BOUNDARY DISTRICT (MU-FB)

A. Purpose
The MU-FB district is intended to include the important redevelopment area surrounding the former Fitzsimons Army Medical Center, now the Anschutz Medical Campus. It includes land uses that support and enhance redevelopment at Fitzsimons and improvements to surrounding neighborhoods. The MU-FB district is intended to provide services for and link to the University of Colorado Anschutz Medical Campus and the area being developed by the Fitzsimons Redevelopment Authority with the surrounding neighborhoods. It shall promote needed services for both the Fitzsimons medical services campus and the surrounding neighborhoods. The MU-FB district is intended to include special design approaches that are coordinated with redevelopment at Fitzsimons and surrounding neighborhoods. The MU-FB district is intended to remove blighted conditions and to create a unique and special identity for the zone district. Uses in the MU-FB district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-7 Cross-References to Other Applicable UDO Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Regulations</td>
</tr>
<tr>
<td>Dimensional Standards</td>
</tr>
<tr>
<td>Neighborhood Protection Standards</td>
</tr>
<tr>
<td>Lot Access and Connectivity</td>
</tr>
<tr>
<td>Parking, Loading, and Stacking</td>
</tr>
<tr>
<td>Landscaping, Screening and Stormwater Management (including fence and wall regulations)</td>
</tr>
<tr>
<td>Building Design Standards</td>
</tr>
<tr>
<td>Signs</td>
</tr>
</tbody>
</table>
C. Dimensional Standards

Basic dimensional standards for the MU-FB zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Compliance with Master Plan
Where an individual building is part of a Master Plan, as defined in this UDO, such building shall conform to all the approved design standards for that plan. The standards in Subsections E through P below apply to buildings or areas not addressed in a Master Plan.

E. Parking Lots and Structures
1. A maximum of 25 percent of the lot frontage along arterial street frontages may include parking lot frontage.
2. A maximum of 25 percent of the lot may be devoted to automobile parking lots or garages.
3. All parking areas and service drives within 80 feet of property lines along public streets shall be screened by a three-foot high masonry wall or a continuous landscape hedge.
4. Carports (i.e. parking shelters that are unenclosed on one or more sides) are prohibited.
F. Landscaping

<table>
<thead>
<tr>
<th>Landscape Standards, Minimum</th>
<th>Along the South Side of Colfax East of Peoria</th>
<th>Along the West Side of Peoria North of Colfax</th>
<th>Local Side Street Off of Colfax and Peoria</th>
<th>All Other Frontages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscape buffer depth behind sidewalks to screen parking lot frontage</td>
<td>10 feet</td>
<td>5 feet</td>
<td>5 feet</td>
<td>See Section 146-4.7</td>
</tr>
<tr>
<td>Landscape buffer depth behind sidewalks in front of buildings (with zero-foot building setback)</td>
<td>None</td>
<td>None</td>
<td>5 feet landscape area</td>
<td>See Section 146-4.7</td>
</tr>
<tr>
<td>Landscape buffer depth behind sidewalks in front of buildings (with greater than zero feet building setback)</td>
<td>5 feet of either hardscape or landscape for the first 5 feet of setback; plus a minimum of one foot of landscape area for each additional foot of setback up to 10 feet</td>
<td>One foot of landscape area for each foot of building setback up to 5 feet</td>
<td>5 feet landscape area</td>
<td>See Section 147-4.7</td>
</tr>
</tbody>
</table>

Street trees, minimum: One tree for every 30 linear feet of frontage

Notes:
[1] Remaining ROW from sidewalk to curb line to be hardscape consisting of patterned pavement, street trees, planters, underground utilities, etc.
[2] Existing six feet of ROW to be hardscape, consisting of patterned pavement, street trees, underground utilities, etc.
[3] If insufficient ROW exists, sidewalks may intrude onto the property with the granting of a sidewalk easement to the City.

G. Special “Gateway” Corners
At the intersections of Colfax Avenue and Peoria Street, Colfax Avenue and Ursula Street/Aurora Court, and Colfax Avenue and Potomac/Fitzsimons Parkway, the portion of any property forming a square area bounded by these intersections on two sides, and measuring at least 6,000 square feet abutting the curb corner, shall be subject to the following special use restrictions:

1. No parking spaces or truck loading areas shall be allowed within the areas.
2. Buildings may intrude into these areas to within 20 feet of the edge of the property line.
3. Areas not covered by buildings shall be landscaped and/or include a pedestrian gathering area with paving that differs in texture or color from standard concrete paving and amenities such as artwork, fountains, or other special features.
4. Fire lanes may intrude into these areas to within 40 feet of the edge of the property line.

H. Walls and Fences
All walls and fences within 20 feet of a property line running along a public street shall be constructed of masonry, stucco, wrought iron, tubular steel, or composite wood.
2.4. Mixed-Use Districts

I. Street Furniture
Along Colfax from I-225 to Peoria and along Peoria from Colfax to Montview Boulevard, a standard for street furniture shall be selected and street furniture shall be installed by the City as space allows. If needed because of anticipated high usage, individual landowners may be required to provide an area within their landscape to accommodate a bench, trash receptacle, and/or pedestrian or vehicular light fixture.

J. New Multifamily Developments
1. All new multifamily residential developments shall incorporate an outdoor gathering area, which shall count towards total outdoor common area requirements.
2. All development and redevelopment that includes residential uses shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

K. Building Materials and Colors
1. Sample Materials and Colors
The Planning Director shall maintain samples of approved “primary” building surface materials and colors that may be used on all structures, which shall include brick, traditional or artificial stucco, and integrally colored decorative concrete or clay masonry units. In addition, the Planning Director shall maintain samples of approved “accent” materials, which shall consist of panelized materials, ceramic tile, and awning fabric.

2. Minimum Requirements for Approved Materials
   a. Residential Uses
      The minimum amounts of brick, stone, and stucco on exterior elevations shall meet the standards in Sections 146-4.8.6 (Building Materials--Applicability) and 146-4.8.6.D (Masonry Standards for Single-Family Attached, and Multifamily Residential Dwellings).
   b. All Development
      i. At a minimum, 50 percent of each primary building façade facing a public street shall be surfaced in brick, real stucco, or architectural metal. The balance of each façade facing a public street may be surfaced with cementitious stucco, or integrally colored decorative concrete or clay masonry units. Lap siding shall not be used.
      ii. For freestanding structures with a gross floor area of 20,000 square feet or less, at least 50 percent of the façade area visible from a public right-of-way shall be surfaced in brick, real stucco, or architectural metal.
      iii. For freestanding structures with a gross floor area in excess of 20,000 square feet, the following requirements shall apply:
         a. At least 40 percent of each façade area facing a public street shall be surfaced with integrally colored decorative concrete or clay masonry units, or
         b. At least 20 percent of each façade area facing a public street shall be surfaced in brick.
      iv. Regardless of the building size, the balance of façade areas may be surfaced in traditional stucco, brick, or integrally colored decorative concrete or clay masonry units. Lap siding shall not be used.
3. **Accent Materials**
   All structures shall incorporate "accent" materials into all façades visible from a public right-of-way. Such accent materials shall be used for between five and 10 percent of a building's total façade area facing a public street. "Primary" materials may also be used as accents when placed in such a way as to provide a strong contrast in color or texture against the surrounding wall.

L. **Building Design**
   1. **Residential**
      a. Allowable roofing materials include high profile composition shingles, architectural standing seam metal, concrete, and clay tile.
      b. Thirty percent of all units shall include a porch, deck, patio, or balcony;
      c. “Juliette” balconies extending two feet or less outward from the wall surface are not permitted;
      d. Townhouses shall each have a direct access from the individual townhouse to the street.
      e. All ground floor residential units shall have direct access from the individual dwelling unit to the street. This standard shall not apply to Affordable Housing Structures.
   2. **Non-Residential**
      a. Flat roofs are allowed but shall incorporate variable parapet heights or sloped roof sections for visual interest. Allowable roofing materials include architectural standing seam metal, concrete and clay tile for sloped roofs visible to the public.
      b. No building façade may have a façade in which more than 90 percent of surface is constructed or covered with glass.
      c. Wall projections, articulation, arcades, or other breaks in the visual appearance of the wall shall be required when exterior wall length exceeds 50 feet.
   3. **Hotels**
      a. All corridors and stairwells shall be fully enclosed within the building envelope.
      b. All air vents mounted on a building façade shall be integrated into the building design and shall be flush with the façade or inserted inconspicuously into a wall recess.

M. **Window Awnings**
   1. Awning materials and colors shall be from the approved "accent" materials.
   2. Internally backlit awnings are prohibited.
   3. Awnings may be lit with downcast architectural lighting fixtures.

N. **Building Entry**
   All primary buildings shall include at least one primary entrance for each ground floor use to at least one street frontage.

O. **Public Realm Standards**
   Public right-of-way sidewalk designs, sidewalk lighting, sidewalk materials, and wall treatments adjacent to sidewalks shall comply with those standards and examples maintained by the Planning Department or listed on the City's website.
2.4.6. MIXED-USE -- TRANSIT-ORIENTED DEVELOPMENT DISTRICT (MU-TOD)

A. Purpose
The MU-TOD district is intended to foster special, sustainable and urban places near transit stations that include places to live, work, shop, and recreate, to reduce reliance on the automobile and encourage the use of public transit, encourage job creation and economic growth through proximity to transit, encourage the integration of sustainable features such as green roofs, and provide citizens with new housing and lifestyle choices with a high level of amenities and social interaction. Uses in the MU-TOD district are as shown in Table 3.2-1 (Permitted Use Table).

B. Relationship to Station Area Plans
Where there are conflicting standards between the TOD district and the Station Area Plan, the standards of the Station Area Plan shall take precedence. Conflicting standards between the TOD district and the Master Plan shall be addressed as adjustments of the TOD district standards through the Master Plan review process.

C. Two Subdistricts
Some MU-TOD zone districts and/or Station Area Plans contain a Core and an Edge Subdistrict. If no Edge Subdistrict has been defined in the MU-TOD district or Station Area Plan, the Core Subdistrict standards in this Section 146-2.4.6 shall apply. If no Station Area Plan has been adopted for the area, the Edge Subdistrict standards in this Section 146-2.4.6 shall apply.

1. Core Subdistrict
This subdistrict is adjacent to the rail station or other high capacity transit service station, and generally extends no more than one-quarter mile from the station. It includes high intensity businesses and high density residential uses. The variety of uses is often...
2.4. Mixed-Use Districts

Article 146-2 Zone Districts

2.4.6. Mixed-Use -- Transit-Oriented Development District (MU-TOD)

greater than the other subdistricts, and may include civic and entertainment uses. Ground Floor Commercial Uses will occur along most street frontages.

2. Edge Subdistrict

This subdistrict lies between, and creates a transition in building height, development density, and range of uses between the Core subdistrict and the adjacent non-TOD developments and neighborhoods. This subdistrict contains mixed-use development, but is primarily characterized by residential uses.

D. Cross-References to Other Applicable UDO Sections

All development and redevelopment must comply with all applicable sections of this UDO except as noted in Section 146-2.4.6.B and C. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-9 Cross-References to Other Applicable UDO Sections</th>
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<tbody>
<tr>
<td>Use Regulations</td>
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<td>Lot Access and Connectivity</td>
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<tr>
<td>Building Design Standards</td>
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<td>Signs</td>
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</tbody>
</table>
E. Dimensional Standards

Basic dimensional standards for the MU-TOD zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

F. Motor Vehicle Parking

For properties located in the MU-TOD Core subdistrict, at least 80 percent of provided parking shall be located in parking garages or alternate parking facilities, such as elevated parking lifts, rather than surface parking lots, unless otherwise provided in a Station Area Plan.

G. Applicability of Design Standards

The design standards in Subsections H through K below are subject to the Touch Rule defined in Article 146-6.

H. Streets and Public Space

1. To create smaller blocks and frequent pedestrian connections, blocks shall be between 300 feet and 500 feet in length, and no more than 1,800 feet around the perimeter.

2. Streets shall align with and with connect with streets in adjacent non-TOD areas unless the Planning Director and the Director of Public Works jointly determine that the connection is impracticable or a threat to public safety.
2.4. Mixed-Use Districts

**Article 146-2 Zone Districts**

2.4.6. Mixed-Use -- Transit-Oriented Development District (MU-TOD)

3. Streets shall conform to the urban street standards in Aurora City Code Section 126-36.5.

4. Bicycle transportation shall be integrated into the development and the street cross-sections as required by the latest adopted Aurora Roadway Design and Construction Specifications Manual.

5. Main streets shall be designed as attractive public areas with quality streetscaping, provision of space for sidewalk cafés, and with sidewalk widths that comply with the latest adopted Aurora Roadway Design and Construction Specifications Manual.

6. Public spaces shall be designed to promote social interaction, leisure opportunities, public gathering and activities, and/or to create focal points and activity nodes within development, shall incorporate seating areas and shaded areas.

7. All development and redevelopment that includes residential uses shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

8. Along all public streets, all utility boxes and above-ground utility installations other than street and pedestrian light poles, traffic safety signals, and fire hydrants shall comply with the following standards to the maximum extent practicable and consistent with their function:
   a. They shall be located to the side or rear of buildings; or
   b. Where a side or rear location is impracticable, they shall be set back a minimum of three feet from the sidewalk, and the three foot minimum setback shall be landscaped with shrubbery that will screen the utility structure from public view.

I. **Building Form and Design**

1. Each primary building shall have a principal entrance that faces a street or a street corner.

2. Each façade of a primary building that abuts a public green space, park, square, plaza, or promenade, shall include a pedestrian entry onto that public space to the maximum extent practicable.

3. In the Core Subdistrict, each building façade facing a street shall incorporate storefronts, walkways, arcades, galleries, or plazas to encourage street activity.

4. In the Core Subdistrict, each building façade that faces a street shall have at least 60 percent of its ground floor wall areas between three and eight feet above grade occupied by windows or non-opaque materials.

5. In the Core Subdistrict, wall openings on building facades facing a street will be square or vertical in proportion

6. At least 50 percent of each building façade facing a street shall be located between the street property line and the maximum front setback requirement in Subsection E above.

7. On corner lots that do not have alley access, the requirement in Subsection G.1 above may be reduced as necessary to allow safe vehicle access for loading areas and for servicing the building along the secondary street frontage.

8. In the Core Subdistrict, any portion of a surface parking within 50 feet of a street frontage shall have the view of parked automobiles screened by installing a brick or masonry wall between two and one half and three feet in height between the parking lot and the street.
9. In the Core Subdistrict, ground floor areas facing streets shall be designed with a minimum height of 13 feet to accommodate retail or other uses generating pedestrian traffic.

10. In the Core Subdistrict, at least 50 percent of each building façade facing a street, park, plaza, or other public space (not including areas occupied by doors or windows), shall be faced in brick, stone, cultured stone, real stucco, or other material of equivalent visual attractiveness, quality and durability as determined by the Planning Director.

J. Lighting
In addition to complying with the standards in Section 146-4.9 (Exterior Lighting), all light poles shall comply with maximum and minimum light pole heights in the Aurora Roadway Design and Construction Specifications Manual.

K. Public Art
1. Each development with a project valuation of $100,000 or more (except an Affordable Housing Structure) is required to provide public art. A public art plan shall be submitted along with the Master Plan or the first Site Plan for the development, whichever occurs first. The public art plan shall provide for the acquisition of outdoor works of art in compliance with the rules and regulations promulgated by the Director of Library and Cultural Services.

2. This public art requirement in this Subsection J supersedes the Title 32 District contribution requirements in other adopted City statutes or regulations. All other standards under the City's Title 32 District public art requirement apply within an MU-TOD.

3. The minimum amount to be spent on required public art is one percent of the total project construction cost included in any building permit application, except that the total amount to be spent by property owners who are registered non-profit corporations or on projects that are recipients of Aurora Urban Renewal Authority incentives shall be one-half of one percent (0.5 percent) of total project construction cost.

4. In addition, each development in which a Title 32 District is required to provide public art under this Section 146-2.4.6.K shall provide funds to maintain the required public art in the amount of 25 percent of the minimum amount to be spent on the art under Subsection 3 above.

5. The public art requirement shall not apply to any development where a district service plan or an intergovernmental agreement with the City obligates the property owner(s) to provide for public art in other ways or amounts.
2.4.7. MIXED-USE -- REGIONAL DISTRICT (MU-R)

A. Purpose
The MU-R district is intended to serve “image making” areas in Aurora such as gateways, major arterial street and highway intersections, and regional activity centers. The MU-R district allows for a mix of medium- to high-density residential and regional commercial uses, as well as other uses as shown in Table 3.2-1 (Permitted Use Table). The MU-R district intends to promote a distinctive, unified character and to ensure high quality development. More specifically, the district intends to promote:

1. A larger scale of development that presents a recognizable skyline or silhouette, and a visible transition in building massing and concentration from a visible focal point;
2. A safe and pleasant pedestrian and bicycle environment connected to the streets and walkways;
3. Nodes for multi-modal movement, including mass transit facilities; and
4. A pleasant visual environment with high-quality architectural materials, properly sized and positioned signage, and intensive landscaping with generous outdoor common areas.

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-10</th>
<th>Cross-References to Other Applicable UDO Sections</th>
</tr>
</thead>
<tbody>
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<td>Section 146-4.8</td>
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<tr>
<td>Signs</td>
<td>Section 146-4.10</td>
</tr>
</tbody>
</table>
C. Dimensional Standards

Basic dimensional standards for the MU-R zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Applicability of Standards

1. The standards in Subsections E through M below apply to all initial development in an MU-R district in Subareas B or C begun after the Effective Date of this UDO.

2. Each development or redevelopment in an MU-R district in Subarea B or C approved or constructed before the Effective Date of this UDO with any of features or elements identified in Subsections E through M below shall continue to include them during any subsequent redevelopment of the property.

3. The requirements of Subsections E (Required Elements), F (Street Network and Pedestrian Circulation), and G (Location of Certain Land Uses) below apply to each MU-R development as a whole, and not to each lot within an MU-R district.

E. Required Elements

Each development in the MU-R district shall contain the following elements:

1. An identified Focal Point, as defined in Article 146-6.

2. At least one public plaza or outdoor meeting area at the intersection of each arterial street with another arterial street or with a collector street, which includes a corner design element with architectural or urban design features, and which contains at least 600 square feet of plaza or meeting area.

3. At least two of the uses identified in Table 3.2-1 (Permitted Use Table).
4. At least one Walkable Main Street (which may but does not have to accommodate automobile traffic) that connects the MU-R district to one of the adjacent arterial or local streets;

5. At least 40 percent of the street frontage of each development parcel fronting on the Walkable Main Street shall be bordered by plazas or buildings with façades located no more than 15 feet from the sidewalk;

6. There shall be direct pedestrian, bicycle, and automobile access (without the need to travel along an arterial street) from the interior of the MU-R district to a local street.

7. If the property is adjacent to E-470, it shall include Identified High Visibility Sites and a Boundary Road, as defined in Article 146-6.

F. Street Network and Pedestrian Circulation

In addition to meeting the standards of Section 146-4.5 (Access and Connectivity), each development in the MU-R shall comply with the following:

1. Street Networks

Each MU-R district shall include a street network of arterial, collector, and local streets meeting all street spacing and layout requirements of the Aurora Roadway Design and Construction Specifications Manual. Those regulations generally call for:

a. An arterial street on each section line;

b. A collector street on each half-section line; and

c. One continuous north-south connection and one continuous east-west connection through each quarter-section of land or other area defined by the arterial and collector street network.
d. Bicycle lanes and other circulation facilities shall be provided as identified in the Aurora Roadway Design and Construction Specifications Manual and approved by the Public Works Department.

2. Pedestrian Circulation

a. All development shall comply with sidewalk requirements of the Aurora Roadway Design and Construction Specifications Manual; and

b. A network of walkways that directly connects each major pedestrian entrance of each primary building to the sidewalk system or another primary building, so that pedestrians can move from each site perimeter street to each major pedestrian entrance of a primary building on a sidewalk or walkway.

3. Specific Sites

a. Walkable Main Street Sites
   Sidewalks along the Walkable Main Street shall comply with the Aurora Roadway Design and Construction Specifications Manual standards for a high priority pedestrian street.

b. High Visibility Sites
   For sites adjacent to the E-470 right-of-way, the pedestrian circulation network does not need to extend between the Boundary Road toward E-470 except as necessary to link to a pedestrian or bicycle trail or walkway along the same side of E-470.

c. Architectural Features
   Where a building or structure is located at the end of a T intersection on the internal automobile circulation system, the building or structure shall incorporate at least one distinct architectural feature, such as a tower, pergola, arcade, arch, or fountain.

G. Location of Certain Land Uses

If the property is in Subarea C:

1. Uses in the Vehicle-Related Operations category in Table 3.2-1 shall not be permitted on Focal Point sites, on lots fronting the Walkable Main Street, or on High Visibility Sites.

2. Drive-up and drive-through uses shall not be permitted on Walkable Main Street sites or High Visibility sites.

H. Outdoor Common Area

1. Standards Applicable to All Development in Subarea C
   At least 25 percent of the land area within each non-residential development site (except Walkable Main Street sites) shall be outdoor common area, which shall be located and landscaped to connect with adjacent public spaces.

2. Standards Applicable to Walkable Main Street Sites

   a. Walkable Main Street sites shall not be required to provide 25 percent outdoor common area, but shall be required to meet Aurora Roadway Design and Construction Specifications Manual requirements for curbside landscaping and applicable parking lot and perimeter landscaping described below.

   b. A minimum of one open plaza at least 2,500 square feet in size with public seating areas shall be created on at least one side of Walkable Main Street.

   c. Where buildings are adjacent to a plaza adjacent to a Walkable Main Street site, they shall contain at least one of the following elements facing the plaza: building entries
3. Public Spaces for Dedication to the City
   a. Public spaces shall be designed to promote social interaction, leisure opportunities, public gathering and activities, and/or to create focal points and activity nodes within development.
   b. All development and redevelopment that includes residential uses shall dedicate land on-site for neighborhood park purposes in accordance with the standards of Section 146-4.3.18.B (Park and Open Space Lands and Cash-in-Lieu) and the dedication and design criteria set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual. A cash-in-lieu payment may not be used to satisfy the neighborhood park land dedication requirement in its entirety.

I. On-Site Parking
   1. Standards Applicable to High Visibility Sites
      No more than 50 percent of the E-470 frontage shall be occupied by surface parking except where such parking would not be visible from E-470 due to terrain or pre-existing vegetation.

   2. Standards Applicable to Walkable Main Street Sites
      a. No more than 15 percent of the Walkable Main Street frontage of any site shall be occupied by off-street parking.
      b. Where ground floors of parking structures front onto Walkable Main Street, the parking structures shall either (1) have all ground floor frontages located within 30 feet of the street occupied by non-parking uses, or (2) have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the ground floor street frontage by consumer retail or service uses.
      c. Parking areas shall be designed to be shared between nearby uses to the maximum extent practicable.

J. Building Height, Massing, Setbacks and Build-To Lines
   1. Buildings shall use height and massing to emphasize important corners, designate points of entry, and create a visible skyline to differentiate the MU-R zone districts as more significant activity nodes than surrounding areas.
   2. Where property is located within 500 feet of the E-470 right-of-way, sites shall be designed to preserve views from the MU-R zone district to E-470 and views from E-470 into the MU-R zone district.
   3. Taller buildings shall be located near Focal Points to the maximum extent practicable to reinforce the importance of the MU-R intersections when viewed from a distance along I-70, I-225, or E-470

K. Building Orientation
   1. High Visibility Sites
      Buildings shall be oriented so that major primary pedestrian entries face the Boundary Street, but the façade facing E-470 shall be finished with the same mix of materials and colors and the same degree of fenestration and articulation used on the major entry walls facing the Boundary Street.
2. **Focal Point Sites**

   Buildings on Focal Point sites shall be oriented so that primary pedestrian entries face the Walkable Main Street, but any façade facing an arterial or collector street shall be finished with the same mix of materials and colors and the same degree of fenestration and articulation used on the major entry walls facing the Walkable Main Street.

3. **Walkable Main Street Sites**

   Buildings adjacent to the Walkable Main Street shall be oriented so that primary pedestrian entries face that street.

**L. Architectural Elements**

1. **Standards Applicable to All Development**

   Within each MU-R district, each building taller than 50 feet and each building larger than 100,000 square feet shall include at least one common architectural element that visually links such buildings to each other and distinguishes the MU-R from other MU-R areas when viewed from I-70, I-225, or E-470. The common architectural element shall be chosen by the developer of the first building required to contain that element, at the time of such development. Common architectural elements may include building materials of a distinctive color, common lighting features to accent building cornices or rooflines, common roof shapes, or other elements readily visible and distinguishable by motorists traveling E-470 or other major highways.

2. **Standards Applicable to Walkable Main Street Sites**

   Where a primary structure fronts on a Walkable Main Street, the following additional design requirements shall apply:

   a. Between 25 percent and 50 percent of the ground floor façade of non-residential primary structures facing the Walkable Main Street shall be made of glass rather than opaque materials.

   b. Each 20 to 30 feet of linear distance of the façade facing the Walkable Main Street shall contain at least one vertical or horizontal protrusion or reveal at least eight inches wide and at least four inches in depth from the wall plane of the façade. Such scaling elements shall be repeated in a consistent rhythm along the façade.

   c. The pedestrian entry to the primary structure from the Walkable Main Street shall be emphasized through changes in plane, differentiation in material and/or color, or greater level of detail.

   d. Walkable Main Street façades shall include at least one of the following elements: awnings, pergolas, colonnades, barrel vaults, fountains, or freestanding pavilions.

**M. Lighting**

1. **High Visibility Sites**

   On High Visibility Sites, buildings over 100 feet in height shall use lighting to emphasize the height of the building. While floodlighting is permitted, other less intensive forms of lighting are preferred. Such lighting shall be projected onto building faces from a position above the first floor to avoid creating glare at ground level.

2. **Main Street Sites**

   Lighting fixtures on the Walkable Main Street shall include pedestrian lighting that complies with the Aurora Roadway Design and Construction Specifications Manual.
2.4.8. MIXED-USE -- AIRPORT (MU-A)

A. Purpose

The purpose of the Mixed-use Airport district is to enable the development of master planned developments that allow for a mix of uses, located and designed in accordance with the Comprehensive Plan, and that will allow Aurora to leverage the economic opportunities created by Denver International Airport. A wide variety of attached and detached single-family, two-family, and low- to medium-density multifamily housing is permitted. Development pursuant to a Small Residential Lot option is also available in Subarea C. Higher densities are allowed primarily when residential development is adjacent to an activity center. Employment centers are focused near the Denver International Airport and the I-70 and E-470 major transportation corridors. For non-residential uses, the emphasis is on high-quality corporate office and business parks that desire or require high visibility and easy access to Denver International Airport, I-70, or E-470, as well as complementary hotel and conference facilities, as well as limited and supporting retail, commercial, and service uses that are not regional destinations. This district also supports the economic development potential of fringe areas along the I-70 corridor and encourages well designed and planned commercial developments in proximity to employment centers and major activity centers. Other uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-Reference to Other Applicable UDO Sections

All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.4-11 Cross-References to Other Applicable UDO Sections</th>
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<tr>
<td>Building Design Standards</td>
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<tr>
<td>Signs</td>
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</tbody>
</table>
C. Dimensional Standards

Basic dimensional standards for the MU-A zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District-Specific Standards

1. Amount of Residential Development Limited
   After the Effective Date, no more than 50 percent of the gross land area included in any Master Plan shall permit Household Living Uses or Group Living Uses listed in Table 3.2-1, and no more than 50 percent of the gross land area in residential use in any Master Plan may be developed with single-family detached dwellings.

2. Flexible Development Options
   All land in the MU-A zone district in Subarea C shall comply with the permitted and conditional uses as shown in the Use Regulations in Article 146-3 and shall comply with the dimensional standards applicable to the MU-A zone district shown in Section 146-4.2 (Dimensional Standards), except that:
   
a. Residential development may occur pursuant to the optional provisions of Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) or other provisions in Section 146-4.2.3 applicable to particular land uses or forms of development. If the Small Residential Lot option is selected or other provisions of Section 146-4.2.3 apply, those provisions shall supersede any inconsistent standards in Article 146-3 (Use Regulations) and Article 146-4 (Development Standards); and

b. Portions of the land may be developed as mixed-use centers in accordance with the standards applicable to the MU-N zone district or the MU-C zone district pursuant to the procedures in Sections 146-5.4.3.1 (Administrative Activity Center Designation).
2.5 SPECIAL PURPOSE DISTRICTS

2.5.1. AIRPORT DISTRICT (AD)

A. Purpose
The Airport district is intended to take advantage of the nearby regional and national transportation hubs and infrastructure, to expand employment opportunities created by the strategic location of these lands near the airports operating in or near Aurora, and to ensure that development is located and designed to be consistent with the continued efficient operation of those airports. Industry hubs and a variety of commercial, light manufacturing (e.g., assembly and technology centers), distribution uses (e.g., freight forwarders, warehousing/distribution), and research and development campuses are anticipated to be developed in this classification. Development is encouraged that will take advantage of the multi-modal transportation opportunities in this district. Limited and supporting retail and service uses are also allowed in this district, but are not intended to be regional draws or the driving force for economic development. Residential uses are not permitted in this district. Other uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

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</table>
Basic dimensional standards for the AD zone district are in Table 4.2-4, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
### ACCIDENT POTENTIAL ZONE DISTRICT (APZ)

#### A. Purpose

The purpose of the APZ district is to require development around military airport facilities to comply with the regulations of the U.S. Department of Defense, and any other applicable aviation regulations, regarding land uses, building heights, and other factors, to protect the public from hazard impacts of airport operations, minimize exposure to crash hazards generated by military airport operations, promote sound land use planning and zoning practices, and encourage future development compatible with the continued operation of military airports. Uses permitted in this district are as shown in Table 3.2-1 (Permitted Use Table).

#### B. Cross-References to Other Applicable UDO Sections

All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

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<tr>
<td>Signs</td>
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</tbody>
</table>

#### C. Dimensional Standards

The dimensional standards applicable to the Business/Tech (I-1) zone district, as shown in Section 146-4.2 (Dimensional Standards) shall apply in the APZ zone district, except that no building may exceed the maximum height established by FAR Part 77 surfaces for military airports.
D. Other District-Specific Standards

In addition to those General standards in Section 146-2.6.2.B (AIO- Provisions Applicable to All Four Airports), properties in the APZ district shall comply with the following standards. The boundaries of the district and its Subareas shall be determined by scaling distances on the Air Installation Compatible Use Zone (AICUZ) map on file in the Planning Department, which is available on the City’s website and incorporated into this UDO by reference.

1. Clear Zone
   a. Description
      The clear zone Subarea is composed of lands in which accident potential is so great that all land uses shall be prohibited, except those necessary for the continued operation of airports and aircraft.
   b. Permitted Uses
      Only airports and aircraft operations are permitted uses in any clear zone Subarea, provided that such uses are permitted in the underlying zone district.

2. Accident Potential Zones I and II (APZ I, APZ II)
   a. Description
      These Subareas are designated to regulate land use and reduce hazards in an area characterized by high noise levels and a significant accident potential resulting from aircraft operations. Residential uses shall be highly restricted.
   b. Development Standards
      The following development standards shall be used as criteria for evaluating Site Plans in any APZ I or APZ II zone district.
      i. APZ I-N(North) Lot Coverage
         The maximum lot coverage of structures and buildings within APZ I-N shall be as permitted by the graph in Figure 2.5-1.
      ii. APZ I-S(South) Lot Coverage
         The maximum lot coverage of structures and buildings within APZ I-S shall be as permitted by the graph in Figure 2.5-2.
      iii. APZ II-N(North) Lot Coverage
         The maximum lot coverage of structures and buildings within APZ II-N shall be as permitted by the graph in Figure 2.5-3.
      iv. APZ II-S(South) Lot Coverage
         The maximum lot coverage of structures and buildings within APZ II-S shall be as permitted by the graph in Figure 2.5-4.
v. **Crash Corridor**
   To the maximum extent practicable, the centerline area of the APZ I shall be maintained in an open condition. Structures and human activity, as permitted by this district, shall be placed toward the perimeter of the APZ area.

vi. **Emissions**
   The development shall not:
   a. Release into the air any substance that would impair visibility or otherwise interfere with the operation of the aircraft;
   b. Produce substantial light emissions, either direct or indirect (reflective) that would interfere with pilot vision; or
   c. Produce emissions that would interfere with aircraft communication systems or navigational equipment.

vii. **Hazardous Materials**
    Materials that are explosive, flammable, toxic, corrosive, or otherwise exhibit hazardous characteristics as defined in state regulations are prohibited in any quantity, except that sale or storage of small caliber ammunition is permitted.
viii. **Other Prohibitions**

a. The development shall not:
   
i. Have more than 50 residents, users, or visitors per acre on a regular basis, or otherwise violate standards for levels of human occupancy established by the Air Force;
   
ii. Involve utilities and services required for area-wide population upon which disruption would have an adverse impact (telephone, gas, etc.);
   
iii. Concentrate people who are limited in their ability to respond to emergency situations such as children, elderly, the handicapped; or
   
iv. Pose hazards to aircraft operations.

b. After the Effective Date, no application for a subdivision of land that would increase the number of developable lots or increase the number of residents or users of the property shall be approved.
2.5.3. BUSINESS/TECH DISTRICT (I-1)

A. Purpose
The purpose of the I-1 district is to provide employment centers with offices, office showrooms, light manufacturing, research and development operations, and a limited range of associated retail services, at a low- to medium scale with high building design quality in an integrated or campus-like setting. Specific uses in the I-1 district are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Cross-References to Other Applicable UDO Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use regulations</td>
</tr>
<tr>
<td>Dimensional Standards</td>
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<tr>
<td>Neighborhood Protection Standards</td>
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<tr>
<td>Lot Access and Connectivity</td>
</tr>
<tr>
<td>Parking, Loading, and Stacking</td>
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<tr>
<td>Landscaping, Screening and Stormwater Management (including fence and wall regulations)</td>
</tr>
<tr>
<td>Building Design Standards</td>
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<tr>
<td>Signs</td>
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</tbody>
</table>
Basic dimensional standards for the I-1 zone district are in Table 4.2-4, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
2.5.4. INDUSTRIAL DISTRICT (I-2)

A. Purpose
The purpose of the I-2 district is to provide locations for all industrial uses that are not permitted in the I-1 zone district, while mitigating impacts on surrounding areas to the extent practicable. It also includes certain public facilities that are needed to serve this district and nearby neighborhoods. Uses are as shown in Table 3.2-1 (Permitted Use Table).

B. Cross-References to Other Applicable UDO Sections
All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.5-4</th>
<th>Cross-References to Other Applicable UDO Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use regulations</td>
<td>Article 146-3</td>
</tr>
<tr>
<td>Dimensional Standards</td>
<td>Section 146-4.2</td>
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<tr>
<td>Neighborhood Protection Standards</td>
<td>Section 146-4.4</td>
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<tr>
<td>Lot Access and Connectivity</td>
<td>Section 146-4.5</td>
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<tr>
<td>Parking, Loading, and Stacking</td>
<td>Section 146-4.6</td>
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<tr>
<td>Landscaping, Screening and Stormwater Management (including fence and wall regulations)</td>
<td>Section 146-4.7</td>
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<tr>
<td>Building Design Standards</td>
<td>Section 146-4.8</td>
</tr>
<tr>
<td>Signs</td>
<td>Section 146-4.10</td>
</tr>
</tbody>
</table>
C. Dimensional Standards

Basic dimensional standards for the I-2 zone district are in Table 4.2-4, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).
2.5. Special Purpose Districts

Article 146-2 Zone Districts

2.5.5. PARKS AND OPEN SPACE DISTRICT (POS)

A. Purpose

The POS zone district and the –CPO and –NAO overlay zone districts used with portions of the POS zone district are special use classifications intended to preserve or encourage the continuation of lands designated for park and open space use. These districts are further intended to separate these special uses from other conventional urban uses to recognize their function as areas necessary to provide existing and future recreation land and facilities, offer refuge from the built environment, retain unique aesthetic qualities, preserve animal and plant habitats, and support the function of natural systems. The general purpose of these districts is to ensure the integration of park and open space lands as an essential land use component of the existing and future city to benefit public health, safety, and welfare. The POS District is intended to recognize existing park and open space lands and to designate and protect those locations for their contribution to serving public recreation and natural resource conservation needs. Designated lands are comprised of all land set aside to be publicly-accessible for recreation and open space use, including:

a. City, state and federal lands managed for purposes of providing recreation opportunities or conserving land in its natural state;

b. Lands owned by a quasi-municipal body, such as a Title 32 District, or other publicly-minded entity like a homeowners’ association or business owners’ association, for purposes of managing public access to recreational facilities and park and open space areas;

c. Lands credited toward satisfaction of park and open space land dedication requirements of the city; and

b. Lands identified in approved development plans to be used for contemporary park and open space purposes to comply with zoning and development regulations in effect at the time of plan approval.
B. Cross-References to Other Applicable UDO Sections

All development and redevelopment must comply with all applicable sections of this UDO. A short summary of some of the key sections is shown below.

<table>
<thead>
<tr>
<th>Table 2.5-8 Cross-References to Other Applicable UDO Sections</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>Building Design Standards</td>
</tr>
<tr>
<td>Signs</td>
</tr>
</tbody>
</table>

C. Dimensional Standards

Basic dimensional standards for the POS zone district are in Table 4.2-3, and more detailed standards are located throughout Section 146-4.2 (Dimensional Standards).

D. Other District-Specific Standards

1. Permanent structures are permitted with conditional use approval on privately-owned land in the POS district.

2. All activities in the areas designated as APZ I N, APZ II N, CZ N, APZ I S, APZ II S, or CZ S below, and described in more detail in Section 146-2.5.2.D, are subject to those standards limiting lot coverage and the number or concentrations of residents, user, or visitors applicable in the APZ zone district, including but not limited to those standards in Sections 146-2.5.2.D.2.b.
2.5. Special Purpose Districts

2.5.5. Parks and Open Space District (POS)
2.6 OVERLAY DISTRICTS

The overlay districts in this Section 146-2.6 are intended to be used in addition to – not in replacement of – those base zone districts listed in Sections 146-2.3 (Residential Districts), 146-2.4 (Mixed-Use Districts), and 146-2.5 (Special Purpose Districts). If any regulation contained in this Section 146-2.6 conflicts with any other regulation in a different section of this UDO, the provisions of this Section shall apply regardless of whether they are more or less restrictive than the base zone district, except in the Floodplain Protection Overlay District (FPO) overlay district where the more restrictive standard, including standards in an existing easement, covenant, or deed restriction, shall prevail.

2.6.1. FLOOD PROTECTION OVERLAY (FPO)

The designation –FPO refers to those areas subject to the flood protection provisions in Article 70 of the Aurora City Code, and all provisions of Article 70 and related provisions of the Aurora City Code shall apply to such lands.

2.6.2. AIRPORT INFLUENCE OVERLAY (AIO)

A. Purpose

1. There are certain areas within the city that are subject to high aviation noise levels and possible crash hazards generated by aviation activities that endanger the lives and property of occupants of land in the vicinity of four airports:
   a. Buckley Air Force Base—Military airport
   b. Centennial Airport—General aviation airport
   c. Front Range Airport—General aviation airport
   d. Denver International Airport—Commercial airport

2. Airport districts are created in and around these airports for the following purposes:
   a. To minimize exposure of residential and other noise-sensitive land uses to aircraft noise;
   b. To minimize risks to public safety from potential aircraft accidents;
   c. To protect property values;
   d. To promote sound land use planning and zoning practices in areas encompassed by airport influence districts;
   e. To restrict incompatible land use within the airport influence districts; and
   f. To promote and protect the public health, safety, and welfare.

B. Provisions Applicable to All Four Airports

1. Federal Aviation Administration Surfaces

   All development in the –AIO overlay district shall comply with any and all height restrictions in the underlying zone, together with the Federal Aviation Administration’s 14 CFR Part 77 navigable airspace standards and procedures for determining and avoiding obstructions and eliminating hazards to air navigation.

2. Avigation Easement

   If the property is located within the Airport Influence District surrounding any airport, an avigation easement with the City and the associated airport, as joint grantee shall be conveyed to the City and the associated airport by any person subdividing lands or initiating construction of any structure on already subdivided lands within the Airport Influence District. Such avigation easement shall be an easement for right-of-way for
unobstructed passage of aircraft above the property and shall waive any right or cause of action against the City or the associated airport arising from noise, vibrations, fumes, dust, fuel particles, and other effects caused by aircraft and airport operations. The avigation easement shall be in a form approved by the City and shall be recorded in the office of Clerk and Recorder for the county where the property is located before permit or plat approval is granted.

3. Notices

a. Notice to be Signed at Time of Property Sale

Each vendor of real property within the Airport Influence District shall provide the following notice to prospective purchasers in 14-point bold type on a single sheet of paper that is signed by the prospective purchaser prior to entering into a contract for purchase:

NOTICE OF AIRPORT IN VICINITY

This property is located in the vicinity of an airport, within what is known as an airport influence district. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

b. Notice to be Recorded in Property Records

Each vendor of real property within the Airport Influence District shall cause the following notice to be recorded with the Clerk and Recorder of county where the property is located.

NOTICE

The property known as [legal description and address] is located within an area that has been officially designated as an Airport Influence District by the City of Aurora. As a result of this designation the property is subject to one or more of the following:

a. An avigation easement has been granted to the City of Aurora and [the associated airport] recorded in book [book number] at page [page number], in the real property records of [county] County, Colorado, which allows for the unobstructed passage of aircraft above the property, and provides for the waiver of any right or cause of action against the City of Aurora or [the associated airport] due to noise, vibrations, fumes, dust, or fuel particles caused by aircraft or airport operations.

b. The use and enjoyment of the property may be affected by aircraft noise, vibrations, fumes, smoke, dust, or fuel particles from aircraft operation.

c. The City of Aurora has required that noise mitigation construction techniques be employed in construction to mitigate the noise to which the property is exposed. The vendor certifies that the applicable noise mitigation measures have been installed as required. (Applicable only if the property is located in the NID or SNID Subareas of the Buckley AFB Airport Influence District and the NIBA Subarea of the Denver International Airport Influence District).

d. The noise to which the property may be subject from aircraft operation may exceed 65 LDN, which is the maximum acceptable level set by the Federal Department of Housing and Urban Development for residential land use. (Applicable only if the property is located within the 65 LDN contour of the Buckley AFB Airport Influence District).

e. The involved property is located within an area that has been designated as an accident potential zone II. Such property may be characterized by high
noise levels and accident potential resulting from aircraft operations.
(Applicable only if the property is located within APZ II of the Buckley AFB Airport Influence District).

f. The involved property is located within an area that has been designated as an accident potential zone I. Such property may be characterized by high noise levels and significant accident potential resulting from aircraft operations (Applicable only if the property is located within APZ I of the Buckley AFB Airport Influence District).

g. The City of Aurora has required that noise mitigation construction techniques be employed in construction to mitigate the noise to which the property is exposed. The vendor certifies that the applicable noise mitigation measures have been installed as required. (Only applicable if the property is located in the LDN 55 contour of the Centennial or Front Range Airport Influence District).

c. This requirement to provide notice to prospective purchasers and record such notice shall only apply to the transaction between the developer or builder and the initial purchaser and does not apply upon any subsequent sale of the property.

C. Airport Influence Subareas

1. 65 LDN Subarea

a. Description
The 65 LDN Subarea is composed of areas located within the Day/Night Average Noise Level (LDN) 65 decibel noise contour, as shown on the AI-O map, which are subjected to noise levels of duration and frequency creating hazard to both physical and mental health.

b. Prohibited Uses
Residential uses are prohibited in the 65 LDN Subarea.

c. Development Standards
The following development standards shall apply to uses permitted in 65 LDN Subarea:

i. A habitable building addition to existing residential structures within the 65 LDN Subarea may be permitted. However, any such addition greater than 1,000 square feet shall provide and include noise level reduction measures in the design and construction of all such building additions to achieve an interior noise level reduction of 30 decibel in A-weighted levels, as determined or calculated in accordance with Chapter 22 of this Aurora City Code.

ii. Within the 65 LDN Subarea, any permitted office, commercial or other non-residential structures that accommodate the public as residents, users, or visitors shall provide and include noise level reduction measures in the design and construction of all such areas to achieve an interior noise level reduction of 25 decibel in A-weighted levels, as determined or calculated in accordance with Chapter 22 of the Aurora City Code.

2. 60 LDN Subarea

a. Description
The 60 LDN Subarea is composed of lands that are located between the 60 LDN and 65 LDN noise contours generated by aircraft operations into and out of the involved general aviation airport.
2.6. Overlay Districts

Article 146-2 Zone Districts

2.6.3. City Parks Overlay (-CPO)

b. Uses Prohibited

No new residential uses or new residential structures shall be permitted within the 60 LDN Subarea.

3. 55 LDN Subarea

a. Description

The 55 LDN Subarea is composed of lands located between the 55 LDN and 60 LDN noise contours, inclusive, generated by aircraft operations into and out of the involved airport.

b. Noise Level Reduction Measures

New residential uses or new residential structures permitted by the underlying zone and within the 55 LDN Subarea shall provide and include noise level reduction measures in the design and construction of all habitable structures to achieve an interior noise level reduction of 25 decibels in A-weighted levels as determined or calculated in accordance with Chapter 22 of the Aurora City Code.

2.6.3. CITY PARKS OVERLAY (-CPO)

A. Purpose

The –CPO overlay zone district is intended to be used with portions of the POS zone district to preserve or encourage the continuation of lands designated for park use as City parks. The –CPO designation recognizes the function of these lands to provide existing and future recreation land and facilities, to offer refuge from the built environment, to ensure the integration of park and open space lands as an essential land use component of the existing and future city. The –CPO designation is intended to recognize land that was acquired by the city through donation, dedication, purchase, deed, condemnation, or other means for public park or recreation purposes, to further designate and protect those locations in accordance with city regulations, and to protect the public health, safety, and welfare.

B. Standards

1. In accordance with the City of Aurora Charter, lands granted to or purchased for use and used by the City for park purposes shall not be sold or conveyed without a majority vote of the registered electors at a special or regular municipal election.

2. Notwithstanding other provisions of this UDO, park master plans approved by the park master planning process set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual, as amended, shall limit and control the issuance and validity of all building permits and occupancy permits and shall restrict and limit construction, location, use and operation of all land and structures included within those parks.

3. For public works related projects, including but not limited to street, drainageway and utility infrastructure improvements, such development within -CPO lands shall be permitted only if consistent with the intent and spirit of the park master plan after considering and implementing all feasible avoidance and mitigation measures to minimize adverse impacts. If a recorded conservation easement applies to the park, all development shall be compatible with the restrictions and protections afforded by the easement.
2.6.4. NATURAL AREAS OVERLAY (-NAO)

A. Purpose
The –NAO overlay zone district is intended to be used with portions of the POS zone district to preserve or encourage the continuation of natural lands and open spaces that are not designated as City parks lands. The –NAO designation recognizes the function of these lands to offer refuge from the built environment, retain unique aesthetic qualities, preserve animal and plant habitats, support the function of natural systems, ensure the integration of open space lands as an essential use component of the existing and future city, The –NAO designation is intended to designate and preserve, through limited development and use, those lands that are not appropriate for development due to the presence of sensitive natural features and prescribed resource management goals and objectives for such features. Designated lands are generally comprised of natural and conservation areas and preserves defined by the Parks, Recreation and Open Space Department and other sites encumbered by easements with use and development restrictions for the protection of the conservable values of the site.

B. Standards
1. Notwithstanding other provisions of this UDO, –NAO areas shall be restricted to only development and uses prescribed within conservation easements, master plans, resource management plans and other approved planning and design documents that have been approved by the Parks, Recreation and Open Space Department.
2. For public works related projects, including but not limited to street, drainageway and utility infrastructure improvements, such development within natural areas shall be permitted only if does not violate applicable conservation easement protections and if it is consistent with the intent and spirit of the master plan or resource management plan after considering and implementing all feasible avoidance and mitigation measures to minimize adverse impacts.

2.6.5. HISTORIC PROTECTION OVERLAY (-HPO)
This Section 146-2.6.4 provides a process to evaluate and protect only those sites, buildings, structures, neighborhoods, and districts deemed to have historical, architectural, or archaeological significance.

A. Purpose
The purpose of this Section 146-2.6.4 is to establish historic areas and landmarks for the educational, cultural, and economic benefit of Aurora’s citizens. Due to the pressures resulting from population growth and development, which may result in the destruction, impairment, or alteration of historic resources that reflect elements of the city's cultural and architectural heritage, the following policies and responsibilities are established:
1. Preserve, protect, enhance, regulate, and use buildings, structures, sites, and areas that are reminders of past eras, events, and persons important in local, state, or national history that are landmarks in the history of architecture or that provide significant examples of architectural styles of the past.
2. Preserve, protect, enhance, regulate, and use buildings, structures, sites, and areas that are unique or irreplaceable assets to the city and its neighborhoods, that provide examples of the physical surroundings in which past generations lived, or that are archaeologically significant for present and future generations.
3. Enhance property values through the stabilization of neighborhoods and areas of the city, increase economic and financial benefits to the city and its inhabitants, and promote tourist trades and interests.
4. Develop and maintain the appropriate environment for such buildings, structures, sites, and areas, reflecting varied architectural styles and distinguished phases of the city's history and prehistory.

5. Stimulate an enhancement of human life by developing educational and cultural dimensions, provide for spiritual as well as physical needs by fostering knowledge of the city's heritage, and cultivate civic pride in the accomplishments of the past.

6. Empower the Historic Preservation Commission in its administration and enforcement of the City's historic preservation management program.

7. Cooperate with state and federal historic preservation efforts as defined by the bylaws, policies, and procedures of the commission.

B. List of Landmarks, Landmark Sites, and Historic Districts
The Planning Director shall maintain a current record of all designated landmark properties, sites and districts, and pending designations.

C. Procedures Related to Landmarks, Landmark Sites, and Historic Districts
1. Procedures for Historic Preservation Commission recommendations for City designation of a landmark, landmark site, or historic district are in Section 146-5.4.1.D (Historic Designation or Loss of Designation).

2. Inclusion of any area or property within the city in the National Register of Historic Places, as provided in the National Historic Preservation Act of 1966, shall be construed as local historic landmark or landmark site designation and subject to the same protections as any local landmark or landmark site.

3. Procedures for development applications for landmarks and landmark sites and within historic districts are in Section 146-5.4.3.D (Historic Landmark/District Development Application).

2.6.6. HEIGHT AND VIEWS OVERLAY (-HVO)

A. Height Overlay District
Notwithstanding the height limitations set forth in this UDO for each zone district, properties located in those areas designated on the map entitled “Building Height Overlay Districts,” as amended by ordinance by the City from time to time, shall comply with any lower height limits designed in this Section 146-2.6.6. The map shall be kept on file with the Planning Department and on the City’s website.

B. Mountain View District
1. The "High Point Park Mountain View Preservation Overlay District" designates panoramic view preservation areas. This map shall be kept on file and available for public inspection at the office of the Planning Department. The provisions of this Section are in addition to the provisions of the underlying zone districts. Where the provisions of this Section conflict with those of the underlying zone district, this Section shall control.

2. No part of any structure within the panoramic view preservation area shall exceed the mean elevation above sea level indicated on the overlay district map. Whenever a structure lies partially within a designated view panoramic preservation area, only that part of the structure that lies within the preservation area shall be subject to these provisions. All tree plantings in areas within the view panoramic preservation district shall conform to the landscaping standards prescribed by the Planning Department, to protect the panoramic views from encroachment.
2.6.7. HAVANA STREET OVERLAY (-HSO)

A. Purpose

The -HSO is intended to encourage improvement in streetscape, landscaping, and the general aesthetics of the street edges along Havana Street from 6th Avenue to Dartmouth Avenue. The vision of Havana Street as a tree-lined boulevard with curbside landscape and detached sidewalks is the long term goal for this district. Interim options are offered for the shorter term. These standards address the existing attached sidewalks and reduced property depths resulting from past street widening efforts. The standards are included to encourage improvements in those situations that do not include developing vacant land, redevelopment that involves clearing the land before adding new construction, or expansion of an existing building footprint by more than 25 percent or by more than 2,500 square feet, whichever is less. Street trees remain a requirement in all options. The goals of this overlay district are:

1. Encourage high-quality street edges by requiring a flexible schedule of improvements proportionate to the level of development proposed on properties abutting Havana Street.
2. Provide landscape and streetscape options that respond flexibly to a variety of existing conditions on lots along the corridor.
3. Strive for consistency of appearance and materials so that the Havana Street Corridor builds a distinctive character over time.
4. Provide for readily identifiable amenities specific to Havana Street that are attractive and useful.
5. Enhance the appearance and safety of streets for pedestrians.

B. Applicability

1. Generally

The -HSO district applies to all properties contiguous with either side of Havana Street between 6th Avenue and Dartmouth Avenue. All property development in the Havana Street Overlay District shall comply with adopted City ordinances or rules and regulations. The Havana Street Overlay District does not change requirements for site planning processes or remove the possibility of relief under Sections 146-5.4.4 (Flexibility and Relief Procedures). The -HSO district requirements set forth in this Section 146-2.6.7 supersede the general landscaping requirements of Section 146-4.7 (Landscape, Water Conservation, Stormwater Management) where the provisions conflict.

a. Specific landscape requirements for each option may be found in Section 146-2.6.7.B.2 (Property Conditions and Trigger Mechanisms). All plant material shall be selected from the Havana Overlay District plant list and is subject to size requirements at installation per Section 146-4.7.3.B (Plant Material Requirements). Replacement of dead or missing plant material shall be in accordance with the -HSO overlay district plant list.

b. Landscape design shall comply with Section 146-2.6.7.E (Planting in Havana Street Frontage Areas).

c. Tree planting shall conform to rules found in Section 146-2.6.7.D, (Tree Usage in Havana Street Property Frontage Areas).

d. Figures 2.7-1 through 2.7-5 have been provided for illustrative purposes. Actual landscape design may vary due to existing site constraints as long as the design meets all of the requirements found in these standards.

2. Property Conditions and Trigger Mechanisms

In each of the property conditions, any one of the actions below will trigger Havana Street streetscape and landscape requirements:
2.6. Overlay Districts

2.6.7. Havana Street Overlay (HSO)

a. Condition 1
Condition 1 is the demolition or clearance of existing buildings or development on vacant ground. All development that occurs on vacant ground, on redevelopment sites, or that includes expansions of an existing building footprint by more than 25 percent, or by more than 2,000 square feet, whichever is less, shall provide:

i. A curbside landscaping area;
ii. A detached sidewalk; and
iii. A landscape buffer per Figure 2.7-1 and Section 146-2.6.7.C.1.

b. Condition 2
Condition 2 is development that occurs on properties with an existing five foot or wider attached sidewalk and an existing building.

i. The following triggers shall be subject to paragraph ii, below:
   a. Significant architectural elevation remodeling requiring a permit such as stucco, masonry, awnings, storefront alterations including rebranding (as rebranding is understood in the industry) of architecture and signage.
   b. Access alterations from Havana Street.
   c. Signs within the landscape buffer requiring Hardship Variances under Section 146-5.4.4.A or Administrative Adjustments under Section 146-5.4.4.F.
   d. Any proposed or unauthorized removal of required street (frontage area) trees from the property.
   e. Any new single use or changed conditional use for automobile or light truck sales, rentals or service; car washes; fuel dispensing; recreational vehicle, trailer, boat, motor home rental, sales, or storage; plant or tree nurseries; greenhouses; kennels; and recycling collection facility.
   f. Any redesign in a landscape plan other than routine landscape maintenance in conformance with an approved landscape plan.

ii. Shall provide:
   a. Streetscape and landscaping per Figure 2.7-2 and Section 146-2.6.7.C.2; or
   b. Streetscape buffer per Figure 2.7-1 and Section 146-2.6.7.C.1.

c. Condition 3
Condition 3 includes properties where the existing buildings are close to the street and have no parking or paved access between buildings and right-of-way or street frontage property line.

i. The following triggers shall be subject to paragraph ii, below:
   a. Significant architectural elevation remodeling requiring a permit such as stucco, masonry, awnings, storefront alterations including rebranding (as rebranding is understood in the industry) of architecture and signage.
   b. Access alterations from Havana Street.
   c. Signs within the frontage requiring Hardship Variances under Section 146-5.4.4.A or Administrative Adjustments under Section 146-5.4.4.F.
   d. Any proposed or unauthorized removal of required street (frontage area) trees from the property.
   e. Any new single use or changed conditional use for automobile or light truck sales, rentals or service; car washes; fuel dispensing; recreational vehicle, trailer, boat, motor home rental or sales; plant or tree nurseries; greenhouses; kennels; and recycling collection facility.
   f. Any redesign in landscaping other than routine landscape maintenance in conformance with an approved landscape plan.
ii. Shall provide streetscape and landscaping per Figures 2.7-1 through 2.7-5 and Section 2.6.7.C.3; or may provide streetscape buffer per Figure 2.7-1 and Section 146-2.6.7.C.1.

3. **Non-Triggering Actions**

Actions that will not trigger Havana Street streetscape and landscape improvements are:

a. Maintenance such as: Painting, stripping, glazing, patching pavement, resurfacing pavement, replacing dead or missing plants, roof repairs. Replacement of dead or missing trees shall be in accordance with the Havana Street Overlay District plant list.

b. Tenant finish, where all construction is within an existing structure and there is no external impact.

c. Individual commercial space within a multi-tenant building requiring a conditional use.

4. **Exemptions from Improvements**

If development changes for a property fully meet the criteria for a Minor Amendment in Section 146-5.3.15 (Amendments of Existing Approvals) that property is exempt from the requirement for street frontage and landscape improvements.

5. **Landscape Requirements**

The individual design standard and design guidelines in Section 146-2.6.7.C contain the landscape requirements for each of the three property conditions listed in this Section.

6. **Place-Making Markers and Streetscape Elements**

a. Place-making markers are streetscape elements that carry the message "On Havana." The installation of place-making markers may be approved administratively by the Planning Department after consideration of historical interest, distinctive features of the area, public health and safety, and urban design quality. Place-making markers shall not be counted against the amount of permitted sign area on any property.

b. Streetscape elements, such as lighting poles and fixtures, outdoor seating, raised planters with seating, bus stops, trash receptacles, recycling bins, and other street furnishings may be approved administratively by the Planning Department.

c. All place-making markers and streetscape elements shall be located and installed to protect roadside safety and avoid encroachments in sight triangles as required by the Aurora Roadway Design and Construction Specifications Manual.

**C. Havana Street Edge Treatment**

1. The following Sections contain the following street edge elements, tailored to each of the three Conditions defined in Section 146-2.6.7.B.2 above:

   a. **Intent**

   The intent language for each Section is the basis for the regulatory design standards and the advisory design guidelines.

   b. **Design Standards**

   Compliance with the design standards in each Section is required. Streetscape and buffer requirements describe the total amount of applicable elements including curb, attached walk, street tree planting strip, detached walk, hardscape or landscaped area, and landscape buffers.

   c. **Design Guidelines**

   Design guidelines are presented as possible alternative methods of meeting the goals set in the intent language. Design guidelines are advisory rather than
regulatory and may be accepted as alternatives to the design standards only in those instances where the application of the guidelines:

i. Meets or exceeds the goals set out in the intent language; or
ii. Meets the intent where the design standard would not; or
iii. Meets the intent goals in those cases with existing site characteristics that make application of the design standard extremely difficult or not practical.

2. Condition 1
Standard right-of-way streetscape and landscaping requirements for the -HSO district.

a. Intent
The intent of these standards and guidelines is to implement the vision of Havana Street as a tree-lined boulevard with curbside landscaping, detached sidewalk, and landscape buffers through improvements required with new development or redevelopment. See Figure 2.7-1.

b. Design Standards
All development that occurs on vacant land, redevelopment that involves clearing the land before adding new construction, or expansion of existing buildings by 25 percent of the building ground floor area or more than 2,000 square feet, whichever is less, shall provide at a minimum the following:

i. Streetscape
Provide a 10-foot wide curbside landscaped area with one street tree per 40 linear feet of street tree planting strip as required, and a 10-foot wide detached sidewalk. See Figure 2.7-1.

ii. Landscape Buffer
Provide a minimum nine-foot wide landscape buffer and landscaping at a minimum of two tree equivalents per 40 linear feet of buffer length.

c. Design Guidelines

i. Landscape Buffer Depth
The standard landscape buffer depth required may be reduced to a nine-foot minimum along Havana Street in response to the street widening projects done in the past.

ii. Streetscape and Landscape Buffer
The standard minimum depth is 29 feet as measured into the property from curb face including the curb-head, curbside landscape area, detached walk, and the minimum nine-foot landscape.

iii. Landscape Buffer with Exceptions
Buffer width may be less than nine feet when either a 2.5 foot high masonry wall or a 2.5 foot high continuous landscape hedge is provided. The minimum landscape buffer depth with one of these exceptions is five feet.
3. **Condition 2**  
Properties with existing attached sidewalks. Streetscape and landscaping requirements for Havana Street frontage in properties with an existing attached sidewalk in the HSO district.

a. **Intent**  
The intent of these standards and guidelines is to allow an interim streetscape and landscape condition not requiring a 10 foot curbside landscaping area, 10 foot detached sidewalk and nine-foot landscape buffer with new development. See Figure 2.7-2. The interim condition is intended to address the physical difficulties and costs that inhibit redevelopment of existing properties.

b. **Design Standards**  
All development that occurs on properties with an existing attached sidewalk and existing development shall provide streetscape and landscape buffer. See Figure 2.7-2.

i. **Streetscape and Landscape Buffer**  
Required streetscape in this condition consists of the existing attached sidewalk and the adjacent landscape buffer on the property side of the sidewalk.

ii. **Landscape Buffer**  
Required landscaping shall include at least one tree and 10 shrubs per every 40 linear feet or a total of two tree equivalents per each 40 linear feet of frontage rather than the full standard streetscape and landscape buffer required in Section 146-2.6.7.C.1 above.

c. **Design Guidelines**  
In the presence of an attached sidewalk on the subject property, the required standard nine-foot wide landscape buffer may be reduced in width when one of the following are provided within the landscape buffer:
4. Condition 3
Properties where the existing building(s) are close to the street and have no parking or paved access between building(s) and right-of-way or street frontage property line.

a. Intent
The intent of these standards and guidelines is to allow an interim streetscape and landscape buffer condition not requiring a 10-foot street tree planting strip, 10-foot detached sidewalk and nine-foot landscape buffer with new development. The applicable standard for the Havana Street frontage in Condition 3 is the Urban Street frontage (Section 146-4.7.5.C.4) consisting of edge, furnishings, and throughway zones. See Figures 2.7-3, 2.7-4, and 2.7-5 for illustrations on how these zones apply. The interim condition is intended to address the physical difficulties and costs that inhibit redevelopment of existing properties.

b. Design Standards
All development that occurs on property where existing buildings have no parking or access drives between the buildings and the Havana Street right-of-way or the front property line shall provide streetscape and landscaping along the Havana Street frontage as follows:

i. Streetscape: 1 tree per 40 linear feet of frontage.

ii. Landscape buffer plaza option: 1.5 tree equivalents per 40 linear feet.

iii. Landscape buffer xeric option: 2 tree equivalents per 40 linear feet.

c. Design Guidelines
Streetscape and landscape requirements may be met by using a combination of street trees within plant beds within the frontage area, a throughway zone sidewalk, and adjacent landscaping consisting of either a xeriscape landscape buffer or integral
sidewalk/plaza. Plaza landscaping shall consist of plant beds or plant containers, raised planters, and trees between the building and the Havana Street right-of-way or the front property line.

i. The minimum depth of the landscaping buffer may vary with existing building setback from the frontage property line.

ii. Eliminating the xeriscape landscape buffer and substituting a hardscape plaza with planters is one possibility in Condition 3 depending on the existing physical condition and the setback depth of the existing building. If provided, raised planters shall be installed at sitting height to provide a public amenity.

Figure 2.6-3: Condition 3 - Standard
2.6. Overlay Districts

2.6.7. Havana Street Overlay (HSO)

Figure 2.6-4: Condition 3 – Plaza Option

Figure 2.6-5: Condition 3 – Xeric Option
D. Tree Usage in Havana Street Property Frontage Areas

1. Intent
   Trees shall be used to define the street edge, frame views, define points of access, soften building architecture, define building entrances, direct attention to signage, and provide shade for benches and RTD stops. Flexibility in the placement of trees within the frontage area is one of the principles included in this Section.

2. Design Standards
   All development that occurs along the Havana Street Overlay district street edges has a tree requirement regardless of the development option applied. Rules for tree usage are:
   
   a. Trees shall be selected from the Havana Street Overlay district plant list.
   
   b. Tree sizes shall conform to requirements found in Section 146-4.7.5.D.3 (Minimum Plant Material Quantities).
   
   c. Trees shall be used in all Havana Street frontages as required in Section 146-2.6.7.B.2 (Property Conditions and Trigger Mechanisms).
   
   d. Street trees in Condition 1 are required within the curbside landscape area at one tree per each 40 linear feet length of frontage.
   
   e. Trees in Condition 2 shall be located on the property side of the existing sidewalk within the landscape buffer when it is five-feet wide or greater. Provision of a number of trees equal to, but not less than, one tree per each 40 linear feet of frontage is required. Buffers less than five feet wide will require provision of those features listed in Section 146-2.6.7.B.2.b.ii.
   
   f. Trees in Condition 3 shall be provided at one tree for each 40 linear feet of frontage within the Furnishing Zone.
   
   g. Trees in Condition 3, located in paved areas, shall be within plant beds. Traffic sight lines shall not be obstructed.
   
   h. Cut-outs for tree grates shall be a minimum of five feet by five feet. Cut outs for plant beds with trees shall be a minimum of five feet by 10 feet, with a preferred size of five feet by 15 feet where possible, and designed to accommodate tree growth.

3. Design Guidelines
   Alternatives to the design standards may include:
   
   a. In Conditions 1, 2 and 3, whenever a single tree conflicts with sight lines to a freestanding or building-mounted sign, one tree in the whole of the frontage area may be converted to equivalents for an equal number of shrubs, perennials, or ornamental grasses.
   
   b. Trees within Havana Street Frontage Areas shall not be located closer than 40 feet from an existing tree on an adjacent site.
   
   c. A bench or RTD stop may be substituted for two trees per site within each individual Havana Frontage.
   
   d. Existing trees located within Havana Street Frontage Areas determined to be in good condition may be counted toward tree requirements.
   
   e. Trees meeting requirements found in the City’s current policy on preservation of existing trees shall be protected in place, relocated, removed, or mitigated according to requirements found in that policy.
   
   f. Sight triangles at access points shall be maintained as required by the Aurora Roadway Design and Construction Specifications Manual.
g. Tree locations and lighting locations shall be coordinated so that both are effective.

E. Planting in Havana Street Frontage Areas

1. Intent

The following planting concept shall apply to all areas to be landscaped within the Havana Street Frontage Areas. The concept is representative of a repeatable sequence of plant placement beginning with taller plant material species that transitions to medium height species to low spreading species and back to medium height species and ending with taller species. Applicable plants may be found in the HSO district Plant List. This list has been organized by height and other growth and visual characteristics. See Figure 2.6-6 and Figure 2.6-7.

2. Design Standards

The landscape area depicted below in Figure 2.6-6 and Figure 2.6-7 may be within a buffer next to a sidewalk, next to a street or within a plant bed within a hard surfaced area.

![Diagram of planting sequence]

**Legend**

1: Tall upright species such as perennials, ornamental grasses, and deciduous shrubs.
   Height range: 36 inches to 42 inches and higher

2: Medium height species such as deciduous and evergreen shrubs, and some perennial species.
   Height range: 18 inches to less than 36 inches

3: Low spreading deciduous, evergreen, and perennial species noted for their use as groundcovers. To be used primarily as infill plants that provide not only coverage but also increase contrasts in texture and color.
   Height range: 6 inches to less than 18 inches

![Diagram of planting sequence with signage]

Figure 2.6-6: Planting Sequence
3. Design Guidelines

Alternatives shall include street trees for Havana Street. The alternatives may include integrating a sign, bench, or RTD stop into the landscaping in lieu of one tree in the frontage requirement, and may be considered a variation of the planting sequence presented in Figure 2.6-6 and Figure 2.6-7.

F. Street Furnishings, Place Making Marker Program, and Plant List

1. Intent

The HSO District Design Manual contains the approved street furnishings and streetscape elements (kit of parts), the approved place making marker types and locations (place making marker program), and the plant species list for the HSO district (HSO Plant List). That manual has been adopted subject to updating and future amending by the Planning Director. The intent of this manual is to apply its contents so that common elements and design standards appear in improvements along the length of Havana Street within the district. These standards shall be used by the Planning Department for review and decision-making.

2. Design Standards

Streetscape items such as lighting poles and fixtures, benches, bus stops, trash receptacles, place-making markers, and other street furnishings shall be allowed with an administrative approval by the Planning Director, provided they are of the design established in publications or lists kept in the Planning Department ("kit of parts" or "place making marker program").
3. Approved Plant List
The Planning Department maintains the Havana Street Plant List approved for use in landscaping improvement within the HSO district. Only these species shall be used within the district.

4. Design Guidelines
Administrative approval of any proposed alternative to either the Havana Business Improvement District approved kit of parts, place making marker program, or the Havana Street Plant List shall be required. Administrative approval of proposed alternatives shall be obtained from the Planning Director and shall be granted if, in the exercise of sound discretion, the proposals are determined to forward the intent of the district.

2.7 PLANNED DEVELOPMENT DISTRICTS

2.7.1. PLANNED DEVELOPMENT (PD)

A. Purpose
The purpose of the planned development zone is to use new and imaginative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the citizens of the city. The intent is to create distinct neighborhoods with unique urban design, commercial areas, employment centers, and amenities beyond those otherwise required by this UDO. Use of this zone district is intended primarily to facilitate mixed-use developments that provide high levels of public features or amenities of benefit to the city or the citizens of Aurora. Many of these developments will have a projected timetable that provides for multi-year build-outs. Areas rezoned to the PD district shall be subject to a Master Plan, which must be approved by City Council at the same time as the rezoning.

B. Eligibility for Rezoning to PD District
An application for rezoning into a Planned Development district may only be accepted for review and consideration if the application meets the following criteria, as determined by the Planning Director:

1. The proposed PD could not be developed using conventional zone districts or standards.
2. The proposed PD zone district includes less than 40 gross acres of land
3. The proposed PD zone district is not located within ¼ mile of another approved or proposed PD under common or related ownership that that Planning Director determines is part of a common development;
4. No more than 50 percent of the land included in the proposed PD zone district will be occupied by single-family detached or single-family attached dwelling units;
5. No portion of the land included in the proposed PD zone district will be occupied by three- or four-story multifamily dwelling structures without elevator access to upper floors.
6. The proposed PD zone district a minimum of five highly-valued design features, as determined by the Director, including but not limited to features such as: low average block perimeter measurement for the entire development; centralized gathering and recreation spaces of an appropriate size for the entire development; enhanced architectural and streetscape design elements throughout the development; internally and externally connected park, trail, and open space system; Low Impact Development design features throughout the development; solar orientation of building forms and other passive energy-efficient design strategies throughout the development, community-level renewable energy production, district heating and cooling throughout the development, retaining natural landforms throughout the development, and the prevention of fence canyons within and around the perimeter of the entire development.
C. Permitted Uses

1. Uses shall be allowed only if approved by City Council in a Master Plan. The Master Plan shall specify in detail the permitted, conditional, and prohibited uses for the PD district. For convenience, uses may be described as those permitted or conditionally permitted in another base zone district listed in this UDO, with any exceptions listed.

2. Any use proposed to be allowed by a Master Plan shall only be approved if it conforms with the following:
   a. The use is listed in Table 3.2-1 (Permitted Use Table), and is described by the same name.
   b. The use is consistent with the Comprehensive Plan and with other plans and policies adopted by City Council applicable to the area where the property is located.
   c. The use is compatible with surrounding land uses and zoning.
   d. Any expected environmental impacts generated by the use can be mitigated.
   e. The use conforms to any use-specific standard for that use listed in Article 146-3.3, unless those standards are varied by the Master Plan.

3. Notwithstanding the provisions of any specific Master Plan, certain uses shall be conditional uses in any Planned Development zone district as follows:
   a. Motor vehicle sales, rental, service, and fuel dispensing.
   b. Public utility facilities that create visual or land use impacts.
   c. Self-storage facility.
   d. Drive-up or Drive-through facility.

4. The following uses shall be prohibited from all Planned Development districts:
   a. Stockyards and feeding yards.
   b. Petroleum refining or natural gas processing.
   c. Animal slaughtering.
   d. Fat rendering or distillation of bones.
   e. Smelting.
   f. Explosives manufacture.
   g. Radioactive, hazardous, or infectious waste storage and disposal.

D. Development Standards

The Master Plan may specify standards for all aspects of development addressed by this UDO. If not varied by the terms of the Master Plan, development in the PD district shall conform with the standards for that use or type of development in this UDO, including but not limited to building design and architecture, landscaping, parking, signs, fences, noise, historic preservation and other applicable standards. Development standards that do not meet the criteria for approval of PD zone district in Section 146-5.4.1.C.3.c shall result in denial of the proposed PD district.

E. Mineral Extraction

1. When mining or mineral extraction activities are permitted as an interim use by a Master Plan in a PD district, such uses shall be subject to public hearing and approval by the City Council. The City Council shall not approve a mining or mineral extraction use unless it finds the proposed use:
2.7. Planned Development Districts

2.7.1. Planned Development (PD)

a. Is in conformance with the mineral extraction plan;
b. Is consistent with the Comprehensive Plan;
c. Is consistent with the drainage basin plan;
d. Is compatible with adjacent zoning and land use;
e. Provides for the mitigation of environmental impacts including visual quality, pollution control, natural and built environment, health, safety, and general welfare; and
f. Promotes multiple-sequential use of land.

2. Mining or mineral extraction uses approved by the City Council shall be subject to a review by the Planning and Zoning Commission every five years after initial approval for compliance with the terms of the original approval as well as for compatibility with adjacent zoning and land uses.

3. No mining or mineral extraction use shall be permitted unless all public improvements and land dedications necessitated by the use are reserved by the use and secured by an agreement that shall construct improvements and make necessary dedications as determined by the City Council. The agreement shall specify the nature of such improvements and dedications involved and the timing of construction or dedication. Improvements and dedications shall be made upon the commencement of the use, unless otherwise provided in the agreement.
3.1. General

Article 146-3 Use Regulations

3.1.1. Types of Uses Allowed

3.1 GENERAL

The permitted and conditional land uses in each base zone district are indicated in Table below. Additional uses of property or restrictions on the use of property may be contained in the description of the base zone district where the property is located (see Sections 146-2.3 through 2.5), or in an Overlay zone district applicable to the property in Section 146-2.6. If the property is located in a PD (Planned Development) zone district, the permitted uses and any conditions on those permitted uses are contained in the Master Plan approved with the PD zoning, which is on file with the Planning Department and on the City’s website.

3.1.1. TYPES OF USES ALLOWED

A. A “P” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted by-right in that zone district, subject to compliance with the Use-Specific Standards cross-referenced in the right-hand column of that line of the table.

B. A “C” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted only after the applicant obtains conditional use approval pursuant to Section 146-5.4.3.A (Conditional Use), and subject to the Use-Specific Standards cross-referenced in the right-hand column of that line of Table 3.2-1.

C. An “A” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted as an accessory use only in support of a permitted or approved conditional use on the site.

D. A “CA” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted only as an accessory use and only after the applicant obtains conditional use approval pursuant to Section 146-5.4.3.A (Conditional Use), and subject to the Use-Specific Standards cross-referenced in the right-hand column of that line of Table 3.2-1.

E. A “T” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted as a temporary use, subject to the Use-Specific Standards cross-referenced in the right-hand column of that line of Table 3.2-1.

F. A “V” in a cell of Table 3.2-1 (Permitted Use Table) indicates that the use is permitted only in a structure that has been vacant for a period of five or more years, and subject to the Use-Specific Standards cross-referenced in the right-hand column of that line of Table 3.2-1.

G. A blank cell in Table 3.2-1 (Permitted Use Table) indicates that the use is not permitted in that zone district.

3.1.2. USES IN PD DISTRICTS

Permitted, conditional, and accessory uses in the PD zone district are those listed in the zone district approvals or approved development plans for those districts, as amended by City Council.

3.1.3. MULTIPLE USES

A development may include multiple principal uses, including a combination of residential and non-residential uses, provided that each use is either a permitted use or a conditional use in that zone district, that a conditional use approval is obtained for any conditional use, all Use-specific
3.1. General

Article 146-3 Use Regulations

3.1.4. Unlisted Uses

When a proposed primary or accessory land use is not explicitly listed in Table 3.2-1 (Permitted Use Table), the use is not permitted in the City, unless the Planning Director determines that it is included in the definition of a listed use or is so similar to a listed use that it shall be treated as the same use. The Director shall make that determination based on a comparison of the size, scale, operating characteristics, multi-modal traffic impacts, storm drainage impacts, utility impacts, and neighborhood impacts of the proposed use with other uses listed in Table 3.2-1 (Permitted Use Table). The Director’s interpretation shall be made available to the public and shall be binding on future decisions of the City until the Director makes a different interpretation or this UDO is amended to treat the use differently.

3.1.5. Previously Permitted Uses

Each use that exists on the Effective Date that is required by this UDO to obtain conditional use approval, but that was a permitted use before the Effective Date is deemed to have a conditional use approval to (a) continue operation in structures and on land areas where the operation was conducted on the Effective Date and (b) to expand operations without the need to obtain a conditional use approval, provided that the expansion complies with all Use-Specific Standards and other requirements of this UDO.

3.1.6. Uses in Urban Renewal Areas

Uses that are not permitted by-right in a base zone district but are listed as appropriate uses in an approved Urban Renewal Plan shall be deemed conditional uses for those properties on which the use is allowed within the urban renewal area, and shall be subject to approval through the conditional use approval process in Section 146-5.4.3.A.

3.1.7. Development Near Lowry Landfill

All development within one-quarter mile of East, South, and West of section 6, township 5 south, range 65 west of the sixth principal meridian, Arapahoe County, Colorado, shall be subject to the provisions of this Section 146-3.1.7. If the requirements of this Section 146-3.1.7 conflict with any other standard or provision of this UDO, the requirements of this Section shall apply.

A. Development Within One-Quarter Mile

No development or construction of buildings or structures shall be permitted within one-quarter mile of the east, south, or west exterior boundaries of section 6 prior to the implementation of the Environmental Protection Agency’s remedy. The remedy is defined in the record of decision for the Lowry Landfill Superfund Site and the completion of the five-year performance review which confirms that the remedy is in conformity at the compliance boundary, as determined by the City Council. This prohibition shall not apply to the development or construction of buildings or structures that are used for remediating the contamination at the Lowry Landfill or to the development or construction of roadways, public utilities, and structures accessory to the remediation effort. Upon the City Council’s determination that the remedy is in conformity at the compliance boundary, development and construction of buildings and structures may be permitted within one-fourth mile of section 6, provided the underlying zoning permits such development.

B. Hold Harmless Agreement

At such time as development is permitted within one-fourth mile of the east, south, and west exterior boundaries of section 6, every development application shall be accompanied by a
3.1. General

**Article 146-3 Use Regulations**

3.1.8. **Required Governmental Approvals, Licenses, Permits, and Operational rules**

hold harmless agreement in a form satisfactory to the City Council that releases the City from any damage claim arising from permission to develop.

**C. Development Conditions**

Under this Section 146-3.1.7 the City Council may attach reasonable conditions and stipulations of approval deemed necessary to protect the health, safety, and welfare and to maintain compliance with the purposes of this article. Reasonable conditions and stipulations of approval may be attached in response to new information unavailable at the time of enactment of the ordinance from which this Section 146-3.1.7 derives. The conditions may include posting of notice of location of the landfill site to advise occupants and tenants.

**D. Notice of Proximity of Landfill**

1. **Notice**

Vendors of real property located within one-quarter mile of the east, south, or west exterior boundaries of section 6 shall provide the following notice to prospective purchasers:

NOTICE OF LANDFILL SITE

The following described property is located within one-quarter mile of the east, south, or west exterior boundaries of Section 6 which contains a facility generally referred to as the Lowry Landfill Superfund Site that has been added to the national priority list for superfund cleanup.

Vendor/grantor:

Property description:

Street address:

2. **Area of Applicability**

The notice required in this section 146-3.1.7 shall be presented to prospective purchasers of real property located within one-quarter mile of the east, south, or west exterior boundaries of section 6 prior to entering into a contract of sale for the real property. The notice shall be on a separate sheet of paper in at least ten-point boldface type, or in printed capital letters. A signature line for prospective purchasers shall be provided if typewritten. A statement of receipt of the notice shall also be included.

3. **Recordation**

The notice required in this section shall be recorded with the clerk and recorder of Arapahoe County.

3.1.8. **REQUIRED GOVERNMENTAL APPROVALS, LICENSES, PERMITS, AND OPERATIONAL RULES**

All uses required by any unit of local government, the State of Colorado, or the federal government to have an approval, license, or permit to operate are required to have that State approval, license, or permit in effect at all times, and failure to do so is a violation of this UDO. All uses subject to the operational standards of a local, state, or federal government agency, including without limitation the regulations contained in Chapter 26 (Business) of the Aurora City Code, and regulations of the Colorado Department of Human Services, shall operate in compliance with those standards and regulations at all times, and failure to do so is a violation of this UDO.
# 3.2 PERMITTED USE TABLE

See Table below.

<table>
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<tr>
<th>Land Use</th>
<th>RESIDENTIAL USES</th>
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<th>SPECIAL PURPOSE</th>
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<td>A&amp;B</td>
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### RESIDENTIAL USES

- **Household Living**
  - Dwelling, Co-housing Development: P P P P P
  - Dwelling, Cottage Development: P P P P P
  - Dwelling, Green Court: P P P P P
  - Dwelling, Live/work: P P P P P P P P
  - Dwelling, Loop Lane: P P P P P
  - Dwelling, Motor Court: P P P P P
  - Dwelling, Multifamily: P P P P P
  - Dwelling, Single-family Attached (Townhouse): P P P P P
  - Dwelling, Single-family Detached: P P P P P P P
  - Dwelling, Tiny House: P
  - Dwelling, Two-family (Duplex): P P P P P
  - Manufactured Housing: P

### Group Living

- Congregate Living Facility: C C C
- Continuing Care Retirement or Assisted Living Facility: P P P P P P P P P
- Dormitory, Fraternity, or Sorority House: P
- Group Home, FHAA Large: P P P P P
- Group Home, FHAA Small: P P P P P
- Nursing or Convalescent Home: C C P P
- Rooming House: C C P P
- Supportive Housing, Large: C C C
- Supportive Housing, Small: C C

### PUBLIC, INSTITUTIONAL, RELIGIOUS, AND CIVIC USES

- Adult or Child Day Care Center, Large: C C P P C P P P A A

*Table 3.2-1 Permitted Use Table*
## 3.2. Permitted Use Table

### Table 3.2-1

**Permitted Use Table**

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<thead>
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<th>ZONE DISTRICT And Subarea or Subdistrict</th>
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### AGRICULTURAL AND ANIMAL-RELATED USES

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<td>Horse Stable or Riding</td>
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<td>Kennel</td>
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<td>Plant and Tree</td>
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<tr>
<td>Nursery and Greenhouse</td>
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<td>Urban Agriculture</td>
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<td>Veterinary Clinic and</td>
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<td>Hospital</td>
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### COMMERCIAL AND INDUSTRIAL USES

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<td>After Hours Club or</td>
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<td>Entertainment</td>
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<tr>
<td>Bar and Tavern</td>
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<tr>
<td>Bed and Breakfast</td>
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<tr>
<td>Brewery, Distillery, or</td>
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<tr>
<td>Winery</td>
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<td>Hotel</td>
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<td>Microbrewery</td>
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<tr>
<td>Restaurant</td>
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<td>Art Studio or Workshop</td>
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<td>Day Labor Hall</td>
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</table>

**Notes:**
- **P** = Permitted
- **C** = Conditional use
- **A** = Accessory to primary use
- **T** = Temporary use
- **V** = Permitted if structure vacant for 5 years or more

**Use Specific Standard:**
- **3.3.3.A**
- **3.3.4.A**
- **3.3.4.B**
- **3.3.4.C**
- **3.3.4.D**
- **3.3.5.A**
- **3.3.5.B**
- **3.3.5.C**
- **3.3.5.D**
- **3.3.5.E**
- **3.3.5.F**
- **3.3.5.G**
- **3.3.5.H**
### Table 3.2.1 Permitted Use Table

<table>
<thead>
<tr>
<th>ZONE DISTRICT And Subarea or Subdistrict</th>
<th>Residential</th>
<th>Mixed-Use</th>
<th>Special Purpose</th>
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<tbody>
<tr>
<td>Land Use</td>
<td>P</td>
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<td>Medical and Dental Clinic</td>
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<td>P</td>
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<tr>
<td>Office, Flex</td>
<td>P</td>
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<tr>
<td>Recreation and Entertainment</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Outdoor Recreation and Entertainment</td>
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<tr>
<td>Indoor Shooting Range</td>
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<td>Pari-mutuel Wagering Facility</td>
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<td>Recreational Vehicle Park</td>
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<td>Retail Liquor Store</td>
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<td>Retail Sales, Small</td>
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<td>Storage, Distribution, or Wholesaling</td>
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<td>Above Ground Bulk Storage of Flammable Liquids or Gasses</td>
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<td>Self-storage Facility</td>
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<td>Storage, Distribution, and Warehousing</td>
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<td>Industrial</td>
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<tr>
<td>Equipment Rental and Repair</td>
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<td>Heavy Manufacturing</td>
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</table>
### Permitted Use Table

**Article 146-3 Use Regulations**

#### 3.1.8. Required Governmental Approvals, Licenses, Permits, and Operational rules

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<tr>
<th>ZONE DISTRICT And Subarea or Subdistrict</th>
<th>RESIDENTIAL</th>
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<th>SPECIAL PURPOSE</th>
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<tbody>
<tr>
<td><strong>Land Use</strong></td>
<td>R-1</td>
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<tr>
<td>Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, Marijuana Research Business, or Marijuana Transporter Licensed Premises</td>
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<tr>
<td>Marijuana Testing Facility</td>
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<tr>
<td>Mining</td>
<td>See Section 146-2.7.1.E (Mineral Extraction)</td>
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<td>Oil and Gas Facility</td>
<td>See Section 145-3.3.5.DD (Oil and Gas Facility)</td>
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<tr>
<td>Specialty Food Production</td>
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<tr>
<td><strong>Transportation and Freight</strong></td>
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<tr>
<td>Aircraft Hangar and Aircraft Maintenance Facility</td>
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<tr>
<td>Airport</td>
<td>P</td>
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<tr>
<td>Intermodal Cargo Transfer Yard</td>
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<tr>
<td>Locomotive and Railcar Yard and Repair Facility</td>
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<tr>
<td>Motor Freight Terminal</td>
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<td>C</td>
<td>P</td>
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<td>Railroad Track</td>
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<tr>
<td><strong>Utilities and Communication</strong></td>
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<tr>
<td>Electric Power Generator Station</td>
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<td>Solar Collector as a Primary Use</td>
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<td>Telecom Facility, Tower</td>
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<td>Telecom Facility, Freestanding Monopole</td>
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<td>Telecom Facility, Freestanding Unipole</td>
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<td>Telecom Facility, Freestanding Stealth</td>
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<td>Utility, Major</td>
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<td>Utility, Minor</td>
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<td>Wind Energy System, Large</td>
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<tr>
<td><strong>Vehicle-related Operations</strong></td>
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<tr>
<td>Automobile and Light Truck Sales and Rental</td>
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<td>Motor Vehicle Body Shop and Painting</td>
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**Table 3.2-1**

<table>
<thead>
<tr>
<th>Article 146-3 Use Regulations</th>
<th>Permitted Use Table</th>
<th>Required Governmental Approvals, Licenses, Permits, and Operational rules</th>
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## Table 3.2.1
### Permitted Use Table

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<tr>
<th>ZONE DISTRICT And Subarea or Subdistrict</th>
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<th>USE SPECIFIC STANDARD</th>
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<tr>
<td>Motor Vehicle Fuel Dispensing Station</td>
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<td>Motor Vehicle Indoor Showroom or Broker</td>
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<td>P P P P P P</td>
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<td>Motor Vehicle Repair and Service</td>
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<td>C C P P P</td>
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<td>Motor Vehicle Towing, Salvage, and Dismantling</td>
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<td>C C P P</td>
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<td>Other Motor Vehicle, Trailer, Boat, or Manufactured Home Sales or Rental</td>
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<td>C P P P</td>
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<td>Parking Lot</td>
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<td>Vehicle Fleet Operations Center</td>
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### Waste and Recycling

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<tr>
<td>Recycling Collection Facility</td>
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<tr>
<td>Sewage Disposal Plant</td>
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<td>Solid Waste Transfer Facility</td>
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### ACCESSORY AND TEMPORARY USES

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<td>Ambulance Service</td>
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<td>Caretaker’s Residence</td>
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<td>Christmas Tree Sales</td>
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<td>Donation Collection Bin</td>
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<tr>
<td>Drive-Up or Drive-Through Facility</td>
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<td>Dwelling, Short-Term Rental</td>
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<tr>
<td>Dwelling Unit, Accessory</td>
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<tr>
<td>Electric Vehicle Charging Facility</td>
<td>A A A A A</td>
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<tr>
<td>Ground Floor Commercial Use</td>
<td>A A A</td>
</tr>
<tr>
<td>Home Adult or Child Day Care</td>
<td>A A A A A A</td>
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<tr>
<td>Home Occupation</td>
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<tr>
<td>Mining or Mineral Extraction as an Interim Use</td>
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<tr>
<td>Mobile Food Truck</td>
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</tr>
<tr>
<td>Outdoor Seating or Dining</td>
<td>A A A A A A A A A A A</td>
</tr>
</tbody>
</table>

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3.18. Required Governmental Approvals, Licenses, Permits, and Operational rules

**3.2. Permitted Use Table**

**3.3.5.ww**
## 3.2. Permitted Use Table

### Table 3.2-1

<table>
<thead>
<tr>
<th>ZONE DISTRICT And Subarea or Subdistrict</th>
<th>RESIDENTIAL</th>
<th>MIXED-USE</th>
<th>SPECIAL PURPOSE</th>
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<tr>
<td>Land Use</td>
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<td>R-2</td>
<td>MU-N</td>
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<tr>
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<td>ABB</td>
<td>ABB</td>
<td>MU-QI</td>
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<td>OA-R2</td>
<td>OA-RMU</td>
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<td>OA-MS</td>
<td>OA-G</td>
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<td>USE SPECIFIC STANDARD</td>
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<tr>
<td>Rodeo Practice Arena</td>
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<td></td>
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<tr>
<td>Scientific, Environmental, or Interpretive Educational Use</td>
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<tr>
<td>Slaughterhouse, Small</td>
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<tr>
<td>Solar Collector, Ground or Building-Mounted</td>
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<td>A A A A A A A A A A A A A A A</td>
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<tr>
<td>Telecom Facility, Building-Mounted</td>
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<td>A A A A A A A A A A A A A</td>
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<tr>
<td>Temporary Event or Sales</td>
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<tr>
<td>Temporary Construction Support Facility</td>
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<td>Temporary Outdoor Food or Merchandise Stand</td>
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<td>Wind Energy System, Small Ground-Mounted</td>
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<td>Unlisted Temporary Use</td>
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</tbody>
</table>
3.3 Use-Specific Standards

3.3.1. GENERALLY

A. Cross-References in Permitted Use Table
All uses associated with a Use-Specific Standard as indicated in the right-hand column of Table 3.2-1 shall comply with the applicable standards in this Section. All development shall also comply with applicable provisions of Article 146-4 (Development Standards).

B. Resolution of Conflicting Standards
If there is a conflict between these Use-Specific Standards and the requirements in Article 146-4, these Use-Specific Standards shall apply, unless otherwise noted.

C. Required Spacing Does Not Create Nonconforming Uses
Where these Use-Specific Standards require spacing between uses, no existing use that complied with applicable spacing requirements when it was created is made nonconforming because of the later location of any new facility closer than the required spacing from the new facility, or because of an amendment to this UDO changing any applicable spacing distance.

3.3.2. RESIDENTIAL USES

A. Generally
1. It is unlawful for more than one family or family group, as defined in Article 146-6, to live in a dwelling unit.
2. Existing residential uses in the Accident Potential Zone District are permitted and may expand by no more than 1,000 square feet.

B. Dwelling, Co-Housing Development
1. Minimum project size is two acres, and the maximum project size is 10 acres.
2. The maximum size of each co-housing unit is 1,000 sq. ft. of gross floor area.
3. A shared private common space containing at least 10 percent of the project area shall be provided.
4. A shared facility for communal cooking, dining, and other activities containing at least 2,000 sq. ft. shall be provided.
5. Individual lots or portions of the project may not be subdivided for sale.
6. Zone district lot requirements and setback requirements shall apply to the project site as a whole, but not to individual co-housing dwelling sites.
7. Each project site shall maintain a vegetated buffer meeting the standards of Section 146-4.7 (Landscape, Water Conservation, Stormwater Management) including but not limited to Section 146-4.7.5.F (Required Landscape Buffer Widths and Allowed Reductions), as applicable to multifamily dwellings, along each side and rear lot line, and no portion of any primary or accessory structure may be located in that buffer area.

C. Dwelling, Cottage Development
1. Minimum project size is one acre, and maximum project size is five acres.
2. No cottage development may be located within one-quarter mile of another cottage housing development, measured at the closest points on the property boundaries.
3. The maximum density shall be no more than 16,000 square feet of gross floor area in cottage units per acre of project site area.

4. A shared private common space containing at least 10 percent of the project area shall be provided.

5. Individual cottage lots or portions of the project may not be subdivided for sale.

6. Zone district lot requirements and setback requirements shall apply to the project site as a whole, but not to individual co-housing dwelling sites.

7. Each project site shall maintain a vegetated buffer, meeting the standards of Section 146-4.7 (Landscape, Water Conservation, Stormwater Management) including but not limited to Section 146-4.7.5.F (Required Landscape Buffer Widths and Allowed Reductions), as applicable to multifamily dwellings, along each side and rear lot line, and no portion of any primary or accessory structure may be located in that buffer area.

8. The applicant shall submit a Site Plan identifying individual cottage development sites, streets, parking areas, storm drainage facilities, common areas and facilities, and any other features required to be identified by this UDO or state condominium law.

D. Dwelling, Green Court
   See Section 146-4.2.3.C (Green Court Dwellings).

E. Dwelling, Live/Work
   1. Not more than three people may be engaged in the making, servicing or selling of goods, or provision of personal and professional services, within a single unit.
   2. At least one person shall reside in the dwelling unit where the non-residential activity or activities occur.
   3. The residential unit shall be located above or behind the non-residential areas of the structure.
   4. The area where the commercial activity is conducted shall not exceed 50 percent of the gross floor area of the dwelling unit.
   5. Signs are limited to not more than two non-illuminated wall or window signs not exceeding 10 square feet in total area.
   6. The work activities shall not adversely impact the public health, safety, or welfare of adjacent properties.

F. Dwelling, Loop Lane
   See Section 146-4.2.3.D (Loop Lane Dwellings).

G. Dwelling, Motor Court
   See Section 146-4.2.3.E (Motor Court Dwellings).

H. Dwelling, Multifamily
   1. Each multifamily dwelling unit structure shall be accessed from a public or private street meeting the Aurora Roadway Design and Construction Specifications Manual.
   2. After the Effective Date, multifamily dwelling structures with outside staircases leading to units on floors above the ground floor are prohibited.
   3. If this use is located in an R-1 zone district in Subarea C in a development that does not include the Small Residential Lot option, the maximum number of multifamily dwelling units in a single structure is limited to 10.
3.3. Use-Specific Standards

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#### 3.3.2. Residential Uses

4. If this use is located in an R-2 zone district in Subarea C in a development that does not include the Small Residential Lot option, the maximum number of multifamily dwelling units in a single structure is limited to 25.

5. If this use is located in an R-1, R-2, or MU-A zone district in Subarea C in a development that does not include the Small Residential Lot option, the use must be located within 330 feet of:
   a. Land in the MU-N or MU-C zone districts; or
   b. Land designated for development as an activity center pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation); or
   c. Land designated on a Master Plan as a park or open space that has a minimum length and width of at least 250 feet.

6. If this use is located in an R-1, R-2, or MU-A zone district in Subarea C in a development that includes the Small Residential Lot option, the provisions of Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) for this use shall apply.

7. If this use is located in an R-3 or R-4 zone district, and in the MU-OA-RMU subdistrict, the lot must contain at least 20 percent open space.

8. If this use is located in an MU-C or MU-OI zone district, at least 50 percent of each ground floor facade of the structure facing a public or private street shall be occupied by a non-residential use.

### I. Dwelling, Single-Family Attached (Townhouse)

1. This use may only be located in an MU-C zone district if the property is located in Subareas A or B.

2. The front door of each dwelling unit shall face a public or private street meeting the Aurora Roadway Design and Construction Specifications Manual or a Green Court Dwelling development meeting the standards of this UDO.

3. If this use is located in an R-1 zone district in Subarea C in a development that does not include the Small Residential Lot option, the maximum number of single-family attached dwelling units in a single structure is limited to 8.

4. If this use is located in an R-2 zone district in Subarea C in a development that does not include the Small Residential Lot option, the maximum number of single-family attached dwelling units in a single structure is limited to 12.

5. If this use is located in an R-1, R-2, or MU-A zone district in Subarea C in a development that does not include the Small Residential Lot option, the use must be located within 330 feet of:
   a. Land in the MU-N or MU-C zone districts; or
   b. Land designated for development as an activity center pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation); or
   c. Land designated on a Master Plan as a park or open space that has a minimum length and width of at least 250 feet.

6. If this use is located in an R-1, R-2, or MU-A zone district in Subarea C in a development that does not include the Small Residential Lot option, the use must include at least 360 square feet of private or common open space per dwelling unit, and the length and width of dimensions of that open space shall be at least 10 feet, unless the dwelling units are included in Green Court Dwelling or Motor Court Dwelling development.
7. If this use is located in an R-1, R-2, or MU-A zone district in Subarea C in a development that includes the Small Residential Lot option, the provisions of Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) for this use shall apply.

J. Dwelling, Single-Family Detached

1. Any single-family detached dwelling existing on the Effective Date shall be considered a conforming dwelling.

2. In the APZ districts, this use is limited to the APZ II area and the maximum residential density is one dwelling unit per acre.

3. Any single-family detached dwelling, including a Tiny House, containing less than 600 square feet of gross floor area shall have a covered outdoor porch located on the front of the dwelling containing not less than 50 square feet of area.

4. In the MU-C and MU-R zone districts, no more than 25 percent of the contiguous land area included within the district may be occupied by lots designated for or developed with single-family detached residential dwellings.

5. A single-family detached dwelling unit may be converted to a commercial use provided the conversion complies with the following requirements:
   a. The single-family detached dwelling unit is located in the R-4, MU-N, MU-OI, MU-OAMS, MU-OA-G, MU-FB, MU-TOD, or MU-A zone district;
   b. The commercial use is listed in the Permitted Use Table as a permitted or conditional use in the zone district;
   c. The single-family detached dwelling unit is on a corner located at the intersection of two arterial streets or two collector streets, or the intersection of an arterial street and a collector street, or is adjacent to an existing commercial structure.
   d. Unless the primary structure was originally designed for a non-residential use, or the conversion was completed before the Effective Date of this UDO, the conversion may not significantly change the residential character of the primary structure by the deletion of residential features such as porches or doorways and windows sized and located for residential use, or through the addition of features more common to commercial structures, such as shopfront windows or other windows or doors not appropriate for residential uses.

K. Manufactured Housing or Tiny House

1. The installation of any Manufactured Home or Tiny House shall comply with Articles I, III and IV of Chapter 90 of the Aurora City Code.

2. All Manufactured Housing Parks shall comply with those standards in Section 146-2.3.6.

3. The management and operation of each Manufactured Housing Park in any R-MH district shall comply with Article II of Chapter 90.

L. Dwelling, Two-Family (Duplex)

This use may only occur in an R-1 zone district in Subarea C if it is located within 330 feet of:

1. Land in the MU-N or MU-C zone districts; or

2. Land designated for development as an activity center pursuant to Section 146-5.4.3.1 (Administrative Activity Center Designation); or

3. Land designated on a Master Plan as a park or open space that has a minimum length and width of at least 250 feet
M. Congregate Living Facility
Congregate living facilities shall have a minimum setback of 300 feet from any Pre-K-12 public or private school or commercial day care within the city.

N. Group Home, FHAA
Group homes for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988 (FHAA), as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Colorado, may be established in any Residential zone district or portion of a Mixed-Use zone district or PD district that permits residential dwellings, subject to the licensing requirements of the state and the registration procedures described in this Subsection H.

1. Prior to establishing the group home, the owner/operator of the home shall register with the Planning Department on a form provided by the Department. Registration shall be effective for 12 months. Prior to expiration of such 12-month period, the owner/operator of the home shall apply for renewal. Renewal shall be granted by the Planning Director if the group home continues to be in compliance with the definition of group home for FHAA protected citizens and state licensing requirements.

2. It shall be unlawful to operate a group home for FHAA protected citizens without first having registered as required in this Subsection K. It shall be unlawful to operate a group home with an expired registration.

O. Supportive Housing

1. Application
Prior to the establishment of supportive housing, the owner/operator shall file an application with the Planning Department. An application shall be granted if the Planning Director finds the proposal complies with the following criteria:
   a. Any proposed new structure or structural changes to an existing structure shall be consistent in architectural design and style with the character of the surrounding neighborhoods;
   b. No administrative activities of any private or public organization or agency other than those incidental to operation of the specific group home shall be conducted on the premises of the supportive housing; and
   c. The Planning Director shall have the authority to impose reasonable conditions to the approval, which are found necessary to operate the supportive housing in a manner compatible with the neighborhood.

2. Changes to Supportive Housing
All changes to the application or conditions of approval shall be approved by the Planning Department.

3. Permitted and Nonconforming Uses
Only supportive housing as defined in this UDO shall be permitted. Existing facilities under the former definition of "group homes" that do not comply with the provisions of this Section 146-3.3.2.O shall be considered nonconforming uses and shall be subject to the limitations on nonconforming uses in Section 146-5.5 (Pre-existing Development and Nonconformities).

4. Domestic Violence Shelter
The Planning Director is authorized to permit the operation of a domestic violence shelter. An application for a domestic violence shelter shall include any information that the Director deems necessary to adequately review the proposed use. The permit shall be approved only if the Director determines that the use will not negatively affect abutting
properties and the surrounding neighborhood. No shelter shall be operated in a manner that constitutes a nuisance under common law. The records of the application and permit shall be confidential.

### 3.3.3. PUBLIC, INSTITUTIONAL, RELIGIOUS, AND CIVIC USES

**A. Adult or Child Day Care Center**

1. It shall be unlawful for any person to maintain any child or adult in such facility, other than the child or adult of the owner or manager living in the facility, for more than 16 hours in any 24-hour period. The operation of the facility shall not include overnight occupancy by the clients.

2. Adult and child day care may be operated within structures on church premises or publicly owned community centers, or any other non-residential or mixed-use structures that comply with this UDO, provided that such uses are lawfully permitted and operating in the underlying zone district, and provided that the structure has a minimum 25 foot setback from all interior side and rear property lines.

**B. School, Elementary and Secondary**

1. All high schools shall be located on a site with direct access to an arterial or collector street.

2. Any elementary or middle school located on a site adjacent to an arterial or collector street shall provide an automobile pick-up/drop-off area adequate to protect student safety with access from either a collector or local street, and shall provide a direct pedestrian connection to at least one local street adjacent to the site.

3. All schools shall provide bicycle parking in an amount equal to three percent of school enrollment.

### 3.3.4. AGRICULTURAL AND ANIMAL-RELATED USES

**A. Agriculture**

No business license or use permit is required for this use when conducted on unplatted land.

**B. Horse Stable or Riding Academy**

Horse stables shall meet the requirements of Section 14-131 of the Aurora City Code.

**C. Kennel**

1. Those parts of structures in which animals are boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated so no unreasonable noise or odor can be detected off the premises.

2. All boarded animals shall be kept within a totally enclosed part of a structure between the hours of 10:00 p.m. and 6:00 a.m.

3. In the MU-C, MU-A, and I-1 districts, outdoor runs shall be located at least 150 feet from adjoining properties, except where the adjoining property is owned or occupied by the operator of the kennel.

4. This use is not permitted within 300 feet of either the I-70 right-of-way or land zoned for residential land uses.
D. Urban Agriculture and Urban Agriculture, Accessory

1. When this is a primary use of land, the use is limited to the cultivation of plants and the erection of permitted accessory structures; unless authorized by another City ordinance.

2. When this is an accessory use of land:
   a. Keeping of chickens is permitted pursuant to Section 14-134 of the Aurora City Code;
   b. Keeping of bees is permitted pursuant to Section 14-15 of the Aurora City Code; and
   c. Limitations on accessory structures based on the size of the principal use or structure shall not apply.

3. Greenhouses, hoop houses, cold frames, storage sheds, and other accessory structures are limited to a maximum height of 12 feet and shall be set back at least 10 feet from any abutting lot with an occupied residential use.

4. The cumulative area covered by structures more than four feet above grade shall not exceed 25 percent of the site.

5. Operation of power equipment or generators shall not occur between the hours of 8:00 p.m. and 8:00 a.m.

3.3.5. COMMERCIAL AND INDUSTRIAL USES

A. After Hours Club or Entertainment

1. In Subarea A, this use is not permitted within 300 feet of a Residential zone district. In Subareas B and C, this use is not permitted within 500 feet of a Residential zone district. This standard does not require separation between this use and any residential use located within the same building or on the same lot.

2. Each facility shall be required to obtain City approval for an operations and security plan designed to prevent negative impacts on the surrounding areas, and to maintain the property and conduct its operations in compliance with the approved plan.

B. Bar and Tavern

This use requires a conditional use approval if located within 300 feet of a Residential zone district. This standard does not require separation between this use and any residential use located within the same building or on the same lot.

C. Bed and Breakfast

1. In the R-1, R-2, R-3, R-4 and MU-OA districts:
   a. This use is limited to single-family detached dwellings; and
   b. Food service shall only be provided to residents and overnight guests.

2. Each guest stay shall be limited to a maximum of 30 consecutive days.

3. No food preparation or cooking shall be conducted within any bedroom made available for guests.

4. The exterior design of any exterior modification of the structure or premises shall include an amount of façade articulation, and numbers and locations of windows and building entrances on the primary building façade that are similar to those in the surrounding area and neighborhood.

5. The applicant for a bed and breakfast facility shall certify that the use will not violate any real property covenants.
D. Brewery, Distillery, or Winery
In all Mixed-Use zone districts distillery production shall be no greater than 45,000 liters per calendar year.

E. Hotel
1. All corridors and stairwells shall be fully enclosed within the building envelope.
2. All air vents mounted on a building façade shall be integrated into the building design and shall be flush with the façade or inserted inconspicuously into a wall recess.

F. Restaurant
1. In all zone districts, any establishment on a lot that is located partially or entirely within 100 feet of an R-R, R-1, or R-2 zone district and that will remain open to the public after 12:00 midnight shall require a conditional use approval under Section 146-5.4.3.A.
2. In the MU-OA-R2 or MU-OA-RMU subdistricts, this use is only available in two circumstances:
   a. It must be located at the corner of two streets and comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval; or
   b. It must comply with the standards in Section 146-2.4.4.F.2 (Ground Floor Commercial Use), which does not require conditional use approval.
3. In the APZ zone district, this accessory use is limited to a capacity of 12 persons in the APZ I area and 16 persons in the APZ II area.

G. Art Studio or Workshop
1. Residences
   Each art studio or workshop residential unit shall be considered a separate and distinct residential unit for the purpose of calculating density. Art studios and workshops that incorporate the residential element shall be occupied and used only by an artist whose galleries and studios are located in the same building. In addition to the artist, the family of the artist may occupy the units.
2. Sales
   In the R-2, R-3, and R-4 districts, sales of artwork or goods created outside the art studio or workshop is not allowed. In all other zone districts sales from the premises shall be limited to art and art-related products.
3. Studio/Work Area
   The studio and/or work area of the art space shall be located in the front of the building with access to the public street and the sidewalk. Such access to the street shall be provided so that the studio or work area can be accessed without having to go through the residential area or any other use. The access shall include a front door to the street and sidewalk. Work shall be conducted so as to prevent dust, fumes, noise, or odors from the studio/work activities from being discernible beyond the property lines.
4. MU-OA-R2 and MU-OA-RMU Subdistricts
   In the MU-OA-R2 or MU-OA-RMU subdistricts, this use is only available in two circumstances:
   a. It must be located at the corner of two streets and comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval; or
3.3. Use-Specific Standards

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3.3.5. Commercial and Industrial Uses

b. It must comply with the standards in Section 146-2.4.4.F.2 (Ground Floor Commercial Use), which does not require conditional use approval.

H. Day Labor Hall

Day Labor Halls shall conform to the following requirements:

1. Indoor Waiting Area

   Day Labor Halls shall provide an indoor waiting area of adequate size and seating capacity to accommodate current and prospective clients and employees for extended periods of time. Prospective employees may not await work assignments in parking lots or other outdoor areas.

2. Restroom Facilities

   Restroom facilities shall be available to all employees and customers of the Day Labor Hall during all hours of operation. Restrooms shall be internally accessible from the business reception/waiting area. If the Day Labor Hall is in a multi-level office building, the restrooms shall be directly accessible from a public hallway on the same floor as the employment office.

3. Hours of Operation

   Day Labor Halls located directly adjacent to residentially zoned areas shall not operate between the hours of 8 p.m. and 6 a.m.

4. Minimum Distance between Uses

   The minimum distance between Day Labor Halls shall be 1,500 feet, as measured radially from the nearest points on the property lines of each facility.

5. Additional limitation in MU-OA-MS Subdistrict

   In the MU-OA-MS subdistrict, only Day Labor Halls existing on the Effective Date are permitted.

I. Office

1. In the R-4 district, only philanthropic and charity offices are allowed above the ground floor of a multifamily dwelling, and only with conditional use approval.

2. In the MU-OA-R2 subdistrict, this use must be located at the corner of two streets and must comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval.

3. In the MU-OA-RMU subdistricts, this use is only available in two circumstances:

   a. It must be located at the corner of two streets and comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval; or

   b. It must comply with the standards in Section 146-2.4.4.F.2 (Ground Floor Commercial Use), which does not require conditional use approval.

J. Indoor Recreation and Entertainment

1. In the R-R, R-1, R-2, R-3, R-4, and R-MH districts, indoor recreational facilities are permitted if they are located in private common space and use of the facility is limited to residents of the development and their guests.

2. In the MU-N and MU-R districts, clubhouses and indoor recreational facilities owned or operated by homeowners’ associations, apartment operators, or special assessment districts are permitted.
3.3. Use-Specific Standards

Article 146-3 Use Regulations

3.3.5. Commercial and Industrial Uses

3. In the MU-OI district:
   a. Permitted indoor recreation facilities include only those that are primarily used by the occupants of the building and that are compatible with adjacent uses.
   b. This use shall not exceed five percent of the gross floor area of the building or 500 square feet, whichever is greater. Anything greater than 500 square feet, but not to exceed 15 percent of the gross floor area of the building, requires conditional use approval.
   c. All indoor stadiums shall comply with Section 11-18.5 of the Aurora City Charter prohibiting direct or indirect subsidies to motor sports facilities.

K. Outdoor Recreation and Entertainment

1. In the R-R, R-1, R-2, R-3, R-4, and R-MH districts, outdoor recreational and entertainment facilities are permitted if they are located in private common space and use of the facility is limited to residents of the development and their guests.
2. This use is not permitted within 1,000 feet of a heavy manufacturing use.
3. All outdoor stadiums shall comply with Section 11-18.5 of the Aurora City Charter prohibiting direct or indirect subsidies to motor sports facilities.

L. Pari-Mutuel Wagering Facility

Pari-mutuel wagering facilities shall not be open or operate between the hours of 12:00 midnight and 6:00 a.m. if the facility abuts a Residential zone district.

M. Private Golf Course, Tennis Club, Country Club, or Clubhouse

1. In Residential zone districts, this use must be owned or operated by a homeowners’ association, apartment operator, or charitable organization.
2. If this use includes one or more accessory guest rooms or guest houses, such accommodations shall comply with the building code, or if the guest room or guest house is assembled off-site, shall comply with the building construction standards of the federal Mobile Home Construction and Safety Standards Act of 1974 and Articles I, III, and IV of Chapter 90 of the Aurora City Code.

N. Racetrack

All racetracks shall comply with Section 11-18.5 of the Aurora City Charter prohibiting direct or indirect subsidies to motor sports facilities.

O. Recreational Vehicle Park

Any Recreational Vehicle Park shall be subject to the following standards:
1. The Recreational Vehicle Park shall be a minimum of five acres in size, and a maximum of 40 acres.
2. Recreational vehicles shall not be visible from adjacent or surrounding arterial streets or highways. Screening shall comply with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).
3. Recreational Vehicle Park entrances shall be directly from an arterial street, and routes to the park shall not pass through residential neighborhoods.
   a. The Recreational Vehicle Park shall be landscaped in accordance with the standards and provisions of Section 136-4.7 (Landscape, Water Conservation, Stormwater Management, except that perimeter buffer widths of a Recreational Vehicle Park shall be a minimum of 25 feet wide.
b. A minimum of 25 percent of the Recreational Vehicle Park shall be outdoor common area. This may include natural areas, landscaped perimeter buffers, landscape areas between camping areas, trails and walks, the landscaped portions of RV sites, active recreation areas for Recreational Vehicle Park patrons, and any other landscaped portions of the site. Outdoor common areas shall not include the vehicular area of recreational vehicle sites, parking, roadways, buildings, or other similar improvements.

4. Vehicular areas of each recreational vehicle site shall be a minimum of 14 feet by 65 feet.

5. Any slide-outs, stairs, or similar items shall be contained within the vehicular area of the site.

6. No more than one recreational vehicle shall be permitted at any individual site. Vehicles that tow or are towed by the recreational vehicle shall also be parked in the same portion of the site as the recreational vehicle.

7. Recreational vehicle parks shall have a full-time manager on site at all times.

8. Services and amenities within the Recreational Vehicle Park shall be restricted to use by registered campers and their guests, and shall include at a minimum water, sewer, and electricity for each site, water and sewer facilities for common buildings, dump stations, common bathrooms and showers in the camping area, laundry facilities, a management office, and an active recreational area.

9. An active recreation area shall be a minimum of four percent of the site, and may include a clubhouse, indoor swimming pool, outdoor amphitheater, food and beverage service, catering facilities, and other such similar amenities.

10. Sale of retail items shall be limited to registered campers and their guests, and shall not occupy more than 2,000 square feet of building area.

11. No blocking or skirting of recreational vehicles shall be permitted.

12. No outdoor storage by park guests shall be permitted.

13. The site shall be properly graded for drainage; surfaced with concrete, asphalt or any other improved surface approved by the Planning Director based on durability, appearance, and dust control.

14. The site shall be maintained in good condition, free of weeds, trash, and debris.

P. Pawnbroker

Pawnbrokers shall not be located within two miles of another pawnbroker business location. If a pawnbroker use is abandoned, discontinued, or ceases operation for more than one year, it shall not be reestablished at that location if it is within a two-mile radius of the location of any other pawnbroker business.

Q. Personal Service

1. In the MU-OA-R2 subdistrict, only personal services, small, are permitted, and the use must be located at the corner of two streets and must comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval.

2. In the MU-OA-RMU subdistrict, this use is only available in two circumstances:
   a. It must be located at the corner of two streets and comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval; or
   b. It must comply with the standards in Section 146-2.4.4.F.2 (Ground Floor Commercial Use), which does not require conditional use approval.
3.3. Use-Specific Standards

Article 146-3 Use Regulations

3.3.5. Commercial and Industrial Uses

R. Retail Liquor Store

1. In Subarea A, a retail liquor store shall not be established within 200 feet of a Residential zone district unless a conditional use approval has been obtained. In Subareas B and C, a retail liquor store shall not be established within 400 feet of a Residential zone district unless a conditional use approval has been obtained.

2. No retail liquor store or liquor licensed drugstore, not existing or operating on February 1, 2004, shall be established, operated, or maintained within 2,000 feet of another liquor store as measured in a straight line from the nearest portion of the exterior of the existing business to the nearest portion of the exterior of the proposed business. Retail liquor stores and liquor licensed drugstores that existed or operated prior to the amendment of this Section are exempt from this Section as to those existing locations. Such preexisting uses are specifically considered existing businesses and not subject to the limitations of a nonconforming use or building as defined by Section 146-105 of this UDO. Existing licensed retail liquor stores or liquor licensed drugstores may change location only if the new location meets the dispersal requirement contained in this Section.

S. Marijuana Establishments

The following standards shall apply to marijuana establishments:

1. Prohibited Uses
   The following uses are not permitted within the city of Aurora:
   a. Marijuana membership club;
   b. Vapor lounge;
   c. Off-premises marijuana storage facility; and
   d. Outdoor cultivation, preparation, and packaging of marijuana.

2. Location Restrictions
   Where this Section 146-3.3.5.S imposes distance restrictions, and an existing lot or parcel does not conform to the distance requirements, the City shall not permit the lot or parcel to be subdivided for the purpose of creating a new lot or parcel that complies with the distance requirements, unless all lots and parcels resulting from the subdivision will be lots or parcels capable of accommodating development that complies with all applicable requirements of this UDO for the zone district in which the property is located.

3. Retail Marijuana Store
   a. Distance from Schools
      No retail marijuana store shall be licensed if located within 1,000 feet of a pre-K-12 public or private elementary, vocational, or secondary school. This distance shall be measured in a straight line from the nearest property boundary of the school property to the address point of the retail marijuana store.

   b. Distance from Hospitals and Substance Abuse Treatment Center
      No retail marijuana store shall be licensed if located within 500 feet of a hospital or substance abuse treatment center. This distance shall be measured from the nearest property boundary of the hospital or treatment center property to the address point of the retail marijuana store. For purposes of this Subsection, the terms "hospital" and "substance abuse treatment center" shall have the same meaning as set forth in Section 6-302 of the Aurora City Code.
3.3. Use-Specific Standards

**Article 146-3 Use Regulations**

3.3.5. Commercial and Industrial Uses

c. **Hours of Operation**
   It shall be unlawful for any retail marijuana store licensed pursuant to this UDO to remain open to the public at any time other than between the hours of 8:00 a.m. and 10:00 p.m. daily.

4. **Marijuana Cultivation Facility, Product Manufacturing Facility, Research Business, Testing Facility, or Marijuana Transporter Licensed Premises**
   a. No marijuana cultivation, product manufacturing facility, research business, testing facility, or marijuana transporter licensed premises, shall be permitted within 300 feet of an existing conforming residential use or any Residential or POS zone district, or any government-owned public park, recreation area, or open space. This distance shall be measured from the nearest property boundary of such use or district to the nearest property boundary of such facility.
   
   b. Additional restrictions on location of this use may be applied through permitting and licensing of this use.

5. **Marijuana Greenhouse Cultivation Facilities**
   Greenhouses used for the cultivation of marijuana shall comply with the following standards in addition to the standards in Section 146-4.8 (Building Design Standards).
   
   a. **Building Design**
      
      i. **Four-sided Design**
         
         a. All building facades facing or visible from a public or private street shall be finished with the same mix of materials and colors and the same degree of fenestration and articulation used on the primary entry(s).
         
         b. Such facades shall have a combination of windows, entries, awnings, masonry columns, wainscot, or other such features along no less than 50 percent of the horizontal length.
      
      ii. **Building Form**
         
         a. Wall plane projections, recesses, or off-sets with a depth of at least three inches are required. Panels shall be embossed with reveals that repeat a common pattern.
         
         b. All elevations visible from a public or private street or adjacent to a residential use or Residentially zoned lot shall include at least one three-foot change in building façade setback or parapet height along each 60 lineal feet of the façade.
         
         c. When through-wall units or vents appear on exterior building walls, the units or vents must be covered by an architectural grille and be designed to minimize this visual contrast with surrounding wall surfaces. When the units are adjacent to building windows, they shall be designed to appear as part of the window pattern by matching window dimensions, colors, or trim. When visible from the public right-or-way, the units shall not overhang surrounding wall planes and shall be set flush with the facade or be placed inconspicuously in facade recesses.
      
   b. **Building Materials**
      
      i. **Metal Buildings**
         
         High quality, interlocking architectural metal panels of various textures, providing contrasting depth and visual interest are permitted as a primary exterior surface material.
ii. **Roof Materials**
   All translucent roof areas visible from any public or private right-of-way shall have the ability to shade light from the roof so that glare from inside the building does not create adverse impacts on an abutting property.

c. **Lighting**
   i. **Proximity to Airport**
      When a greenhouse is within two miles of an airport a referral will be sent to the airport for their review, and additional lighting controls recommended by the airport may be required.
   
   ii. **Indoor**
      Indoor greenhouse lighting shall minimize the potential for glare and unnecessary diffusion on adjacent properties or sky. The use of black out curtains or similar devices may be required.

d. **Screening**
   i. **Vents**
      All vents greater than eight inches in diameter shall be integrated into the building design and shall be flush with the façade or inserted inconspicuously into a wall recess.
   
   ii. **Screen Height**
      Screens shall be at least as high as the equipment they hide. If equipment is visible because a screen does not meet this minimum height requirement, the Planning Director may require construction modifications prior to issuance of a permanent certificate of occupancy.
   
   iii. **Exposed HVAC Units and Grilles**
      a. Through-wall units or vents located on exterior building walls shall be covered by an architectural grille and designed to blend in with surrounding wall surfaces.
      b. Through-wall units or vents located adjacent to building windows shall be designed to appear as part of the building’s window pattern by matching window dimensions, colors, or trim.
      c. Through-wall units or vents visible from the public right-of-way shall not overhang surrounding wall planes and shall be set flush with the facade or be placed inconspicuously in facade recesses.
   
   iv. **Service Areas and Loading Docks**
      a. Screen height shall be of sufficient height to hide the equipment, vehicles, materials, or trash being screened from public view, but in no case shall exceed a height of 10 feet.
      b. Chain link fences, with or without slats, shall not be used to satisfy this screening requirement.


e. **Best Management Practices**
   Best management practices are mitigation measures applied to marijuana cultivation facilities to promote the cultivation of marijuana in an environmentally sensitive manner. Licensed marijuana cultivation facilities are required to employ best management practices to ensure mitigation of land use impacts from such facilities on the surrounding area, including, but not limited to, the installation of air scrubbing and filtration systems.
T. Retail Sales

1. In all zone districts, any establishment on a lot that is located partially or entirely within 100 feet of an R-R, R-1, or R-2 zone district and that will remain open to the public after 12:00 midnight shall require a conditional use approval under Section 146-5.4.3.A.

2. After the Effective Date, in all zone districts, a Retail Sales use that holds a license from the State of Colorado permitting the sale of fermented malt beverages shall not be located within 500 feet to any Retail Liquor Store, and shall comply with all other Colorado statutes and regulations regarding the location of such use. The distance shall be determined by a radius measurement that begins at the principal doorway of the premises for which the application is made and ends at the principal doorway of the other licensed retail premises.

3. In the MU-C districts, this use requires conditional use approval if abutting a Residential zone district or use and operates between the hours of 12:00 midnight and 6:00 a.m.

4. In the MU-OI district, only retail sales that are primarily used by the occupants of the building are permitted.

5. In the MU-OA-R2 subdistrict, only retail sales, small, are permitted, and the use must be located at the corner of two streets and must comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval.

6. In the MU-OA-RMU subdistrict, this use is only available in two circumstances:
   a. It must be located at the corner of two streets and comply with the standards in Section 146-2.4.4.F.1 (Corner Commercial Use), which requires conditional use approval; or
   b. It must comply with the standards in Section 146-2.4.4.F.2 (Ground Floor Commercial Use), which does not require conditional use approval.

7. In the MU-TOD district:
   a. Any structure or use with more than 60,000 square feet of gross floor area on the ground floor requires conditional use approval.
   b. A grocery store with a maximum gross floor area of 80,000 square feet shall be a permitted use if shown in the Station Area Plan.

8. Retail facilities that include more than 500,000 square feet of gross floor area, and that contain more than 25 retail sales businesses, in which the primary entry to the majority of retail sales businesses is through an enclosed interior hallway(s), are permitted only in the MU-R zone district.

U. Sexually-Oriented Business

This use shall comply with Chapter 86-556 of the Aurora City Code (Location of Sexually-Oriented Businesses).

V. Above Ground Bulk Storage of Flammable Liquids or Gasses

1. This use is not permitted as accessory to a residential use.

2. When used as an accessory use to a non-residential use, such storage of liquids or gasses shall be directly connected to the energy or heating devices on the premises.

W. Bulk Commodity Storage Facility

1. No more than 2,000 gallons of highly flammable or explosive liquids, solids, or gasses shall be stored above ground.
3.3. Use-Specific Standards

Article 146-3 Use Regulations

3.3.5. Commercial and Industrial Uses

2. This use is not permitted within one-half mile of I-70 right-of-way or within one-half mile of any residential use.

X. Outdoor Storage

1. The site shall be properly graded for drainage; surfaced with concrete, asphalt or any other improved surface approved by the Planning Director based on durability, appearance, and dust control.
2. The site shall be maintained in good condition, free of weeds, trash, and debris.
3. The site shall provide barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies.
4. The site shall provide entrances and exits located to minimize traffic congestion.
5. The site shall provide barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated there from a street.
6. The site shall be appropriately screened from view from adjacent streets and non-industrial properties by an opaque screen to a height of nine feet with landscaping that complies with Section 146-4.7.8 (Screening of Service Areas and Equipment) including but not limited to 146-4.7.5.F (Required Landscape Buffer Widths and Allowed Reductions)
7. Lighting facilities shall be arranged so that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic.
8. The view of loading areas shall be minimized where visible, especially from the front line of the lot and from interstate highways, expressways, and park and open space areas.
9. This use is not permitted within one-half mile of I-70 right-of-way.
10. No highly flammable or explosive liquids, solids, or gasses shall be stored in bulk above ground. Tanks, drums, or fuel directly associated with business operation is excluded provided they meet all life safety standards.

Y. Self-Storage Facility

1. An accessory caretaker’s residence or office may be included in the self-storage facility, provided the residence or office shall:
   a. Be located along the street frontage;
   b. Incorporate a gable, hip or shed roof forms; and
   c. Include a prominent entry to add to visual interest from the street.
2. Only storage of goods and materials are allowed in self-storage rental spaces. The use of storage spaces as a location to conduct a business is prohibited.
3. The storage of hazardous materials is prohibited. Storage of feed, fertilizer, grain, soil conditioners, pesticides, chemicals, explosives and other hazardous materials, asphalt, brick, cement, gravel, rock, sand and similar construction materials, inoperable vehicles, or bulk storage of fuels shall be prohibited.
4. The use of power tools, paint sprayers, or the servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances, and other similar equipment on the premises is prohibited.
5. Where the site is adjacent to residentially-zoned land, loading docks are prohibited on the side of the facility facing the residentially zoned land.
6. A permanent screen shall be required and shall conform to landscaping and screening requirements in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

7. Public access shall only be permitted between 6:00 a.m. and 10:00 p.m.

8. If the facility is located in an MU-C or MU-R district all storage shall be contained within a fully enclosed structure that:
   a. Is at least a two-story structure with storage units on upper floors with access doors to storage units accessed from interior hallways.
   b. Does not have any garage doors or access doors to any storage unit facing any public street, park, or open space, unless the doors are screened from all visible public streets, parks, and open spaces.

9. In the APZ district all buildings and structures shall comply with the development standards of the APZ zone district, Federal Aviation Administration standards, and all other applicable federal regulations.

Z. Storage, Distribution, and Warehousing

Storage, distribution, or warehouse facilities shall comply with the following standards:

1. The use shall be located at least 500 feet from any Residential district, school, or child care center.

2. The use shall not locate storage areas, truck loading bays, or vehicle circulation routes within a required setback or perimeter buffer.

3. The use shall locate outdoor storage areas to the rear of the principal structure and screen them in accordance with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

4. The use shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements.

5. The use shall have direct access onto a street.

6. For a primary structure containing this primary use, the maximum permitted building height is 100 feet, notwithstanding the maximum height otherwise applicable in the zone district.

AA. Equipment Rental and Repair

1. In the MU-C, MU-OA, and MU-R districts, this use is limited to the repair of household and small business equipment and may have a maximum of 7,500 square feet of gross floor area on the ground floor, and outdoor storage is prohibited.

2. In the I-2 district, rental, repair, and servicing operations shall not occur adjacent to a Residential zone district. Any outdoor operations or storage areas shall be fully screened from view from adjacent properties in accordance with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

BB. Heavy Manufacturing

1. Manufacturing of animal products, basic chemical manufacturing, petroleum, and coal products manufacturing, and paper and paperboard mills are not permitted within one-half mile of I-70 right-of-way or within one-half mile of any land zoned for residential land uses.
2. For a primary structure containing this primary use, the maximum permitted building height is 100 feet, notwithstanding the maximum height otherwise applicable in the zone district.

CC. Light Manufacturing

1. For a primary structure containing this primary use, the maximum permitted building height is 100 feet, notwithstanding the maximum height otherwise applicable in the zone district.

DD. Oil and Gas Facility

1. Purpose
   The City Council declares that the purpose of this Section is to facilitate the development of oil and gas resources within the city limits and to mitigate potential land use conflicts between oil and gas development and existing and planned land uses. Nothing in this Section shall be construed as giving the City the authority to enforce state regulations. If it is established by competent evidence that a proposed oil and gas facility fails to meet the regulations in this Section, the permit for such facility may be denied.

2. Permitted and Conditional Uses
   a. Permitted Use
      A well site or oil and gas facility is a permitted use in any base zone district and any overlay district unless prohibited by state law, provided the exterior boundary of such site or facility is more than 1,000 feet from a platted residential lot, a platted lot line containing either a building unit or a high occupancy building unit, or a POS zone district, and the use complies with the requirements of this Section. Required separation distances shall be measured as stated in applicable state regulations.

   b. Conditional Use
      A well site or oil and gas facility is a conditional use in any zone district, subject to the requirements in Section 146-5.4.3.A (Conditional Use) where the exterior boundary of such well site or oil and gas facility is to be located 1,000 feet or less from a platted residential lot, a platted lot line containing either a building unit or a high occupancy building unit, or a POS zone district. Required separation distances shall be measured as stated in applicable state regulations.

   a. Continuance of Existing Wells
      Well sites and production sites that exist on the Effective Date of the regulations codified in this Section 146-3.3.5.DD, or that are later annexed to the city, may continue operating without the issuance of an oil and gas permit, unless the area of the production site is expanded or new wells are drilled on the site. The construction or reconstruction does not require that accessory equipment in a production site or a well site conform to the development standards in this Section. The right to operate a well site or production site terminates if the use is discontinued for six months or more, other than by temporary abandonment or shut-in that is in conformance with COGCC regulations.

   b. Existing Accessory Equipment and Pumping Systems
      Accessory equipment and pumping systems that exist on the Effective Date of the regulations codified in this Section 146-3.3.5.DD or that are located within territory that is later annexed to the city may continue operating without the issuance of an oil and gas permit. Any renovation or repair of nonconforming accessory equipment or pumping systems shall be permitted without an oil and gas permit, provided the work...
Article 146-3 Use Regulations

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3.3.5.1. Oil and Gas Uses

does not increase the extent of nonconformity. Any replacement of existing accessory equipment or any addition of accessory equipment shall conform to this Section. The replacement or addition of individual tanks, treaters, or separators does not necessitate that the remaining accessory equipment, access roads, or a well site, conform to the development standards in this Section.

c. Application of Section

This Section shall apply to the permitting, construction, erection, maintenance, alteration, repair, and location of wells, accessory equipment, or structures within the city.

d. Conflicts with Other Provisions

Nothing in this Section 146-3.3.5.DD shall be construed to limit other applicable City ordinances that are not in conflict with this Section. If a conflict occurs between this Section and other regulations, this Section shall govern.

e. Permit Required

Subject to Subsections (3)(a) and (3)(b) above, it is unlawful for any person to drill a well or reactivate a plugged or abandoned well, operate a production site, or perform initial installation of accessory equipment or pumping systems unless an oil and gas permit has first been granted in accordance with the procedures in this Section. The initial permit shall allow twinning of a well and relocation of accessory equipment or gathering and transmission lines provided the activities comply with the development standards of this Section. If the twinning of a well or relocation of accessory equipment or gathering and transmission lines occurs, the operator shall file a revised plan with the Planning Director within 30 days. The revised plan shall show any changes from the approved oil and gas permit and demonstrate how the changes comply with the development standards of this Section. When an oil and gas permit has been granted for a well, reentry of the well for purposes of sidetracking, deepening, recompleting, or reworking does not require an oil and gas permit amendment. It is unlawful for any person to fail to perform all conditions required by an oil and gas permit.

f. Granting of Permit for Unplatted Property

An oil and gas permit for a well site or production site may be granted on unplatted property.

g. Designation of Agent

Every operator of any well subject to this Section shall designate an agent residing within the state to receive legal process, orders, and notices. Notice of a change in agent must be submitted by certified mail to the Planning Director within 10 calendar days of the change.

h. Oil and Gas Permit Submittal Requirements

An application for an oil and gas permit pursuant to this Section shall be filed with the Planning Department and must include all information required by the Planning Department, including:

i. Site plan (proposed layout, access, landscape plan, fence, tanks, containment, colors, lighting plan, and haul routes, as well as existing easements, rights-of-way, and a depiction of all visible improvements within 500 feet of the well). Landscape and fence plans are required when a well pad is within 1500 feet of a platted residential lot or a platted lot line containing, a building unit or high occupancy building unit (as those two terms are defined in state law), or a City-owned park, reservoir, or golf course.

ii. Context map (distance to nearest structures, how site fits in relation to adopted Master Plan).
3.3. Use-Specific Standards

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3.3.5. Commercial and Industrial Uses

iii. Traffic impact study or memorandum, road haul routes, proposed mitigation.
iv. Water quality control plan (drainage).
v. Operations plan.
   a. Source of water supply (City Council approval is necessary if water is supplied by the City).
   b. Emergency response plan (including contact information with fire department).
   c. Mitigation plan (hours of operation, lighting, noise, dust, weed control, fluid disposal, and reclamation).
   d. Road maintenance agreement.
vii. Completed application form, ownership (surface, mineral) authorization, and demonstration of interest in property.

4. Development Standards

a. Setbacks
   Operators shall comply with all applicable COGCC regulations regarding setbacks.

b. Production Site Containment
   Operators shall comply with all applicable COGCC regulations regarding production site containment.

c. Visual Impacts and Aesthetics
   The following visual mitigation requirements shall apply to oil and gas well sites and production sites:

   i. To the maximum extent practicable, an existing or proposed well site and a production site shall be located away from prominent natural features such as distinctive rock and land forms, vegetative patterns, river crossings, land in the POS zone district, and other designated landmarks.
   ii. To the maximum extent practicable, a well site and a production site shall be located to avoid hilltops and ridges to prevent the appearance of pump jack and accessory equipment profiles on the horizon.
   iii. Electric pumping systems shall be required in areas where feasible.
   iv. No tanks located in a production site shall exceed 20 feet in height.
   v. To the maximum extent practicable, the applicant shall locate facilities at the base of slopes to provide a background of topography and natural cover.
   vi. To the maximum extent practicable, the applicant shall align access roads to follow existing grades and minimize cuts and fills.
   vii. All facilities shall be painted in uniform, non-contrasting, and non-reflective color tone similar to the Munsell Soil Color Coding System. The colors shall be matched to land and not to sky and shall be slightly darker than the adjacent landscape, to the maximum extent practicable. Exposed concrete shall be colored to match the soil color to the maximum extent practicable.
   viii. Electrical lines servicing pumping and accessory equipment shall be installed below ground only.
   ix. After commencement of production operations, all excavation slopes, both cut and fill, shall be planted and maintained with grasses, plants, or shrubs for the purposes of adequate erosion control.
   x. Upon abandonment, the site operations shall be cleaned, holes filled, equipment removed, and the land graded to return the site to its original condition as soon as weather and pit conditions will permit, consistent with applicable COGCC regulations. All such reclamation shall be completed within six months, unless an extension is granted by the COGCC.
d. **Best Management Practices (BMP)**

BMPs are mitigation measures applied to areas being developed for oil and gas to promote energy development in an environmentally sensitive manner. Operators shall employ BMPs to the maximum extent practicable. As a condition of approval, BMPs may be required for conditional uses to ensure mitigation of land use impacts from a proposed well or production site on the surrounding area. BMPs may only be required where a finding is made based upon evidence at a public hearing that such requirement would not constitute an operational conflict with COGCC regulations. An operational conflict exists where imposition of the BMP would conflict with the application of state statutes and rules, or would materially impede or destroy the state interest as provided in the Act. BMPs include but are not limited to:

i. Closed loop systems instead of open pits.
ii. Recycling of flow back water on site.
iii. Vapor recovery systems instead of flaring of gases.
iv. Baseline water quality monitoring.

5. **Access Roads**

   a. **Private Roads**

All private roads used to access an oil and gas production site shall be improved prior to the start of production activity and maintained according to the standards in this Subsection, which shall control in a conflict. Access roads to the production site shall be subject to review by the City Engineer in accordance with the City standards and specifications, and the following minimum standards:

i. A graded roadway conforming to the Aurora Roadway Design and Construction Specifications Manual, including provisions for positive drainage flow from the roadway surface. In addition, cross-drainage of waterways shall be provided (in the form of roadside swales, gulches, rivers, and creeks) as prescribed by an approved drainage report and drainage plan.

ii. Maintained to provide a roadway passable for emergency vehicles and without irregular surfaces, deteriorated features, or obstacles that would delay the passage of emergency vehicles.

   b. **Access from Public Right-of-Way**

All proposed access roads to production sites that gain access off of a paved public right-of-way shall be improved as required in this Section. In addition, the point of intersection with the public right-of-way shall be improved to the following minimum standards:

i. An access width of 23 feet with paved 29 foot radii at each side of the access road at the point of intersection with the public right-of-way capable of sustaining an imposed weight limit of 185,000 pounds; and

ii. A minimum of six inches of asphalt pavement over the initial 100-foot portion of the proposed access road, beginning at the edge of the existing pavement of a paved public right-of-way.

iii. Any gating system crossing the primary access drive into the site must provide a minimum 23 foot opening width. A Knox lock or other approved Knox Hardware must be integrated into the gating system to allow for emergency access.

   c. **Truck Traffic Hours, Routes**

The hours and routes of truck traffic on public roads providing access to the well or production site shall be such that the trip capacity levels and road conditions are not impaired or damaged. Approval of a permit under this Section may be conditioned upon the designation of access routes and hours of hauling.
d. **Traffic Impacts, Performance Bond**
   The permittee shall be responsible for any damage to public roads caused by truck traffic accessing well sites. The permittee shall mitigate and repair damage to city roadways, culverts, and bridges that results from oil and gas facility construction and the traffic generation due to operation of the oil and gas facility. The applicant shall consult with the Director of Public Works, to determine such impacts, and may be required to enter into a road maintenance agreement, and post a performance bond or other security to fund the repair of public infrastructure as a condition on the issuance of the permit.

6. **Additional Performance Standards**
   All oil and gas well structures and equipment shall be maintained so that they do not become a hazard or injurious to public health and safety. In addition, the following performance standards shall apply:
   
a. **Flood Hazard**
      Unless otherwise stated in this Section, all wells and accessory equipment shall comply with all applicable provisions of Section 146-2.6.1 (-FPO overlay district) pertaining to flood hazard regulations.
   
b. **On-site Transport**
      All oil or gas shall be transported from the well to the on-site treatment facilities and production pits by buried pipeline.
   
c. **Air Emissions**
      Air contaminant emission sources shall comply with the permit and control provisions of the state air quality control program (C.R.S. §§ 25-7-101 *et. seq.*.) and the rules and regulations promulgated by the State Air Quality Control Commission. The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere.
   
d. **Noise**
      Operators shall comply with all applicable COGCC regulations regarding noise.
   
e. **Wildlife Impact Mitigation; Natural Area Zones**
      When a well or production site is located in a significant wildlife habitat, as defined by the Colorado Parks and Wildlife, or in a natural area or open space, as designated in the Comprehensive Plan or other applicable planning document, the applicant shall indicate as such and the applicant shall consult with the State Division of Wildlife or the City Parks, Recreation, and Open Space Department to obtain recommendations for appropriate site-specific and cumulative impact mitigation procedures. The operator or owner shall implement the procedures recommended by the City after consultation with the State Division of Wildlife. The applicant shall not engage in activities that threaten endangered species, natural areas, or designated open spaces or parks.
   
f. **Signs**
      Each well and production site shall post a legible sign in a conspicuous place, which is three to six square feet in area. The sign shall bear the current name of the operator, a current telephone number including area code, where the operator may be reached at all times, name or number of the lease, and number of the well printed thereon. The sign shall warn of safety hazards to the public and shall be maintained on the premises from the time materials are delivered for drilling purposes until the well site and production site is abandoned.
3.3. Use-Specific Standards

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g. Fencing
Notwithstanding any provision of Section 146-4.7.9 (Fence and Wall Regulations) to the contrary, fencing shall be provided as follows:

i. Within all Residential zone districts, all pumping systems and accessory equipment used in the operation of a well shall be screened on all sides by a non-flammable privacy fence.

ii. If any part of a well pad is within 1,500 feet of a platted residential lot, a platted lot line containing either a building unit or a high occupancy building unit, or a government-owned park, reservoir, or golf course, fencing shall be required. The fence shall be non-flammable, and shall be designed to screen the production equipment and provide security for the well site. The maximum height of the fence is nine feet. The specific material used for the fence shall be based on compatibility with adjacent development and visibility from surrounding residential development.

iii. Access through the fence shall be provided by a solid gate that preserves the integrity of the screening. The access gate shall be securely locked to prevent access by unauthorized persons.

h. Landscaping
All facilities shall comply with those landscaping, buffering, and screening requirements in Section 146-4.7.5.N (Oil and Gas Well Sites and Facilities).

i. Lighting
Lighting shall be downcast, and shall not shine beyond the boundaries of the drilling operation or oil and gas facility.

j. Ponds and Modular Large Volume Tanks
The use of uncovered ponds and modular large volume tanks for storage of liquids associated with the drilling or stimulation of wells is permitted on a temporary basis. All ponds and modular large volume tanks must be removed once the drilling phase and the completion phase of the well is finished.

k. Compatibility with Approved Master Plans
The location and operations of the oil and gas facility shall be compatible with the approved Master Plan for the subject property.

7. Notice to Purchasers

a. A seller of real property upon which an oil or gas well or facility has been located shall provide written notice of the existence of such well to a purchaser of such real property prior to the closing of the sale. The seller shall cause the following notice to be recorded with the clerk and recorder of the appropriate county:

   **Notice: The property known as [legal description and address] contains an oil and/or gas well.**

   This requirement to provide notice to prospective purchasers and record such notice shall only apply to the transaction between the developer or builder and the initial purchaser and does not apply upon any subsequent sale of the property.

b. Vendors of residually zoned real property within a state-determined setback shall provide the following notice to prospective purchasers in 14-point bold type on a single sheet of paper that is signed by the prospective purchaser prior to entering into a contract for purchase:

   **Notice of nearby oil and gas facility.**
   This property is located within a state-determined setback from an oil and gas facility.
Vendors of residentially zoned real property within a state-determined setback from an oil and gas facility shall cause the following notice to be recorded with the clerk and recorder of the appropriate county:

**Notice**

The property known as [legal description and address] is located within a state-determined setback from an oil and gas facility.

This requirement to provide notice to prospective purchasers and record such notice shall only apply to the transaction between the developer or builder and the initial purchaser and does not apply upon any subsequent sale of the property.

**EE. Specialty Food Production**

1. In the MU-N district, this use shall not exceed 5,000 square feet of gross floor area.
2. In other Mixed-Use zone districts where this use may occur pursuant to Table 3.2-1, and in the AD zone district, it shall not exceed 10,000 square feet of gross floor area.
3. In the I-1 and I-2 zone districts, this use does not have maximum size limit.

**FF. Railroad Track**

Lead tracks or spur lines that are adjacent to a less intense zone district, or that terminate at an expressway, arterial, or interstate highway, shall be set back a minimum of 50 feet from the less intense district or highway. Visible portions of track shall be screened from view, by a combination of landscaping, decorative wall, or opaque fencing.

**GG. Transit Facility**

1. **Facility Requirements**
   
   All commercial transit facilities shall have a designated passenger waiting room not less than 200 square feet in floor area. There shall be one seat for each 25 square feet of floor area of the waiting room. Restroom facilities shall be available to all employees and customers of the commercial transit facility during all hours of operation. Restrooms shall be internally accessible from the business reception/waiting room area. If the commercial transit facility is in a multi-level office building, the restrooms shall be directly accessible from a public hallway on the same floor as the commercial transit facility.

2. **Access**
   
   The facility shall provide direct pedestrian and bicycle access to those adjacent properties necessary to allow potential transit passengers to access the facility conveniently, as determined by the Planning Director.

3. **Loading**
   
   It shall be unlawful to load or unload passengers or cargo in the public right-of-way.

4. **Prohibitions on Outdoor Merchandise Sales**
   
   Notwithstanding any provision to the contrary, the outdoor sale of merchandise is prohibited.

5. **Additional Limitations in MU-OA District**
   
   In the MU-OA zone district, this use is limited to public, rather than commercial, transit facilities

**HH. Electric Power Generator Station**

1. The site shall be screened from view from adjacent streets and non-industrial properties by a combination of an opaque fence, berm, or decorative wall, with dense landscaping.
that completely conceals the view of the electric power generator station from adjacent non-industrial properties. Height, landscaping, and materials of walls and fences shall comply with the standards in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

II. Solar Collector as a Primary Use
Principal solar collectors shall conform to all height, setback, and landscaping requirements within their respective zone district. The following additional standards apply to all solar collectors:

1. All solar collector systems shall be in compliance with all currently adopted Aurora Building Codes.

2. Solar collector systems that use concentrator technologies and have not incorporated anti-glare measures into the system or installation shall be placed in areas so that the concentrated solar glare shall not be directed onto inhabited adjacent properties or roadways.

3. The design of the solar collector system shall use materials, colors, textures, screening and landscaping similar to their background or the existing natural environment. This shall be done to the most reasonable extent possible without prohibiting the installation.

JJ. Telecom Facilities

1. Applicability
   a. The following standards address Telecom Facilities that are not located in the public right-of-way. Telecom Facilities in the public right-of-way require a license agreement and are governed by Chapter 30 of the Aurora City Code.
   
   b. Nothing in this Section 146-3.3.5.JJ shall be interpreted as applicable to small cell or Wireless Communications Facilities as those terms are defined in, or as those types of installations, which are governed by, the City’s Wireless Communications Facilities Standard Operating Procedures.

2. Purpose
   The purpose of this Section is to minimize negative visual impacts by encouraging building-mounted, stealth, and co-located Telecom Facilities. Consistent development review practices are promoted through the application of explicit design and location criteria. Facilities that require administrative approvals are preferred. Facilities that require conditional use approvals shall be limited to the maximum extent practicable.

3. Site Selection Criteria
   An application for this use shall address each of the following site selection elements:
   
   a. Potential for screening by existing vegetation, structures, and topographic features.
   
   b. Compatibility with adjacent land uses.
   
   c. Opportunities to mitigate visual impacts.
   
   d. Availability of suitable existing structures for antenna mounting. An applicant for a new freestanding Telecom Facility shall demonstrate that a good faith effort has been made to locate its Telecom Facility on existing Towers or buildings including, but not limited to, existing freestanding Telecom Facilities. Evidence of good faith must include copies of correspondence with owners or operators of existing freestanding Telecom Facilities. The applicant shall demonstrate that due to physical constraints, or economic or technological infeasibility, no such location or co-location is available. The applicant shall demonstrate that contact has been made with the owners of all
suitable structures within the search area of the proposed site and was denied permission to locate its Telecom Facility on those structures.

e. Search area description.

4. Preferred Telecom Facility Type

The City’s preferred types of Telecom Facilities are listed below in order of preference, the City’s highest preference listed first. The applicant shall choose the type of facility highest in preference that provides the type of service required, to the maximum extent practicable, and shall demonstrate during the application process why types of Telecom Facilities listed as higher preferences in the list below were not selected.

5. Design Criteria

All Telecom Facilities shall comply with the following criteria:

a. Telecom Facilities shall be designed to be compatible with surrounding buildings and existing or planned uses in the area. This may be accomplished by using compatible architectural elements in the design, such as color, texture, scale, and character.

b. Telecom Facilities shall preserve or enhance the existing character of the topography and vegetation, and existing compatible vegetation shall be preserved or improved, to the maximum extent practicable.

c. Roof and building-mounted antennae shall be screened and/or colored to match the building to which they are attached.

d. A variety of techniques shall be used to screen Telecom Facilities and their associated structures including but not limited to landscaping, berming, and fencing or combinations of those tools that comply with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management) including but not limited to Section 146-4.7.8 (Screening of Service Areas and Equipment).

e. Every new freestanding and Tower Telecom Facility shall be designed and constructed to accommodate two Telecom providers.

f. No Telecom Facilities are permitted on any single-family residential lot or structure.

g. Maximum Height

i. The height of any freestanding or stealth Telecom Facility shall comply with the height limit of the zone district in which the property is located, unless a Hardship Variance is approved pursuant to Section 146-5.4.4.A or a Major Adjustment is approved pursuant to Section 146-5.4.4.D, or unless the structure is to be located within a height overlay district that permits the additional height.

ii. Whenever an antenna is attached to a building roof, the height of the antenna shall not be more than 15 feet above the height of the building. If the building is constructed to the height limit of the zone district in which the property is located, an additional 15 feet of antenna height is permissible.

iii. The height of a stealth Telecom Facility in the POS zone district shall not exceed 50 feet, unless a Hardship Variance is approved pursuant to Section 146-5.4.4.A or a Major Adjustment is approved pursuant to Section 146-5.4.4.D.

h. Minimum Setbacks

i. Freestanding and stealth Telecom Facilities located adjacent to any property zoned for residential use shall be set back from each property zoned for residential use at least one foot for every foot of tower height.

ii. Freestanding and stealth Telecom Facilities not located adjacent to property zoned for residential use shall comply with the minimum setbacks for buildings or structures in the zone district where the property is located.
iii. Freestanding and stealth Telecom Facilities located adjacent to any existing or planned public right-of-way shall be set back from the public right-of-way at least one foot for every foot of tower height.

6. Application and Approval Procedures
   a. Site Plan
      An application for freestanding facilities shall be submitted with a Site Plan showing compliance with the requirements of this Section 146-3.3.5.JJ. If required, the Planning and Zoning Commission shall conduct a public hearing on the proposed plan to determine if the plan conforms to the provisions of this Section 146-3.3.5.JJ. The City shall make reasonable efforts to approve or deny all applications within 90 calendar days after receiving a complete application.
   b. Administrative Approval
      An application for administrative approval shall be submitted in conformance with the submittal requirements adopted by the Planning Director, who shall review the application for conformity with the requirements of this Section 146-3.3.5.JJ. The Planning Director shall render a decision within 60 calendar days of submittal of a complete application.
   c. Temporary Facilities
      Temporary Telecom Facilities (also known as cell on wheels) shall not be erected at any location without approval by the City.

7. Complete Application
   In addition to any other City application requirements, a complete application for a Telecom Facility must include the following:
   a. Photo simulations illustrating the existing and proposed views of the facility;
   b. Written confirmation that the application complies with the Site Selection Criteria, Preferred Telecom Facility Type standards, and Design Criteria in this Section 146-3.3.5.JJ;
   c. A complete CMRS Owner’s Responsibility Form; and
   d. A Letter of Authorization from the owner of the property where the Telecom Facility is or will be located if approved.

8. Criteria and Decision
   a. All applications under this Section 146-3.3.5.JJ shall comply with all applicable federal, state, and local laws and regulations.
   b. Any decision to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

9. Co-location
   a. Unless otherwise required by federal or state law, a maximum of two providers’ visible panel antenna arrays is permitted on any one freestanding structure. However, visible whip antennae may be maintained for a third and fourth co-locator. A third provider’s visible panel antenna array may be permitted if it is determined through plan review that the addition of the third array is compatible with the surrounding buildings and existing or planned uses in the area. Each Telecom provider possessing visible panel antenna arrays on a freestanding facility may also operate one microwave dish on the freestanding facility, provided the microwave dish does not exceed 48 inches in diameter.
b. No Telecom Facility owner or lessee or employee of that entity shall act to exclude or attempt to exclude any other Telecom provider from the same location. A Telecom Facility owner or lessee or employee of that entity shall cooperate in good faith to achieve co-location of antennae with other Telecom providers.

c. This Section 146-3.3.5.JJ.9 shall not be interpreted to prevent a co-location of Telecom Facilities as required by the federal Telecommunications Act and Middle Class Tax Relief and Job Creation Act (2012) (as amended and interpreted by the federal courts), including without limitation processing of applications for approval of "eligible facilities" and treatment of Telecom Facilities that do not propose "substantial changes" to existing facilities, as those terms are defined in the Act.

10. Small Cell Standard Operating Procedures
All Small Cell Facilities shall be operated in compliance with those Small Cell Standard Operating Procedures issued June 18, 2018, as those procedures may be amended by the City in the future.

11. Removal and Notification of Decommission
a. Any Telecom Facility that is no longer used for Telecom purposes shall be removed from its site by the Telecom operator or operators that stopped using the facility or, alternatively, by the land owner, not later than 180 calendar days after such the use of the facility for Telecom purposes has ended.

b. A Telecom operator shall notify the Planning Department at the time the FCC is notified of a decommissioned site.

KK. Utility, Major

1. Electrical Substations in R-1, R-2, and MU-A Zone Districts in Subarea C
a. All substation facilities shall use color, materials, and height that achieve compatible design with surrounding and proposed uses.

b. The perimeter of all substations shall be screened by a minimum nine foot tall fence that complies with the standards in Section 146-4.7.9 (Fence and Wall Regulations).

c. The area of disturbance surrounding the substation improvements shall be kept to an absolute minimum.

d. Where the substation is located in a native environment in Subarea C:
   i. All visual mitigation shall be consistent in character with the adjacent landscape. Proposed landform alterations, berms, swales and rolling topography, shall be subtle, fitting in with the surrounding topography to the maximum extent practicable.
   ii. Landscape materials shall be consistent with the natural environment. Where no plants exist in the native condition, it would be inappropriate to propose significant plantings to screen the substation.
   iii. Where feasible, substation infrastructure shall consist of earth tone colored components in effort to blend in with the native environment.

2. Major Electrical or Natural Gas Facility
a. Approval of a Site Plan complying with the requirements and procedures of Section 146-5.4.3.B (Site Plans) shall be necessary prior to the location, construction, or improvement of major electrical or natural gas.

b. Final decision on an application for a Site Plan relating to the location, construction, or improvement of a major electrical or natural gas facility shall occur within 90 calendar days after submission of a final and complete application for a Site Plan. If
a decision for approval, denial, or approval with conditions has not occurred within such time, the application shall be deemed approved. The 90 calendar period for a determination shall not commence until the Planning Director determines that the Site Plan application is complete according to the standards and procedures uniformly applied to all applicants for Site Plans.

c. Nothing in this Section 146-3.3.5.KK.2 shall be construed to supersede any time line set by agreement between the City and a public utility applying for approval of a Site Plan for the location, construction, or improvement of major electrical or natural gas facilities.

**LL. Wind Energy System**

1. **For All Wind Energy Systems**
   a. No tower shall be lit, except to comply with Federal Aviation Authority (FAA) standards.
   b. All wiring between the wind system and the substation shall be buried underground.
   c. All proposed wind systems shall conform to the standards established in Article 18, Chapter 146 of the Aurora City Code, regulating noise within the City of Aurora.

2. **For Large Wind Energy Systems**
   a. The minimum acreage for a large wind system shall be established based on the setbacks of the turbine(s) and the height of the turbine(s);
   b. All turbines located within the same large wind system property shall be of a similar tower design, including the type, number of blades, and direction of blade rotation;
   c. Large wind systems shall be setback at least 1.5 times the height of the turbine and rotor diameter from the property line. Large wind systems shall also be setback at least 1.5 times the height of the turbine from above ground telephone, electrical lines, and other uninhabitable structures;
   d. Towers shall not be climbable up to 15 feet above ground level.

**MM. Automobile and Light Truck Sales and Rental**

1. In the I-1 and I-2 districts:
   a. This use must be located a minimum of 300 feet from the nearest Residential zone district or residential component of a Mixed-Use zone district.
   b. Where this separation does not exist conditional use approval shall be required.

2. All rental and servicing operations shall be fully screened from view from adjacent properties pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

3. Car dealerships shall comply with the following standards:
   a. A display area for the sale of automobiles must be designated on the Site Plans,
   b. Elevated display areas are permitted at rate of one for every 100 linear feet of frontage.

4. Vehicle storage yards shall be located to the rear of the main building. Internal landscaping of vehicle storage areas shall not be required, but lot perimeter landscaping shall be provided pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).
3.3. Use-Specific Standards

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3.3.5. Commercial and Industrial Uses

a. No loading and unloading of vehicles or parking or sale of display vehicles will be allowed in the public right-of-way,

b. No vehicle shall be parked, stored or displayed for the purpose of sale in the designated display spaces that show evidence of having flat tires or has exterior body damage, and

c. No vehicle ramp display equipment will be allowed on site.

5. After the Effective Date:

a. In all zone districts where these uses are permitted or conditional uses, if two of the four corners of a street intersection are occupied by any of the following four uses, none of the five listed uses may be located on the remaining corner lots at that street intersection, or on any lot partially or entirely located within 500 feet of the corner along either of the intersecting streets:
   i. Automobile and Light Truck Sales and Rental;
   ii. Motor Vehicle Body Shop and Painting;
   iii. Motor Vehicle Fuel Dispensing Station;
   iv. Motor Vehicle Repair and Service; or
   v. Motor Vehicle Wash.

b. The restrictions in Subsection a above do not apply to properties located:
   i. Within the -HSO zone district; or
   ii. Within the I-1 or I-2 zone districts and within an approved Master Plan containing an exception to the restrictions in subsection.

NN. Motor Vehicle Body Shop and Painting; Motor Vehicle Repair and Service

1. No motor vehicle may be stored outdoors for a period longer than 30 consecutive days

2. Equipment, auto parts, and supplies used in conjunction with servicing, repair, painting, or body repair shall be stored inside an enclosed structure at all times. Outdoor storage of auto-related parts and equipment, including but not limited to tires and fluid containers, shall not be allowed.

3. All service, painting, and auto body operations and equipment shall only occur within a fully enclosed structure.

4. Streets, alleys, and public rights-of-way shall not be used for the storage of inoperable vehicles, or for storage of any vehicles awaiting service or work by the establishment, or for performing any motor vehicle servicing, painting, or body repair at any time. Any inoperable vehicles left on streets, alleys, or public rights-of-way when the facility is not open for business must be moved inside an enclosed structure within one hour after the facility opens for business on the following business day.

5. In the MU-OA district, this use is limited to motor vehicle repair and service establishments existing on the Effective Date.

6. In the I-2 district, motor vehicle repair, painting, and auto-body uses adjacent to Residential zone districts require conditional use approval.

7. In the I-1 and I-2 districts:
   a. This use is only permitted when a 300 foot or greater distance from the nearest Residential zone district or the residential component of a Mixed-Use zone district exists.
   b. Where this separation does not exist conditional use approval shall be required.
8. All repair and servicing operations shall be fully screened from view from adjacent properties pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

9. After the Effective Date:
   a. In all zone districts where these uses are permitted or conditional uses, if two of the four corners of a street intersection are occupied by any of the following four uses, none of the five listed uses may be located on the remaining corner lots at that street intersection, or on any lot partially or entirely located within 500 feet of the corner along either of the intersecting streets:
      i. Automobile and Light Truck Sales and Rental;
      ii. Motor Vehicle Body Shop and Painting;
      iii. Motor Vehicle Fuel Dispensing Station;
      iv. Motor Vehicle Repair and Service; or
      v. Motor Vehicle Wash.
   b. The restrictions in Subsection a above do not apply to properties located:
      i. Within the -HSO zone district; or
      ii. Within the I-1 or I-2 zone districts and within an approved Master Plan containing an exception to the restrictions in subsection.

**00. Motor Vehicle Fuel Dispensing Station**

1. General
   a. This use may not be located within 500 feet of an Adult or Child Day Care Center, Hospital, Elementary or Secondary School, Nursing or Convalescent Home or Group Home, FHAA.
   b. No Adult or Child Day Care Center, Hospital, Elementary or Secondary School, Nursing or Convalescent Home, or Group Home, FHAA, shall be permitted to locate within 500 feet of a Motor Vehicle Fuel Dispensing Station.
   c. The restrictions in Subsections a and b above shall not apply to normal scheduled delivery of combustible fuel into approved tanks used for heating or the operation of emergency electrical generating equipment, provided such delivery is made in accordance with approved dispensing practices with regard to public safety.
   d. The Fire Chief may modify the provisions of Subsections 1.a and 1.b above where there are practical difficulties in strict compliance with those Subsections, provided that the spirit of those two Subsections is complied with and public safety is secured.
   e. The storage of equipment, auto parts, and supplies used in conjunction with servicing, painting, or body repair shall be maintained inside an enclosed structure. Outdoor storage of auto-related parts and equipment shall not be allowed.
   f. All service shall only occur within a fully enclosed structure.
   g. Parking areas shall not be used for motor vehicle salvage, the storage of inoperable vehicles, or any motor vehicle servicing, painting, or body repair.

2. Whenever modifications are made to the architectural features or site features of a motor vehicle fuel dispensing station constructed before the Effective Date, a Redevelopment Plan shall be required in accordance with the requirements of Section 146-5.4.3.B.3 (Minor Site Plan).

3. Where this use is located adjacent to a Residential zone district, the lot lines adjacent to the Residential zone district shall be screened pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management)
4. In the MU-C and MU-R districts, use shall not be located closer than 300 feet from an arterial/arterial or arterial/E-470 intersection.

5. In the MU-OA district, this use is limited to those establishments existing on the Effective Date.

6. In the MU-TOD Core subdistrict, a motor vehicle fueling dispensing station associated with a grocery store may be a permitted use if so provided in the Station Area Plan.

7. In the I-1 and I-2 districts, a building containing or related to this use is not permitted within 300 feet of a Residential zone district unless a conditional use approval is obtained pursuant to Section 146-5.4.3.A.

8. After the Effective Date:
   a. In all zone districts where these uses are permitted or conditional uses, if two of the four corners of a street intersection are occupied by any of the following four uses, none of the five listed uses may be located on the remaining corner lots at that street intersection, or on any lot partially or entirely located within 500 feet of the corner along either of the intersecting streets:
      i. Automobile and Light Truck Sales and Rental;
      ii. Motor Vehicle Body Shop and Painting;
      iii. Motor Vehicle Fueling Station;
      iv. Motor Vehicle Repair and Service; or
      v. Motor Vehicle Wash.
   b. The restrictions in Subsection a above do not apply to properties located:
      i. Within the -HSO zone district; or
      ii. Within the I-1 or I-2 zone districts and within an approved Master Plan containing an exception to the restrictions in subsection.

   a. **Setbacks for Buildings and Fueling Area Canopies**
      When site constraints such as easements, floodplains, utilities, or others do not impact building placement, primary buildings shall front the street and fueling area canopies shall be set back behind buildings, and no street frontage buffers for building perimeters shall be required.
   b. **Canopy Compatibility**
      The materials, colors and forms on the fueling area canopy shall repeat those used on other structures on the site.
   c. **Canopy Columns**
      i. The cross-section of canopy columns shall have a minimum width of 24 inches and depth of 16 inches, except that round columns shall have a minimum diameter of 24 inches.
      ii. All columns shall be faced with brick, metal panels, stucco, or decorative masonry block to match the wall materials of the main building.
      iii. Columns may be any shape, as long as they meet the minimum dimensional standard listed above for at least 3/4 of their height.
   d. **Canopy Fascia Colors**
      i. Intense, bright, or florescent colors shall not be used as the predominant canopy fascia color.
      ii. Strong accent colors may be used as decorative elements on the fascia, but they shall be limited to horizontal bands of a total area not to exceed 40 percent of the area of the canopy fascia.
iii. Additional fascia color bands or designs in excess of 40 percent are permitted, and count toward the total allowable sign code area for the site.

iv. **Lighting**
   a. All lighting mounted on buildings or poles shall be downcast and without drop lenses, and shall not spill light in excess of two foot candles onto the surface of adjacent parcels or rights-of-way.
   b. Buildings facades may be spot-lit but only if the spot lighting bulbs and lenses are shielded and not visible from the adjacent parcels or rights-of-way.

v. **Fueling Area Canopy Fixtures**
   Lighting on the underside of canopies shall be flush with, or recessed above the underside of the canopy surface. Lenses dropping below the surface of the canopy underside are not permitted.

vi. **Canopy Fascia Lighting**
   a. Canopy fasciae may not be externally lit.
   b. A fascia accent band of up to nine inches in width may be internally illuminated.
   c. Additional areas of internal illumination on the canopy fascia are allowed provided those areas are included in the total sign area allowed for the site.

vii. **Maximum Area of Internally Lit Building Panels**
   a. On buildings, the total area (as projected on a vertical plane) of internally lit panels and internally lit awnings shall:
      i. Twenty percent or less of the total wall area of any single building elevation, and
      ii. Ten percent or less of the total of all of a building’s wall elevations.
   b. Externally lit building areas shall not be subject to these restrictions.

e. **Landscaping Standards**
   i. **Landscape Buffers**
      a. All landscape buffers adjacent to Residential zone districts or residential uses shall include a six foot high decorative opaque fence or wall meeting the standards in Section 146-4.7.9 (Fence and Wall Regulations).
      b. Shrubs may not be substituted for required trees in landscape buffers.
   
   ii. **Corner Treatment**
      At the intersection of buffer strips fronting on public and private streets, a distinctive landscaped area at least 10 percent larger in size than the area that would otherwise be formed by the intersection of the required buffer strips shall be provided. Landscaping in this intersection area shall consist of plant specimens having a high degree of visual interest during all times of the year. The area may also contain one sign of a size and area as permitted by Section 146-4.10 (Signs).

   iii. **Redevelopment**
      When architectural or site modifications are made to a motor vehicle fuel dispensing station existing before the Effective Date, at least 15 percent of the total lot area shall be landscaped to the maximum extent practicable. Sites that are restricted by easements, pump and canopy locations, fire lanes, and circulation requirements may include landscape areas in adjacent public or private rights-of-way in the 15 percent calculation. Regardless of site constraints, the total landscaped area may not be reduced below that existing prior to redevelopment.
PP. Motor Vehicle Indoor Showroom or Broker
1. Fuel storage and fueling of vehicles is prohibited on site.
2. No more than five motor vehicles shall be stored by a motor vehicle broker on-site.

QQ. Motor Vehicle Towing, Salvage, and Dismantling
1. This use is not permitted within ½-mile of I-70 right-of-way or within ½-mile of any land zoned for residential land uses.
2. In the I-2 district:
   a. The site shall be properly graded for drainage; surfaced with concrete, asphalt or any other improved surface approved by the Director of Public Works based on durability, appearance, and dust control.
   b. The site shall be maintained in good condition, free of weeds, trash, and debris.
   c. The site shall provide barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies.
   d. The site shall provide entrances and exits located to minimize traffic congestion.
   e. The site shall provide barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated there from a street.
3. The site shall be appropriately screened from view from adjacent non-industrial properties pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management)
   a. Lighting facilities shall be arranged so that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic.
4. The view of loading areas shall be minimized where visible, especially from the front line of the lot and from interstate highways, expressways, and parks and open space through the use of building or site design features, including but not limited to screening and landscaping that complies with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

RR. Motor Vehicle Wash
After the Effective Date:
1. In all zone districts where these uses are permitted or conditional uses, if two of the four corners of a street intersection are occupied by any of the following four uses, none of the five listed uses may be located on the remaining corner lots at that street intersection, or on any lot partially or entirely located within 500 feet of the corner along either of the intersecting streets:
   a. Automobile and Light Truck Sales and Rental;
   b. Motor Vehicle Body Shop and Painting;
   c. Motor Vehicle Fueling Station;
   d. Motor Vehicle Repair and Service; or
   e. Motor Vehicle Wash.
2. The restrictions in Subsection a above do not apply to properties located:
   a. Within the -HSO zone district; or
b. Within the I-1 or I-2 zone districts and within an approved Master Plan containing an exception to the restrictions in subsection.

**SS. Other Motor Vehicle, Trailer, Boat, or Manufactured Home Sales or Rental**

1. This use is not permitted within ½-mile of I-70 right-of-way or within ½-mile of any land zoned for residential land uses.

2. In other locations, this use shall meet the outdoor screening requirements as found in Section 146-4.7.8.B.2.c (Outdoor Storage).

**TT. Parking Garage**

Above ground portions of parking garages or structures with automobile parking shall with the following standards:

1. Points of ingress and egress to the garage shall be clearly marked and shall be no closer than 25 feet to an intersection or other curb cut.

2. In the MU-OA-MS subdistrict, only facilities owned or operated by a governmental or public entity are permitted.

3. In the MU-OA-G subdistrict, commercial parking facilities required conditional use approval, but facilities owned or operated by a governmental or public entity are permitted without conditional use approval.

4. In the MU-TOD zone district each parking structure designed for parking more than 200 motor vehicles shall include at least one electronic vehicle charging station for each 100 motor vehicle parking spaces or part thereof. In all other areas, each parking structure designed for parking more than 200 motor vehicles shall include at least one electronic vehicle charging station for each 200 motor vehicle parking spaces or part thereof.

5. Any parking structure shall be permitted to maintain retail, office, or personal service uses on the ground level of such structure.

6. The design shall comply with Section 146-4.6.5.E (Parking Garage Design).

**UU. Parking Lot**

In all zone districts other than the I-1 and I-2 zone districts, and for all uses located in the I-1 and I-2 districts that are not listed as industrial uses in Table 3.2-1 (Permitted Use Table):

1. This use is not permitted within one-half mile of I-70 right-of-way or within one-half mile of any land zoned for residential land uses.

2. Parking lots or structures shall not be used for the sale, storage, repair, or dismantling of any vehicles, equipment, materials, or supplies.

3. Parking lots or structures shall be properly graded for drainage; surfaced with compacted recycled concrete, concrete, asphaltic concrete, asphalt, oil, or any other dust-free surface; and shall be maintained in good condition, free of weeds, dust, trash, or debris.

4. Parking lots or structures shall provide entrances and exits located to minimize traffic congestion.

5. Parking lots or structures shall minimize the effect of headlights on abutting streets and properties.

6. If lighting facilities are provided, they shall be arranged to avoid unreasonable disturbance of occupants in adjacent residential areas or traffic on abutting streets. No lights shall exceed 25 feet in height and shall be incorporated with structures rather than poles to the maximum extent practicable.
7. For parking facilities that abut Residential zone districts, a fence shall be constructed and maintained in accordance with Section 146-4.7.9 (Fence and Wall Regulations). The fence shall be designed to obscure from abutting residential districts the direct light of headlights.

8. Where parking lots are permitted as an accessory use, an attendant’s shelter is permitted, provided it does not contain more than 50 square feet of gross floor area and:
   a. If the parking lot is located on a lot abutting a Residential zone district, it is located at least 20 feet from each property line of that abutting zone district.
   b. If the parking lot is located on a lot abutting a Mixed-use or Special Purpose zone district, the setback that applies to a primary structure in the abutting zone district shall apply;

9. For all uses located in the I-1 or I-2 zone districts and listed as industrial uses in Table 3.2-1 (Permitted Use Table):
   a. The site shall be properly graded for drainage; surfaced with concrete, asphalt or any other improved surface approved by the Director of Public Works, based on durability, appearance, and dust control.
   b. The site shall be maintained in good condition, free of weeds, trash, and debris.
   c. The site shall provide barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies.
   d. The site shall provide entrances and exits located to minimize traffic congestion.
   e. The site shall provide barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated there from a street.

10. All parking and loading areas shall be screened from view from adjacent properties using an intensive screen as described in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

11. Each parking lot designed for parking more than 200 cars shall include at least one electronic vehicle charging station for each 200 auto parking spaces or part thereof.

12. In the MU-OA-MS district, only facilities owned or operated by a governmental or public entity are permitted.

13. In the MU-OA-G subdistrict, commercial parking facilities required conditional use approval, but facilities owned or operated by a governmental or public entity are permitted without conditional use approval.

V. Vehicle Fleet Operations Center

A Vehicle Fleet Operations Center is a permitted use only when a 300 foot or greater distance between the building and the nearest Residential zone exists, where this separation does not exist the land use shall be a conditional use.

W. Recycling Collection Facility

Recycling Collection Facilities shall comply with the following standards:

1. Enclosure
   The facility shall be screened from the public right-of-way by confining operations within an enclosed building or within an area enclosed by an opaque fence at least six feet in height. The operation shall be located at least 150 feet from property zoned for residential use and at least 100 feet from a POS zone district. If the facility is located
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within 500 feet of property zoned for or used for residential use, it shall not be in operation between the hours of 7:00 p.m. and 7:00 a.m.

2. Exterior Storage
All storage of material shall be in sturdy containers or enclosures that are covered, secured, and maintained in good condition, or shall be baled or palletized. Storage containers for flammable materials shall be constructed of non-flammable material. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing. Collected materials will be removed from the site at least every 30 days.

3. Durability
Containers shall be of sturdy, waterproof, and rustproof construction. They shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.

4. Condition of Premise
The facility shall display a notice stating that no material shall be left outside the recycling facility containers.

5. Identification
The facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation.

6. Power Equipment
Power-driven processing, including aluminum foil, can compacting, baling, plastic shredding, or other light processing activities that are necessary for efficient temporary storage and shipment of material, may be approved through a conditional use approval process, provided that adequate noise mitigation and related use conditions are satisfied.

7. Accessory Recycling Facility
Accessory recycling collection facilities shall be included in an approved Site Plan for a separate, existing primary use that is in compliance with the building and fire codes and shall meet the following standards.

a. Circulation
Small recycling collection facilities shall not extend onto any sidewalk, pedestrian trail, driveway, or street.

b. Off-Street Parking
Small recycling collection facilities shall not extend into any off-street parking space required for the primary use.

c. Durability
Small recycling collection facilities shall use containers that are constructed and maintained with durable waterproof and rustproof material. Containers shall be secured from unauthorized entry or removal of material and shall be of capacity sufficient to accommodate all materials collected throughout the collection schedule. All containers shall be covered when the site is not attended.

d. Signs
Wall signs are allowed to a maximum area of 20 square feet. The sign may only advertise products or services available on the site.

e. Operating Instructions
Containers shall be clearly marked to identify the type of materials that are permitted to be deposited, the name and telephone number of the facility operator, and hours of operation. Containers shall also display a notice that no material shall be left outside the recycling enclosure or container. If the facility operator is different than
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the party responsible for the maintenance of the unit, the name and number of the responsible party shall also be clearly identified on the container.

f. Maintenance
One or more trash receptacles shall be provided near the recycling facility.

g. Color
No intense, bright, reflective, or fluorescent colors shall be used for the primary color scheme. These colors may be used as accent colors but shall not constitute more than 10 percent of the surface area of the facility.

h. Height
Each individual recycling collection unit shall be no more than 10 feet in height.

i. Setbacks
Recycling containers or units shall be set back a minimum of 50 feet from a property line or public street right-of-way, and shall not be located closer to an arterial street right-of-way than the primary structure or building on the site.

j. Hours of Operation
Attended facilities located within 100 feet of a property zoned or occupied for residential use shall operate (including hauling) between the hours of 7:00 a.m. and 7:00 p.m.

k. Power Equipment
Except for reverse vending machines, no power-driven processing equipment shall be used.

XX. Solid Waste Transfer Facility

1. This use is not permitted within one-half mile of the I-70 right-of-way or within one-half mile of any land zoned for residential land uses.

2. The Site Plan shall indicate the estimated number of trips per day in and out of the site, volume of material at maximum operation, hours and days of operation, method for handling household hazardous or toxic materials, and types of equipment used in the operation.

3. The Site Plan shall indicate provisions for controlling any objectionable effect or nuisance condition such as heat, glare, radiation, fumes, odors, dust, noise, vibration, smoke, groundwater quality protection, insects, vermin, windblown debris, etc.

4. Exterior storage areas including idling or waiting trucks shall be screened from the view of public streets or adjoining properties.

5. No overnight storage or any waste materials subject to rotting or odor creation shall be allowed.

6. The site shall be properly graded for drainage; surfaced with concrete, asphalt or any other improved surface approved by the Planning Director based on durability, appearance, and dust control.

7. The site shall be maintained in good condition, free of weeds, trash, and debris.

8. The site shall provide barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies.

9. The site shall provide entrances and exits located to minimize traffic congestion.
10. The site shall provide barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated there from a street.

11. The site shall be screened from view from adjacent non-industrial properties pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

12. The view of loading areas shall be minimized where visible, especially from the front line of the lot and from interstate highways, expressways, parks, and open spaces.

### 3.3.6. ACCESSORY AND TEMPORARY USES

#### A. Generally
In the MU-N districts, all accessory uses operating between the hours of 12:00 midnight and 6:00 a.m. shall require conditional use approval.

#### B. Ambulance Service
1. In the Residential zone districts, this use is only permitted as an accessory use to a hospital.
2. In all other districts, this use is only permitted when a 300 foot or greater distance between the building and the nearest Residential zone district exists. Where this separation does not exist conditional use approval shall be required.

#### C. Christmas Tree Sales
Christmas tree sales are permitted between the months of October and December of each year. Such use shall be allowed only upon fulfilling the requirements of licensing, security bonds, and clearance of debris remaining from the sale as all applicable requirements of the Aurora City Code.

#### D. Donation Collection Bin
1. No donation collection bin shall be placed or allowed to remain on any property unless an annual (calendar year) donation collection bin permit has been issued by the City and remains in effect.
2. The renewal of the donation collection bin permit for subsequent one-year periods is subject to payment of a new donation collection bin permit fee and full compliance with all applicable City ordinances and conditions of the donation collection bin permit.
3. At a minimum, each bin shall display the name, address and telephone number for the person, business, or organization responsible for placing and maintaining the bin.
4. Only one bin is permitted per lot, and each bin shall not exceed a footprint of 25 square feet or be taller than six feet in height. Bins shall be made of metal, steel, or similar durable product.
5. No donation collection bin shall be located on property zoned for residential use, except for places of worship and public, private elementary, vocational or secondary schools.
6. Each bin shall be located on an improved durable, drainable surface. If placed in a parking area, the bin shall not reduce the number of available parking spaces below the minimum number required for the lot.
7. No bin shall be placed in the following locations:
   a. Within a required building setback;
   b. Within a site visibility triangle;
c. Within an access easement;
d. In a driveway, sidewalk, or other pedestrian circulation area;
e. Within five feet of any fire hydrant;
f. Within any fire lane;
g. Within required landscaped areas;
h. In whole or in part upon any portion of a public-right-of-way or projecting onto or over any part of a public right-of-way; or
i. On an undeveloped parcel of land.

8. Each donation collection bin shall be serviced and emptied as needed or within 24 hours of a request by the property owner or city.

9. Each bin shall be enclosed by use of a one-way receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.

10. Each bin shall clearly display a sign indicating that no donated items, garbage or other debris is to be left outside of the bin.

11. Within 10 days after completion of the temporary use, the bin shall be removed, the site shall be cleaned, all evidence of its use removed, and left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.

E. Drive-Up or Drive-Through Facility

1. Drive-up or drive-through facilities are limited to the following uses: restaurant, grocery, bank, pharmacy, and coffee and/or bakery shops.

2. No liquor or marijuana sales shall occur through a drive-up or drive-through window.

3. In the MU-TOD zone district:
   a. A drive-up or drive-through accessory facility for a grocery store or bank may be a permitted use in the Nine Mile or City Center Station Area only. No other drive-up or drive-through facilities are permitted in the MU-TOD district.
   b. The drive-up or drive-through lane may not pass between the front façade of the primary structure and the front lot line.

4. In the MU-OA zone district:
   Drive-up or drive-through windows and aisles shall be located on the rear of primary structures, or a side of the structure not adjacent to a public street, to minimize their visibility from public streets and to minimize interference with pedestrian access from sidewalk to the entrances of the primary building.
5. In all other zone districts:
   Drive-up or drive-through facilities shall be located to the side or rear of the primary building and not between any façade of a primary building and any street.
6. Additional standards
   a. No drive-up or drive-through accessory facility shall be permitted that is designed or constructed to serve the passenger side of the vehicle.
   b. Drive-up and drive-through accessory facilities shall be designed and located to avoid impairing pedestrian mobility or creating risks to pedestrian safety.
   c. Drive-up and drive-through accessory facilities shall be designed so that menu boards, order boards, and service windows are not located on any side of the primary structure abutting a Residential zone district or a residential use.
d. Drive-up or drive-through accessory facilities shall be designed to meet all applicable standards in Sections 146-4.4 (Neighborhood Protection Standards) and 146-4.6.7 (Drive-Through Stacking Areas).

**F. Dwelling, Short-term Rental**

The operator of this use shall have a valid Aurora business license.

**G. Dwelling Unit, Accessory**

1. **Generally**
   a. Accessory dwelling units are permitted only on lots served by an alley.
   b. Accessory dwelling units are permitted only on lot containing, and must be accessory to, one single-family dwelling.
   c. Only one accessory dwelling unit is permitted per single-family detached dwelling.
   d. Each accessory dwelling unit must be detached from the primary dwelling; attached accessory dwelling units are not permitted.
   e. Accessory dwelling units are permitted only on lots, or combinations of two or more contiguous lots, with a size greater than 6,000 square feet.
   f. Accessory dwelling units are exempt from lot area and lot area per dwelling unit standards in Section 146-4.2.2 and 146-4.2.3.
   g. At least 360 square feet of usable private common space must be provided for the accessory dwelling unit, and each dimension of the private common space measuring at least 10 feet.
   h. The maximum size of an accessory dwelling unit is 650 square feet.
   i. The accessory dwelling shall not exceed the height of the principal dwelling or 24 feet.
   j. The building architecture and materials shall be complementary to the principal dwelling and the façade cannot be constructed of metal.
   k. One additional off-street parking space, accessed from the alley serving the lot, is required.
   l. The permanent resident shall occupy either the primary dwelling unit or accessory dwelling.
   m. No lot containing both a primary dwelling unit and an accessory dwelling unit may be subdivided so that the accessory dwelling unit occupies a different platted lot than the primary dwelling unit.
   n. Accessory dwelling units may be used as short term rentals by a property owner or long-term renter who is living in the primary structure on the property.
   o. Each detached accessory dwelling unit shall comply with all setbacks applicable to other accessory structures, except that the required setback for an accessory dwelling unit located on top of an existing garage shall be no less than the setback of the existing garage.

2. **Additional Standards for MU-OA District**

The following additional standards apply in the MU-OA zone district. If there is a conflict between the standards in this Subsection 2 and the standards in Subsection 1 above, the standards in this Subsection 2 shall apply.
3.3. Use-Specific Standards

Article 146-3 Use Regulations

3.3.6. Accessory and Temporary Uses

a. In the MU-OA district, notwithstanding the designation in Table 3.2-1, any accessory dwelling unit legally created before the Effective Date shall be deemed to be a permitted use, and shall not require approval of a conditional use approval.

b. In the MU-OA district, notwithstanding the designation in Table 3.2-1, any accessory dwelling unit that was not legally created, but that existed on the Effective Date, shall be deemed to be an illegal use, but may be approved for continued occupancy through the approval of a conditional use approval requiring that the unit be brought into compliance with the standards in this Section 146-3.3.6.G to the maximum extent practicable.

c. The accessory dwelling shall not exceed the 24 feet in height, regardless of the height of the primary dwelling structure.

d. Windows for a second story accessory dwelling unit shall be sited to preserve the privacy of adjacent residences to the maximum extent practicable.

H. Ground Floor Commercial Use

1. R-4 and MU-N Zone Districts

   In the R-4 and MU-N zone district this use must comply with the following standards:

   a. The commercial use must be a permitted or conditional use in the zone district in which the property is located;

   b. In the R-4 zone district, the use must be located at street level in a multifamily building;

   c. The primary entrance to the commercial space must be from the street;

   d. The ground floor wall area between two and 10 feet above grade shall consist of at least 30 percent transparent glazing;

   e. Parking is provided for the commercial space in accordance with the parking requirements of Section 146-4.6 (Parking, Loading, and Stacking), in addition to the required parking for the residential portion of the building, unless the parking is eligible for a parking reduction as allowed in Section 146-4.6.4 (Parking Alternatives); and

   f. Signage shall comply with the standards of Section 146-4.10 (Signs), and shall be compatible with the exterior architecture with regard to location, scale, color, and lettering style.

2. MU-OA-RMU Subdistrict

   In the MU-OA-RMU subdistrict, this use must comply with the provisions of Section 146-2.4.4.F.2 (Ground Floor Commercial Use).

I. Home Adult or Child Day Care

1. In-home day care may be provided to children from birth to 16 years of age, with no more than two children, including caretaker's own children, under two years of age. The following limit on enrollment shall be maintained:

<table>
<thead>
<tr>
<th>Table 3.3-1</th>
<th>Home Child Day Care Limits</th>
<th>Maximum Number of Day Care Children Permitted</th>
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<tr>
<td>Caretaker's Preschool Children</td>
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<tr>
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<td>5</td>
<td></td>
</tr>
</tbody>
</table>
2. All facilities must operate under the rules set forth by the Colorado Department of Human Services, as amended from time to time.

J. Home Occupation

1. The activity is incidental and secondary to the primary purpose served by the dwelling.
2. A home occupation shall not create noise, dust, vibration, smell smoke, glare, electrical interference, fire hazard, or any other nuisance or hazard that disturbs the peace and quiet of a residential area.
3. The residents of the dwelling unit shall be the only people engaged in the activity.
4. The storage of materials to be used in the activity shall be inside either the principal building or an accessory building.
5. There shall be no external evidence that indicates or advertises the performance of the activity.
6. Except for parties entering the dwelling unit as a result of prior individual invitation, the general public shall not be invited to or solicited upon the premises.
7. Performance of any personal service, shall be limited to one pupil; client, which may include a partnership, married couple or parties engaged in a joint venture; or customer at any one time.
8. The use shall not jeopardize the health, safety, or welfare of the occupants or of the surrounding neighborhood.
9. The activity shall not cause an amount of vehicular or pedestrian traffic not normally associated with the residential area in which the home occupation is conducted.

K. Mobile Food Truck

1. Applicability
   a. In the event that a food vendor is authorized to operate within the city pursuant to authority granted and limits found elsewhere in the Aurora City Code, this Section 146-3.3.6.K shall not apply.
   b. After August 10, 2015, no new permit for Mobile Food Truck operation shall be issued under Section 146-3.3.6.R) and the provisions of this Section shall control.

2. Licenses
   The operator shall obtain both an Aurora business license and a State of Colorado mobile retail food service license. Both documents shall be maintained in effect at all times and shall be conspicuously displayed at all times during the operation of a Mobile Food Truck.

3. Hours of Operation
   Mobile Food Trucks may operate only between the hours of 7:00 am and 10:00 pm.

4. Location
   Mobile Food Trucks are subject to following location restrictions:
   a. Separation Distance Requirements
      Mobile Food Trucks may operate only in locations that are:
      i. At least minimum of 175 feet distance from any restaurant, while the restaurant is open for business, as measured from the public entrance of the operating restaurant to the closest point of the Mobile Food Truck. The separation distance shall not apply:
a. If the Mobile Food Truck operator has written permission from the impacted restaurant; or
b. The Mobile Food Truck is on a property with common ownership of the impacted restaurants’ property and the Mobile Food Truck operator has written permission from the common property owner.

ii. At least 50 feet from any single-family detached dwelling within the City, as measured from the closest point of the Mobile Food Truck to the nearest property line of a single-family home. This separation distance shall not apply if:
   a. The Mobile Food Truck is operating as an accessory to a business in a permanent structure with written permission; and
   b. The Mobile Food Truck primarily serves patrons of the business referenced in Subsection a. above; and
   c. The Mobile Food Truck does not operate a generator or create other noise that violates the noise standards of this UDO.

b. **Private Property**

   Mobile Food Trucks may operate on private property provided they meet the following requirements:
   i. The operator must obtain prior written permission from the private property owner and must have available an original copy of such permission for inspection at all times;
   ii. The Mobile Food Truck must be parked on a paved surface outside any designated fire lane and outside the sight triangle area defined in the Aurora Roadway Design and Construction Specifications Manual.

c. **Schools**

   Mobile Food Trucks may operate on the property of a Pre-K-12 Public or Private School, or Postsecondary School, provided the following requirements are met:
   i. The Mobile Food Truck operator must obtain prior written permission from a school representative authorize to grant such permission, and must have available an original copy of such permission for inspection purposes at all times;
   ii. The Mobile Food Truck must be parked on a paved surface outside any designated fire lane and outside the sight triangle area defined in the Aurora Roadway Design and Construction Specifications Manual.

d. **City-Owned Property**

   Mobile Food Trucks may not operate on City property regardless of the zone district unless authority to operate is provided for elsewhere in the Aurora City Code or otherwise authorized by the City Manager. This prohibition shall not apply to City-owned public right-of-way as provided for in Subsection e below.

e. **Public Right-of-Way**

   Mobile Food Trucks may operate within the public right-of-way provided they meet the following requirements:
   i. The Mobile Food Truck must be parked in a legal parking space and comply with all City and state parking restrictions;
   ii. The Mobile Food Truck may only serve customers from an adjacent sidewalk or the curbside of the vehicle. In the absence of a sidewalk or curb, customers may only be served from the side of the Mobile Food Truck that is furthest from the area of right-of-way customarily used for motor vehicle travel.

5. **Littering and Trash Removal**

   Mobile Food Truck operators must keep the sidewalks, roadways, and other spaces adjacent to their business location clean and free of paper, peelings, and other refuse of
any kind generated from the operation of their business. All trash or debris accumulating within 25 feet of any Mobile Food Truck shall be collected by the operator and deposited in a trash container maintained by the operator in good condition and constructed of a non-corrodible and watertight material, sufficient to hold the refuse generated by the business. The container shall be removed by the operator whenever the Mobile Food Truck moves to another location or at the close of business.

6. Noise
Mobile Food Trucks must comply with the provisions of Section 26-348 of the Aurora City Code regarding noisemaking devices.

L. Outdoor Seating or Dining
1. Outdoor dining areas are only permitted for permitted or approved conditional uses.
2. Outdoor seating or dining is not permitted within 100 feet of an R-R or R-1 zone district.
3. A decorative fence or wall or similar barrier shall be erected and maintained between any outdoor seating area and a right-of-way. The fence, wall or barrier shall be at least three feet in height and allow patrons and pedestrians to see from the seating area to the street and vice versa.
4. Outdoor waste and recycling receptacles for customers shall be provided, conveniently located, regularly serviced, and maintained.
5. A minimum six foot clear pedestrian way must be maintained to allow pedestrian unobstructed passage around the Outdoor Seating or Dining area, unless the Director of Public Works approves a smaller width of clear pedestrian way based on anticipated traffic volumes and other considerations of pedestrian safety.

M. Roadside Sales Stand
This use shall comply with urban agriculture standards in Section 146-3.3.4.D.

N. Slaughterhouse, Small
This use is permitted only as an accessory use to a permitted agriculture use in the I-2 zone district and only permitted if the use complies with the following standards:
1. This use is not allowed in any PD zone district;
2. The slaughterhouse shall with all applicable state laws governing the licensing, operation, and maintenance of facilities for “custom processing of meat animals” as provided under Colorado Revised Statutes Sections 35-33-101, et. seq., (Custom Processing of Meat Animals), and 35-33.5-101, et. seq.;
3. All slaughterhouse operations shall be conducted in an enclosed structure within a confined area to prevent the transmission of sound to the outside;
4. No outdoor storage is allowed, including the outdoor storage of any animal, animal waste, or animal by product, and all waste is stored in airtight containers in a confined area in a fully enclosed structure;
5. All buildings, structures, enclosures for handling, processing and/or storage of any animal or animal material shall be setback from property lines the greater of 200 feet or the required setback of the zone district in which the use is located, and 1,000 feet from any residential or mixed-use zone district;
6. Vehicular access to the facility shall not be obtained through residential areas;
7. All loading and unloading areas shall be screened from view from adjacent lands and public streets in compliance with Section 146-4.7 (Landscape, Water Conservation, Stormwater Management), and
8. The slaughterhouse is operated in compliance with all applicable standards in Section 146-4.11 (Operating and Maintenance Standards) and all federal and state public health and agricultural regulations.

Q. Solar Collector, Ground or Building-Mounted
   1. If the solar collector is not flush with the roof the applicant shall minimize the visibility of the collector from a public street, park, open space, or golf course to the most reasonable extent possible without prohibiting the installation.
   2. Ground-mounted collectors are allowed as an accessory structure outside the setbacks.
   3. Ground-mounted accessory solar collectors shall not exceed the height of the principal structure on the lot or parcel.

P. Temporary Event or Sales
   1. Within a 12-month period, this use is limited to the following:
      a. 4 to 10 consecutive days, or
      b. 6 two-day weekends.
   2. Within a 90 day period, outdoor events in parking areas are limited to 7 consecutive days.
   3. Seasonal sales activities, including temporary residence/security trailers, on non-residential properties, may occur for no more than 30 calendar days within a 12-month period, for each seasonal product.
   4. No more than 25 percent of the existing parking spaces in a parking lot may be used for a temporary outdoor sale.
   5. All parking lot entrances and exits shall remain unobstructed.
   6. Any outdoor event proposed within the public right-of-way requires a special event permit.

Q. Temporary Construction Support Facility
   1. In Special Purpose districts, the Planning Director may approve a temporary permit for temporary trailers, offices, and structures necessary for construction purposes or for the conduct of business operations while new facilities are being constructed. Such approval shall be limited to a maximum of six months for construction offices and one year for temporary business offices and may be renewed upon separate application. Any approval of a temporary construction support facility may establish conditions and limitations as the Director may determine are necessary.
   2. In Residential zone districts, any person developing lands for residential use, either for sale or rent, is permitted to conduct temporary sales or rental operations within a model residential unit or Manufactured Home used as a construction office on the premises of the development, subject to a permit granted by the Building Department. An application for a permit shall indicate the following:
      a. The zoning classification where models are to be situated;
      b. The street address of models;
      c. The parking facilities; and
      d. The period that the permit is requested limited to six months for a Manufactured Home and one year for a model home.
R. Temporary Outdoor Food or Merchandise Stand

The following regulations shall control the issuance of a permit to operate a temporary outdoor food and/or merchandise establishment or stand, pursuant to Section 146-5.4.3.E (Temporary Use Permit). This use does not include Mobile Food Trucks.

1. Licenses and Permits

A special use permit and an Aurora business license are required to operate temporary food and/or merchandise establishments. Prior to the issuance of an Aurora business license, the applicant shall provide proof that they have a current and ongoing contract with a registered trash disposal service and a state licensed commissary. The applicant shall prove that they have written permission from the property owner of the location where the temporary vending establishment will operate. The applicant shall have obtained a special use permit authorizing the operation of a temporary outdoor food and/or merchandise establishment or stand, and a Colorado health license, if applicable. Original documentation of all required information shall be submitted at the time of application.

2. Display of Licenses and Permits

Any license or permit required, including the special use permit, Aurora business license, and Colorado health license, if applicable, shall be conspicuously displayed at all times during the operation of the temporary food and/or merchandise establishment or stand's operation. Original documentation of all required information shall be displayed.

3. Hours of Operation

Temporary outdoor food and/or merchandise establishment or stand operators shall be allowed to engage in the business of selling or offering to sell any food, beverage, or general merchandise only between the hours of 7:00 a.m. and 11:00 p.m. on Friday and Saturday nights and between 7:00 a.m. and 9:00 p.m. on other nights of the week.

4. Period of Operation

Except in the MU-OA, MU-FB, and MU-TOD zone districts, all temporary outdoor food and/or merchandise establishments or stands shall be disassembled and removed from the business location when not in operation. It shall be unlawful for any business owner to fail to remove a temporary outdoor food and/or merchandise establishment or stand and all trash and trash containers from its business location during non-business hours. It shall be unlawful for the owner, lessee, agent, or occupant to allow a temporary outdoor food and/or merchandise establishment or stand to be stored during non-business hours on their property.

5. Littering and Trash Removal

Temporary outdoor food and/or merchandise establishment or stand operators shall keep the sidewalks, roadways, and other spaces adjacent to their business sites or locations clean and free of paper, peelings, and refuse of any kind generated from the operation of their business. All trash or debris accumulating within 25 feet of any temporary outdoor food and/or merchandise establishment or stand shall be collected by the operator and deposited in a trash container. The temporary outdoor food and/or merchandise operator shall maintain a trash container, maintained in good condition and constructed of a non-corrodible and watertight material, sufficient to hold the refuse generated by the business. The vendor at the close of each business day shall remove such container. All food, beverage, or general merchandise will be displayed and stored within the confines of temporary outdoor establishment or stand and shall not be placed, stored, or positioned in any location other than in the physical confines of the temporary structure.
6. Location Restrictions
   Temporary outdoor food and/or merchandise establishments or stands shall not be located and a temporary use permit shall not be granted for operation in any Residential zone district.

S. Wind Energy System, Small Ground-Mounted
   1. An individual small wind system shall be set back from the property line and the principal structure at least 1.5 times the height of the turbine.
   2. The accessory small wind system shall be permitted up to 60 feet in height in Residential zone districts as long as the system meets the small wind system setback. The height limit for an accessory small wind system in all other zone districts where they are allowed shall be the height limit in that zone district.
   3. For a ground-mounted small wind system, the distance between the ground and the rotor blade (when the rotor blade in its lowest position) shall be a minimum of 20-feet.

T. Wind Energy System, Small Roof-Mounted
   Rooftop small wind energy systems shall be considered an accessory use if both the following conditions are met:
   1. The maximum height of the rooftop small wind system does not exceed a height of 15 feet above the roof or the top of a parapet, whichever is higher;
   2. The small wind system is securely attached to the structure in compliance with all currently adopted Aurora Building Codes and Engineering Loads. The blade rotor plane shall be at least four feet away from any window and at least 12 feet above any patio with human access.

U. Unlisted Temporary Use
   Temporary uses that are not listed separately in Table 3.2-1 (Permitted Use Table) may be approved by the City Manager and City Clerk pursuant to the standards in Section 146-5.4.3.E (Temporary Use Permit).
# Article 146-4 Development Standards

## 4.1 APPLICABILITY SUMMARY TABLE

The following Table 4.1-1 indicates relevant zoning and subdivision standards in Sections 146-4.2 through 146-4.12 that apply during different types of application review.

<table>
<thead>
<tr>
<th>Standard</th>
<th>UDO Section 146-</th>
<th>Subdivision Plat</th>
<th>Master Plans</th>
<th>Site Plan Review</th>
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<tr>
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<tr>
<td>Landscaping, Screening, and Stormwater Management</td>
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[1] See Section 146-4.3.1.B for situations in which Subdivision Standards may be applied to Master Plans.

## 4.2 DIMENSIONAL STANDARDS

### 4.2.1. GENERALLY

#### A. Setback, Yard, and Buffer Requirements

1. The building setback areas required under this Section 146-4.2 shall be unobstructed from the ground upward except for fences, landscaping, and other specific building features specified as exceptions to the required setbacks in Section 146-4.2.4 (Exceptions and Encroachments) or otherwise identified as exceptions in this UDO.

2. In addition to the dimensional standards in this Section 146-4.2, landscaped buffers required by Sections 146-3.3 (Use-Specific Standards), 146-4.4 (Neighborhood Protection Standards), and 146-4.7 (Landscape, Water Conservation, Stormwater Management) may apply, and applicable site and storm drainage standards will apply, any or all of which may require building setbacks or yard areas to be larger than those listed in the dimensional standard tables in this Section 146-4.2.

#### B. Height Limits

No structure shall exceed the height limits described in the zone district standards except as specified in this Section 146-4.2.4 (Exceptions and Encroachments).

#### C. Measurement of Residential Density

Residential density shall be calculated by dividing the total number of residential units of each particular housing type by the adjusted area occupied by that housing type. The adjusted
Article 146-4 Development Standards

4.2. Dimensional Standards

4.2.2. General Dimensional Standards Summary Tables

All development and redevelopment shall comply with the standards in this Section 146-4.2.2 (General Dimensional Standards Summary Tables) unless another Section of this UDO provides an alternative standard for a particular use, layout, or development type. Sections of this UDO that may provide alternative standards include but are not limited to Sections 146-3.3 (Use-Specific Standards), 146-4.2.3 (Special Dimensional Standards), 146-4.2.4 (Exceptions and Encroachments),146-4.4 (Neighborhood Protection Standards), and 146-4.64.6 (Parking, Loading, and Stacking).

A. Residential Districts

1. The dimensional standards for residential districts shown in Table 4.2-1 shall apply to all development in the listed zone districts in Subareas A and B.

area shall be the area to be occupied by a particular housing type and meeting the following criteria.

1. The adjusted area shall form a single, closed polygon of compact and logical shape.
2. For the MU-TOD district, the adjusted area shall be determined by Station Area Plans.
3. The adjusted area shall not include any lands that the applicant is otherwise required to dedicate pursuant to statute, or any additional, voluntary dedication of land, except for land related to streets and rights-of-way as described in Section 146-4.2.1.C.5 below.
4. The adjusted area shall exclude any floodplain areas and any existing publicly owned land.
5. The adjusted area shall include the right-of-way of all public and private streets surrounded by the area's other eligible land uses, as well as one-half of the right-of-way of any public or private streets along the area's perimeter. For purposes of determining densities, limited access highways shall not be included as public and private streets and shall not be included in the adjusted area.
6. The adjusted area may include any private common space, including recreation facilities, parking areas, detention ponds, or accessory structures, such as a maintenance facility or administrative office, customarily associated with the adjusted area's housing type, as well as any golf course that will be conveyed to the City for public use or will be held by a homeowners’ association or other entity approve by the City for private use.
7. The maximum residential densities indicated in Section 146-4.2.2 are not guarantees that the listed can be achieved on any individual lot or parcel, or within any development, and do not imply that the City is obligated or willing to use any of the tools in Section 146-5.4.4 (Flexibility and Relief Procedures) to enable those residential densities to be achieved. Those maximum densities may not be achievable for a number of reasons, including but not limited to the shape or configuration of the lot or parcel, topographic or geologic conditions on the lot or parcel, or the presence of environmentally sensitive areas or utility easements on or through the parcel.
## 4.2. Dimensional Standards

### 4.2.2. General Dimensional Standards Summary Tables

<table>
<thead>
<tr>
<th>Zone District</th>
<th>R-R</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-4</th>
<th>R-MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density and Lot Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Also See Small Residential Lot Options in Section 146-4.2.3.B]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential density, maximum</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot area, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached</td>
<td>43,560 sf.</td>
<td>6,000 sf. [1]</td>
<td>5,000 sf. [2]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two-family</td>
<td>NA</td>
<td>3,000 sf.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family attached fronting a public street or a private street meeting public street standards [3]</td>
<td>NA</td>
<td>1,600 sf.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td>N/A</td>
<td>7,000 sf.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other permitted or approved conditional use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot frontage at front lot line, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached</td>
<td>120 ft.</td>
<td>Subarea A: 50 ft.</td>
<td>Subarea B: 60 ft.</td>
<td>50 ft.</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Two-family</td>
<td>NA</td>
<td>30 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family attached fronting a public street or a private street meeting public street standards [3]</td>
<td>NA</td>
<td>20 ft.</td>
<td>18 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td>NA</td>
<td>60 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other permitted or approved conditional use</td>
<td></td>
<td>60 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot frontage (cul-de-sac or curved frontage), minimum</td>
<td>60 ft.</td>
<td>35 ft.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Setbacks, Minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abutting a local street</td>
<td>10 ft.</td>
<td>5 ft. [6]</td>
<td>5 ft. [6]</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Abutting a collector or arterial street</td>
<td>25 ft.</td>
<td>12.5 ft.</td>
<td>10 ft.</td>
<td>7.5 ft.</td>
<td>15 ft.</td>
<td></td>
</tr>
<tr>
<td>Non-residential use abutting residential use</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>10 ft.</td>
<td>8 ft.</td>
<td></td>
</tr>
<tr>
<td>Non-residential use abutting residential use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building separation between units, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building height, maximum</td>
<td>38 ft.</td>
<td>45 ft.[7]</td>
<td>65 ft.[8]</td>
<td>20 ft.[9]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes:

[1] In Subarea A, when a lot or parcel is subdivided or resubdivided for single-family detached or two-family dwelling structures, and any residentially zoned or residentially developed land abutting the lot or parcel to be subdivided or resubdivided contains...
Table 4.2-1
Summary of Residential Districts Dimensional Standards – Subareas A and B
See additional standards in Section 146-2.3 (Residential Districts)

<table>
<thead>
<tr>
<th>Zone District</th>
<th>R-R</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-4</th>
<th>R-MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached or two-family dwelling structure, the minimum lot area of lots created through the subdivision shall not be smaller than the smallest abutting lot occupied by a single-family detached or two-family dwelling structure, nor larger than the largest abutting lot occupied by a single-family detached or two-family dwelling structure.</td>
<td>1,000 sf. per manufactured home, or 1.5 times the gross floor area of all manufactured homes, whichever is larger</td>
<td>Only alley-loaded residential product permitted. Single-family attached products that do not front on a public street or a private street meeting public street standards shall comply with the requirements for Green Court Dwellings.</td>
<td>In Subarea A, when lots on both sides of the subject lot are developed with single-family detached or two-family dwelling structures, and the front setbacks on those single-family or two-family structures are not larger than 30 feet, the front setback shall be no further from the street than the further of the two adjacent structures, and no closer to the street than the closer of the two adjacent structures.</td>
<td>Single-family attached dwellings have an interior side setback of 0 ft.</td>
<td>Portions of Affordable Housing structures located more than 75 feet from an R-R, R-1, or R-2 zone district have a maximum height of 55 feet.</td>
<td>Portions of Affordable Housing structures located more than 75 feet from an R-R, R-1, or R-2 zone district have a maximum height of 75 feet.</td>
</tr>
</tbody>
</table>

2. The dimensional standards for residential districts shown in Table 4.2-12 shall apply to all development in the listed zone districts in Subarea C, unless an applicant uses the optional standards available in Section 146-4.2.3.A (Subarea C Small Residential Lot Standards). All development required to comply with Table 4.2-2 shall also comply with the requirements of Section 146-4.6.5 (Parking Design and Location), and the event of a conflict between required dimensions in Table 4.2-2 and Section 146-4.6.5, the requirements of Section 146-4.6.5 shall apply.

Table 4.2-2
Summary of Residential Districts Dimensional Standards – Subarea C
Applies when Small Residential Lot Option is not being used
See additional standards in Section 146-2.3 (Residential Districts)

<table>
<thead>
<tr>
<th>Density and Lot Standards</th>
<th>R-R</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-4</th>
<th>R-MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential density, maximum</td>
<td>N/A</td>
<td>3 du/ac</td>
<td>5 du/ac</td>
<td>N/A</td>
<td>N/A</td>
<td>Manufactured housing: 10 du/ac, Co-housing or Cottage housing: 12 du/ac, Tiny houses: 15 du/ac.</td>
</tr>
<tr>
<td>Lot area, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached (Standard/Small)</td>
<td>43,560 sf. / N/A</td>
<td>4,500 sf. / See Table 4.2-5</td>
<td>4,500</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two-family (Front Load / Alternate-Load)</td>
<td>N/A / N/A</td>
<td>3,200 sf. / 1,250 sf.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family attached fronting a public street or a private street meeting public street standards [1]</td>
<td>N/A</td>
<td>1,380 sf. for end units and 1,250 sf. for interior units</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td>N/A</td>
<td>7,000 sf.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other permitted or approved conditional use</td>
<td></td>
<td>7,000 sf.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 4.2-2
Summary of Residential Districts Dimensional Standards – Subarea C
Applies when Small Residential Lot Option is not being used
See additional standards in Section 146-2.3 (Residential Districts)

<table>
<thead>
<tr>
<th>Zone District</th>
<th>R-R</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-4</th>
<th>R-MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot frontage at front lot line, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached (Standard / Small)</td>
<td>120 ft.</td>
<td>50 ft. / See Table 4.2-5</td>
<td>50 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two-family (Front-load/Alternate Load)</td>
<td>NA</td>
<td>40 ft. / 25 ft. per lot</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family attached fronting a public street or a private street meeting public street standards [1]</td>
<td>NA</td>
<td>20 ft. for end units and 18 ft. for interior units</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td>NA</td>
<td>60 ft.</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other permitted or approved conditional uses</td>
<td></td>
<td></td>
<td>60 ft.</td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Lot frontage (cul-de-sac or curved frontage), minimum</td>
<td>60 ft.</td>
<td>35 ft.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Setbacks, Minimum

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Side</th>
<th>Rear</th>
<th>Building separation between units, minimum</th>
<th>Building Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td>Front</td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>20 ft. [2]</td>
<td>15 ft.</td>
<td>12 ft.</td>
</tr>
</tbody>
</table>

**Notes:**
1. Only alley-loaded residential product permitted. Single-family attached dwelling units that do not front on a public street or a private street meeting Aurora public street standards shall comply with the requirements for Green Court Dwellings or Motor Court Dwellings.
2. Must comply with Section 146-4.6.5.C.
3. Single-family attached dwellings have an interior side setback of 0 ft.
4. Portions of Affordable Housing structures located more than 75 feet from an R-R, R-1, or R-2 zone district have a maximum height of 55 feet.
5. Portions of Affordable Housing structures located more than 75 feet from an R-R, R-1, or R-2 zone district have a maximum height of 75 feet.
6. Common area structures have a maximum height of 30 feet.

### B. Mixed-Use Districts
Dimensional standards for mixed-use districts are shown in Table 4.2-3.
### Table 4.2-3
**Summary of Mixed-Use Districts Dimensional Standards**

See additional standards in Section 146-2.4 (Mixed-Use Districts)

<table>
<thead>
<tr>
<th>Zone District</th>
<th>MU-N</th>
<th>MU-0I</th>
<th>MU-C</th>
<th>MU-OA</th>
<th>MU-FB</th>
<th>MU-TOD</th>
<th>MU-R</th>
<th>MU-A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project and Site Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contiguous and adjacent area, minimum</td>
<td>N/A</td>
<td>N/A</td>
<td>40 ac [1]</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>40 ac [2]</td>
<td>N/A</td>
</tr>
<tr>
<td>Contiguous and adjacent area, maximum</td>
<td>10 ac [1]</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential density</td>
<td>16 du/ac max.</td>
<td>N/A</td>
<td>N/A</td>
<td>25 du/ac min.</td>
<td>Core: 60 du/ac, min.</td>
<td>Edge: 20 du/ac, min.</td>
<td>N/A</td>
<td>40 du/ac, max.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Setbacks and Build-To Standards</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From streets (All Subareas) [3]</td>
<td>0 ft./20 ft./20 ft.</td>
<td>20 ft.</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>See Table 2.4-5</td>
<td>Arterials and Collectors: 0 ft. min. 15 ft. max; Other: 5 ft. min. 15 ft. max.</td>
<td>Core: 10 ft. max.</td>
<td>Edge: 18 ft. max.</td>
<td>Main Street: 15 ft. max for at least 50% of ground floor frontage; All streets other than the Main Street: 10 ft. min</td>
</tr>
<tr>
<td>Side setback, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From streets (All Subareas)</td>
<td>0 ft./20 ft./20 ft.</td>
<td>20 ft.</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>See Table 2.4-5</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>Core: None Edge: same as any Residential zone district adjacent to the lot</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>25 ft. [4]</td>
</tr>
<tr>
<td>Rear setback, minimum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General (All Subareas)</td>
<td>0 ft./20 ft./20 ft.</td>
<td>20 ft.</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>See Table 2.4-5</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>Core: If no alley: 5 ft. If alley: 3 ft. max. Edge: same as any Residential zone district adjacent to the lot</td>
<td>Must allow compliance with Section 146-4.7</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Setback from centerline of alley, minimum.</td>
<td>N/A</td>
<td>10 ft.</td>
<td>Subarea A: 10 feet min., Subareas B &amp; C: N/A</td>
<td>See Table 2.4-5</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>45 ft. on Main Street; N/A</td>
</tr>
<tr>
<td>Separation of buildings, maximum</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### Table 4.2-3
Summary of Mixed-Use Districts Dimensional Standards
See additional standards in Section 146-2.4 (Mixed-Use Districts)

<table>
<thead>
<tr>
<th>Zone District</th>
<th>MU-N</th>
<th>MU-OI</th>
<th>MU-C</th>
<th>MU-OA</th>
<th>MU-FB</th>
<th>MU-TOD</th>
<th>MU-R</th>
<th>MU-A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General</strong></td>
<td>Subarea A: See Aurora Infill Handbook; Subareas B &amp; C: 2 stories max.</td>
<td>75 ft. max.</td>
<td>Subarea A: See Aurora Infill Handbook; Subareas B &amp; C: 75 ft. max.</td>
<td>See Table 2.4-5</td>
<td>19 ft. min. on arterials</td>
<td>Core: No max.; Max for Focal Point: N/A Max General: No building taller than Focal Point; If no Focal Point yet constructed: 100 ft.</td>
<td>Single-family and duplex: 38 ft. max.; Multifamily or mixed-use: 60 ft.; Non-residential: 100 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Multifamily Affordable Housing structure</strong></td>
<td>2 stories max.</td>
<td>75 ft. max</td>
<td>90 ft. max.</td>
<td>See Table 2.4-5</td>
<td>19 ft. min. on arterials</td>
<td>Core or Edge: No max.; Max for Focal Point: N/A Max General: No building taller than Focal Point; If no Focal Point yet constructed: 130 ft.</td>
<td>75 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Within 75 feet of R-1 or R-2 district [5]</strong></td>
<td>38 ft. max.</td>
<td>38 ft. max.</td>
<td>38 ft. max.</td>
<td>See Table 2.4-5</td>
<td>38 ft. max.</td>
<td>48 ft. max.</td>
<td>38 ft. max.</td>
<td>38 ft. max.</td>
</tr>
<tr>
<td><strong>Gross floor area, maximum</strong></td>
<td>All structures: 50,000 sf. gfa</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Each individual use [6]</td>
<td>15,000 sf. gfa</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Notes:
[1] Applies to properties zoned into this district after the Effective Date. 10 acre maximum does not apply to MU-N districts designated for school, park, or religious assembly uses.
[2] Applies to for projects in this district approved under prior E-470 or NEP zoning and projects in Subarea C zoned into this district after the Effective Date.
[3] Entries and arcades can be recessed from maximum setbacks.
[4] If the Director determines that the intended character of the development is urban, based on considerations of surrounding existing or intended development and relationship of primary buildings to the street, the Director can approve a reduction to 15 feet.
[5] Applies to general structures and to Affordable Housing Structures.

### C. Special Purpose Districts
Dimensional standards for special purpose districts are shown in Table 4.2-4.
4.2.3. SPECIAL DIMENSIONAL STANDARDS

A. Subarea C Small Residential Lot Standards

In Subarea C, undeveloped land zoned R-1, R-2, or MU-A that has not been redesignated by the applicant for development pursuant to the standards for MU-N or MU-C development pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation) may be subdivided and developed as described in this Section 146-4.2.3.A, provided the application complies with the following additional standards. The maximum residential dwelling density of three dwelling units per acre in the R-1 zone district and five dwelling units in the R-2 zone district shall apply, but any conflict between the standards in this Section 146-4.2.3.A and the lot dimension, size, and layout standards that would otherwise apply in Subsection C (including those standards for alternative-load garage setbacks in Section 146-4.6.5.C.8.a.iv) shall be resolved in favor of the standards in this Section 146-4.2.3.A. Three alternative
development options are available: General (See this Section 146-4.2.3.A), Green Court (See Section 146-4.2.3.C), and Motor Court (See Section 146-4.2.3.E).

1. Purpose

The purpose of the Small Residential Lot single-family development standards is to create high-quality mixed residential developments that will retain their social and economic value over time and provide housing for individuals and families seeking convenience, a range of housing choices, and generous and high quality open space amenities. Small Residential Lot developments should be designed to provide a variety of lot sizes that are distributed in groupings throughout the development so that large areas of one lot size do not exist. The Small Residential Lot subdivision shall also 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. Minimum Lot Size

The following standards apply to all development of Small Residential Lots unless the Green Court Dwelling standards of Section 146-4.2.3.C or the Motor Court Dwelling standards of Section 146-4.2.3.E provide a different standard.

<table>
<thead>
<tr>
<th>Table 4.2-5</th>
<th>Minimum Lot Size and Area for Small Residential Lot Developments Subarea C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front-Loaded Residential Product</strong></td>
<td><strong>Min. Lot Frontage [1]</strong></td>
</tr>
<tr>
<td>Dwelling, single-family detached, standard</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Dwelling, single-family detached, small</td>
<td>&lt;50 ft. or &lt;4,500 sf.</td>
</tr>
<tr>
<td>Dwelling, two-family (duplex)</td>
<td>40 ft.</td>
</tr>
<tr>
<td><strong>Alternate-Loaded Residential Product</strong></td>
<td><strong>Min. Lot Frontage [2]</strong></td>
</tr>
<tr>
<td>Dwelling, single-family detached</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Dwelling, two-family (duplex)</td>
<td>25 ft.</td>
</tr>
<tr>
<td>Dwelling, motor court</td>
<td>See Section 146-4.2.3.E</td>
</tr>
<tr>
<td>Dwelling, single-family attached, only alley loaded product permitted</td>
<td>End units: 20 ft.</td>
</tr>
<tr>
<td></td>
<td>Interior units: 18 ft.</td>
</tr>
</tbody>
</table>

Notes:
[1] No front-loaded single-family detached dwelling may be located on a lot less than 45 ft. in width
[2] Minimum lot frontage or minimum lot area for Alternate-Loaded Product may not include an alley or common shared drive. The alley or shared drive may be located in a tract or public assess easement.

3. Amount and Distribution of Small Residential Lots

The following standards apply to all development of Small Residential Lots unless the Green Court Dwelling standards of Section 146-4.2.3.C or the Motor Court Dwelling Standards of Section 146-4.2.3.E provide a different standard. For purposes of this Section 146-4.2.3.A.3, single-family attached dwelling units do not count against the maximum permitted number of Small Residential Lots included in a Master Plan.

a. When included in a Master Plan or Site Plan, groupings of Small Residential Lots and single-family attached dwellings should be distributed throughout the Master Plan or Site Plan, regardless of the number of residential lots or Small Residential Lots included in the Master Plan or Site Plan.

b. In the R-1 zone district, no Master Plan may include more than 25 percent Small Residential Lots, regardless of the total number of residential lots included in the Master Plan.
c. In the R-2 and MU-A zone districts, no Master Plan containing fewer than 100 residential lots may include more than 35 percent Small Residential Lots.

d. In the R-2 and MU-A zone districts, a Master Plan containing 100 residential lots or more may include up to 50 percent Small Residential Lots subject to all of the following standards:
   i. No more than 35 percent of the total number of lots in the Master Plan may be front-loaded Small Residential Lots.
   ii. No more than 60 percent of the total number of lots in the Master Plan may be a single type as described in Section 146-4.2.3.A.8.
   iii. A minimum of 40 percent of the total number of lots in the Master Plan must meet or exceed the standards for minimum lot width and minimum lot area for “single-family detached dwelling, standard” shown in Table 4.2-2.
   iv. If a Master Plan includes 200 lots or more, a minimum 10 percent of the total number of lots must be lots with at least 60 feet of lot frontage and 6,000 square feet of lot area.

v.

4. Minimum Residential Building Setbacks

<table>
<thead>
<tr>
<th>Table 4.2-6</th>
<th>Minimum Building Setbacks for Small Residential Lot Development in Subarea C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front-loaded Residential Product</td>
<td>Front [1]</td>
</tr>
<tr>
<td>Dwelling, single-family detached, standard</td>
<td>House = 15 ft. Garage = 20 ft.</td>
</tr>
<tr>
<td>Dwelling, single-family detached, small</td>
<td>House = 10 ft. Garage = 18 ft.</td>
</tr>
<tr>
<td>Dwelling, two-family (duplex)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alternate-Loaded Residential Product</th>
<th>Alley-Loaded</th>
<th>Alley-Loaded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, single-family detached</td>
<td>3 ft.</td>
<td>3 ft.</td>
</tr>
<tr>
<td>Dwelling, two family (duplex)</td>
<td>3 ft.</td>
<td>3 ft.</td>
</tr>
<tr>
<td>Dwelling, single-family attached dwelling, only alley loaded product permitted</td>
<td>End walls = 10 ft. Interior walls = 0 ft.</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
[1] Porches and stoops with a front setback of less than 10 ft. may not have a roof element or associated structure taller than a single story. The 5 ft. porch setback shall be increased if necessary to accommodate utility infrastructure or required landscaping.

5. Required Open Space

The following standards apply to all development of Small Residential Lots unless the Green Court Dwelling standards of Section 146-4.2.3.C4.2.3.C or the Motor Court Dwelling Standards of Section 146-4.2.3.E provide a different standard.

a. Private Open Space
   i. Each Small Residential Lot shall incorporate a private, usable outdoor space or spaces with direct access to the dwelling unit on the lot.
   ii. The required private, usable outdoor space shall contain at least 180 square feet of area and have minimum length and width dimensions of 10 feet.
   iii. If the required private, usable outdoor space is provided in more than one space on the lot, the total of all spaces must contain at least 200 square feet and each space must have minimum length and width dimensions of 10 feet; and shall be marked for private use.
iv. A front yard may be counted toward this requirement if the front yard meets the minimum dimensions described in Subsections ii or iii above and the space includes a front porch, deck or similar space with minimum dimensions of six feet by eight feet.

v. Patios, porches, roof top decks and similar spaces that are not located in the front yard may be counted toward the requirements of Subsection ii or iii, provided they have minimum length and width dimensions of 10 feet.

vi. A lot with frontage on a Green Court open space complies with the requirements of Subsection i or ii.

vii. A portion of the required private, usable outdoor space may be located on an adjacent lot if an easement restricting the use of that area to the owner of the subject lot easements is obtained and recorded.

viii. Driveway and parking areas shall not be counted toward meeting the minimum private, usable open space requirement.

b. Common Open Space

i. Each Small Residential Lot and single-family attached dwelling must be within 1,320 feet of one of the following:

a. A park or open space as defined by the Parks, Recreation, and Open Space Department, and for which the Parks, Recreation, and Open Space Department has given credit towards parks and open space dedication requirements, which may include but is not limited to a neighborhood park, a community park, or a pocket park.

b. Designated open space, which may include a trail corridor provided that the trail corridor has a minimum width of 50 feet.

ii. As an alternative to the requirement in Subsection i above, the applicant may provide a privately maintained recreational facility that serves the residential development (such as a pool operated by a homeowners’ association or an area designated for development under the standards applicable to the Mixed-Use Neighborhood zone district), and that is located within 1,320 feet of each Small Residential Lot.

iii. The distance requirement in Subsection i. shall be measured from the closest point, measured radially, on the residential lot and the lot or tract containing the required park or open space.

iv. A Small Residential Lot development that meet the standards for Green Court Dwellings in Section 146-4.2.3.C has satisfied this common open space requirement.

6. Architectural Standards

All developments containing Small Residential Lots, including but not limited to those organized as Green Court Dwellings or Motor Court Dwellings, shall comply with the standards in Section 146-4.8.3 (Design Standards for Single-Family Detached and Two-Family Dwellings).

7. Garage Mitigation

The following standards apply to all development of Small Residential Lots unless the Green Court Dwelling standards of Section 146-4.2.3.C or the Motor Court Dwelling Standards of Section 146-4.2.3.E provide a different standard.

a. At least 50 percent of all lots with 50 feet or more of frontage and 4,500 or more square feet of lot area shall contain Alternate-Loaded Residential Product or have garages recessed as described in Section 146-4.6.5.C.8.a.ii.
b. At least 75 percent of lots with less than 50 feet of frontage or less than 4,500 square feet of lot area shall contain Alternate-Loaded Residential Product or must have garages recessed as described in Section 146-4.6.5.C.8.a.ii.

c. The homes that are not Alternate-Loaded Residential Product shall be distributed in groupings throughout a Master Plan or Site Plan.

8. Product Mix

a. Each Master Plan being developed with Small Residential Lots pursuant to this Section 146-4.2.3.A shall meet the following standards for product mix, using those Lot/Housing Types defined in Subsection b. below.

<table>
<thead>
<tr>
<th>Required Product Mix in Developments with Small Residential Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Developments in R-1 District and</strong></td>
</tr>
<tr>
<td><strong>Developments in R-2 and MU-A Districts with 35 Percent or Fewer Small Residential Lots</strong></td>
</tr>
<tr>
<td>Number of Dwelling Units</td>
</tr>
<tr>
<td>Less than 200 dwelling units</td>
</tr>
<tr>
<td>200-399 dwelling units</td>
</tr>
<tr>
<td>400-799 dwelling units</td>
</tr>
<tr>
<td>800 or more dwelling units</td>
</tr>
<tr>
<td><strong>Developments in R-2 and MU-A Districts with More than 35 Percent Small Residential Lots</strong></td>
</tr>
<tr>
<td>Number of Dwelling Units</td>
</tr>
<tr>
<td>Less than 100 dwelling units</td>
</tr>
<tr>
<td>100-199 dwelling units</td>
</tr>
<tr>
<td>200 or more dwelling units</td>
</tr>
</tbody>
</table>

b. Definition of Lot/Housing Types

For purposes of applying the requirements in Subsection a. above, the following Lot/Housing Types are defined.

<table>
<thead>
<tr>
<th>Lot/Housing Types for Developments with Small Residential Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Dwelling, single-family detached, front loaded with frontage of 70 ft. or more</td>
</tr>
<tr>
<td>2. Dwelling, single-family detached, front loaded with frontage of at least 60 ft. but less than 70 ft.</td>
</tr>
<tr>
<td>3. Dwelling, single-family detached, front loaded with frontage of at least 50 ft. but less than 60 ft.</td>
</tr>
<tr>
<td>4. Dwelling, single-family detached, front loaded with less than 50 ft. of frontage</td>
</tr>
<tr>
<td>5. Dwelling, single-family detached -- alley loaded</td>
</tr>
<tr>
<td>6. Dwelling, single-family Green Court or Motor Court, with at least 35 ft. of frontage</td>
</tr>
<tr>
<td>7. Dwelling, single-family Green Court or Motor Court, with less than 35 ft. of frontage</td>
</tr>
<tr>
<td>8. Dwelling, two-family (duplex)</td>
</tr>
<tr>
<td>9. Dwelling, single-family attached (townhouse)</td>
</tr>
<tr>
<td>10. Dwelling, multifamily</td>
</tr>
</tbody>
</table>

9. Other Standards on Layout and Connectivity Continue to Apply

Except as modified by this Section 146-4.2.3.A, the provisions of Sections 146-4.3.9 (Block Dimensions), 146-4.3.10 (Lot Design and Layout), 146-4.3.11 (Streets and Alleys), 146-4.3.12 (Sidewalks, Trails, and Bicycle Paths), 146-4.5 (Access and Connectivity), and 146-4.7 (Landscape, Water Conservation, Stormwater Management) apply to residential developments under Sections 146-4.2.3.A (Subarea C Small Residential Lot Standards), 146-4.2.3.C (Green Court Dwellings), 146-4.2.3.D (Loop Lane Dwellings) and 146-4.2.3.E (Motor Court Dwellings).
B. Subarea C Flexible Residential Lot Option

1. Purpose
The purpose of the Flexible Residential Lot Option is to offer additional flexibility for the creation of diverse residential housing types in with supporting non-residential uses in Subarea C, beyond that flexibility provided by Sections 146-4.2.3.A (Subarea C Small Residential Lot Standards), 146-4.2.3.C (Green Court Dwellings), and 146-4.2.3.E (Motor Court Dwellings), by removing minimum lot size standards for residential lots in return for compliance with the standards in this Section 146-4.2.3.B and those purposes and standards in the Subarea C Flexible Residential Lot Handbook.

2. Applicability
   a. In Subarea C, undeveloped land zoned R-1, R-2, or MU-A may be subdivided and developed as described in this Section 146-4.2.3.B (Subarea C Flexible Residential Lot Option), provided the application complies with the following additional standards.
   b. The Flexible Residential Lot Option is not available within any Master Plan that has been developed using the standards in Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) or land that has been redesignated by the applicant for development pursuant to the standards for MU-N or MU-C development pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation).
   c. If there is a conflict between the standards in this Section 146-4.2.3.B and the lot dimension, size, and layout standards that would otherwise apply in Subsection C the standards in this Section 146-4.2.3.B shall apply.
   d. Developments approved pursuant to the E-470 Sustainable Urban Neighborhoods (SUN) standards in effect prior to the Effective Date shall be deemed to have been approved pursuant to this Section 146-4.2.3.B, and shall be deemed to be in compliance with this Section provided development is in compliance with the conditions of the SUN approval.

3. Standards
All development shall comply with the following standards:
   a. Contiguous Area and Maximum Density
      i. The Flexible Residential Lot Option area shall include no less than 75 contiguous acres, and no more than 200 contiguous acres.
      ii. The overall density of any area approved under the Flexible Residential Lot Option shall not exceed 12 dwelling units per acre.
   b. Compliance with Flexible Residential Lot Option Handbook
      i. All development shall comply with all standards and guidelines in the Flexible Residential Lot Handbook to the maximum extent practicable and consistent with the standards in this Section 146-4.2.3.B and this UDO, as determined by the Planning Director. This includes but is not limited to compliance with standards and guidelines related to:
         a. Required mix of land uses;
         b. Required mix of lot types;
         c. Requirements for alley-loaded access to parking areas for some lot types;
         d. Dimensional standards;
         e. The required pattern book for the development; and
f. Additional standards.
   ii. If the Flexible Residential Lot Handbook does not provide an alternative standard, all the development shall comply with the standards otherwise applicable to land located in the underlying R-1, R-2, or MU-A zone district in Subarea C, as applicable, as determined by the Planning Director.

4. Procedure for Approval
   Applications for approval under this Section 146-4.2.3.B shall be reviewed under the Master Plan procedure in Section 146-5.4.1.E or the Major Subdivision procedure in Section 146-5.4.2.A, as applicable.

C. Green Court Dwellings
   1. The following standards apply to all Green Court Dwelling developments, regardless of whether they are included in a development containing Small Residential Lots.
      a. Purpose
         The Green Court option is intended to contribute to a mix of housing types and land uses by permitting more flexible arrangements of buildings and open spaces. Green Court Dwelling developments are an arrangement of single-family residential products around a common open space area intended for use by residents and guests. Typically Green Court Dwelling lots are smaller than average lots because they share a common space within a higher density format and are oriented perpendicular to a street. Green Court Dwellings and adjacent housing shall demonstrate quality design, provide open space that is accessible and usable by residents, and be designed to encourage resident interaction. Green Court Dwelling developments within a neighborhood should have a variety of home elevations, styles, and Green Court designs. Green Court Dwellings may also be located within blocks that include other non-Green Court housing products. A north-south orientation for Green Court open spaces is also encouraged. The location and design of Green Court Dwellings should not negatively impact street frontage by creating extended lengths of side facing buildings or result in garages or the rear facades of buildings facing a street.
      b. Standards
         Green Court Dwelling developments shall comply with the following standards.
         i. Only single-family detached or attached dwellings are permitted in a Green Court Dwelling development.
         ii. The minimum Green Court open space width shall comply with one of the following standards:
            a. A standard Green Court open space must have a minimum width of 30 feet or the height of the tallest residential building facing the Green Court open space, whichever is greater; or
            b. A variable width Green Court open space must have the minimum width described in Subsection b.i above for at least 75 percent of its length, and no portion of the remainder that is fronted by one- or two-story dwelling units is less than 15 feet in width and no portion of the remainder that is fronted by three-story dwelling units is less than 25 feet in width;
iii. If no more than six dwelling units face the Green Court open space, and none of the dwelling units are more than three stories in height, the Director may approve a maximum of one Green Court open space within each platted block with a minimum width of 20 feet for any portion fronted by one- or two-story dwelling units and a minimum width of 30 feet for any portion that is fronted by three-story dwelling units.

iv. The Green Court open space width is calculated by measuring from the narrowest dimension of front building face to front building face. For the purposes of establishing the minimum Green Court open space width, building height is measured to the highest point of the coping of a flat roof or the deck line of a mansard roof, or to the peak of a gable, pitched or hip roof.

v. In Subareas A and B, no more than 14 dwelling units may face the same Green Court open space.

vi. In Subareas C, no more than 14 dwelling units may face the same Green Court open space, except that the number of units facing a Green Court open space may be increased to 24 dwelling units, if both ends of the Green Court open space have frontage on a public street and the design is approved by the Department of Public Works, Life Safety. The length of the Green Court open space shall not exceed 360 feet in length measured from any public or private street or access drive (refer to graphic below).

vii. Each Green Court Dwelling development shall have direct frontage on and pedestrian access to a street that includes on-street parking and sidewalks on both sides.

viii. Both end units of each group of attached Green Court Dwellings shall abut a public or private street or alley, without intervening common open space between the side wall of the end unit and the right-of-way of the private or public street or alley, except as provided in Subsection ix below.
ix. Green Courts not meeting the standard Subsection viii shall be approved by the Planning Director in the circumstances listed in this Subsection ix:

   a. Perimeter Conditions
   
   Along arterial streets, major utility corridors, major drainage facilities, or other similar facilities that preclude street connectivity, provided that:
   
   i. The maximum continuous frontage of Green Courts Dwellings along an arterial or major drainage facility is limited to 700 feet; and
   
   ii. The continuous frontage of Green Courts Dwellings must be separated from other continuous frontages of Green Courts Dwellings by a pocket park tract of at least 60 feet in width, or by a street connection.
   
   iii. Not more than two continuous frontages meeting the standards in Subsections i and ii above are allowed on a single perimeter condition that limits street connectivity.

   b. Infill
   
   For infill development and infill development parcels where existing development precludes street connectivity, provided that:
   
   i. No more than 25 percent of the groups of attached Green Court Dwellings, or no more than two of the groups of attached Green Court Dwellings, whichever is greater, do not comply with Subsection viii above; or
   
   ii. Up to three contiguous groups of attached Green Court Dwellings and related Green Court open spaces may not comply with Subsection viii above if they are separated from other groups of attached Green Court Dwellings and related open spaces by another non-Green Court Dwelling land use allowed in Table 3.2-1, or by a street connection. For the purposes of this Subsection viii, contiguous shall mean sharing a property boundary, alley, or common driveway or other non-buildable parcel.

   c. Additional Standards
   
   All exceptions shall comply with the following standards:
   
   i. No group of attached Green Court Dwellings may include more than five dwellings on each side of the Green Court open space; and
   
   ii. In addition to the number of parking spaces required for each Green Court Dwelling by Section 146-4.6 (Parking, Loading, and Stacking), the Green Court development must provide guest parking for motor vehicles at the rate of one-half parking space per Green Court Dwelling. Required guest parking must be located within 200 feet of the front entrance of the dwelling it serves and must be located (a) on a public or private street, or (b) in a parking lot or garage abutting and visible from a public or private street.

   x. At least 50 percent of the Green Court open space area shall be landscaped and shall be designed to accommodate foot traffic and play areas. Sidewalks should be located to accommodate pedestrian access while maximizing use of the Green Court open space. Trees are allowed in open areas but should be located along the perimeter and typically be canopy tree species to allow usable space under the tree canopy.

   xi. All Green Court Dwellings shall have front entry features (porches or stoops) fronting on a Green Court open space or a street. If porches are provided to meet this requirement, they shall be a minimum 45 square feet in area and a minimum of five feet wide in the narrowest porch dimension. Porches and stoops facing the Green Court open space may extend up to five feet beyond the
Article 146-4 Development Standards

4.2. Dimensional Standards

4.2.3. Special Dimensional Standards

building façade provided that no roof or associated structure exceeds one story in height.

xii. Above grade utility, cable, telecommunication infrastructure or similar improvements should be located outside of the central Green Court open space area.

xiii. Maintenance and management of common areas shall be provided by a homeowners’ association or other similar entity.

xiv. All standards in Section 146-4.5 (Access and Connectivity) apply to Green Courts Dwellings.

D. Loop Lane Dwellings

Within residential zoning districts, up to 10 single-family dwellings may share access to a public street through the use of a Loop Lane, provided that the following conditions are met:

1. The surface of the Loop Lane shall be at least 23 feet wide to accommodate two-way vehicle circulation.

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. Each lot fronting on a non-curved section of the Loop Lane shall have a minimum lot width of 50 feet at the front lot line; each lot fronting on a curved section of the Loop Lane shall have a minimum lot width of 30 feet at the front lot line.

5. 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 homeowners’ 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 homeowners’ 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 in the Loop Lane Dwelling development.

6. Individual driveways leading from the Loop Lane to each home shall be at least 18 feet long, as measured between the front of the garage or carport and the closest edge of the Loop Lane.

7. 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.

8. The Loop Lane Dwelling 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 unit. 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.

9. Each Loop Lane extending 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.
**E. Motor Court Dwellings**

1. The following standards apply to all Motor Court Dwelling developments, regardless of whether they are included in a development containing Small Residential Lots.
   a. **Purpose**
      Motor-courts are an arrangement of single-family detached housing units on very small lots sharing a common, private access drive. A motor-court is intended to contribute to a mix of housing types and land uses by permitting more flexible arrangements of building and open spaces. Motor-courts include relatively small amounts of outdoor private space, and contiguous groupings of these motor-courts are limited unless mitigated with additional outdoor space.
   
   b. **Standards**
      Motor Court Dwelling developments shall comply with the following standards:
      
      i. This use is not permitted in the R-3 and R-4 zone districts in Subareas A and B.
      
      ii. Only single-family detached dwelling units are permitted in a Motor Court Dwelling development.
      
      iii. No more than six single-family dwelling units may obtain access from a public street through a shared driveline in a Motor Court Dwelling development.
      
      iv. The minimum lot size of each lot is 2,500 square feet.
      
      v. The minimum lot width of each lot is 50 feet, as measured at the centerline of the private, shared driveline.
      
      vi. If four or fewer dwellings obtain access from the shared driveline, the minimum width of the driveline is 16 feet, and the driveline must be posted with “no parking – tow away zone” signs to ensure homeowner access and fire department hose pull activity.
      
      vii. If five or six dwellings obtain access from the shared driveline, the minimum width of the driveline is 23 feet.
      
      viii. Dwellings on lots abutting a public or private street shall have front doors facing that street, and any fence between the dwelling and the street shall comply with
the requirements of Section 146-4.7.9.L (Fences and Walls in Residential Developments).

ix. All garages shall receive access from the shared drivelane and not onto a private or public street.

x. The front, side and rear setbacks of a Motor Court Dwelling development shall be measured from the outer lot lines of the Motor Court Dwelling development, and shall not apply to individual lots within the development. The front setback shall be the lot line adjacent to the street, rear is opposite the street and sides are perpendicular to the street.

xi. The front setback for homes on lots abutting a public or private street shall be 10 feet for the house and five feet for a porch facing the street. The five foot setback shall be increased if necessary to accommodate utilities, required landscaping, or other City regulations.

xii. For those lots abutting the rear property line, the minimum setback from the rear property line is 10 feet. For those lots abutting the side property lines, the minimum setback from the side property lines is five feet.

xiii. The minimum separation between dwellings is 10 feet, and the minimum separation between garage doors on adjacent dwellings is 30 feet.

xiv. If a wall or fence is provided along the rear property line, the provisions of Section 146-4.7.5.D.8.b shall apply.

xv. Each Motor Court Dwelling development containing five or six dwellings shall include at least two guest parking spaces.

xvi. Motor Courts Dwelling developments shall be organized as shown, and shall comply with the building location, setback, and separation standards shown, on the figure below.
4.2 Dimensional Standards

4.2.3 Special Dimensional Standards

**Motor Courts**

General Notes:
- Minimum lot size is 2,500 sf.
- Guest parking for rear units only required if greater than 4 units.
- Minimum private open space for each lot is 180 sf (10' x 18' min.).
- No privacy fences along public street frontage.
- 50' minimum lot frontage only applies to lots adjacent to public street.
- Minimum drainage and utility easement standards from the applicable Aurora Water of Public Works specifications shall apply to areas where public wet utilities (i.e. water meter pits) and/or surface drainage features (i.e. overflow tracts) are required.

**Figure 4.2-3: Motor Courts**

**F. Accessory Buildings for Residential Uses**

The following standards apply to accessory buildings for all residential zone uses unless a different standard is required for a particular type of accessory building by Section 146-3.3 (Use-Specific Standards).

1. **Larger than 120 Square Feet**

   Accessory buildings in residential districts larger than 120 square feet shall:
   
   a. Be constructed within the rear yard only;
   
   b. Not occupy more than 50 percent of the total rear yard;
   
   c. Not exceed 450 square feet or 50 percent of the gross floor area of the principal building, whichever is greater;
   
   d. Not exceed the height of the principal building or 20 feet;
   
   e. Be set back from each side property line a minimum of five feet;
   
   f. Be set back from each rear property line a minimum of:
      
      i. Three feet from each alley;
      
      ii. Five feet from each rear property line;
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- g. Not be approved if they encroach over an easement on or near a property line, unless the applicant has obtained authorization for such encroachment from the easement holder;
- h. Have exterior design, colors, roof pitch, and building materials, similar to the principal building; and
- i. Shall not be clad in:
  - i. Unpainted or galvanized metal or T-1-11, or materials of similar appearance; or
  - ii. Plywood or materials of similar appearance and durability.

2. Smaller than 120 Square Feet

Buildings that are accessory to residential uses and that are equal to or smaller than 120 square feet in floor area may be placed within the required side and rear setbacks but must be set back a minimum of three feet from all property lines. Accessory buildings meeting this requirement are exempt from the fire safety construction standards of the International Building Code (IBC).

3. Carports and Garages

Carports and private residential garages detached from the principal building requiring a building permit shall:

- a. Be constructed within the rear or side yard;
- b. Meet the side setback requirements and the rear setbacks required by Subsection 1.f above; and
- c. Have exterior materials and colors similar in appearance to the principal building.

G. Accessory Buildings for all Non-residential Primary Uses Except Industrial Uses

1. An accessory structure shall not be located within a required setback.

2. The height of the accessory structure shall not exceed the height of the primary building on the lot or 24 feet, whichever is less.

3. Accessory buildings shall be screened from private common space, public rights-of-way, parks, open spaces, and residential uses by landscaping, berms, and/or architecturally compatible walls that comply with the standards in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

4. In a Mixed-Use district accessory buildings shall be constructed with materials and building forms similar to the primary building on the site.

5. In a Special Purpose district accessory buildings shall be constructed with materials and building forms compatible with the surrounding non-residential area.

6. Accessory buildings for agricultural uses shall:

- a. Be constructed within the rear or side yard;
- b. Meet the side and rear setback requirements in paragraph 1.e above;
- c. Not exceed 25 percent of the lot area;
- d. Have exterior design, colors, roof pitch, and building materials similar to the principal building; and
- e. Shall not be clad in:
  - i. Unpainted or galvanized metal or T-1-11, or materials of similar appearance; or
  - ii. Plywood or materials of similar appearance and durability.
H. Accessory Buildings for Industrial Uses
All buildings on a lot containing a primary use listed in Table 3.2-1 as an industrial use are considered principal buildings, and shall meet all standards applicable to principal buildings.

I. Sight Triangle Required

1. Sight Triangle Area
The sight triangle distance for street intersections is defined in the Aurora Roadway Design and Construction Specifications Manual.

2. Obstruction Prohibited
No person shall place or maintain any structures, fences, landscaping, or any other objects within any sight triangle that obscures sight visibility above the sight triangle area for more than six horizontal inches between a height of 26 inches and 96 inches above the roadway surface. Trees with an expected mature Diameter at Breast Height (DBH) of six inches or less 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.

4.2.4. EXCEPTIONS AND ENCROACHMENTS

A. Table of Exceptions and Encroachments
The following table identifies permitted exceptions and encroachments into required yard areas and height limits.
4.3 Subdivision Standards

4.3.1. Applicability and Exceptions

A. Unless otherwise expressly stated in this Section 146-4.3, or in a valid, approved development agreement or annexation agreement, review and approval of a subdivision plat...
shall be required whenever any lot, tract or land parcel is created or divided into two or more lots, tracts, parcels or other land divisions for the purpose of sale or development.

B. The standards in Sections 146-4.3.5 (Avoidance of Sensitive Areas), 146-4.3.6 (No Grading before Stormwater Quality Permit), 146-4.3.8 (Through-Connectivity), 146-4.3.9 (Block Dimensions), 146-4.3.10 (Lot Design and Layout), 146-4.3.11 (Streets and Alleys), 146-4.3.12 (Sidewalks, Trails, and Bicycle Paths), 146-4.3.13 (Access Safety), 146-4.3.14 (Utility Easements), 146-4.3.15 (Improvements Required), and 146-4.3.16 (Responsibility for Improvement Costs) may also apply to a Master Plan that does not involve the subdivision of land if the Planning Director determines that the proposed Master Plan development will create impacts similar to a subdivision of land.

C. Exceptions

1. Review and approval of a subdivision plat shall not be required for any of the following:
   a. Dedication, acquisition, or condemnation of land for right-of-way or other public use, or conveyances relating to the vacation of land designated for public rights-of-way or public use;
   b. A correction of a legal description in a prior conveyance;
   c. The sale or transfer of a tract of land for which approval of a subdivision plat will be required prior to any development of the property;
   d. Any transfer of land required by law;
   e. Lease of property;
   f. Division of property that occurred prior to August 1, 1980;
   g. Division of land created by lien, mortgage, deed of trust or any other security interest;
   h. Division of land ordered by a court;
   i. Division of land for sale as part of an approved cemetery; or
   j. A bona fide division or portion of agricultural land for agricultural use or related purposes.

2. An exception from the requirement to obtain a subdivision plat approval pursuant to this subsection 146-4.3.1.c does not authorize any development without compliance with all other applicable provisions of this UDO.

(Ord. No. 2020-01, 03-25-2020)

4.3.2. PURPOSE

The purpose of this Section 146-4.3 is to ensure that each subdivision of land:

A. Establishes an interconnected logical framework comprised of the streets, utilities, parks and lots that are created in a manner that allows for any development or redevelopment with a defined system of streets, blocks, and lots that front either public or private streets, or alternative layouts as defined within Section 146-4.5 (Access and Connectivity);

B. Ensures that all development is served by necessary infrastructure services, including utilities, transportation, storm drainage, public safety, parks and open space and community facilities;
4.3.3. Compliance with Plans and Regulations

The design of each subdivision shall comply with, and shall include only lots, tracts, and infrastructure improvements that comply with:

A. The Comprehensive Plan and all other adopted plans and policies of the City Council;

B. The requirements of the zone district (and overlay district(s), if any) in which the property is located;

C. All provisions of this UDO applicable to the type of development proposed in that zone district including without limitation the provisions of Sections 146-4.4 (Neighborhood Protection Standards), 146-4.5 (Access and Connectivity), 146-4.6 (Parking, Loading, and Stacking), and 146-4.7 (Landscape, Water Conservation, Stormwater Management);

D. The Aurora Roadway Design and Construction Specifications Manual, the Aurora Public Improvements Rules and Regulations Regarding Standards, the Aurora Parks, Recreation and Open Space Dedication and Development Criteria Manual, and the regulations of the Urban Drainage and Flood Control District; and

E. All requirements of any Master Plan or Site Plan approved for the property.

4.3.4. Applicable Procedures

The procedures for review and approval of applications for subdivision of land, and for modifications of prior subdivisions of land, are in Section 146-5.4.2 (Subdivision of Land), and include without limitation procedures for the following:

A. Initial Subdivision of Land (Section 146-5.4.2.A);
   1. Minor Subdivisions (Section 146-5.4.2.A.2.a);
   2. Major Subdivision (Section 146-5.4.2.A.2.b);
   3. Major Subdivision Preliminary Plat (Section 146-5.4.2.A.3.b); and
4. Major Subdivision Final Plat (Section 146-5.4.2.A.3.c).

B. Revisions and Changes to Adopted Subdivisions Plats (Section 146-5.4.2.B);
   1. Minor Plat Amendments (Section 146-5.4.2.B.1);
   2. Vacation of Plat without Established Streets (Section 146-5.4.2.B.2);
   3. Vacation of Established Streets (Section 146-5.4.2.B.3); and
   4. Other Changes to Approved Final Plats (Section 146-5.4.2.B.4).

C. Other general procedures used by the City, including but not limited to procedures for the review and approval of public right-of-way encroachment or license agreements and for the review and approval of fire and access easements, may apply to the subdivision of land or the modification of an approved subdivision of land.

4.3.5. AVOIDANCE OF SENSITIVE AREAS

A. Intent
   Protect and preserve significant natural features, resources, and sensitive areas to minimize the impacts of development on the environment and create more distinctive neighborhoods and mixed-use areas. Such features shall be used as amenities to enhance the value of development.

B. Standards
   The following standards apply in Subareas B and C.
   1. Subdivisions shall be organized to protect, appropriately use, or enhance the following types of natural resources and features, by including such areas in private common space and dedicated public park land and open space areas, by requiring construction in these areas to avoid sensitive land features to the maximum extent practicable, or by mitigating the impacts of construction on these features to the maximum extent practicable. These features shall be connected or integrated with similar features on adjacent lands to the maximum extent practicable:
      a. Water features, and bodies of water (in addition to floodplains);
      b. Private common space, dedicated public park land, open space areas, trails, and greenways on or adjacent to the site;
      c. Historic or archeological sites or areas that have been recognized by the City Council as significant;
      d. Significant views of the Front Range or of designated open space areas as viewed from dedicated public parks and open space, from the E-470 right-of-way, or from collector or arterial streets;
      e. Significant wildlife habitat, as defined by Colorado Parks and Wildlife, or a natural or open space, as designated in the Comprehensive Plan or other applicable planning document;
      f. The approximate topographic form of major ridgelines and swales;
      g. Natural or geologic hazard areas or soil conditions, such as unstable or potentially unstable slopes, faulting, landslides, rockfalls, or expansive soils; and
      h. Other natural features such as bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, or wetlands.
2. Grading on or near major ridgelines and swales shall maintain their approximate topographic form. Significant reconstruction of major or prominent topographic features shall be avoided to the maximum extent practicable.

3. Slope conditions shall be addressed as follows:
   a. Lands that show evidence of slope instability, landslides, avalanche, flooding, or other natural or manmade hazards shall not be included in platted lots. If requested by the Planning Director or Director of Public Works, based on the topography of the land, the applicant shall demonstrate that the slope's ground surface and subsurface are stable and that the proposed development will not cause instability or increase the potential for future hazards.
   b. New structures shall not be built on any portion of any parcel of land that contains an existing average slope of 30 percent or more. Structures shall be exempt from this requirement if not more than 10 percent of the total area of the lot is located on slopes in excess of 30 percent. Any site disturbances that remove existing vegetation from a property shall not be permitted unless a stormwater quality permit for erosion control has been previously approved, as required by the Aurora City Code.

4. Potential wildlife habitat shall be protected from potential water quality impacts as follows:
   a. New structures intended for human occupancy shall not be located within 100 feet of any perennial stream or any public lake, reservoir, or element of a public water supply system, unless the Director of Water determines that a smaller setback would adequately protect water quality and wildlife habitat.
   b. In making the determination required in paragraph (a) of this Section, the Director of Water shall consider factors such as the proposed use of the land, the intensity of proposed human activity on the land, the types of existing vegetation on the land, the existence of wetlands or floodplains on the property, probable future water levels and habitat quality based on potential upstream development, the importance of the property to existing water supply sources and habitat networks, water quality and habitat quality improvements included in the design of the proposed development, and the existing and proposed uses of nearby lands.
   c. Roads, bridges, trails, public access sites for recreation, fences, irrigation and water diversion facilities, erosion and flood control devices, underground utilities, and similarly necessary structures may be located within the required setback if the Director of Water determines that the encroachment is minimized and water quality and wildlife habitat are adequately protected.

5. All subdivisions shall be designed to avoid and/or minimize soil erosion, both during construction and at final stabilization, in accordance with the Aurora Rules and Regulations Regarding Stormwater Discharges Associated with Construction Activities.

6. Avoidance of natural features identified in this Section 146-4.3.5 shall be accomplished through the inclusion of a site analysis with each Master Plan, or with each Site Plan or plat when a Master Plan is not required. The site analysis shall describe the following:
   a. The location and extent of the natural features described in this Section;
   b. The extent to which these features will be included in private common space and dedicated public park land and open space areas;
   c. The extent to which construction of land uses and roads, utilities and other infrastructure will occur in or adjacent to these features;
   d. The manner in which these features will be protected or used as amenities when construction or grading occurs in or adjacent to the features; and
4.3.6. NO GRADING BEFORE STORMWATER QUALITY PERMIT

No site grading shall occur on land included within any proposed subdivision prior to the issuance of a stormwater quality permit as required by the Aurora City Code.

4.3.7. CREATION OF DISTINCT NEIGHBORHOODS

A. To organize new development into distinct neighborhoods, no subdivision or portion of a subdivision in which more than 70 percent of the lots are occupied by a Household Living uses (as shown in Table 3.2-1) shall contain more than 160 contiguous acres unless it is separated from other adjacent residential development areas by significant natural or man-made features such as:
   1. Clearly visible bluffs, rock outcroppings, or landforms that are intended to be protected and preserved as natural community assets;
   2. Water features, major drainages, or designated open spaces, including greenway or trail corridors, at least 100 feet in width;
   3. An arterial street meeting the requirements of the Aurora street standards; or
   4. A collector street that has a landscaped median at least 14 feet in width and that complies with all other standards for a collector street as described in the Aurora Roadway Design and Construction Specifications Manual. If a street with planted median is used to define adjacent neighborhoods, the same fencing style may not be used on both sides of the street.

4.3.8. THROUGH-CONNECTIVITY

All subdivisions shall comply with the requirements in Section 146-4.5 (Access and Connectivity) or other similar requirements applicable at the time of preliminary subdivision plat approval, final subdivision plat approval, or plat modification.

4.3.9. BLOCK DIMENSIONS

A. In Subarea A, the length and width of new blocks created through subdivision shall be within 25 percent of the typical length and width of blocks nearest adjacent subdivided land, or, if none of the adjacent land has been subdivided, shall not exceed 330 feet in width and 660 feet in length, to the maximum extent practicable in light of topographic conditions.

B. In Subareas B and C, the maximum block length and width shall be 700 feet, and the perimeter of new blocks created for residential development, measured at the curb line of adjacent streets, shall not exceed 2,800 feet, to the maximum extent practicable in light of topographic conditions.

C. In all Subareas, each block shall be bordered by public or private streets meeting the requirements of Section 146-4.5 (Access and Connectivity) and with all applicable Aurora Roadway Design and Construction Specifications, or by private common space or dedicated park land or open space at least 30 feet in width.

D. As an alternative to Subsection C above, in all Subareas, all infill residential development containing between 12 and 20 acres of land may contain at least one internal public or private street that integrates with the surrounding street network and that complies with all applicable Aurora Roadway Design and Construction Specifications.
4.3.10. LOT DESIGN AND LAYOUT

A. Floodplains
No residential lot or parcel intended for residential or non-residential occupancy shall include any land included within the 100-year floodplain, as determined by the Floodplain Administrator or any land in the Flood Protection Overlay (FPO) zone district pursuant to Section 146-2.6.1.

B. Access to Public Streets
All lots shall have direct or indirect access to a dedicated public or private street. Indirect access through an easement may be approved by the City for alternative lot layouts defined in this UDO, based on considerations of pedestrian, bicycle, motor vehicle, and emergency vehicle access and safety, and through connectivity.

C. Double Frontage Lots
Double frontage lots shall not be permitted adjacent to local or collector streets, and shall be avoided to the maximum extent practicable along arterial streets. Where double frontage lots cannot be avoided, buffering of back yards from those streets shall include a landscaped buffer at least 20 feet in width between the rear lot line of any residential lot and the closest edge of curbside landscaping area adjacent to the street, per Section 146-4.7.3.

D. Remainder Parcels Prohibited
No subdivision of land shall result in any remainder parcel or tract that does not otherwise meet the standards for a required open space, drainage area, buffer, or other area required by this UDO to be included in the development.

E. Street Fence Ownership and Maintenance
Where rear lot lines face an arterial street, the lots shall comply with the requirements of Section 146-4.7.9 (Fence and Wall Regulations), which are designed to prevent the creation of "fence canyons" A note reading as follows shall appear on the plat:

"All new neighborhood fences along arterial street shall be maintained by a Title 32 District or homeowners’ association and any fence replacement shall comply with the Fence and Wall Standards in Section 146-4.7.9 of the Aurora Unified Development Code."

F. Variety of Lot Sizes
1. The following standards apply to all subdivisions or parts of subdivisions except those that include Small Residential Lots pursuant to Section 146-4.2.3.A (Subarea C Small Residential Lot Standards).
   a. Each subdivision or part of a residential subdivision that contains more than 40 gross acres but less than 160 gross acres of land shall include lots from at least two different lot size categories described in Subsection c below, and at least 10 percent of the residential lots shall be in each size category.
   b. Each subdivision or part of a residential subdivision containing 160 gross acres of land or more shall include lots from all three lot size categories described in Subsection c below, and at least 10 percent of the residential lots shall be in each size category.
   c. Lot Size Types
i. Dwelling, single-family detached, front loaded with frontage of at least 50 feet but less than 60 feet.
ii. Dwelling, single-family detached, front loaded with frontage of at least 60 feet but less than 70 feet.
iii. Dwelling, single-family detached, front loaded with frontage of 70 feet or more.
iv. Dwelling, single-family attached, with frontage of 35 feet or more.

2. In portions of Subarea A that are not located in the R-1 zone district or the MU-OA zone district, and in portions of Subarea B that are not located in the R-1 zone district, subdivisions of land may include the following types of lots, but the inclusion of such lots shall not relieve the applicant of complying with the requirements of Table 4.2-1 and Subsection 1 above.
   a. Where single-family detached residential development is permitted, up to 15 percent of the single-family detached residential lots may have a minimum lot size of 3,700 square feet; or
   b. Where single-family detached residential development is permitted, up to 25 percent of the single-family detached residential lots may have a minimum lot size of 3,700 square feet, provided that all of such lots are alley-loaded.

3. Subdivisions in Subarea C that include Small Residential Lots shall comply with provisions for lot distribution and product mix in Section 146-4.2.3.A (Subarea C Small Residential Lot Standards) instead of the standards in Subsection 1 above.

### 4.3.11. STREETS AND ALLEYS

#### A. Generally
Each subdivision shall include an integrated system of streets, sidewalks, trails, and infrastructure that:

1. Provides for efficient movement of pedestrians, bicyclists, and motorists within the subdivision and to and from adjacent development;
2. Is consistent with the Comprehensive Plan, any Master Plans, or Site Plans approved for the property, and with the results of any circulation analysis;
3. Meets the requirements of Section 146-4.5 (Access and Connectivity); and

#### B. Alleys
In Subarea A, subdivisions of land after the Effective Date shall include an alley meeting all applicable City specifications on the same alley alignment existing on any adjacent block, unless the Planning Director determines that installation of an alley is impracticable due to topography, utilities, fire safety, or public service considerations.

#### C. Medians
If any portion of a street is designed with a median, the median design shall comply with all Aurora Road Design and Construction Specifications manual, as well as with the Parks, Recreation and Open Space Dedication and Development Criteria Manual, if applicable.
D. Street Name Signage and Striping
The subdivider shall install and maintain signage and striping in accordance with the provisions of the Aurora Roadway Design and Construction Specifications Manual as determined by the Director of Public Works.

E. No Encroachment or Construction without City Approval
Structures, walls, or other permanent site features shall not be placed within any public right-of-way or utility easement without the prior written approval of the City.

4.3.12. SIDEWALKS, TRAILS, AND BICYCLE PATHS

A. All properties shall provide an interconnected system of sidewalks that directly connect all lots to and within commercial centers, employment areas, designated parks and open spaces, and other uses. All lots, except those Motor Court Dwelling lots that do not abut a public street, shall include or directly abut a sidewalk.

B. All subdivisions shall contain those trails and bicycle paths shown in the Comprehensive Plan, the Bicycle and Pedestrian Master Plan and other approved planning and design studies that identify trail connectivity needs, or any previously approved development plan for the property. Such trails shall be constructed to applicable City standards.

C. Accessible routes meeting the standards of the Americans with Disabilities Act shall be provided from all building or site entries to any designated handicap parking space and to a public or private street.

D. Pedestrian and bicycle access between adjacent properties or developments shall not be impeded by controlled access gates unless the Planning Director makes a determination that those gates are necessary to protect public health and safety and will not materially discourage pedestrian or bicycle access in the area. Any approved controlled access gates must be shown on an approved Site Plan or Redevelopment Plan.

4.3.13. ACCESS SAFETY
All subdivisions shall comply with the standards in Section 146-4.2.3.I (Sight Triangle Required).

4.3.14. UTILITY EASEMENTS

A. All subdivisions shall include adequate easements to accommodate the construction, maintenance, and repair of all public streets, sidewalks, trails, water supply systems, wastewater systems, stormwater management systems, and erosion control facilities, as well as for all gas, electric, and other utilities required to provide each utility to each permanent, occupied structure in the subdivision. Easements shall not be required for any land that is dedicated to and accepted by the City.

B. The construction of retaining walls and similar structures over any portion of a recorded easement may require a license from the City after a determination by the City Engineer that the structure will not interfere in the intended use of the easement.

C. All utilities shall be placed in public or private streets or alleys, and not in Green Court open spaces or other open spaces, to the maximum extent practicable.

D. No trees shall be placed in any utility easement without the approval of the easement holder.
4.3.15. IMPROVEMENTS REQUIRED

A. Public Improvement Plan Requirements
   Each subdivision shall submit those public improvement plans required by applicable City regulations, standards, policies, and/or manuals, at that point in the development review process required by those regulations, standards, policies, and/or manuals.

B. Standards and Specifications
   1. All public improvements shall be constructed in compliance with the standards and specifications established by this Section 146-4.3, Section 146-5.4.2 (Subdivision of Land), the Aurora City Code and adopted regulations, including all design standards and requirements in the Aurora Roadway Design and Construction Specifications Manual, the Aurora Public Utility Improvement Rules and Regulations Regarding Standards and Specifications, the Aurora Water Standards and Specifications Regarding Water, Sanitary Sewer and Storm Drainage Infrastructure, and the Parks, Recreation and Open Space Dedication and Development Criteria Manual.
   2. No subdivider shall be relieved of the duty to construct public improvements for the subdivision until all public improvements are constructed, approved, and accepted by the City Engineer.
   3. The subdivider shall submit plans, profiles, and specifications for the construction of all public improvements for which no specifications or standards are established by Aurora. Such plans, profiles, and specifications shall be prepared and authenticated over the seal of a professional engineer, duly licensed to practice in Colorado.
   4. A subdivider may, upon City approval, construct public improvements to standards higher than the City's specifications for the design and construction of roadways established by the City Engineer. Before the City approves such higher standards, the subdivider shall submit maintenance plans relating to such public improvements.

C. Water Supply/Fire Protection
   All subdivisions shall include a water supply system designed in accordance with the Aurora Public Utility Improvements Rules and Regulations Regarding Standards and Specifications. The fire/life safety representative within the building division shall determine the number and location of fire hydrants and fire lanes to be provided and installed by the subdivider.

D. Wastewater Systems
   All subdivisions shall include a wastewater system designed in accordance with the City of Aurora Public Utility Improvements Rules and Regulations Regarding Standards and Specifications.

E. Stormwater Management
   1. In addition to the 100-year floodplain, other lands subject to flooding or land that if developed or improved would cause improved areas within the city to be subject to flooding shall not be platted for residential occupancy or for any other use that may increase danger to health, life, or property, or aggravate the flood hazard to surrounding properties.
   2. All subdivisions shall include a stormwater management system designed in accordance with the City of Aurora Public Utility Improvements Rules and Regulations Regarding Standards and Specifications and the City of Aurora Storm Drainage Design and Technical Criteria and the Aurora Water Standards and Specifications Regarding Water,
Sanitary Sewer and Storm Drainage Infrastructure and approved Master Plans. The stormwater management system shall provide adequate drainage and flood control as well as provide structural and/or nonstructural Best Management Practices for the control of stormwater quality, as required by the ASDDTC and Colorado Department of Public Health and Environment (CDPHE).

3. The stormwater management system in each subdivision shall be designed to integrate with required outdoor common areas, designated parkland and open space areas, green space, and landscaped areas as described in Section 146-4.7.6 (Site Design for Low Impact Development – (LID)), to promote the use of natural systems to manage stormwater, and to reduce the cost of construction and maintenance of pipes, culverts, and other hard infrastructure, to the maximum extent practicable.

4. Drainage outfalls shall be consolidated so that they may be served by area-wide or regional ponds or stormwater treatment facilities to the maximum extent practicable.

**F. Other Utilities**

All subdivisions shall provide those additional utilities, and shall incorporate those additional utility designs, contained in Chapter 138 of the Aurora City Code.

**4.3.16. RESPONSIBILITY FOR IMPROVEMENT COSTS**

**A. Generally**

The subdivider shall be responsible for the costs of all streets, alleys, sidewalks, and other improvements required by this Section 146-4.3 unless the oversizing provisions of Subsections B or C below apply, or unless the subdivider has entered into an agreement approved by the City Council providing for a different allocation of costs.

**B. Street Oversizing or Extensions**

1. In the event that the street construction standards of this UDO require an applicant to construct all or part of a street along property that is not part of the subdivision application (for example, along property that separates the applicant's land from a street to which a connection is required), the City will use its best efforts to assist the applicant to recover that portion of the street construction costs that represent an unearned benefit conferred upon other landowners, under the following conditions:
   a. The City Engineer shall determine the allocation of benefits between property owners benefiting from an oversized road, based on an approved Traffic Impact Study submitted by the applicant addressing probable development densities and traffic generation from each property.
   b. The City may use any legal mechanism to recover reimbursement from later property owners benefiting from the oversized street, including but not limited to subdivision improvements agreements, escrow of funds, conditions on plat approval, conditions on building permit issuance, conditions on any development approval or permit, the collection of fees and charges, direct reimbursement agreements between property owners, or required participation in street districts.
   c. The City's obligation to use its best efforts to attempt to collect reimbursement from benefiting property owners shall terminate 10 years after the acceptance of the oversized street by the City (or, in the case of a private street, 10 years after the final approval of such street construction).
   d. The failure or inability of the City to obtain such reimbursement from benefiting property owners within such 10-year period shall not create any legal or financial
liability for the City to repay or reimburse any such sums or any alleged damages related to the failure or inability to obtain reimbursement.

2. In the event that the City constructs all or part of a street along property that has not contributed to the construction of such street, the City shall have the same authority to attempt to collect reimbursement as it would have if the street had been constructed by a private party, and shall be authorized to retain any amounts collected to reimburse itself for street construction costs incurred. However, the City shall not be required to attempt to obtain reimbursement if, in the opinion of the City Engineer, it would be inequitable, impracticable, or not in the City's best interests to do so.

C. Reimbursement for Other Improvements

1. When any subdivider constructs or installs an extension of a water transmission line, sewer interceptor line, street, or other public improvement through intervening undeveloped property to serve the subdivider's property, the entire cost of the improvement shall be the responsibility of such subdivider.

2. The City Council is authorized to enter into agreements to reimburse any subdivider that constructs or installs a public improvement through intervening undeveloped property. Such reimbursement shall be made solely from funds collected from the owner or owners of each parcel of land that abuts the improvement at the time such parcel develops within the city. The amount of the reimbursement to be paid shall not exceed the original cost of the improvement, plus reasonable interest, as agreed to by the City and the subdivider. To defray the costs of administering the reimbursement agreement, the City shall withhold a fee not to exceed 2½ percent of the amount of the reimbursement.

3. The City's obligation to reimburse shall be subject to the creation of an Improvement Reimbursement District, the development of the intervening property, the collection of funds from the owner or owners of such property, and the appropriation of such funds by the City Council. The term of each such reimbursement agreement shall be within the sole discretion of the City Council and, in any event, shall not exceed 20 years.

4. Each subdivider that enters into a reimbursement agreement with the City shall submit a written application to the City, on a form approved by the City, for the creation of an Improvement Reimbursement District. Such application shall be in a form approved by the City Manager and shall include, at a minimum, the following information:
   a. A map and legal description of the boundaries of the proposed district and the properties contained therein;
   b. A list of the current owners of the properties contained in the proposed district and their last known mailing addresses;
   c. Preliminary plans and specifications for the improvement or improvements to be constructed or installed by the subdivider;
   d. A certified list of the costs incurred or expected to be incurred by the subdivider based upon unit quantities; and
   e. The proposed share of costs to be assessed on a front foot basis to each intervening parcel of land.

5. Within 60 calendar days after receiving the subdivider's completed application regarding the creation of an Improvement Reimbursement District and the assessment of public improvement costs, intervening undeveloped properties shall be noticed and processed in compliance with the procedures in Sections 146-5.3.7 (Notice) and 146-5.3.8 (Public Hearings).
6. At the conclusion of the public hearing, the City Council may adopt an ordinance approving, conditionally approving, or denying the creation of an Improvement Reimbursement District and the assessment of public improvement costs to intervening undeveloped properties.

7. The City shall record a notice of a reimbursement obligation with the clerk and recorder of the county in which the property so obligated is located. The notice shall include a provision stating that at the time of development of the property, the City shall require the owner to pay the assessment for the described improvements at the time of issuance of a building permit.

8. In the event that the City extends public improvements, the City is authorized to receive reimbursement from intervening undeveloped properties that abut such improvements; provided that the City has followed the public hearing process consistent with the requirements of Article 146-5 (Zoning and Subdivision Procedures).

9. The City may deduct from funds collected any costs or expenses that the City has incurred in repairing, correcting, or improving any defect that the subdivider who constructed or installed such improvement failed to correct during the applicable warranty period.

10. A building permit shall not be issued for the construction of any structure on the abutting, intervening property until payment of the assessment per foot of property frontage is received by the City.

11. Nothing in this Section shall be deemed to relieve any owner of property located within an Improvement Reimbursement District of any obligation imposed upon such owner by virtue of a valid annexation agreement with the City.

4.3.17. PARKS AND OPEN SPACE

A. Open space acreage not anticipated for use as active or developed parks shall be located on prominent high points with significant views, or along significant and interesting geological features or wooded areas, or along significant drainages to the maximum extent practicable.

B. A majority of park land acreage anticipated for use as active or developed parks shall be located on flat, well-drained terrain outside the 100-year floodplain. Required open spaces that are anticipated to serve as trail corridors shall be continuous with anticipated trail corridors on adjacent properties to the maximum extent practicable.

C. Areas designated as part of the 100-year floodplain or included in the FP-O zone district pursuant to Section 146-2.6.1 may not be counted towards required open space.

D. Park land and open space areas shall be:
   1. Integrated into and throughout the development;
   2. Connected with one another and with such land in adjacent development to the maximum extent practicable;
   3. Connected by trails to pedestrian routes on adjacent lands and to regional and City trail systems. Open space that is anticipated to serve as a greenway and trail corridor shall be continuous with anticipated greenway and trail corridors on adjacent properties to the maximum extent practicable; and
   4. Planned, designed and constructed in compliance with the standards and specifications established by this UDO, including without limitation Sections 146-4.3 (Subdivision Standards), Section 146-5.4.2 (Subdivision of Land), the Aurora City Code, and adopted
regulations including all standards and requirements set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual.

4.3.18. SCHOOL, PARK, AND OTHER LANDS FOR PUBLIC FACILITIES

A. School Lands and Fees-in-Lieu

1. Location
Sites designated or dedicated for schools shall meet the following location standards to the maximum extent practicable:

a. Be located at the intersection of a collector and local street for elementary school and K-8 school sites, and be located at the intersection of a collector and arterial street for middle and high school sites;

b. Contain slopes of less than 10 percent and flat areas for sports fields;

c. Be centrally located for the population to be served;

d. Be compact in shape, either rectangular or square;

e. Not be located in a 100-year floodplain or in the –FPO overlay zone district;

f. Not be located near sources of loud noise, hazardous uses, or potentially offensive odors, such as those that may be emitted by gas compression facilities, landfills, and marijuana-related facilities; and

ge. Not contain regional stormwater detention facilities, wetlands, archaeological sites, significant stands of trees, or electrical transmission lines.

2. Amount Required

a. Public land dedication shall be provided for public schools to serve the future residents of the subdivision. The dedication of such areas shall be as required by agreement between the school district and the property owner, if one has been approved for the property. The applicant shall provide a letter from the applicable school district that includes the district’s current requirements for land value per acre, student yield ratio, and acres per child.

b. If land uses have changed, or no agreement exists for the subdivision, school land dedication based upon the number of students to be generated by the land use shall be required as follows:

i. Land dedicated for schools shall be calculated based on net acreage, not counting land for streets, tracts, or pre-existing easements that would preclude use of the land.

ii. The amount of land that shall be dedicated shall equal the product of the "standard student yield ratio factor" from Table 4.3-1 multiplied by the "acre per child standard" in Table 4.3-2.

<table>
<thead>
<tr>
<th>Dwelling Unit Type</th>
<th>Elementary</th>
<th>Middle</th>
<th>High</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>.340</td>
<td>.160</td>
<td>200</td>
<td>.700</td>
</tr>
<tr>
<td>Multifamily low density</td>
<td>.170</td>
<td>.080</td>
<td>.050</td>
<td>.300</td>
</tr>
<tr>
<td>Multifamily high density</td>
<td>.075</td>
<td>.040</td>
<td>.030</td>
<td>.145</td>
</tr>
</tbody>
</table>
4.3. Subdivision Standards

Table 4.3-2
Standard Acres per Child Standard

<table>
<thead>
<tr>
<th>School Type</th>
<th>Student Enrollment</th>
<th>Acres Per Child</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>644</td>
<td>0.0175</td>
</tr>
<tr>
<td>Middle</td>
<td>1,000</td>
<td>0.025</td>
</tr>
<tr>
<td>High</td>
<td>1,800</td>
<td>0.032</td>
</tr>
</tbody>
</table>

c. Land dedication shall occur, by plat or separate document at the City’s option, at the time that the first plat is submitted to the City.

3. Other Permitted Uses of Land

If land is dedicated to the City for school purposes, and is later determined by the City to be unnecessary for school purposes, the City may put the land to use for other public facilities required to provide other public services or facilities to the residents of the development for which the land was dedicated at a level roughly proportional to those received by other residents of the City, to the extent authorized by the constitution or laws of the federal government or the state of Colorado, including without limitation the powers granted to home rule municipalities in Article XX of the Colorado constitution.

4. Cash-in-lieu of Land Dedication

At the discretion of the school district and upon mutual agreement, which cannot be unreasonably withheld by school district or City, cash-in-lieu of land may be required. Land value will be based on fair market value of zoned land with infrastructure in place as determined by an MAI (Member of the Appraisal Institute) appraisal. Cash-in-lieu payment shall be based on an appraisal that is no more than six months old and shall be made at the time of recording of the first plat.

B. Park and Open Space Lands and Cash-in-Lieu

1. Requirement

Public land shall be dedicated to provide for parks and open space to serve the future residents of the development and the use of the property. The dedication of such land shall be as required by an annexation agreement, if one has been approved for the property. If land uses change from those approved at the time of annexation or no annexation agreement exists for the subdivision, park dedication based upon the number of residents of the new land uses as provided in this Section 146-4.3.18.B shall be required.

2. Dedication Timing

The dedication of land for parks and open space purposes shall occur, by plat or separate document at the discretion of the City, at the time that the first plat for property adjacent to such land is submitted to the City.

3. Land Dedication Standards

The amount of land dedicated for parks and open space purposes shall comply with the population-based standards in Table 4.3-3.

Table 4.3-3
Standard Acres per 1,000 Population

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Parks</td>
<td>3 ac. per 1,000 residents</td>
</tr>
<tr>
<td>Community Parks</td>
<td>1.1 ac per 1,000 residents</td>
</tr>
<tr>
<td>Open Space, Other Park Uses and Trails</td>
<td>7.8 ac per 1,000 residents</td>
</tr>
</tbody>
</table>
4. Average Household Size

a. For purposes of applying the population-based standards, population projections shall be calculated based on the following average household sizes:
   i. 2.65 persons per single-family dwelling unit;
   ii. 2.50 persons per multifamily dwelling unit;
   iii. 2.02 persons per dwelling unit in a transit station area; and
   iv. 1.58 persons per active adult dwelling unit in a residential community:
      a. In which occupancy is limited by deed or title to residents over 55 years of age, or
      b. That qualifies as “housing for older persons” as defined and regulated under the federal Fair Housing Act, as amended.
   v. Assisted living, continuing care retirement, skilled nursing and convalescent communities or facilities shall be exempt from the land dedication requirements unless the use includes a mix of dwelling unit types for active adults or persons under age 55, in which case land dedication requirements may be imposed upon the number of units intended to be occupied by persons without the age limitation or residents not in need of personal care or health services.

b. These numbers may be modified as determined by the City Council based upon census data.

5. Cash-in-Lieu Payments

a. For subdivisions that are not large enough to generate a minimum of five acres for neighborhood parks and 40 acres for community parks, the City Manager may, at the City Manager's sole discretion, require a cash payment in lieu of land dedication.
   i. The amount of such payment shall be based upon the market value of property within the subdivision as fully developed, with all attendant infrastructure, in accordance with the land uses approved for the subdivision. This approach to valuing cash-in-lieu shall also be used if cash-in-lieu is accepted for dedication of park lands outside of the subdivision approval process.
   ii. Cash-in-lieu of land shall only be used to provide park and open space facilities to serve the future residents of the subdivision.
   iii. Cash-in-lieu payment shall occur at the time that the first plat for the subdivision is submitted to the City.

b. For infill developments in Subareas A and B and for development within transit station areas that are required to provide cash-in-lieu of land dedication, the amount of such payment shall be based upon a per-acre value derived from a case study analysis of the market value of property acquired by the City for community-based park, recreation, and open space purposes. Such per-acre value shall be determined annually by the Director of Parks, Recreation, and Open Space in accordance with the provisions of Section 2-587 of the Aurora City Code.

6. Dedication and Development Criteria Manual

Park and open space land dedication and design criteria, which govern the eligibility of land and areas to receive land dedication credit, shall be as set forth in the Parks, Recreation and Open Space Dedication and Development Criteria Manual.

C. Lands for Other Public Facilities

The City may require dedication of lands, or cash-in-lieu of dedication of land, for other public facilities required to the extent the demand or need for such facilities is created by the proposed development in order for the City to provide public facilities or services at a level
roughly proportional to those received by other residents of the City, to the extent authorized by the constitution or laws of the federal government or the state of Colorado, including without limitation the powers granted to home rule municipalities in Article XX of the Colorado constitution.

**4.3.19. MONUMENTS**

Monuments shall be installed within subdivisions in accordance with the City of Aurora standards regulations.

**4.4 NEIGHBORHOOD PROTECTION STANDARDS**

**4.4.1. INTENT**

This Section includes standards to reduce potential negative impacts that may occur when non-residential development, mixed-use development, or higher-intensity multifamily Residential zone districts abut lower-intensity Residential zone districts.

**4.4.2. APPLICABILITY**

After the Effective Date, these standards of this Section 146-4.4 apply:

A. To each lot in a Mixed-Use or Special Purpose district that abuts an R-R, R-1, or R-2 district, or that abuts any lot in a PD district containing single-family detached or two-family dwelling units; and

B. To each lot in an R-3 or R-4 district with building(s) three or more stories in height that abuts an R-R or R-1 district, or that abuts any lot in an R-2 or PD district containing single-family detached or two-family dwelling units.
4.4.3. **BUILDING HEIGHT**

The maximum height of any portion of a primary structure shall not exceed 38 feet, and the maximum height of any accessory structure shall not exceed 24 feet:

A. Within 50 feet of a Protected Lot in Subarea A, or

B. Within 100 feet of a Protected Lot in Subareas B or C.

4.4.4. **EXTERIOR LIGHTING HEIGHT**

All exterior lighting shall meet all standards in Section 146-4.9 (Exterior Lighting), except that:

A. The maximum height of any exterior pole mounted light or building-mounted light shall not exceed 15 feet if the light pole is located within 50 feet of a Protected Lot in Subarea A, or within 100 feet of a Protected Lot in Subareas B or C.
4.4.5. Service Areas and Drive-Through Lanes

B. All exterior lighting fixtures located within 50 feet of a Protected Lot in Subarea A, or within 100 feet of a Protected Lot in Subareas B or C, shall be turned off between 11:00 pm and 7:00 am unless necessary to illuminate entrances, parking lots, or walkways for public safety.

4.4.5. SERVICE AREAS AND DRIVE-THROUGH LANES

A. No service area containing outdoor garbage or recycling containers or truck loading/unloading areas may be located:
   1. Within 20 feet of a Protected Lot in Subarea A, or
   2. Within 25 feet of a Protected Lot in Subareas B or C.

B. No drive-through lane may be located between a permitted primary structure and the boundary with any Protected Lot.

C. No automobile entry or exit driveway may be located within 30 feet of a Protected Lot in Subareas B and C.
D. Additional standards for drive-up or drive-through accessory facilities are found in Sections 146-3.3.6.E (Drive-Up or Drive-Through Facility) and 146-4.6.7 (Drive-Through Stacking Areas).

4.4.6. SETBACKS

A. In Subarea A
Primary structures on any lot abutting the side or rear lot line of a Protected Lot shall be set back from those lot lines a distance equal to the required primary building setback from that lot line on the Protected Lot.
4.4.7. BUFFERING AND SCREENING

All development shall comply with additional buffering and screening requirements in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).

4.4.8. NOISE

Notwithstanding the provisions of Section 146-4.11.2 or Chapter 94-107 (Unnecessary Noise; Disturbing the Peace), the noise level measured at the property line of each Protected Lot must not exceed 55 decibels (dBA) from 7:00 a.m. until 9:00 p.m. of the same day, and may not exceed 45 dBA from 9:00 p.m. until 7:00 a.m. of the next day.

4.5 ACCESS AND CONNECTIVITY

4.5.1. INTENT

The following standards for subdivision and site design are intended to promote safe and convenient vehicle, bicycle, wheelchair, pedestrian, public transit, and other mobility device connectivity among individual development sites, trails, sidewalks, transit stations, and convenience shopping areas to encourage travel by bicycles, transit, other micro-mobility devices, or walking as an alternative to automobile trips, to reduce the frequency and shorten the distance of automobile trips, to provide multiple routes to many destinations, and to implement the Comprehensive Plan goals or other approved plans or design studies. Each development shall accommodate safe and convenient movement for all modes of transportation throughout the development and to surrounding areas as well as create an efficient automobile circulation system that avoids the creation of large, isolated tracts without routes, or with only one route, for access to the area. Access to sites shall be consolidated with access to adjacent properties to the maximum extent practicable in order to minimize curb cuts and access shall be located as to not disrupt existing adjacent residential areas.
4.5.2. COMPLIANCE WITH LIFE SAFETY REGULATIONS

A. General
In addition to all other provisions of this Section 146-4.5, all developments shall comply with all applicable regulations and standards for fire protection, emergency vehicle access, and life safety adopted by the City, including without limitation those that may limit the number of residential dwelling units relying on a limited number of vehicle access points. If there is a conflict between the requirements of this Section and life safety or engineering standards, the Planning Director in consultation with the Director of Public Works shall determine which standard shall apply.

B. Cul-de-Sacs
No cul-de-sac shall be longer than 500 feet, measured from the flow line of the intersecting street to the center of the cul-de-sac bubble, unless a secondary emergency access is approved by the Building Division on behalf of the Fire Marshall.

4.5.3. ACCESS AND CONNECTIVITY IN SUBDIVISION PLATS AND MASTER PLANS

New subdivisions and developments for which a Master Plan is required or approved shall meet the following standards to provide through connectivity and mobility and to promote clear and efficient access for emergency vehicles.

A. Major Roads

1. Unless an alternative through-traffic system is described in an approved Master Plan, or the Aurora Transportation Master Plan, each subdivision in Subareas B and C containing one section (640 acres) of contiguous land or more shall reserve or dedicate an arterial street right-of-way along each section line, and shall reserve or dedicate at least one collector street right-of-way to provide a continuous north-south through connection between the east-west section line street alignments, and at least one collector street right-of-way to provide a continuous east-west through connection between the north-south section line street alignments. See Figure 4.5-1.

2. Unless an alternative through-traffic system is described in an approved Master Plan, then in addition to the requirement in Subsection 1 above, each subdivision in Subareas B and C containing one quarter-section (160 acres) of contiguous land or more shall reserve or dedicate at least one collector street right-of-way to provide a continuous north-south through connection between each east-west collector street alignment required by Subsection 1 above, and shall reserve or dedicate at least one collector street right-of-way to provide a continuous east-west through connection between each north-south collector street alignment required by Subsection 1 above. See Figure 4.5-1.

B. Local Destinations

1. In addition to the requirement of Subsections 1 and 2 above, each subdivision in Subarea B and C shall organize all local streets so that each lot may be accessed by travelling...
over no more than two (2) local streets after departing from the grid of arterial, collector, and collector streets required by Subsections 1 and 2 above.

2. All street types shall align across major arterials unless the Planning Director and Director of Public Works determine that an alternative alignment will increase pedestrian, bicycle, or automobile safety or reduce traffic congestion. For example, a collector street proposed in a new subdivision shall align across an existing or proposed arterial street with an existing or proposed collector street to form a continuous street network. Stub streets shall match and connect to other streets on the opposite side of the arterial to the maximum extent practicable.

C. Adjacent Land

1. Unless the Planning Director and Director of Public Works determine that an alternative alignment will increase pedestrian, bicycle, or automobile safety or reduce traffic congestion, or that topographic or geological conditions make the connection impracticable, where adjacent land has been subdivided with stub streets ending adjacent to a new subdivision, or with a local street ending at a street dividing the new subdivision from the old subdivision, the new subdivision streets shall be designed to align the streets in the adjacent subdivision to allow future through circulation between the two adjacent subdivisions.

2. Where adjacent land has not been platted, subdivisions shall be designed so that at least one local street is constructed as a stub street intended as a future through connection to the adjacent parcel within each one-quarter mile of boundary length.

D. Coordination with Public Transit Providers

Each applicant for a new subdivision shall submit evidence of a written request made to any transit authorities whose service area includes the proposed subdivision, regarding locations for current, new, or future transit stops or connections in or immediately adjacent to the proposed site, and for those mobility hubs shown on the Comprehensive Plan, and shall reflect those stops, connections, and mobility hubs on the subdivision application materials to the maximum extent practicable.

4.5.4. ACCESS AND CONNECTIVITY ON INDIVIDUAL PLATTED LOTS

The following standards apply to the design and layout of individual lots that are part of an approved subdivision. Each curb cut from private property onto a public or private street shall require City approval prior to construction.

A. Mixed-Use and Special Purpose Districts

1. Vehicle Access

Access to Mixed-Use and Special Purpose district lots located on arterial streets shall provide site access meeting the requirements of Table 4.5-1 below, as illustrated in Figure 4.5-3 below.
4.5. Access and Connectivity

Table 4.5-1
Mixed-Use and Special Purpose District Access from Arterials

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Access points shall use flared or channelized intersections and be oriented at right angles to the street.</td>
</tr>
<tr>
<td>B</td>
<td>Curb cuts shall be located a minimum of 200 feet from each other and no more than the required number of curb cuts shall be used. For redevelopment sites, existing curb cuts may be used if approved by the Department of Public Works.</td>
</tr>
<tr>
<td>C</td>
<td>Vehicle entrances and exits shall be located at least 50 feet from any intersecting street right-of-way.</td>
</tr>
<tr>
<td>D</td>
<td>Vehicle entrances and exits shall be located at least 10 feet from an adjacent property line, except where it is possible to provide one shared access point to serve the adjacent property on the other side of that property line.</td>
</tr>
<tr>
<td>E</td>
<td>Primary circulation and access shall be oriented toward predominantly non-single-family residential streets. If necessary, secondary and emergency access may be provided on such streets.</td>
</tr>
<tr>
<td>F</td>
<td>Private full movement driveways giving access to development sites shall be aligned across arterial, collector and local streets to contribute to circulation efficiency.</td>
</tr>
</tbody>
</table>

EXAMPLE

GUIDELINE A – To the maximum extent practicable, combine access points for adjoining properties in order to minimize curb cuts and traffic impacts on adjoining streets.

GUIDELINE B – Provide internal, direct vehicular connections between adjoining properties to reduce traffic impacts on adjoining streets. Align vehicular connections to the maximum extent practicable. A joint access agreement may be needed.

GUIDELINE C – Provide internal pedestrian connections that link adjoining properties and create an internal pedestrian circulation system within large development sites.

GUIDELINE D – Provide multiple pedestrian connections that link into existing or planned citywide open space and trail networks.

Figure 4.5-3. Mixed-Use and Special Districts Access and Connectivity

2. Vehicle Connectivity

Internal streets or driveways shall be made between multiple buildings and parking areas on a single lot or development to break up large parcels into smaller, internal “blocks”, and to avoid the need to use public boundary streets to move between different buildings or areas of the development site. Such connections shall:
4.5. Access and Connectivity

Article 146-4 Development Standards

4.5.4. Access and Connectivity on Individual Platted Lots

a. Create internal “blocks” for which the perimeter of each “block” created by internal streets and external streets is no greater than 2,640 feet, or not greater than 1,600 feet for properties within ½ mile of an activity center or transit station.

b. Include a driving surface at least 16 feet wide.

c. Accommodate two-way traffic.

B. Additional Requirements for I-1, I-2, and AD Districts

1. In Master Plans that include primarily industrial uses, the street layout shall generally align with the arterial and collector street system to the maximum extent practicable. Shared internal roadways and defined truck routes that avoid conflicts with primarily residential and commercial use areas shall be included to the maximum extent practicable.

2. Where an I-1, I-2, or AD zone district occurs along an arterial street frontage and residential use areas are located across the arterial street, entries serving the I-1 or I-2 district shall be placed out of alignment with residential use area entries to keep heavy commercial traffic out of residential neighborhoods.

3. No curb cut sized or designed for site access into an I-1, I-2, or AD zone district by a semi-truck tractor and/or trailer, or for site access by a commercial vehicle, trailer, or bus exceeding 6,000 pounds empty weight, shall be permitted on streets that separate R-1 or R-2 Residential zone districts from the I-1, I-2 or AD zone district.

4. In I-1, I-2, and AD zone districts, access and circulation shall be designed so that loading docks and loading dock door are internally oriented and are shared with adjacent industrial development in order to consolidate and minimize street access points, to the maximum extent practicable.

C. Residential Access

The provisions of this Section 146-4.5.4.C apply unless this UDO provides alternative access regulations for a specific residential land use or form of residential development, in which case those alternative standards shall apply.

1. Vehicle Access in General

Access from arterial streets into a residential development shall meet the requirements of Table 4.5-2 below.

<table>
<thead>
<tr>
<th>Table 4.5-2 Residential District Access Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
</tr>
<tr>
<td>B</td>
</tr>
<tr>
<td>C</td>
</tr>
<tr>
<td>D</td>
</tr>
<tr>
<td>E</td>
</tr>
<tr>
<td>F</td>
</tr>
</tbody>
</table>

2. Single-Family Residential Access Through Private Streets

a. Indirect vehicular access from single-family detached dwellings to public streets may be provided by means of a private street, Loop Lane, or Motor Court, provided the
4.5. Access and Connectivity

Article 146-4 Development Standards

4.5.4. Access and Connectivity on Individual Platted Lots

---

standards in the Aurora Roadway Design and Construction Specifications Manual are met.

b. Alternative standards for Subarea C developments that incorporate Small Residential Lots are in Section 146-4.2.3.A (Subarea C Small Residential Lot Standards).

3. Individual Residential Driveways

Individual driveways from public streets to single-family detached or two-family residential dwelling shall comply with the standards of Section 146-4.6.5.C (Single-Family Detached and Two-Family Lots).

D. General Pedestrian Access and Connectivity

1. Intent

These standards require that safe and convenient pedestrian access be provided to points within a development and to nearby uses and amenities to encourage walking and reduce the frequency and number of automobile trips.

2. Mixed-Use and Multifamily Districts

Each lot shall provide the following pedestrian connections, as applicable:

a. Required Connections are shown in Table 4.5-3.

---

**Table 4.5-3**

*Required Pedestrian Connections*

<table>
<thead>
<tr>
<th>From Main Entry to Public Sidewalk</th>
<th>Provide a safe, convenient, and accessible pedestrian connection from the main entrance of a building to a public sidewalk or internal walkway that connects to a public sidewalk.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Adjoining Streets</td>
<td>Provide pedestrian connections between internal and perimeter sidewalks at a maximum 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 internal sidewalk system without walking more than 1,320 feet along the perimeter of such a site.)</td>
</tr>
</tbody>
</table>
4.5. Access and Connectivity

Table 4.5-3
Required Pedestrian Connections

**Between Multiple Buildings on a Site** — All developments containing more than one building shall provide walkways between the principal entrances of buildings.

**To Adjacent Development** — Sidewalks and walkways serving a site shall align and connect with any sidewalks on adjacent properties that extend to the boundary of such properties. Multiple pedestrian connections between adjacent developments shall be provided to the maximum extent practicable.

b. Standards for Connections

Standards for connections are shown in Table 4.5-4.

i. Walkways shall be a minimum of six feet wide and include lighting at a height of 12 feet or less spaced no further than of 50 feet on center.

ii. Mixed-use and multifamily lots within one-quarter mile of a light rail transit station shall include a direct pedestrian connection to the station, to the maximum extent practicable, or if that is not practicable, to a public sidewalk leading to the station. Signage directing pedestrians to the nearest transit station shall be provided on-site.

<table>
<thead>
<tr>
<th>Change in Paving Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in Paving Color</td>
</tr>
</tbody>
</table>

Table 4.5-4
Pedestrian Crossing Options
iii. When a lot in a Mixed-Use district abuts public open space that includes existing or planned trails, a direct pedestrian connection at least six feet wide from the development to the existing or planned trail shall be provided.

iv. At each point where a sidewalk must cross a parking lot, internal street or driveway to make a required connection, it shall be clearly marked by using one of the methods shown in Table 4.5.

E. Americans with Disabilities Act

1. All “places of public accommodation,” as defined in the federal Americans with Disabilities Act (42 U.S.C. 12101 et. seq.) shall comply with the requirements of that Act concerning on-site circulation and access.

2. Accessible routes shall be provided from public transportation stops, accessible parking and accessible passenger loading zones and public sidewalks to 60 percent of the accessible building entrances they serve.
   a. The accessible route between accessible parking and accessible building entrances shall be the most practical direct route. The accessible route must be located within a sidewalk, at least six feet wide, or as required to comply with the Aurora Roadway Design and Construction Specifications Manual, whichever is greater.
   b. No slope along this route may exceed 1:20 without providing a ramp with a maximum slope of 1:12 and handrails.
   c. Crosswalks along this route shall be wide enough to wholly contain the curb ramp with a minimum width of 36 inches and shall be painted with white stripes.

3. All development shall comply with handicapped accessibility requirements based on the version of the International Building Code, Chapter 11, and the International Code Council (ICC) A117.1-2009, or any future update of that document adopted by the City.

4.6 PARKING, LOADING, AND STACKING

4.6.1. INTENT

The intent of this Section 146-4.6 is to require new development and significant redevelopment to provide adequate off-street parking spaces to avoid traffic congestion, to avoid parking congestion on neighborhood streets, to improve the visual appeal of the City, and to avoid inefficient use of land by provision of unnecessary parking facilities, by regulating the placement, use, and design of parking lots and garages.

4.6.2. APPLICABILITY

A. Generally

Unless otherwise stated in this UDO, the requirements in this Section 146-4.6 shall apply to all uses in all districts. No Site Plan shall be approved and no permit for the erection or occupancy of a building or structure shall be issued unless the use conforms with the parking supply requirements of this section or a variance or administrative adjustment for any differences from this Section 146-4.6 has been issued.

B. Expansions

1. Any expansion of the gross floor area of an existing land use or structure by more than 25 percent in Subarea A, or by more than 15 percent in Subareas B and C, shall provide
additional parking for the expansion areas, including accessible parking, as required by Table 4.6-1.

2. Additional parking may be required for increases in required parking of less than 25 percent in Subarea A or less than 15 percent in Subareas B and C if the Planning Director determines that the expansion is likely to create a significant increase in on-street parking in any surrounding residential neighborhood.

C. Change in Permitted Use

1. Any change of a permitted or approved conditional use that results in an increase in required parking of more than 25 percent in Subarea A, or by more than 15 percent in Subareas B and C, shall provide additional parking, including accessible parking, as required in Table 4.6-1.

2. Additional parking may be required for increases in required parking of less than 25 percent in Subarea A or less than 15 percent in Subareas B and C if the Planning Director determines that the change of use is likely to create a significant increase in on-street parking in any surrounding residential neighborhood.

3. The provisions of Subsection C.1 shall not apply to any change of use in a multi-tenant commercial, mixed-use, or industrial building larger than 50,000 square feet in gross floor area unless the Planning Director determines that the change of use is likely to create a significant increase in on-street parking in any surrounding residential neighborhood.

D. Reductions of Existing Parking

Off-street parking or loading space provided before the Effective Date shall not be permanently reduced in a way that would bring the property out of conformance with this Section 146-4.6 or would increase the degree of any existing nonconforming with the provisions of this Section 146-4.6.

E. Parking for Unlisted Uses

For any use not specifically mentioned in Table 4.6-1, the parking provisions for a similar use, as determined by the Planning Director, shall apply. For a new use where the Planning Director determines that a similar parking rate is not stated in this UDO, the Director may establish a minimum parking requirement based on a parking study, or by a parking reference guide in general use, or after consultation with other City officials regarding potential parking needs, or by a combination or those methods.

4.6.3. REQUIRED OFF-STREET PARKING

A. Calculation

1. Demand
   When calculating the required parking spaces in this Section results in a fractional parking space, the fraction shall be rounded up to the nearest whole number.

2. Supply
   a. All parking spaces that meet the minimum size requirements of this UDO and are located on the same property as the use they serve shall count towards required parking supply. Off-site spaces shall also count towards parking supply in those locations where off-site spaces are permitted by this UDO.
b. Required resident parking for single-family attached dwellings or multifamily dwellings may be provided by assigning non-tandem spaces on a private street, Motor Court, or drive lane directly abutting the dwelling unit's lot, or in a garage or carport.

c. Required guest parking for residential uses may be provided in parking spaces on a residential driveway leading exclusively to a dwelling unit’s private residential garage; or along a public street frontage directly abutting the dwelling unit’s lot; or within 200 feet of the unit’s entrance on a private street, Loop Lane, Motor Court, parking lot, or garage.

B. Use and Place Restrictions

1. No parking area shall be used for the sale, storage, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies.

2. Parking of any vehicle on lawn areas in front or side yards, on areas set aside for landscaping, or on any other area not surfaced for off-street parking as provided in this UDO is prohibited.

3. The following vehicles shall not be parked or stored in a Residential zone district, unless the vehicle is being used to render services such as deliveries, pickups, or construction activity to property within 200 feet of where the vehicle is parked:
   a. Commercial vehicle, trailer, or construction vehicle, or bus exceeding 6,000 pounds empty weight; or
   b. Semi-truck tractor and/or trailer

4. Travel trailers, tent trailers, pick-up campers or coaches, and motorized dwellings or vans shall not be used as a dwelling unit or for the conduct of business unless they are located in a Manufactured Home Park or Recreational Vehicle Park.

C. Minimum Required Parking

Unless otherwise provided in this UDO, off-street parking shall be provided in the amounts shown in Table 4.6-1, Required Off-Street Parking below.

<table>
<thead>
<tr>
<th>Table 4.6-1</th>
<th>Required Off-Street Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number Required</td>
<td>Category</td>
</tr>
<tr>
<td>0</td>
<td>Uses that may be primary or accessory uses:</td>
</tr>
<tr>
<td></td>
<td>Cemetery</td>
</tr>
<tr>
<td></td>
<td>Park and Open Space</td>
</tr>
<tr>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>Urban Agriculture</td>
</tr>
<tr>
<td></td>
<td>Above Ground Bulk Storage of Flammable Liquids or Gasses</td>
</tr>
<tr>
<td></td>
<td>Storage, Distribution, and Warehousing</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

sf. = square feet  gfa = gross floor area
## Table 4.6-1
### Required Off-Street Parking

<table>
<thead>
<tr>
<th>Number Required</th>
<th>Category</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mining</td>
<td>No Parking Requirement</td>
</tr>
<tr>
<td></td>
<td>Oil and Gas Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Railroad Track</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transit Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electric Power Generator Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Solar Collector as a Primary Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecom Facility, Tower</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecom Facility, Freestanding Monopole</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecom Facility, Freestanding Unipole</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecom Facility, Freestanding, Stealth</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Utility, Major</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Utility, Minor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wind Energy System, Large</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bio-medical Waste Treatment Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brewery, Distillery, or Winery</td>
<td>1 space per peak-time employee</td>
</tr>
<tr>
<td></td>
<td>Catering Service</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bulk Commodity Storage Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outdoor Storage</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Heavy Manufacturing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Light Manufacturing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Marijuana Cultivation Facility, Marijuana Product</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Manufacturing Facility, Marijuana Research Business, or Marijuana Transporter Licensed Premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Marijuana Testing Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Specialty Food Manufacturing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Intermodal Cargo Transfer Yard</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Locomotive and Railcar Yard and Repair Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Motor Freight Terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electric Power Generator Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Motor Vehicle Towing, Salvage, and Dismantling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vehicle Fleet Operations Center</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Recycling Collection Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sewage Disposal Plant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Solid Waste Transfer Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Slaughterhouse, Small</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Horse Stable or Riding Academy</td>
<td>1 space per peak-time employee, plus 1 space per 5 stalls.</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Co-housing Development</td>
<td>General: 1 space per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Cottage Development</td>
<td>Affordable Housing Structure: .85 spaces per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Tiny House</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dwelling Unit, Accessory</td>
<td>For multifamily, and other residential developments where individual dwelling units (other than accessory dwelling units) do not have individual frontage on a public or private street: 1 additional space per 5 dwelling units for guest parking.</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Multifamily</td>
<td>General: 1 space per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Affordable Housing Structure: .85 spaces per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MU-TOD: .85 spaces per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td>Continuing Care Retirement or Assisted Living Facility</td>
<td>For multifamily, and other residential developments where individual dwelling units (other than accessory dwelling units) do not have individual frontage on a public or private street: 1 additional space per 5 dwelling units for guest parking.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>.85 spaces per dwelling unit.</td>
</tr>
<tr>
<td></td>
<td>Nursing or Convalescent Home</td>
<td>1 space per 5 units plus 1 space per peak-team employee</td>
</tr>
<tr>
<td></td>
<td>Outdoor Recreation and Entertainment</td>
<td>1 space per 4 design capacity.</td>
</tr>
</tbody>
</table>

sf. = square feet

gfa = gross floor area
### Table 4.6-1
**Required Off-Street Parking**

<table>
<thead>
<tr>
<th>Number Required</th>
<th>Category</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For sports fields exclusively dedicated to organized sports; not including those located in a community park: 40 spaces per sports fields</td>
<td></td>
</tr>
<tr>
<td>0.5 space per unit</td>
<td>Dormitory, Fraternity, or Sorority House</td>
<td></td>
</tr>
<tr>
<td>1 space per 2 persons of design capacity. Group homes occupying a structure previously constructed for another residential use shall have the same parking requirements as the previous residential use.</td>
<td>Congregate Living Facility Group Home, FHAA Large Group Home, FHAA Small Supportive Housing, Large Supportive Housing, Small</td>
<td></td>
</tr>
<tr>
<td>1 space per unit</td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>1 space per 10 persons care capacity, plus 1 space per peak-time employee</td>
<td>Adult or Child Day Care Center, Large Adult or Child Day Care Center, Small</td>
<td></td>
</tr>
<tr>
<td>1 space per 4 persons design capacity</td>
<td>Civic, Cultural or Public Use Facility Club, Lodge, and Service Organization</td>
<td></td>
</tr>
<tr>
<td>1 space per 4 seats in primary place of assembly</td>
<td>Place of Worship</td>
<td></td>
</tr>
<tr>
<td>1 space per 4 persons design capacity</td>
<td>Crematorium Mortuary</td>
<td></td>
</tr>
<tr>
<td>Elementary or middle: 1 space per classroom, plus 1 space per 10 seating capacity in the largest assembly area. High school: 1 space per classroom, plus 1 space per 3 seating capacity in the largest assembly area.</td>
<td>School, Elementary or Secondary</td>
<td></td>
</tr>
<tr>
<td>1 space per 4 seats design capacity</td>
<td>Recreational Vehicle Park Racetrack Stadium Theater</td>
<td></td>
</tr>
<tr>
<td>1 space per 2,500 sf. of outdoor display or storage area</td>
<td>Home Building Supplies</td>
<td></td>
</tr>
<tr>
<td>1 space per 50 storage units</td>
<td>Self-storage Facility</td>
<td></td>
</tr>
<tr>
<td>1 space per firing lane</td>
<td>Indoor Shooting Range</td>
<td></td>
</tr>
<tr>
<td>1 space per guest room plus 1 additional space</td>
<td>Bed and Breakfast</td>
<td></td>
</tr>
<tr>
<td>1 space per 2,500 sf. gfa used for outdoor display and storage</td>
<td>Plant and Tree Nursery and Greenhouse</td>
<td></td>
</tr>
<tr>
<td>1 space</td>
<td>Caretaker's Residence Art Studio or Workshop</td>
<td></td>
</tr>
<tr>
<td>1.5 spaces per bed, plus 1 space per peak-time employee</td>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>1 space per 1.5 employees, plus 1 space per 150 gfa of repair or maintenance space, plus 1 space per 600 gfa of showroom, indicating the location of any and all customer parking, vehicle storage and outdoor display area</td>
<td>Automobile and Light Truck Sales and Rental Motor Vehicle Body Shop and Painting Motor Vehicle Indoor Showroom or Broker Motor Vehicle Repair and Service Other Motor Vehicle, Trailer, Boat, or Manufactured Home Sales or Rental</td>
<td></td>
</tr>
<tr>
<td>2 spaces per 1,000 sf. gfa</td>
<td>Indoor Recreation and Entertainment (except Stadium) in MU-OA district Retail Sales, Large or Small (when located in shopping centers with 200,000 sq. ft. gfa or more) Sale at Wholesale</td>
<td></td>
</tr>
<tr>
<td>2 space per dwelling unit.</td>
<td>Dwelling, Green Court Dwelling, Live/work Dwelling, Loop Lane Dwelling, Motor Court Dwelling, Single-Family Attached (Townhouse) Dwelling, Single-family Detached Dwelling, Two-family (Duplex) Manufactured Housing</td>
<td></td>
</tr>
<tr>
<td>2 spaces per 1,000 sf. office, research, and library areas plus 1 space per 125 sf. in largest assembly areas</td>
<td>Higher Education Institution</td>
<td></td>
</tr>
</tbody>
</table>
4.6. Parking, Loading, and Stacking

Article 146-4 Development Standards

4.6.3. Required Off-Street Parking

Table 4.6-1
Required Off-Street Parking

<table>
<thead>
<tr>
<th>Number Required</th>
<th>Category</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Temporary Construction Support Facility</td>
<td>2 spaces</td>
</tr>
<tr>
<td></td>
<td>Kennel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veterinary Clinic and Hospital</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Day Labor Hall (Subarea A)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medical and Dental Clinic</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office (Subarea A)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office, Flex</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Indoor Recreation and Entertainment (except Stadium), except in MU-OA District</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pari-mutuel Wagering Facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pawnbroker</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Personal Service, Large</td>
<td>2.5 spaces per 1,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td>Personal Service, Small</td>
<td>For office uses:</td>
</tr>
<tr>
<td></td>
<td>Retail Liquor Store (Subarea A)</td>
<td>In the MU-C, MU-OA-MS, MU-R, MU-FB, and MU-TOD districts: Maximum 4 spaces per 1,000 sf. gfa for primary buildings with more than 100,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td>Retail Marijuana Store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Retail Sales, Large or Small (except when located in shopping centers with 200,000 sq. ft. gfa or more)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sexually-Oriented Business</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ground Floor Commercial Use (Subarea A) (Accessory Use)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Equipment Rental and Repair</td>
<td>MU-OA district: 2.5 spaces per 1,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other districts: 2.5 spaces per 1,000 sf. gfa plus 1 space per 5,000 sf. outdoor display or storage area</td>
</tr>
<tr>
<td>3</td>
<td>Meeting, Banquet, Event, or Conference Facility</td>
<td>3 spaces per 1,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td>Day Labor Hall (Subareas B And C)</td>
<td>For office uses:</td>
</tr>
<tr>
<td></td>
<td>Office (Subareas B And C)</td>
<td>In the MU-C, MU-OA-MS, MU-R, MU-FB, and MU-TOD districts: Maximum 4 spaces per 1,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td>Retail Liquor Store (Subareas B And C)</td>
<td>For motor vehicle fuel dispensing station: Fuel pump spaces do not count toward minimum parking requirement</td>
</tr>
<tr>
<td></td>
<td>Motor Vehicle Fuel Dispensing Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ground Floor Commercial Use (Subareas B And C) (Accessory Use)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Private Golf Course, Tennis Club, Country Club, or Clubhouse</td>
<td>3 spaces per hole or 1 space per 400 sf. of clubhouse space, whichever is greater</td>
</tr>
<tr>
<td>4</td>
<td>After Hours Club or Entertainment</td>
<td>4 spaces per 1,000 sf. gfa</td>
</tr>
<tr>
<td></td>
<td>Bar and Tavern</td>
<td>For motor vehicle fuel dispensing station: Fuel pump spaces do not count toward minimum parking requirement</td>
</tr>
<tr>
<td></td>
<td>Brewpub</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Microbrewery</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medical and Dental Clinic</td>
<td></td>
</tr>
</tbody>
</table>

D. Maximum Permitted Parking

1. Parking maximums apply to surface parking lots, not to spaces provided in parking garages.

2. Except for development in the MU-TOD zone district, additional parking up to 20 percent over the maximum parking requirement may be approved by the Planning Director if the Director determines that additional surface parking may be necessary due to unusual site or use characteristics, and provided that the additional parking area is paved with an approved alternative surfacing material meeting the requirements of Section 146-4.6.5.D.7.

E. Accessible Parking

Within the requirements of Section 146-4.6.3.C (Minimum Required Parking) and not in addition to those requirements), accessible parking shall be provided for all multifamily and non-residential uses as shown in Table 4.6-2 or as required the International Building Code,
the Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities and Colorado Revised Statutes, whichever has the higher requirement.

<table>
<thead>
<tr>
<th>Total Parking Spaces Required</th>
<th>Minimum Number of Accessible Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 through 25</td>
<td>1</td>
</tr>
<tr>
<td>26 through 50</td>
<td>2</td>
</tr>
<tr>
<td>51 through 75</td>
<td>3</td>
</tr>
<tr>
<td>76 through 100</td>
<td>4</td>
</tr>
<tr>
<td>101 through 150</td>
<td>5</td>
</tr>
<tr>
<td>151 through 200</td>
<td>6</td>
</tr>
<tr>
<td>201 through 300</td>
<td>7</td>
</tr>
<tr>
<td>301 through 400</td>
<td>8</td>
</tr>
<tr>
<td>401 through 500</td>
<td>9</td>
</tr>
<tr>
<td>501 through 1,000</td>
<td>2 percent of total</td>
</tr>
<tr>
<td>More than 1,000</td>
<td>20 plus 1 for each 100 spaces more than 1,000</td>
</tr>
</tbody>
</table>

**F. Bicycle Parking**

Unless a different standard is required by a Use-specific Standard in Section 146-3.3, the following amounts of bicycle parking shall be provided.

**1. Bicycle Parking Spaces Required**

a. Multifamily and non-residential development in Subarea A shall provide bicycle parking spaces equal to at least 10 percent of required automobile parking spaces, and multifamily and non-residential development in Subareas B and C, shall provide bicycle parking spaces equal to at least five percent of the required automobile parking spaces, provided, that each multifamily and non-residential use shall install a minimum of two U-racks or other similar bicycle storage, and no multifamily or non-residential use shall be required to install more than 15 U-racks or other similar bicycle storage.

b. The requirements of Subsection F.1 above also apply to the non-residential component of each mixed-use development.

c. Each inverted-U bicycle rack counts as two bicycle parking spaces.

d. Multifamily development shall provide at least one bicycle parking space per five dwelling units in Subarea A and at least one bicycle parking space per 10 dwelling units in Subareas B and C.

**2. Design**

Bicycle parking facilities shall:

a. Be located in convenient, highly visible, well-lighted areas that do not interfere with pedestrian movements. At least 10 percent of required bicycle parking spaces shall be located within 100 feet of the primary building entrance;

b. Provide for storage and locking of bicycles, either in lockers or racks that are securely anchored and resistant to rust, hammers, and saws;
c. Be designed to support the bicycle in an upright position and so that both the bicycle frame and wheels may be locked by the user using a U-shaped lock or a chain/cable and lock; and

d. Be designed to provide at least two points of contact with the bicycle.

### 4.6.4. PARKING ALTERNATIVES

A reduction to the required parking may be granted by complying with any one or combination of the parking alternatives listed in this Section provided that the total reduction is not greater than 25 percent below the parking requirements in Section 4.6.3.C (Minimum Required Parking), and that the applicant provides a parking analysis and the Planning Director determines that the analysis provides adequate documentation of reduced parking demand and demonstrates that the reduction will not create significant adverse impacts on surrounding properties. Without limiting the generality of the previous sentence, parking alternatives may be applied to vertical mixed-use developments.

#### A. Proximity to Transit

1. The minimum number of off-street parking spaces required for new development or redevelopment may be reduced if the proposed development or redevelopment is located within one-quarter mile, measured by the most direct walking route, of any Regional Transportation District (RTD), or other publicly authorized transit agency transit stop as follows:
   a. 30 percent reduction with a peak frequency of 15 minutes or better.
   b. 15 percent reduction with a peak frequency of between 16 and 30 minutes.

2. No development approved with this parking reduction shall be considered nonconforming parking or shall be subject to the requirements of Section 4.6.5.5 (Nonconforming Site Feature), for not meeting minimum parking requirements if the bus or transit line is later relocated, or if peak service frequency falls below the peak frequency requirements in Subsection 1 above, and the remaining number of parking spaces provided for that use does not meet the minimum requirements of Section 4.6.3.C (Minimum Required Parking).

3. This reduction is not available for multifamily dwellings.

#### B. Credit for Shared or Fleet Vehicle

For each shared vehicle and fleet vehicle, which is available throughout the day for employee use, provided, the minimum number of required off-street parking spaces may be reduced by nine spaces for residential uses and four spaces for office or retail uses. Each shared or fleet vehicle shall be signed for such use and shall count toward the minimum number of required parking spaces. This reduction is not available for multifamily dwellings.

#### C. Credit for Carpool or Vanpool Spaces

For each shared vehicle, carpool, or vanpool space provided, the minimum number of required off-street parking spaces may be reduced by four. Each shared vehicle, carpool, or vanpool space shall be signed for such use and shall count toward the minimum number of required parking spaces. This reduction is not available for multifamily dwellings.

#### D. Credit for Point-to-Point Share Areas

On any property within a point-to-point car or bicycle share service area the minimum number of required off-street parking spaces for residential and commercial uses may be reduced by 10 percent. A point-to-point share service is one in which bicycles, automobiles, or other
vehicles are obtained in one location and must be dropped at a number of fixed locations for use by others. This reduction is not available for multifamily dwellings.

E. Credit for Electric Vehicle Charging Stations
For each electric vehicle charging station provided, the minimum number of required off-street parking spaces may be reduced by two. Each charging station counts toward the minimum number of required parking spaces. This reduction is not available for multifamily dwellings.

F. Credit for Bicycle Parking
The number of required motor vehicle parking spaces may be reduced at a ratio of one motor vehicle parking space for each two additional secured bicycle parking spaces provided above the minimum bicycle parking requirements, up to a maximum reduction of five percent of the required motor vehicle parking spaces. This credit is not available for multifamily dwellings.

G. Credit for Public Parking
The Planning Director may, at his or her discretion, allow for a reduction or elimination of parking requirements if the applicant can demonstrate that adequate spaces are available in a nearby public parking lot or structure, and that the reduction or elimination of parking requirements will not result in excessive traffic congestion or on-street parking in any nearby Residential zone district. For the purposes of this provision, on-street parking and parking located within public parks and open space areas shall not constitute a nearby public parking area. This reduction is not available for multifamily dwellings.

H. Credit for On-Street Parking
In Subarea A, and the Mixed-Use and Special Purpose districts in Subareas B and C, any on-street parking located directly in front of the subject property may be counted towards on-site parking requirements. Only those street parking spaces for which at least one-half the length of the parking space falls between imaginary lines extending from the corners of the front lot line perpendicularly into the street right-of-way may be counted. Each on-street parking space may only be counted once towards the parking requirements of the adjacent lot, regardless of the number of individual buildings or tenants on the lot. The use of this credit shall not entitle the property owner to the continued availability of those on-street parking spaces over time; management of on-street parking spaces is subject to subject to standard City parking management policies and practices. This reduction is not available to reduce required parking for individual dwelling units in multifamily dwellings, but may be used to reduce required guest parking.

I. Shared Parking
1. Where two or more uses listed in Table 3.2-1 (Permitted Use Table) share a parking lot or structure, the total off-street parking requirement for those uses may be reduced by the factors shown in Table 4.6-3, below.

To calculate the shared parking reduction, add the requirements for each use category, then divide the sum by the factor indicated in Table 4.6-3
### Table 4.6-3
**Shared Parking Reduction**

(Add the requirements and divide by these factors)

<table>
<thead>
<tr>
<th>Property Use</th>
<th>Multifamily Residential</th>
<th>Public, Institutional, or Civic</th>
<th>Food, Beverage, Indoor Entertainment, or Lodging</th>
<th>Retail</th>
<th>Other Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily residential</td>
<td>1.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public, Institutional, or Civic</td>
<td>1.1</td>
<td>1.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food, Beverage, Indoor Entertainment, or Lodging</td>
<td>1.1</td>
<td>1.2</td>
<td>1.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td>1.2</td>
<td>1.3</td>
<td>1.3</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td>Other Commercial</td>
<td>1.3</td>
<td>1.5</td>
<td>1.7</td>
<td>1.2</td>
<td>1.0</td>
</tr>
</tbody>
</table>

### J. Transportation Demand Management

The Planning Director may, at his or her discretion, allow for a reduction in required parking for employers who enter into a Transportation Demand Management Agreement that specifies how on-site parking will be reduced through employee programs or work schedules that reduce the number of employees on-site. Such programs may include the following:

1. Compressed work week schedules;
2. Flexible arrival and departure times;
3. Telework opportunities; or
4. Incentives for employees to use alternative modes of transportation to the work place.

### 4.6.5. PARKING DESIGN AND LOCATION

#### A. Location and Use of Parking Facilities

1. Generally
   a. Required parking spaces shall be located on the same lot with the principal building or the primary use unless otherwise permitted in Subsection 1.b below.
   b. The Planning Director may approve the location of required off-street parking that is not required to meet the requirements of the Americans with Disabilities Act, and that is not related to a convenience store or a residential use, on a separate lot, subject to the following standards.
      i. Off-site parking shall not be located more than 660 feet walking distance from the primary entrance of the use served.
      ii. Land used for off-site parking for a non-residential use shall not be located in a Residential zone district unless the use for which the parking is provided is a permitted or conditional use in that Residential zone district.
   c. No portion of an off-street parking facility shall be located in a public street or sidewalk, parkway, alley, or other public right-of-way.
d. Off-site parking may be shared with another use provided that the shared parking meets the standards in Table 4.6.2.

2. In Subarea A
The following standards shall apply in Subarea A, unless Subsection 4 below applies, in which case the provisions of Subsection 4 shall be applied.

a. No more than 25 percent of the lot frontage on arterial or collector streets to a depth of 60 feet shall be occupied by surface parking. The remaining 75 percent of the lot frontage on arterial or collector streets shall be occupied by a structure, and no surface parking shall be located between that building and the street.

b. Required parking space(s) associated with any single-family attached or multifamily residential building shall not be located more than 330 feet from an entrance to that building and shall have a direct pedestrian connection to the building's entrance or entrances.

c. In the MU-N, MU-C, MU-TOD, and MU-FB districts, and in the MU-OA-MS subdistrict, off-street parking facilities shall be located to the rear of the primary building, within the principal building, within a garage structure, or entirely below grade.

3. In Subareas B and C
The following standards shall apply in Subareas B and C, unless Subsection 4 below applies, in which case the provisions of Subsection 4 shall be applied.

a. No more than 60 percent of the lot frontage on arterial and collector streets to a depth of 60 feet shall be occupied by surface parking.

b. Garage entries, carports, and parking structures shall be internalized in building groupings or oriented away from street frontage to the maximum extent practicable.

4. Multifamily and Single-Family Attached Dwellings

a. Parking spaces on private streets or driveways within multifamily developments may be used to meet the requirements for guest parking.

b. For structures that do not meet the definition of an Affordable Housing Structure, at least 40 percent of resident parking shall be in garages or carports and at least 50 percent of those garages and carports shall be attached to a primary residential structure, directly or through a roofed structure with partial sidewalls or without sidewalls, rather than freestanding garages or carports.

c. Where detached garages are used, they shall be faced with the same mix and percentage of materials as the primary building(s).

d. In Subareas B and C, required parking space(s) associated with any single-family attached dwelling shall not be located more than 200 feet from the entrance to the dwelling, and required parking space(s) associated with any multifamily residential building shall not be located more than 330 feet from an entrance to that building. In both cases, there shall be a direct pedestrian connection between the dwelling or building’s entrance(s) and the parking area associated with that dwelling or building.

B. Parking Access from Streets and Alleys
The following standards apply to both parking lots and parking garages, unless otherwise indicated.
1. No Back-out Parking
   Except for single-family and two-family uses, parking areas shall be designed so that vehicles are not permitted to back out of the parking area onto a public street.

2. Access Points
   a. Only the minimum number of curb cuts necessary to serve the subject parcel is permitted. Existing curb cuts shall be removed as part of a site redevelopment project when in excess of minimum number of curb cuts necessary to serve the parcel or the existing curb cut is in an unsafe location as determined by the City Engineer.
   b. Access to parking lots along arterials shall be from the local side street that is not adjacent to an R-R, R-1, or R-2 zone district or single-family or two-family residential component of a mixed-use project to the maximum extent practicable.
   c. Access drives for parking facilities shall be oriented perpendicular to the street. Access drives and internal drives for parking facilities shall align as closely to the surrounding grid network as feasible. In the absence of a gridded network surrounding the site any site greater than five acres shall be designed with internal blocks that generally reflect a grid street network with an east/west frontage of 330 feet and a north/south frontage of 660 feet to the extent local topography allows. In the event the north/south measurement of the property is less than 660 feet, smaller blocks are allowed.
   d. In Subareas B and C no parking lot or garage entrance or exit shall be located closer than 50 feet to any intersecting street right-of-way line or closer than 10 feet to any adjacent property line, except where it is possible to provide shared access for adjacent properties, unless application of these standards would leave a parcel of property without vehicle access.

C. Single-Family Detached and Two-Family Lots

1. Applicability and Exceptions
   Where vehicle access to single-family detached or two-family residential dwelling structures is provided by individual driveways, those driveways shall meet the standards in this Section 146-4.6.5.C, with the following exceptions.
   a. Parking surfaces lawfully existing on July 21, 2012, may continue to exist as lawful nonconforming structures, subject to City regulations that prohibit enlarging or increasing the area of the parking surface.
   b. Driveways or parking surfaces abutting unpaved public rights-of-way in open, natural areas, and agricultural districts, are not required to be of concrete, asphalt, or brick or stone pavers.
   c. Driveways or parking surfaces abutting unpaved streets in residential zones are not required to be of concrete, asphalt, or brick or stone pavers. However, driveways or parking surfaces shall conform with standards for construction, placement, materials, drainage, and containment adopted by the Director of Public Works.

2. Front Yard Restrictions
   a. Except for wedge-shaped lots, all driveways or parking surfaces located in the front yard shall not cover more than 40 percent of the total front yard area. For wedge-shaped lots, the maximum coverage shall be 50 percent.
b. Private driveways leading to dwelling units shall be a minimum of 18 feet in length. No driveway shall allow parking such that parked vehicles encroach on public or private streets or sidewalks.

c. On residential lots with side-loaded garages, a minimum back-out dimension of 25 feet is required and shall not block drainage along the side yard lot line.

3. Side Yard Restrictions
No driveway or parking surface located in the side yard shall exceed a width of 10 feet.

4. Rear Yard Restrictions
a. All driveways or parking surfaces located in the rear yard of lots smaller than 20,000 square feet without alley access shall not cover more than 25 percent of the total rear yard area or 750 square feet, whichever is less.

b. All driveways or parking surfaces located in the rear yard of lots smaller than 20,000 square feet with alley access for the purpose of serving alley-loaded garages and lots with either attached garages on the rear elevation of the residence or detached garages located in the rear lot setback shall not exceed 50 percent of the total rear yard area.

c. All driveways or parking surfaces located in the rear yard on lots greater than 20,000 square feet in area shall not exceed 750 square feet.

d. Guest parking may be provided in private driveways (tandem parking) leading to individual buildings, provided that no parked vehicle encroaches on or over public or private streets or sidewalks.

5. Surfacing
a. Driveways or parking surfaces abutting paved public rights-of-way are required to be surfaced with concrete, asphalt, or brick or stone pavers.

b. Driveways or parking surfaces abutting unpaved public rights-of-way in open, natural areas, and agricultural districts, are not required to be surfaced with concrete, asphalt, or brick or stone pavers.

c. Driveways or parking surfaces abutting unpaved streets in residential zones are not required to be surfaced with concrete, asphalt, or brick or stone pavers. However, driveways or parking surfaces shall be of standards in conformity with those adopted
6. Garage Required

In Subareas B and C, single-family detached and two-family dwellings shall include a garage structure large enough to fully enclose at least one off-street parking space per dwelling on the same lot as the residential structure.

7. Garage Design

In all Subareas, if a garage is provided, the garage structure may be attached or detached from the main dwelling, and shall meet the following standards:

a. It shall be of a similar design, quality, and style as the main residential structure, using the same façade and roofing materials or mixture of materials as found on those portions of the main residential structure facing the street.

b. It shall include at least four square feet of window area, including any window areas located within overhead or swinging doors. Such window areas shall admit light, but may be either transparent or translucent.

8. Garage Variation Required

a. In single-family detached residential subdivisions that contain four lots or more in Subareas B and C, and that are not using the Subarea C Small Residential Lot Standards from Section 146-4.2.3.A, the following standards shall be met:

i. At least 50 percent of the total number of lots in the subdivision or block shall have recessed garage configurations, alternate-load garage configurations, or any combination of either.

ii. A recessed garage configuration is a home design having all its street-facing garage doors recessed at least five feet behind the home's front building line as shown in Figure 4.6-2. A front building line shall be a home's most forward non-garage wall plane at least 10 feet wide. It may include the front line of a front porch, provided the porch has a roof and is at least five feet deep and eight feet in width.
iii. For the purposes of this Section 146-4.6.5.C.8, an alternate-load garage configuration shall be defined as a home design having garage doors facing in a direction other than the street on which the home fronts, as shown in Figure 4.6-3. Where used as an alternate-load design, a side-load garage shall have at least one garage door oriented perpendicular to the front elevation of the house with the enclosed portion of the garage on the front elevation comprising a maximum of 60 percent of the total front elevation width.

iv. House lots with alternate-load garages shall be permitted a reduced minimum front building setback of 15 feet for all portions of the building, including the garage, except that every dwelling shall maintain a minimum of 20 feet from the garage door to the back of the sidewalk, or to the back of the curb if no sidewalk is present. Alley-load garages shall be set back a minimum of three feet from the alley right-of-way. Lots with alternative-load garages shall be exempted from the driveway area restrictions of this UDO. All garage configurations shall avoid layouts where parking on the driveway will overhang sidewalks or public rights-of-way.

9. Garage Doors as a Percentage of Front Facades
In all Subareas, where a garage door or doors accommodating one or two cars in non-tandem configuration appear on the front of a residential structure, the door or doors shall not occupy more than 47 percent of the total width of the front elevation. For garages built to accommodate three or more vehicles in non-tandem configuration, the garage doors shall not occupy more than 55 percent of the total width of the front elevation. All three-car garages shall have a minimum two foot offset between the single and double garage doors, or between two single doors if three single doors are provided.

D. Parking Lot Layout and Design

1. Landscaping and Screening
All surface parking lots shall comply with the landscaping and screening standards applicable to parking lots in Section 146-4.7.5.K (Parking Lot Landscaping).

2. Pedestrian Walkways
In parking lots containing more than 150 contiguous spaces, sidewalks or paths at least six feet in width and designated by painted lines, raised surfaces, or different surfacing...
colors or materials shall be provided within a landscaped median to provide safe pedestrian access from the farthest parking block, row, or bay to the primary entrance of each building the parking area serves.

3. Parking Blocks
Each parking lot containing more than 150 spaces shall divide the parking area into “parking blocks”, each containing no more than 120 vehicle parking spaces to the maximum extent practicable in light of the shape and orientation of the parking lot and the location of access points to the parking lot. Each parking block shall be separated from other parking blocks by a driving aisle with a center landscaped swale, median, or area at least 20 feet in width.

4. Tandem Parking
a. In Subarea A, all required parking spaces shall be individually accessible except for guest parking in private driveways leading to dwellings, designated employee parking for non-residential uses, and residential parking spaces assigned to a specific unit in a multifamily dwelling.

b. In Subareas B and C, all required parking spaces shall be individually accessible except for guest parking in private driveways leading to single-family detached, single-family attached, and two-family dwellings. Unless otherwise stated, tandem parking for the purpose of meeting minimum parking requirements is prohibited.

5. Overhangs
a. Parking areas for public use shall be designed so that a parked vehicle does not overhang the public right-of-way, fire lane easement, public sidewalk, or trail unless the right-of-way, fire lane easement, sidewalk, or trail is widened by the amount of the overhang and does not reduce the width of an area or route required to meet the standards of the Americans with Disabilities Act.

b. A parked vehicle may overhang a landscaped area by up to two feet, provided that the width of the landscape area is increased by the amount of parked vehicle overhang.

c. A permanent curb, bumper, wheel stop, or similar devise shall be installed no closer than two feet from the end of each parking space adjacent to a public right-of-way, public sidewalk, or planters to protect those areas from vehicle overhangs and to protect structures from vehicle damage.

6. Stall Size and Drive Aisle Dimensions
a. Parking areas and required spaces, drive aisles, and maneuvering areas shall comply with the dimensional standards in the table below.

<table>
<thead>
<tr>
<th>Table 4.6-4 Off-Street Parking Layout Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>0° (parallel)</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Standard Spaces</td>
</tr>
<tr>
<td>Curb length per space</td>
</tr>
<tr>
<td>Space depth</td>
</tr>
<tr>
<td>Space width</td>
</tr>
<tr>
<td>Access aisle width (1 way / 2 way)</td>
</tr>
</tbody>
</table>

Notes:
[1] Additional width may be required where aisle serves as the principal means of access to on-site buildings or structures.
b. For parking designs other than those indicated in Table 4.6-4, the minimum dimensions shall be determined by the Planning Director.

7. Surfacing
   a. Generally
   All parking areas shall be properly graded for drainage and shall be surfaced with concrete or asphalt, brick or stone pavers meeting Public Works Department standards. All portions of Parking Lots that exceed 125 percent of the minimum on-site parking required for a lot or a development shall use alternative materials pursuant to Subsection 7.b below.

   b. Alternative Materials
   Alternative materials including pervious or semi-pervious parking materials may be approved if the Director of Public Works determines that the materials are durable and can be maintained over time. These alternative paving materials include but are not limited to grass, mulch, grasscrete, ring and grid systems used with grass, permeable concrete or asphalt, porous pavers, or recycled materials such as glass, rubber, used asphalt, brick, block, and concrete.

8. Marking of Spaces
   a. Parking spaces shall be marked on the pavement. Any other directional markings or signs shall be installed as permitted or required by the City to ensure the approved use of space, direction of traffic flow, and general safety.

   b. Required off-street parking spaces shall be delineated by four-inch-wide single- or double-striped lines in the configurations shown in Fig. 4.6-4.

   * Note: stall length can be reduced up to 2’ when vehicular overhang occurs in non-required walkway or landscaping

Figure 4.6-1: Alternative Stall Markings and Wheel Stop Locations
**E. Parking Garage Design**

1. **Design**

   Above ground parking garages or portions of structures occupied by automobile parking shall meet the following standards:

   a. The minimum setback for a parking garage shall be the same that is required for the principal structure.

   b. The height of an accessory parking garage shall not exceed the height of the principal structure it is intended to serve. This standard does not apply to parking garages intended to serve transit stations that are one story or less in height.

   c. Where the top parking level of a parking garage is not enclosed, lighting for the top parking level may not exceed 12 feet above the parking surface.

   d. Each façade facing a public street shall conceal the view of all parked cars below the hoodline and the view of internal light sources, when viewed from the property street frontage.

   e. All parking surfaces along any street frontage of the garage shall be generally horizontal, rather than an angled surface or ramp leading to a higher or lower level of the garage.

   f. Elements such as decorative grillwork, louvers, or translucent materials consistent with building code requirements for open parking structure requirements shall be used on the upper floor façades, or the upper parking floors shall be designed with a pattern of window-like openings on the parking garage façade.

   g. In Subarea A, and in the Core subdistrict of the MU-TOD district, ground floor parking garage frontages on collector or arterial streets shall be designed with a minimum floor-to-ceiling height of 11 feet to a depth of at least 20 feet from the street frontage, so that area can be converted to a pedestrian-active retail or service use in the future.

   h. In all Subareas, the ground floor of a parking structure shall employ one or more of the options shown in Table 4.6-5, below to improve visual interest of the ground floor facade. Parking structures without ground-floor active uses shall comply with required landscaping per Section 146-4.7.5.J.2.d.

---

**Table 4.6-5**

**Parking Structure Screening Methods**

**Storefront with Active Use** – Often referred to as a “wrap”, this includes locating an active use such as, but not limited to, retail, restaurant, office, residential, commercial, or civic space between the parking structure and public space.
2. Pedestrian and Vehicular Circulation
   
a. Where pedestrians cross primary vehicular routes to access stairways, elevators, or other entries, a marked and signed crosswalk shall be provided.

b. Parking ramp slopes shall not exceed the 6.67 percent slope, or the maximum parking slope permitted in the Adopted Building Code for the City of Aurora.
4.6.6. OFF-STREET LOADING AREAS

A. Number of Required Off-Street Loading Spaces

The minimum number of off-street loading spaces, plus areas required for access and maneuvering, shall be provided pursuant to Table 4.6-6.

Table 4.6-6
Required Off-Street Loading Spaces

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Minimum Required Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office, Lodging, Personal Services and Repair, and Retail</td>
<td>1 space per 50,000 sf. of gross floor area or fraction thereof, up to a maximum requirement of 3 spaces</td>
</tr>
<tr>
<td>Other Non-Residential Uses</td>
<td>1 space per 50,000 sf. of gross floor area or fraction thereof, up to a maximum requirement of 2 spaces</td>
</tr>
</tbody>
</table>

B. Exemptions

Developments meeting any of the following conditions shall be exempt from required off-street loading requirements:

1. Any use with less than 15,000 square feet of gross floor area.
2. Any lot in Subarea A.
3. Any use within the MU-FB, MU-TOD, and MU-R districts or the MU-OA-MS subdistrict.

C. Applicability to Existing Structures

Off-street loading requirements shall only apply to existing buildings when the gross floor area is increased by more than 50 percent. When the gross floor area is increased by more than 50 percent, the required loading spaces shall comply with Table 4.6-6 for both the existing building and the expansion.

D. Design and Use of Off-Street Loading Areas

1. Location
   a. Off-street loading spaces shall be located on the same lot or parcel as the structure or use for which it is provided.
   b. Trucks parked in a loading area shall not encroach into required parking spaces or building setbacks.
   c. Parked trucks loading or unloading materials shall not block travel lanes in parking lots or fire lanes.
   d. Any required off-street loading areas with more than two docking facilities shall not be located adjacent to any Residential zone district.

2. Maneuvering
   In Subareas B and C, loading areas shall be designated to provide for truck backing and maneuvering on-site and not from or within the public rights-of-way.

3. Screening
   4. Service and loading areas visible from a Residential zone district or a public right-of-way shall be screened pursuant to Section 146-4.7 (Landscape, Water Conservation, Stormwater Management).
4.6.7. DRIVE-THROUGH STACKING AREAS

The following standards apply to properties with a drive-through facility:

A. Number of Required Stacking Spaces

Vehicle stacking spaces shall be provided in accordance with Table 4.6-7, below. Required stacking distances shall be measured from the flow line to the first parking stall or aisle. The required stacking distance for the site may be distributed between accesses serving the site, when a minimum stacking distance of 20 feet is provided at all access points.

<table>
<thead>
<tr>
<th>Drive-Through Activity</th>
<th>Minimum Required Stacking Spaces (per lane)</th>
<th>Measured from Flow Line To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank, Financial Institution, or Automated Teller Machine (ATM)</td>
<td>3</td>
<td>Teller window</td>
</tr>
<tr>
<td>Restaurant</td>
<td>7, of which at least 4 must be located before the ordering station</td>
<td>Pick-up window</td>
</tr>
<tr>
<td>Motor Vehicle Wash (Full Service)</td>
<td>3</td>
<td>Outside of washing bay</td>
</tr>
<tr>
<td>Motor Vehicle Wash (Self Service or Automated)</td>
<td>1</td>
<td>Outside of washing bay</td>
</tr>
<tr>
<td>Other</td>
<td>Determined by the Planning Director based on anticipated demand</td>
<td></td>
</tr>
</tbody>
</table>

B. Size and Location

1. Vehicle stacking spaces shall be a minimum of 8.5 feet in width and 19 feet in length.

2. Required vehicle stacking spaces shall not interfere with access to parking spaces. They may be located anywhere on the site provided that multi-modal traffic impacts on- and off-site are minimized and the location does not create negative impacts on adjacent properties due to noise, light, or other factors.

3. Electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line with any adjacent Residential district.

4. Customers in vehicles shall only be served through service windows or order stations located on the rear of the building or on a side of the building not adjacent to a street frontage.

5. In the MU-TOD Edge subdistrict and the MU-OA-G subdistrict, no drive-through lane or vehicle stacking area may extend between the front of the building and the front lot line.
4.7.1. INTENT

The intent of this Section 146-4.7 is to establish landscape standards to be used in the preparation of landscape plans that will promote, preserve, and enhance existing and new developments and the image of the city as a whole. Landscaping has many benefits some of which are to improve the visual quality and compatibility within and between developments and differing land uses. It provides green spaces that improve site permeability, contribute to the reduction of erosion and stormwater runoff, and, in a number of studies, are essential for long term well-being. In addition, landscaping can be water conserving and contribute to the implementation of Low Impact Development (LID) standards through the use of native and indigenous plant materials that are well adapted to local climatic conditions. Overall, the intent of this Section is to achieve the following goals:

A. Create a sense of place based upon the existing or planned context of an area;

B. Create a high standard of landscape quality for all development;

C. Promote water efficiency through the use of Water-wise plant materials as well as Water-wise principles and practices;

D. Create landscape designs that integrate Low Impact Development principles;

E. Buffer transportation corridors, view corridors, private common space, public park land, and public open space areas;
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.2. Applicability

F. Establish tree-lined canopy streets;

G. Reduce heat island effects and protect citizens from the harmful impacts of the sun;

H. Mitigate the impacts of developments;

I. Discourage the use of seed mixtures or sod containing blue grass, fescue or rye grass cultivars;

J. Preserve existing trees; and

K. Promote biodiversity and habitat for pollinators.

4.7.2. APPLICABILITY

A. General

The provisions of this Section 146-4.7 apply to all development and redevelopment within Subareas A, B and C and shall be included as part of the Site Plan submittal process or as part of a Redevelopment Plan. The landscape focus for Subareas A, B and C, as described in Section 146-2.2 (Three Character Areas) will vary depending on the type of development and redevelopment that is expected to occur and the given zoning of a parcel. Landscaping shall be required for the following:

1. All development on vacant land or cleared land;
2. All new development of residential, mixed-use, and non-residential primary structures;
3. Redevelopment of a site that involves replacement of an existing structure or expansion of the gross floor area by more than 25 percent.
4. Construction of new parking lots containing 10 or more parking spaces, and the redesign or reconfiguration of existing primary use parking lots containing 10 or more parking spaces.

B. All parks and open space areas that are to be owned and maintained by the City but constructed by a developer, shall comply with the design standards and procedures in the Aurora Parks, Recreation and Open Space Dedication and Development Criteria Manual rather than the standards found in this Section 146-4.7.

C. The City Council may declare a drought emergency, and during such times, the installation of various types of landscaping as required by this Section may be postponed. In the event of a declared drought emergency, the following landscape preparation measures shall be completed in lieu of specific landscape plantings prior to the issuance of a certificate of occupancy:

1. Final grading;
2. Installation of main irrigation system components;
3. Installation of plant beds, including edging, weed barrier, and mulch, without plant materials; and
4. Completion of sedimentation and soil erosion best management practices including placement of soil erosion materials on areas to be sodded or seeded. Types of materials include roof leader extensions, straw wattles, hay bales, and soil erosion blankets.
4.7.3. GENERAL LANDSCAPING STANDARDS

A. Landscape Reference Manual
Prior to the preparation of a formal landscape plan submittal, designers shall consult the Landscape Reference Manual, which is available on the City’s website, for specific requirements regarding plan setup, scale, notes, plant symbology, standard tables, and the Water-wise plant list.

B. Plant Material Requirements
1. General
   Landscaping for all development shall include a variety of Water-wise plant materials, such as trees, shrubs, ornamental grasses, groundcovers, annual and perennial flowering species, turf grasses, and mulches that will provide visual interest during all seasons.
   a. The use of plant materials adapted to the climatic conditions of the area shall be used to the maximum extent practicable in order to reduce water consumption, general maintenance, and the dependence on fertilizers and insecticides.
   b. Landscape materials such as stone, masonry, wood, and steel may also be used to define space and create visual interest. When landscaped areas are adjacent to natural areas or open spaces, plants shall be selected to continue that native appearance along the border with the open space or natural area.
   c. At least 75 percent of all annuals and trees, and 100 percent of shrubs, perennials, groundcovers, and ornamental grasses used to landscape each site regulated by this Section shall be selected from the Water-wise Plant List in the Landscape Reference Manual; the Colorado State University Cooperative Extension Facts Sheet on Xeriscaping; or other approved Water-wise, resource wise, or Xeriscape plant material references.
   d. Trees and shrubs specified from another source other than the Water-wise plant list will be considered if the source for the Water-wise designation is listed on the plan. Such sources may consist of the Colorado State University Extension office or similar sources. Applicants may also consult with the City Forester regarding any proposed tree species not on the approved Water-wise plant list.
   e. Evergreen trees such as Austrian and Ponderosa Pine as well as Spruce, shall not be planted closer than 20 feet to a street edge, sidewalk, or parking area as measured from the trunk of the tree to the edge of the pavement.
   f. Planting within rip-rap lined swales is prohibited. No trees, shrubs, and/or perennials shall be planted within the rock.

2. Minimum Plant Sizes
Plant material shall be installed in the minimum sizes shown in Table 4.7-1. Trees shall be measured six inches above ground level for all trees up to four inches in caliper and 12 inches above ground level for larger trees.

<table>
<thead>
<tr>
<th>Table 4.7-1 Minimum Plant Sizes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Planting</td>
</tr>
<tr>
<td>Shade trees</td>
</tr>
</tbody>
</table>
### 4.7.3. General Landscaping Standards

#### Table 4.7-1 Minimum Plant Sizes

<table>
<thead>
<tr>
<th>Type of Planting</th>
<th>General Minimum Size Requirement</th>
<th>Special Locations [1]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ornamental trees</td>
<td>Two-inch caliper minimum (for single stem varieties). Clump forms, multi-stemmed, and similar are acceptable and shall be six to eight feet in height at time of installation.</td>
<td>Two and one-half inch caliper</td>
</tr>
<tr>
<td>Evergreen trees</td>
<td>Six feet tall</td>
<td>8 -10 feet high</td>
</tr>
<tr>
<td>Shrubs</td>
<td>Five-gallon container</td>
<td></td>
</tr>
<tr>
<td>Ornamental grasses and perennials</td>
<td>One-gallon container</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
[1] Special Locations include non-residential or mixed-use development along property lines adjacent to residential uses.

#### 3. Tree and Shrub Diversity

Tree and shrub diversity shall comply with the Landscape Reference Manual to the maximum extent practicable.

#### 4. Prohibited Plant Species

a. The following plants shall be prohibited from being planted in the city:
   i. Russian Olive (all Elaeagnus Angustifolia species and cultivars);
   ii. Aspen (all Populus Tremuloides species and cultivars);
   iii. Cottonwood (all species), unless being used to continue the native appearance along the border with open space or natural areas or within non-street frontage buffers, but not in connection with curbside landscape areas or abutting walks and/or buildings;
   iv. Tamarisk (all species); and
   v. Ash (Fraxinus species).

b. Plants listed as an invasive species by the Colorado State University Extension Service are prohibited.

c. Plants listed on the Colorado Noxious Weed List are prohibited.

#### 5. Living Material Requirements

a. **General Requirements**
   
   This section 146-4.7.3.B.5 applies to all required landscapes unless exempted by Subsection b below or by another provision of this UDO.

b. **Exceptions**
   
   i. Areas within and immediately adjacent to public rights-of-way having no reasonable means of providing an underground automatic irrigation system shall with the approval of the Planning Director be landscaped with a minimum of two materials as listed below. One of the two materials must be plant material. Forty percent of the total landscape area must be permeable materials. Twenty percent of the permeable material area must be plant material. A homeowner’s yard visible from the public right-of-way shall not consist of entirely non-living materials.
      a. Plant material – to be hand watered if no automatic irrigation system is available
      b. Rock, no white rock
      c. Natural or manmade pavers over a compacted base
4.7. Landscape, Water Conservation, Stormwater Management

**Article 146-4 Development Standards**

4.7.3. General Landscaping Standards

d. Integrally colored stamped decorative concrete

e. Shredded cedar or wood chip mulch

6. **Plant Quality and Installation**

All plant materials shall meet or exceed minimum standards as outlined by the Colorado Nursery Act Regulations and the current edition of the Uniform Nursery Standards, and shall be installed according to specifications of the Associated Landscape Contractors of Colorado.

7. **Tree and Shrub Equivalents**

a. **Tree Equivalents**

The following tree equivalents are provided to allow design flexibility in applicable situations as provided in this UDO. One tree equivalent shall be equal to:

i. One 2.5 inch caliper deciduous shade tree;
ii. One 2 inch caliper deciduous shade tree;
iii. One 2 inch caliper ornamental tree;
iv. One 6 foot tall evergreen tree;
v. Twelve 5 gallon shrubs per one 2.5 inch caliper tree or 8 foot to 10 foot tall evergreen tree; or
vi. Ten 5 gallon shrubs per one 2 inch caliper tree or 6 foot tall evergreen tree.

b. **Shrub Equivalents**

The following shrub equivalents are provided to allow design flexibility in applicable situations as provided in this UDO. Shrub equivalents apply to either deciduous or evergreen species. One five gallon shrub equivalent shall be equal to:

i. Three 1 gallon perennials; or
ii. Three 1 gallon ornamental grasses

8. **Plant Beds**

a. Plant beds shall be separated from turf and other areas by metal edging or approved equivalent material.

b. All shrubs, ornamental grasses, perennials, and groundcovers shall be located within plant beds.

c. The installation of individual shrub species in turf or native seed areas without metal edging, but with hand-dug spade edges, may be approved by the City based on likelihood of survival and potential impacts on surrounding vegetation.

d. Where rock is the chosen mulch treatment and no plant material will be installed, weed barrier fabric shall be used to block week growth and conserve moisture.

e. Trees and shrubs shall be mulched by either rock or wood mulch, or a combination of both, at the discretion of the designer. Shredded cedar is the preferred mulch treatment around all plant material as it has moisture retention qualities unlike rock mulch that retains and radiates heat around plants.

f. For wood mulch applications, all trees shall be surrounded by an area of mulch that shall be no less than three inches in depth and no less than three inches from the trunk to reduce potential damage from insects. Mulch shall be a minimum of three inches from trunks to reduce insect and trunk damage.
g. All plant beds shall be mulched to a minimum depth of three inches. Areas planted with perennials and groundcovers species shall be mulched to a minimum two inches in depth.

9. Thorny Plants and Shrubs
Shrubs that have thorns shall not be planted within 8’ of public walks or within parking lot islands. Trees that drop fruits or have thorns shall not be planted within 20 feet of public walks or within parking lot islands or medians.

10. Clear Space Above Walks
Trees planted adjacent to public sidewalks shall maintain an eight foot or greater tree branching height above the walks when mature.

11. Artificial Turf Standards
Where this UDO permits the use of artificial turf, it shall comply with the following standards.

a. Allowed Use
i. Artificial turf may be used in sports field applications.
ii. Artificial turf may be used in front yards to replace sod or native seed areas of single-family residential lots if approved by a homeowners’ association and/or Title 32 District, but may not be used in the Water-wise landscape option in which no turf is allowed. Homeowners shall meet the Residential Yard Landscape Requirements per Table 4.7-3 in addition to providing artificial turf.
iii. Artificial turf may be used in commercial developments.

b. Materials
Artificial turf shall be of a type known as cut pile infill and shall be manufactured from polypropylene, polyethylene, or a blend of polypropylene and polyethylene fibers stitched onto a polypropylene or polyurethane mesh or hole-punched backing. Hole-punched backings shall have holes spaced in a uniform grid pattern with spacing not to exceed four inches by six inches on center.

c. Installation
Artificial turf shall be installed per the manufacturer’s recommendations.

d. Slope Restrictions
The installation of artificial turf on slopes greater than 6.6 percent shall require the applicant to consult with the manufacturer on recommendations for installation and use.

e. General Appearance
Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained turf grass.

f. Specific Prohibited Uses
i. Artificial turf may not be used within curbside planting areas in any zone district.
ii. Artificial turf may not be used in street frontage buffers.
iii. Artificial turf may not be used in dog parks.
iv. Artificial turf may not be used to satisfy any requirements of this Section 146-4.7 (Landscape, Water Conservation, Stormwater Management) unless this Section 146-4.7 or another section of this UDO contains a specific provision allowing such use.
v. Where this UDO permits the use of artificial turf or natural turf, the use of indoor or outdoor plastic or nylon carpeting or other materials or combinations of materials as a replacement for artificial turf or natural turf is prohibited.

C. Irrigation

1. New landscaped areas, plant beds, raised planters, and plant containers, with the exception of non-irrigated native, dryland, and restorative grasses shall be watered by a permanent automatic irrigation system meeting all adopted Aurora Water engineering standards, which may be found on the City’s website.

2. Automatic rain shutoff sensors shall be installed in all irrigation systems.

3. The Aurora Water Department requires all non-single-family landscapes to be divided into water conserving (non-natural turf), non-water conserving (turf), and non-irrigated areas (e.g., pavement). A separate hydrozone plan is required for submittal with the landscape plan. Refer to the Landscape Reference Manual for plan requirements.

4.7.4. PRIVATE COVENANTS CONTRARY TO PUBLIC POLICY ARE DISALLOWED

Any private covenant(s) that purports to invalidate or disallow the xeriscaping provisions contained in this UDO are invalid and a nullity, as to those provisions, as being against the expressed public policy of the Aurora City Council and of the state legislature as expressed in Section 37-60-126 (11) of the Colorado Revised Statutes.

4.7.5. REQUIRED LANDSCAPING

A. Requirements

All of the areas listed in this Section 146-4.7.5 shall be landscaped as described in this Section 146-4.7.5. If there is a conflict between the various landscaping standards, the more restrictive standard shall apply. Wherever the requirements for two or more landscaping standards overlap, the same plant material may be counted toward meeting the requirements of both standards, however the more restrictive standard must be met. Cross-references to some subsections of Section 146-4.7.5 commonly applicable to development and redevelopment are provided below, but additional subsections address specific areas, types of development, or development situations, and all applicable provisions in this Section 146-4.7.5 shall apply regardless of whether cross-referenced below.

a. Curbside Landscape, See Section 146-4.7.5.C
b. Street Frontage Landscape Buffers, See Section 146-4.7.5.D
c. Parking Lot Landscaping - Exterior, See Section 146-4.7.5.K.
d. Parking Lot Landscaping - Interior, See Section 146-4.7.5.K
e. Building Perimeter Landscaping, See Section 146-4.7.5.J
f. Non-Street Perimeter Buffers, See Section 146-4.7.5.E
g. Detention Pond and Water Quality Ponds, See Section 146-4.7.5.M.

B. Landscape Components

Figure 4.7-1 below represents the typical landscape components required in a land development application and corresponds with the list of cross-references below. The specific landscape requirements can be found in this Section 146-4.7.5. The figure below is illustrative only; quantities shown are not necessarily representative of the requirements.
C. Curbside Landscaping

1. General
   a. Curbside landscaping shall include requirements for detached walks, street trees, curbside planting, mulches, and fence locations. Street trees and curbside planting are required whether on a public or private street.
   b. Streets with attached walks shall have curbside landscapes that include the area within the right-of-way as measured between the back of curb and face of walk. The curb is not counted as part of the curbside landscape.
   c. Street trees shall be centered within the curbside planting area unless defined by another provision of the Aurora City Code or an approved Master Plan. The uniform placement of street trees is intended to create a continuous street edge. Trees may be grouped to achieve a specific aesthetic; however, the intent is to avoid large areas without street trees. No gap between groupings of street trees shall exceed 120 feet, and no trees shall be placed in easements unless permitted by the easement holder.
   d. Street trees shall be deciduous, thornless, fruitless canopy trees of species that mature to heights of between 30 and 60 feet and with canopies that mature to at least 25 feet wide.
   e. Street trees shall be set back at least 50 feet from the face of a stop sign in order to maintain a regulatory sign visibility zone as shown in Figure 4.7-2.
4.7.5. Required Landscaping

f. Applicants shall retain City-owned street trees in order to preserve the city's urban forest. Removal of City-owned street trees requires prior approval of the City Forester. If removal is necessary, tree mitigation fees may be applicable and will be determined upon inspection by the Forestry Department.

g. Applicants requesting to develop or redevelop within the Havana Overlay District shall not be required to comply with the curbside landscaping standards within this Section. Instead, all properties shall comply with right-of-way planting standards in Section 146-2.6.7 (Havana Street Overlay - HSO).

h. Curbside landscaping is required and is in addition to street frontage landscape buffers described in Section 146-4.7.5.D.

2. Detached Sidewalks

a. Minimum Plant Material Quantities

One tree per 40 linear feet of street frontage plus sod, native seed, or a combination of shrubs, ornamental grasses, and perennials, as required by this Section 146-4.7.5.C.

i. Curbside landscape areas that are less than three feet in width shall be mulched with rock mulch, no white rock. Rock shall be a minimum of 2.5 inch diameter.

ii. Curbside landscape areas that are between three and six feet in width shall be planted at a minimum with shrubs. Ornamental grasses may also be provided. Refer to Figure 4.7-3 below.

iii. Curbside landscape areas that are between six and 10 feet in width shall be planted with shrubs at a minimum. Ornamental grasses are optional. Water
conserving (xeric) seed and/or sod varieties may be provided in between shrub and ornamental grass beds. See Landscape Reference Manual 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 or native seed. A combination of shrubs and ornamental grass beds may be incorporated within the curbside landscape area.

![Curbside Landscape Native Seed Application](image)

**Figure 4.7-4: Curbside Landscape Native Seed Application**

v. When shrub and ornamental grasses are used, no less than one shrub per 40 square feet or shrub equivalents may be installed within the curbside landscape area and no more than 40 percent of the shrub count can be ornamental grasses provided as shrub equivalents. Shrubs are assumed to be an average of four feet wide at maturity. No more than five percent of perennials may be provided as shrub equivalents. Provide a variety of shrub species that differ in height, color and width for visual interest throughout the seasons. Shrubs and ornamental grasses shall be five gallon size at time of installation and perennials shall be provided at a ratio of three one-gallon perennials to one five-gallon shrub.

vi. The use of native seed within the curbside planting areas within the MU-OA zone district may be approved on a case-by-case basis by the Planning Director based on appearance and durability in the location where it is to be installed. Given the urban and fully developed character of the MU-OA zone district, native seeding may not be appropriate.

vii. When located within a sight distance triangle, plant materials shall comply with the provisions of Section 146-4.2.3.1. Refer to the Aurora Roadway Design and Construction Specifications Manual for sight distance triangle design parameters.
viii. Rock mulch within the curbside landscape area may be used in between planting beds, but may not be used as 100 percent coverage in the curbside planting area, unless the exception in Section 146-4.7.5.C.2.a.i applies.

ix. Additional trees may not be provided in the curbside landscape area as a substitute for the living ground cover treatment such as shrubs, ornamental grasses, or perennials.

b. **Street Tree Measurements**
   For detached sidewalks, street tree quantities shall be determined by taking the measurements as shown in Figures 4.7-6 and 4.7-7 below.
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, sod, and/or native seed consistent with Section 146-4.7.5.C.2.a.ii.

   iii. Non-living landscape materials may consist of wood mulch and rock mulch in combination with living plant material consistent with Section 146-4.7.5.C.2.a.ii.
3. Attached Sidewalks
   a. **Minimum Plant Material Quantities**
      One tree 40 per linear feet of street frontage.
   b. **Street Tree Measurements**
      For attached sidewalks, street tree quantities shall be determined by taking the measurements between the tangent points in Figure 4.7-9 below.

![Street Tree Measurement](image)

   **Figure 4.7-9: Street Tree Measurement - Attached**

   c. **Location**
      i. Adjacent to attached sidewalks, street trees shall be located between four to five feet from the back of curb or edge of sidewalk.
      ii. In an attached sidewalk condition, street trees and street frontage landscape buffers may overlap. In this scenario, street trees may count toward the buffer plantings if approved on a case-by-case basis by the Planning Director based on appearance and effectiveness as a buffer in the location where the trees are to be installed.

4. **Urban Street Frontages**
   Urban street frontages are those that are required to have attached walks with tree openings and no curbside landscape. Urban street frontages include widened sidewalks to accommodate outdoor cafes and pedestrian thruways, site amenities such as benches, lighting and wayfinding as well as landscaping to strengthen the urban tree canopy, plant containers and raised planters to enhance the pedestrian realm and minimize the appearance of hardscape.

   a. **Zones**
      The urban street cross-section is divided into functional areas or zones based upon a total 16 foot width. These zones are called the Edge Zone, the Furnishings Zone, the Pedestrian Throughway Zone, and the Frontage Zone. See Figure 4.7-10.

      i. **Edge Zones**
         The Edge Zone is located within approximately one and one-half feet from the face of curb, and does not contain landscaping, plant containers, raised planters, or other items that will interfere with traffic and/or snow plowing. Tree openings flush with the grade may encroach into the Edge Zone. The Edge Zone is only required when on street parking is provided.

      ii. **Furnishings Zone**
         The Furnishings Zone abuts the Edge Zone and is five feet wide. Its purpose is to accommodate street trees within tree openings, decorative pavement, site furnishings, bus shelters, and lighting. Landscape requirements include the
installation of one street tree per 35 linear feet of street frontage. Street trees shall be located in tree openings at least five feet by 15 feet in size and near property lines to the maximum extent practicable. Street trees shall be accompanied by ornamental grasses, perennials and/or shrubs in the tree openings or by non-living materials such as rock and wood mulch. Street trees shall be either large deciduous canopy tree species or ornamental tree species. The combined height of groundcovers shall be not more than 26 inches tall when within a sight triangle.

iii. **Pedestrian Throughway Zone**

The intent of the Pedestrian Throughway Zone is to allow efficient, direct, and unobstructed access at least six feet wide along sidewalks. The Pedestrian Throughway Zone shall be clear of all plant containers, raised planters, plant beds, and other site amenities. Branches of maturing street trees encroaching into this zone shall be pruned to a height of not less than eight feet. Outdoor cafes may be located within this zone, but shall not obstruct pedestrian movements. To allow for a wider outdoor seating area, a five foot pedestrian throughway may be approved by the Planning Director on a case-by-case based on considerations of pedestrian access, pedestrian safety, and plant survival.

iv. **Frontage Zone**

The Frontage Zone abuts the façade of the building and is three-and-one-half feet wide. Whenever landscaping is voluntarily provided within the Frontage Zone adjacent to a building façade, landscaping may be provided within plant containers, raised plants beds or at grade. In addition to plantings, this area would be ideal for outdoor seating with tables and chairs. Any voluntary landscaping shall be in addition to street tree requirements.

Figure 4.7-10: Urban Street Frontage Zones With Parallel Parking
4.7.5. Required Landscaping

b. **Urban Street Trees**
Refer to the Landscape Reference Manual regarding the City of Aurora Recommended Xeriscape and No-Water Plant List for a list of recommended street trees.

c. **Mulch Rings**
A minimum four foot diameter mulch ring shall be placed around each tree planted within an urban turf area or within a tree opening within the pavement. The mulch ring shall consist of organic materials placed at a depth of not less than three inches.
Crusher fines, crushed gravel or granite shall be not be used as a mulch in tree openings within pavement.

d. Tree Opening Options

Urban conditions often require special design considerations in an effort to preserve and promote urban tree canopy. Alternative tree planting and sidewalk modifications that could improve the life expectancy of an urban tree or that will provide a more advantageous growing area for tree roots and create opportunities for water quality may be approved by the Planning Director on a case-by-case basis based on appearance, durability, and potential success in achieving these goals in the location where the trees are to be installed. While not an all-inclusive list, designers may wish to consider the following options or propose other alternatives not currently listed below.

i. Rubber Sidewalks

Rubber sidewalks are not installed as deep and the material is not as thick as a traditional sidewalk thereby providing more space for tree root growth. The panels are pervious allowing storm water to seep down between the panels increasing infiltration rather than running into street gutters. Maintenance costs often associated with removing existing concrete, hauling it away and replacing it are reduced as panels can be easily be removed individually to examine and/or trim tree roots.

ii. Structural Cells

Structural cells are strong plastic structures that firmly support sidewalks and provide an expanded area for greater soil volume capacity. The increased soil volume can lead to an expanded rooting zone thereby supporting larger tree growth. It is an ideal low impact development option for the long-term co-existence of trees and streets.
iii. **Suspended Pavements**

Suspended pavements are a type of technology that support the weight of paving while creating a larger subsurface void space that is filled with native, excavated or a specified planting mix. The system allows for an increase in the soil capacity providing a greater rooting area composed of lightly compacted soil. This system aids in urban tree growth, provides a source for on-site treatment of storm water for water quality purposes and recharges the watershed.

---

5. **Exceptions and Exemptions**

a. If an easement conflicts with the installation of street trees, applicants shall provide shrub equivalents. If vegetation of any type, other than grass is prohibited by the easement holder, than the applicant shall be required to provide the required trees elsewhere on site. Relocated street trees shall not be used to satisfy other required landscaping (i.e. building perimeter, open space tract landscaping, buffers etc.) If the applicant and the City determine that site constraints prohibit the relocation of the street trees, then the applicant shall request an administrative adjustment.

b. Columnar trees will be permitted when a hardship is demonstrated, such as in confined planting areas or environmental conditions, and may be approved by the Planning Director on a case-by-case basis based on durability and appearance in the location where the tree is to be installed.

c. Existing deciduous street trees in good health and condition may be used to satisfy the street tree requirement if they are part of the curbside landscaping as described in this Section 146-4.7.5.C.

d. Evergreen trees shall not be used as street trees.
D. Street Frontage Landscape Buffers

1. General
   a. Public and private street frontages shall include landscaping in accordance with this Section 146-4.7.5.D, unless another provision of this UDO or an approved Master Plan or Site Plan provides a different landscaping standard. The requirements of this Section shall be in addition to the required curbside planting (street trees and understory plantings) standards set forth in Section 146-4.7.5.C above.
   b. The required depth of a street frontage landscape buffer is measured inward from the back of sidewalk or from a public or private right-of-way when a sidewalk is not present. On private streets with no right-of-way line, the street frontage buffer depth shall be measured inward from the back of the sidewalk or if no sidewalk exists, the buffer is measured from the back of the nearest curb line. See Figure 4.7-13.

![Diagram of Street Frontage Landscape Buffer Measurement](image)

Figure 4.7-13: Street Frontage Landscape Buffer Measurement

2. Exceptions
   a. Landscape street frontage buffers for single-family detached and multifamily developments facing an arterial and/or collector street shall measure their street frontage buffer from the flow line. Refer to Figures 4.7-14 through 4.7-17.
   b. Street frontage landscape buffer requirements are not applicable to residential structures as noted in Table 3.2-1 (Permitted Use Table) with the exception of single-family detached homes whose rear lots face an arterial or collector street and multifamily residential developments fronting an arterial or collector street. Refer to Figures 4.7-14 through 4.7-17.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

Figure 4.7-14: Arterial Street Frontage Buffer Measurement Detached Straight Walk

Figure 4.7-15: Arterial Street Frontage Buffer Measurement Detached Meandering Walk
Figure 4.7-16: Arterial Street (Painted Median) Frontage Buffer Measurement Detached Straight Walk

Figure 4.7-17: Collector Street Frontage Buffer Measurement Detached Straight Walk
3. Minimum Plant Material Quantities

a. Along Public or Private Rights-of-Way

i. All required street frontage landscape buffers shall contain a minimum of one tree and 10 shrubs or the tree and shrub equivalents listed in Section 146-4.7.3.B.7, per 40 linear feet. Where single-family detached residential or multi-family residential abut an arterial or collector street, 50% of the trees provided shall be evergreen species. Buffer widths shall be in accordance with Table 4.7.2.

ii. Shrubs, ornamental grasses, and perennials may not be substituted for trees in the buffer unless the applicant demonstrates to staff that the site is encumbered. Encumbrances shall include overhead and underground utilities, floodplain, easements, or the like. Self-imposed encumbrances such as drainage swales shall not be deemed encumbrances. Minimum required buffer depths and plant materials shall be required. All plant material conversions shall be approved by the Planning Director on a case-by-case basis based on durability and appearance in the location where the materials are to be installed. See Figure 4.7-18.

![Figure 4.7-18: Street Frontage Landscape Buffer](image)

4. Planting Design

Buffer plant material may not be concentrated in one location within the buffer, but shall be distributed to provide the necessary screening along its entire length. A minimum eight foot wide planting bed shall be maintained from the face of a wall or fence.

5. Encroachments into Buffers

No buildings or portions of buildings including porches or patios, drive lanes, sidewalks, detention ponds, parking stalls, dumpsters, or dumpster enclosures may intrude into the minimum required buffer.

6. Exceptions for Subarea A

a. Street frontage buffers shall not be required for single-family detached, single-family attached, or two-family front yards and corner side yards visible from public view.
b. Street buffers are not required adjacent to public or private park land.

c. Properties in the MU-OA zone district area not required to comply with the street frontage buffer standards in this Section 146-4.7.5.D but are required to comply with the standards in Section 146-2.4.4 (Mixed-Use -- Original Aurora District (MU-OA)).

d. Properties within the Havana Overlay District shall not be required to comply with the street frontage buffer standards within this Section 146-4.7.5.D, but shall be required to comply with the standards in Section 146-2.6.7 (Havana Street Overlay (-HSO)).

e. The MU-OA, MU-FB, MU-TOD, and MU-R zone districts call for intensive types of development that might be associated with an urban center, transit oriented development or main street. Such districts emphasize pedestrian friendly design, traditional main streets, mixing of uses and the creation of unique places. Development in such places is often characterized in part by relatively short blocks, narrow lots and narrow to zero building setbacks on the fronts and sides of the lots. Strict adherence to the requirements for setbacks or buffers as described in this UDO could limit the achievement of the purposes of such districts. Such development can benefit from flexibility in otherwise generally applicable zoning standards. The Planning Director may approve a modification of street frontage buffer standards in these zone districts pursuant to Section 146-5.4.4.F (Administrative Adjustments).

7. Exceptions for Subareas B and C

a. All development and redevelopment shall meet the street frontage buffer requirements except when residential uses abut an arterial and collector street whose buffer depths shall be measured from the flow line. Refer to Figures 4.7-14 through 4.7-17.

b. When a tract platted as a private common space tract is 20 feet or less in depth and separates the rear lot lines of a residential development from an arterial or collector street, then a street buffer is required meeting the standards of this Section 146-4.7.5.D and Figures 4.7-14 through 4.7-17 is required.

c. Where residential rear lots abut a private common space tract and the separation between the residential rear lot line and the arterial or collector street is greater than 20 feet, no street buffer is required, but the private common open space tract landscaping standards in Section 146-4.7.5.I shall apply. See Figure 4.7-19.

d. Street frontage landscape buffers shall not be required for single-family detached, single-family attached, or two-family front yards and corner side yards visible from public view.

e. Street frontage landscape buffers are not required adjacent to public or private park land.
Figure 4.7-19: Street Buffer for Homeowners’ Association Tracts Abutting Public or Private Streets

8. Fence and Wall Placement

a. Where screen walls and fences are placed within a street frontage buffer, they shall be placed at the inward edge of the buffer or berm and shall not be used to reduce the buffer width to a distance less than the prescribed buffer or to prohibit the installation of the required landscaping unless permitted as stated in Table 4.7-2. Required buffer plantings shall be installed on the exterior or street-facing side of the buffer.

b. If a wall or fence is provided along the rear property lines of residential homes along a street frontage, the required landscape buffer shall be provided within a designated lot or tract owned by a homeowners’ association or Title 32 District. The tract containing the buffer and the plant material shall be located on the exterior or street-facing side of the wall or fence. Access for future maintenance and irrigation shall be provided by the property owner, homeowners’ association, or Title 32 District.

c. If a wall or fence is provided along the rear property lines of residential homes along a street frontage and there is a designated easement abutting the rear lots, a landscape buffer shall be provided within the developer’s property or within a separate dedicated easement behind the public right-of-way approved by the Planning Director as consistent with other easements and service requirements. Access for future maintenance and irrigation shall be provided by the property owner, homeowners’ association, or Title 32 District.

d. Side yard fences and walls placed at corner lots of single-family, two-family, and single-family detached homes may be placed at the minimum fence setback line allowed by Section 146-4.7.9 (Fence and Wall Regulations).

e. For fence and wall setback and material requirements along arterial, collector and other public and private streets and alleys, see Section 146-4.7.9 (Fence and Wall Regulations).
E. Non-Street Perimeter Buffers

1. General
   
a. Non-street perimeter buffers occur along property lines with no street frontages. Non-street perimeter buffer requirements within the MU-OA zone district shall focus on screening surface parking lots, loading areas and drive-through lanes.

b. All new development or redevelopment proposed adjacent to dedicated public park land and open space areas, including trail corridors, within Subarea A, B or C shall provide the required buffer in accordance with the Section 146-4.7.5.H (Special Landscape Buffers for Development Adjacent to I-70, I-225, E-470, Public Parks, Open Space, and Trails).

c. Plant material shall be a combination of evergreen and deciduous trees and shrubs. Shrub material shall be chosen based upon their ability to provide appropriate screening and shall be selected to reach a mature height of at least five feet. Perennials and shrubs with a height of less than five feet at maturity shall only be used as accents and may not count toward more than 25 percent of the buffer requirement. While upright junipers are commonly used for buffers, alternative plant material shall be integrated that are better suited to winter snow loads and provide year round visual interest such as the following:
   
i. Evergreen Trees: Compact White Spruce, Bakeri and Fastigiata Spruce, Emerald Arrow and Mint Truffle Bosnian Pine, Columnar Austrian Pine
   
ii. Deciduous Trees: Columnar oaks, upright Norway Maple, Tallhedge Buckthorn, Tower Poplar, Columnar Purple Plum

2. Plant Quantities
   
a. Commercial and Industrial Buffers
   
i. Commercial or industrial buffers adjacent to commercial, industrial, or other non-residential developments shall include one tree and five shrubs per 40 linear feet of buffer. At least 30 percent of the tree species shall be evergreen.
   
ii. Commercial and industrial buffers proposed adjacent to residential development shall include one tree and five shrubs for each 25 linear feet of buffer and 50 percent of the trees shall be evergreen species.

iii. Plant sizes shall be increased to three inch caliper for deciduous shade trees and eight feet tall for evergreen trees between non-residential and residential uses.

iv. Shrub material, ornamental grasses, and perennials may not be substituted for trees in the buffer unless the applicant has demonstrated to staff that the site is encumbered. Encumbrances shall include overhead and underground utilities, floodplain, easements, and the like. Self-imposed encumbrances such as drainage swales shall not be deemed encumbrances. Applicants shall design their sites to provide the required buffer depths and plant material. All plant material conversions shall be approved by the Planning Director on a case-by-case basis based on durability and appearance in the location where the materials are to be installed. See Figure 4.7-20.
b. Residential Buffers
   i. Residential development proposed adjacent to industrial, commercial, commercial mixed-use properties, and all other non-residential properties shall include one tree and five shrubs for each 25 linear feet of buffer and 50 percent of the trees shall be evergreen species. See Figure 4.7-21.
   ii. When multifamily dwellings are located abutting lots containing any Household Living use listed in Table 4.3-1, the multifamily dwelling use shall provide one tree and five shrubs for each 40 linear feet of buffer.
   iii. Plant sizes shall be increased to three inch caliper for deciduous shade trees and eight feet tall for evergreen trees between non-residential and residential uses.
3. **Buffer Exceptions for Subareas A, B, and C**  
The following exceptions apply to development on individual lots or parcels.

a. Non-street perimeter buffers shall not be required between the same or differing land uses within multiple phases of a single approved Master Plan.

b. Non-street perimeter buffers shall not be required between the same land use categories, as shown in Table 146-3.2-1 (Permitted Use Table) located in two adjacent approved Master Plans.

c. Alternatives to non-street perimeter buffers adjacent to active rail lines may be approved on a case-by-case basis if the Planning Director determines that compliance with standards of this Section 146-4.7.5.E (Non-Street Perimeter Buffers) is impracticable due to rail-related maintenance operations associated with vegetative management. Approved alternatives shall meet one of the following standards, or a combination of them, as approved by the Planning Director:
   
   i. Required plant material for the buffer shall be distributed elsewhere on site; or
   
   ii. A minimum of 30 percent of the required plant material required to comply with other landscaping standards in this Section 146-4.7 (Landscape, Water Conservation, Stormwater Management), including but not limited to street perimeter, building perimeter, or detention pond landscaping, shall be upsized to compensate for the missing buffer plant material.

d. Within the MU-OA zone district, proposed development and redevelopment shall be exempt from required non-street perimeter buffer standards in Table 4.7-2. Instead, all developments and redevelopments shall comply with the buffer requirements as defined in Tables 2.4-8 and 2.4-9 in Section 146-2.4.4.

4. **Encroachments into Buffers**  
No buildings or portions of buildings including porches or patios, drive lanes, sidewalks, structured or unstructured detention ponds, parking stalls, dumpsters, or dumpster enclosures may encroach into the minimum required buffer.

5. **Fence and Wall Placement**

a. Where screen walls and fences are permitted between property lines, they shall be placed at the inward edge of the buffer and shall not be used as a mechanism to reduce the buffer width less than required or prohibit the installation of the required landscaping unless permitted as stated in Table 4.7-2.

b. Fences and walls may be used in combination with berming in order to negate the appearance of fence and wall canyons. Fences shall be on the inward side of the berm or buffer with plant material placement on the exterior side of the wall or fence.

c. If a wall or fence is chosen as a buffer reduction feature or for the screening of outdoor storage and the adjacent property has an existing fence or wall, the installation of a new fence or wall may be approved by the Planning Director on a case-by-case basis to ensure maintenance access between the two fences. If approved, landscape shall be located on the interior side of the proposed wall or fence, or distributed to other areas of the site, as approved by the Planning Director based on effectiveness as a visual buffer and appearance from abutting streets or lots. Access for future maintenance and irrigation shall be provided by the property owner, homeowners’ association, or Title 32 District.

d. If the Planning Director determines that an existing fence on an adjoining lot may be used as a buffer reduction feature, the Director may require that the amount of buffer plant material being installed by the new development be increased in order to
provide the same level of visual and sound buffering that would have been achieved through the installation of a second wall or fence.

F. Required Landscape Buffer Widths and Allowed Reductions
Buffer widths may be reduced when landscape incentive features are provided in addition to landscaping requirements otherwise required by this UDO. The required landscape buffer widths and permitted reductions in the Table below apply to all portions of Subareas A, B, and C except the following:

1. The MU-OA zone district
2. If a required buffer width is already located between a proposed residential use and multi-family or a non-residential use, then the residential development shall only be required to provide one-half the standard buffer width. Required plant quantities shall remain the same.

G. Buffer Widths and Allowed Reduction Table
All development and redevelopment shall comply with the provisions of Table 4.7-2 unless an exception or alternative standard is included in this UDO.

<table>
<thead>
<tr>
<th>Table 4.7-2</th>
<th>Required Landscaping Buffer Widths and Allowed Reductions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD DESIGN [3]</strong></td>
<td>Plant material quantities per code requirements.</td>
</tr>
<tr>
<td>At adjacent residential property lines</td>
<td>N.A.</td>
</tr>
<tr>
<td>At adjacent multi-family property lines</td>
<td>15 feet</td>
</tr>
<tr>
<td>At adjacent non-residential property lines</td>
<td>25 feet</td>
</tr>
<tr>
<td>Adjacent to E-470, I-225, and I-70</td>
<td>25 feet</td>
</tr>
</tbody>
</table>
**Table 4.7-2**

**Required Landscaping Buffer Widths and Allowed Reductions**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Hedge or Berm with Hedge</td>
<td>N.A.</td>
<td>18 feet</td>
<td>9 feet</td>
<td>15 feet</td>
<td>Arterial ROW: 25 feet Other Public ROW: N.A.</td>
</tr>
<tr>
<td>Hedge: 3 to 4 foot high hedge planted in a triangular pattern in a double row with shrubs three feet on center. Berm: Must be a minimum of 3 feet in height. Slope no steeper than 1:3 rise: run. Berm to include the above noted hedge plant material.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At ROW</td>
<td>N.A.</td>
<td>15 feet</td>
<td>6 feet</td>
<td>10 feet</td>
<td>Arterial ROW: 25 feet Other Public ROW: N.A.</td>
</tr>
<tr>
<td>Low Wall</td>
<td>N.A.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard design plus 3 to 4 foot high masonry wall with landscaping on exterior side.</td>
<td></td>
<td>18 feet</td>
<td>9 feet</td>
<td>15 feet</td>
<td>Arterial ROW: 25 feet Other Public ROW: N.A.</td>
</tr>
<tr>
<td>At ROW</td>
<td>N.A.</td>
<td>12 feet</td>
<td>20 feet.</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>At adjacent residential property lines</td>
<td>N.A.</td>
<td></td>
<td></td>
<td></td>
<td>20 feet</td>
</tr>
<tr>
<td>At adjacent multifamily property lines</td>
<td>12 feet</td>
<td>10 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>15 feet</td>
</tr>
<tr>
<td>At adjacent non-residential property lines</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Adjacent to E-470, I-225, and I-70</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Tall Landscape Screen [10]</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Arterial ROW: 25 feet Other Public ROW: 8 feet</td>
</tr>
<tr>
<td>Tall landscape screen shall consist of one of the following: (1) A mixture of evergreen shrubs planted 42” on center and deciduous trees planted 25’ on center (2) A row of evergreen trees planted no less than 20’-25’ on center with deciduous and evergreen shrubs interspersed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At adjacent residential property lines</td>
<td>N.A.</td>
<td>12 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>At adjacent multifamily property lines</td>
<td>12 feet</td>
<td>10 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>At adjacent non-residential property lines</td>
<td>12 feet</td>
<td>10 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Adjacent to E-470, I-225, and I-70</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Standard design plus six-foot decorative fence per the fence code Section 4.7.9 with landscaping on exterior side</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At ROW</td>
<td>20’ [10]</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>Arterial ROW: 25 feet Other Public ROW: 8 feet</td>
</tr>
<tr>
<td>At adjacent residential property lines</td>
<td>N.A.</td>
<td>10 feet</td>
<td>18 feet</td>
<td>18 feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>At adjacent multifamily property lines</td>
<td>10 feet</td>
<td>10 feet</td>
<td>18 feet</td>
<td>18 feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>At adjacent non-residential property lines</td>
<td>18 feet</td>
<td>18 feet</td>
<td>18 feet</td>
<td>5 feet</td>
<td>12 feet</td>
</tr>
</tbody>
</table>
### 4.7.5. Required Landscaping

#### Table 4.7-2

**Required Landscaping Buffer Widths and Allowed Reductions**

(N.A. = not applicable)

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent to E-470, I-225, and I-70</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>15 feet</td>
</tr>
<tr>
<td><strong>Masonry Walls</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard design plus six-foot masonry wall with landscaping on exterior side</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Other Public ROW: 6 feet</td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>12 feet</td>
<td>15 feet.</td>
<td>12 feet</td>
</tr>
<tr>
<td>At adjacent residential property lines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>12 feet</td>
<td>12 feet</td>
<td>12 feet</td>
</tr>
<tr>
<td>At adjacent multi-family property lines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>N.A.</td>
<td>N.A.</td>
<td>12 feet</td>
<td>12 feet</td>
<td>12 feet</td>
</tr>
<tr>
<td>At adjacent non-residential property lines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15 feet</td>
<td>12 feet</td>
<td>12 feet</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Adjacent to E-470, I-225, and I-70</td>
<td>15 feet</td>
<td>15 feet</td>
<td>15 feet</td>
<td>15 feet</td>
<td>15 feet</td>
</tr>
</tbody>
</table>

[1] Includes all residential uses listed in Table 3.2-1 (Permitted Use Table) except multifamily dwellings.

[2] Includes all institutional uses listed in Table 3.2-1 (Permitted Use Table) except parks and open spaces.

[3] Standard design refers to the required plant material per linear foot of required buffer.

[4] Buffer reductions are not permitted for industrial developments along arterial streets.

[5] When an Urban Street Frontage is required by or approved under this UDO, no street frontage buffers are required.

[6] Where the rear lots of single-family detached and multifamily, abut an arterial or collector roadway, a 20 foot wide landscape setback is required in accordance with Section 146-4.7.9.H (Along Arterial and Collector Streets)

[7] Buffer reductions are not permitted adjacent to parks, trails, or open space.

[8] Single-family residential developments are exempt from the 25 foot buffer except under those circumstances noted in Section 146-4.7.5.H.2.b.iii

[9] Landscape plant material quantities shall remain the same regardless of any approved reduction in buffer width.

[10] For a tall landscape screen, deciduous trees and evergreen trees shall mature to a height of 15-25 feet tall, and shrubs shall mature to an average height of five feet tall. If option 2 in Table 4.7-2 is chosen, then 50% of the buffer trees shall be evergreen species.

[11] Fences and masonry walls shall not be permitted as a buffer reduction feature installed along the rear lots of homes adjacent to arterial and collector streets.

[12] Parallel fencing along adjoining properties shall be avoided to the maximum extent practicable to avoid inefficiencies in maintaining either fence. If two parallel fences are necessary, a minimum separation of 10 feet shall be maintained for maintenance purposes.
2. The incentive features listed in Table 4.7-2 are illustrated below.
   a. Hedge

   ![Hedge Diagram](image1)

   b. Berm with Hedge

   ![Berm with Hedge Diagram](image2)

   c. Low Wall

   ![Low Wall Diagram](image3)
4.7.5. Required Landscaping

**d. Tall Landscape Screen**

**e. Fence and/or Masonry Wall**

**H. Special Landscape Buffers for Development Adjacent to I-70, I-225, E-470, Public Parks, Open Space, and Trails**

1. **General**

   a. The following additional standards apply to development adjacent to E-470, I-225, I-70, and public parks, open space, and trails. The purpose of these standards is to require a level of landscape quality with aesthetic characteristics appropriate for areas with high public visibility based on the type of adjacent landscape and uses. If the standards of this Section 146-4.7.5.H conflict with other buffer requirements in Section 146-4.7, the provisions of this Section 146-4.7.5.H shall apply.

   b. Landscaping shall include one tree and 10 shrubs per 25 linear feet of frontage when the site contains industrial development, and one tree and 10 shrubs per 30 feet when the site contains any other type of development.

   c. The encroachment of buildings or portions of buildings including porches and patios, trash enclosures, dumpsters, parking lots and internal vehicular drives, sidewalks and detention and water quality pond infrastructure into landscape buffers is prohibited. Exceptions to this rule in the case of public parks, open space and trail buffers including the provision of trail connections, may be made on a case-by-case basis by the Parks, Recreation and Open Space Department based on unique site conditions and alternatives to those impacts, including any proposed mitigation measures.
provision of trail connections through buffers is generally permitted, but at those locations approved by the Parks, Recreation and Open Space Department based on trail connectivity, public safety, and appearance.

2. Buffer Standards for Areas Adjacent to Public Parks, Open Space, and Trails

a. These regulations apply to all development adjacent to public parks and open space areas and trails under the jurisdiction of the City, including lands that Title 32 Districts, homeowners’ associations, business associations, or other entities manage for public use and benefit to comply with City land dedication requirement for park and open spaces purposes.

b. The following buffer standards shall apply to buffer and screen public use areas and to minimize potential adverse impacts from adjacent land uses.

i. A 25 foot wide buffer shall be required, and plantings shall not encroach past the property line into the designated public use property.

ii. Buffer width reductions are not permitted for buffers adjacent to public open spaces, public parks, and public trails.

iii. Single-family detached residential developments shall be exempt from the buffer requirement, except when the rear yards of residential lots abut an open space or park that has sensitive natural features or is part of a special habitat area, in which case a buffer consistent with the protection needs of the resource or the planned ecological character for the habitat shall be required.

iv. The landscape design of buffers consisting of all living material including trees, shrubs, grasses, and groundcovers and non-living materials including boulders, cobble, rock, and wood chips/mulch and the proposed grading for buffers shall be coordinated with and approved by the Parks, Recreation and Open Space Department.

v. The Parks, Recreation, and Open Space Department may approve a landscape design having less plant material than required by the buffer standards based on the existing or proposed character and management objectives of the adjacent park, open space or trail, without the need for the applicant to obtain a Hardship Variance pursuant to Section 146-5.4.4.A or an Administrative Adjustment pursuant to Section 146-5.4.4.F.

vi. If a fence is proposed as an aesthetic enhancement or a functional element of a buffer, it must comply with standards of Section 146-4.7.9.K (Fences and Walls Along Open Space Tracts, Parks, Reservoirs, Golf Courses, Trails, and Drainage Ways.).

vii. If a wall is proposed to retain or transition surrounding grade as part of the buffer, the Parks, Recreation and Open Space Department may specify the material and method of construction to ensure compatibility with the character of the adjacent public use area. Walls must be contained within the buffer and not extend onto park or open space property.

viii. The Parks, Recreation, and Open Space Department may require that buffers be left undisturbed and be maintained and managed in a natural state to supplement an adjoining open space area or natural feature if resource management objectives support conservation of the acreage.

3. Buffer Standards for Areas Adjacent to the E-470 Multi-Use Easement

If not specifically stated in a Master Plan, buffer locations shall be determined by the E-470 Authority based upon the proposed use of their multi-use easement.
a. **Outside the E-470 Multi-Use Easement**
   Required trees shall consist of large deciduous shade tree species and large evergreen tree species. At least 50 percent of required trees shall be evergreen species and shrubs may consist of tall deciduous species and evergreen species planted a minimum of five feet on center.

b. **Within the E-470 Multi-Use Easement**
   Landscaping shall include a combination of dryland grasses, trees, and shrubs. A minimum of 50 percent of the required trees shall be evergreen species.

c. **Spacing of Plantings**
   Like tree species may be grouped with spacing not less than 25 feet on center for small deciduous trees; 35 feet on center for large deciduous trees; and 15 feet on center for evergreen trees. The maximum distance between groups may not exceed 45 feet on center. Planting a single row of trees the full length of the buffer is prohibited. Shrubs shall be massed and planted between the tree groups.

I. **Private Common Open Space/Tract Landscaping**

   1. **General**
      In all development, areas of land that have been disturbed during construction and are required or designated to be preserved and protected from future development for non-public active and passive recreation areas and facilities, trails, wildlife habitat, or the preservation of view corridors and natural land features, shall be landscaped in accordance with Subsections 2 and 3 below.

   2. **Minimum Plant Material Quantities**
      All private common open space not defined as street buffers shall contain a minimum of one tree and 10 shrubs (or the approved tree and shrub equivalents as listed in Section 146-4.7.3.B.7 per 4,000 square feet.

   3. **Exceptions**
      The calculation of required plant material in such open spaces excludes areas of the 100 year floodplain, floodways, lakes and ponds, undisturbed marshes, wetlands and detention and water quality ponds.

J. **Building Perimeter Landscaping**

   1. **General**
      Building perimeter landscaping shall be required for multifamily, single-family attached (townhouse), and non-residential developments. Plantings shall be arranged to screen utility hardware and mechanical equipment, define entrances, and soften featureless walls. Building perimeter landscaping shall be located in conjunction with site furniture in order to enhance entrances. Trees and/or tall growing shrub species shall be located within shrub beds at building corners, primary entrances and along expanses of walls. Sites having expansive soils requiring specialized landscaping, irrigation techniques and concepts in order to comply with these standards shall not be exempt from building perimeter landscape requirements found in this Section.

   2. **Non-residential and Mixed-Use Structures**
      a. **Requirements**
         Building perimeter landscaping is required for all non-residential buildings in Subareas A (excluding the MU-OA zone district), B and C when said building elevations face public streets, transportation corridors, public open space, residential
neighborhoods, or whenever an entrance door is present. Applicants shall provide one tree or tree equivalent for each 40 linear feet of elevation length.

b. Exceptions
Urban Street Frontages and portions of building perimeters occupied by service and/or loading dock doors are not required to comply with this Section 146-4.7.5.J.

c. Types and Locations
i. Building perimeter landscaping shall be located within 20 feet of the building face unless prevented by loading docks.

ii. Building perimeter landscaping may be installed in plant beds or raised planters. Plant beds located adjacent to building foundations shall be a minimum of five feet wide. The length shall be determined by the number of plants that are needed to meet code requirements. Planters shall be sized to accommodate the required plantings and ensure survivability.

iii. Containers shall be constructed of materials that are durable, compatible, and complement the architecture of the building. The number of required containers shall be based on tree equivalents as found in this Section.

iv. Landscaped parking lot islands located within 20 feet of the building elevation may be counted towards building perimeter landscaping.

d. Parking Structures
i. Subarea A
The installation of perimeter landscape around parking garages for infill and redevelopment sites is not always feasible due to existing site constraints. When this occurs, the applicant shall provide architectural enhancements to the parking structure in the form of decorative, ventilated walls and grill work to effectively obscure automobile and interior lighting from the exterior. Refer to Section 146-4.6.5.E (Parking Garage Design) for further suggested buffer/landscape treatments.

ii. Subareas B and C
Architectural enhancements such as screen and landscape walls as well as art may be used in combination with foundation plantings to create a highly effective buffer and screen. Plant quantities, types, and locations shall comply with standards as noted in Subsections 2.a and 2.c above. Landscaping shall be required along all building faces. If overlapping landscape requirements occur such as building perimeter, street and non-street frontage buffers, the more restrictive requirement shall be applicable and may count for meeting both requirements.
3. Multifamily and Single-family Attached (Townhome) Residential Structures

a. Requirements
Building perimeter landscaping is required for all multifamily and single-family townhome residential dwellings. Landscaping shall consist of a variety of plant material that will ensure seasonal interest.

b. Types and Locations
i. Plant beds shall be an average of six feet wide and shall consist of landscaping, mulch, and metal edging. Edger shall be provided when adjacent to turf and rock mulched areas.

ii. Perimeter plantings shall consist of a total number of plants equal to 1.25 plants per five linear feet of unit perimeter footage, of which:
   a. At least five percent are a mixture of evergreen and deciduous trees;
   b. At least 15 percent are tall shrubs with a mature height of at least six feet; and
   c. Up to 80 percent are a mixture of evergreen and deciduous shrubs chosen to create seasonal interest. See Figure 4.7-22.
c. **Garages**
   For projects with detached garages or carports, landscaped islands a minimum of five feet in width shall be provided along the full width of both ends of the garages and/or carports. See Figure 4.7-23.

![Figure 4.7-23: Perimeter Landscape for Detached Garages or Carports for Multifamily and Single-Family Attached Uses](image)

**K. Parking Lot Landscaping**

The following standards apply to surface Parking Lots. Parking Garages shall comply with Section 146-4.7.5.J (Building Perimeter Landscaping).

1. **General**
   a. Internal parking lot landscaping shall be required for parking lots containing more than 10 parking spaces.
   b. Screening of parking lots is required in all Subareas, and zone districts, and is not dependent upon the number of parking stalls or parking lot size.
   c. Trees shall not be eliminated due to the placement of light poles in parking lot islands or parking lot perimeter landscaping.
   d. No interior portion of a parking lot may contain turf, native seed, or artificial turf.
   e. Parking lot landscaping MU-OA zone district shall focus on perimeter screening of the parking lot. Trees shall be provided, at a minimum, at the ends of parking rows on the exterior or perimeter of the parking lot. Interior parking lot landscaping shall be approved by the Planning Director on a case-by-case basis to balance the need for landscaping consistent with the purpose of the MU-OA zone district with the competing requirements for fire lanes, adequate parking, access and development potential of small infill and redevelopment parcels.

2. **Parking Lot Layout**
   a. All surface parking lots shall comply with the par standards in Section 146-4.6.5.D (Parking Lot Layout and Design).
Article 146-4 Development Standards

4.7.5. Required Landscaping

b. To the extent consistent with other standards in this UDO and to the maximum extent practicable, all surface parking lots shall be designed to minimize negative visual impacts from adjacent primary roadways and properties.

c. To the maximum extent practicable, on-site drainage shall be integrated into the parking lot planting islands and perimeter planting areas as a means of treating stormwater for water quality purposes in accordance with Public Works and Aurora Water criteria and Figure 4.7-24.

![Figure 4.7-24: Parking Lot Stormwater Treatment Design](image)

3. Interior Parking Lot Landscaping

a. No parking row shall exceed 15 parking spaces without an intervening landscaped island, median or landscaped peninsula.

b. All rows of parking spaces shall be provided with a terminal landscape island to protect parked vehicles, provide visibility, confine moving traffic to aisles and driveways, and provide space for landscaping.

c. Each landscaped island shall be protected by raised concrete curbs, which shall include openings at grade as necessary to allow stormwater to flow into any below grade landscaped swales. The planting area per tree shall be not less than nine foot by 19 foot for a single island and not less than nine foot by 38 foot for a double island. See Figures 4.7-24 through 4.7-26.
d. Interior parking lot islands shall be provided with a minimum of one canopy shade tree per nine foot by 19 foot island and two canopy shade trees per nine foot by 38 foot double island.

e. Ornamental trees may be used as accents at the ends of parking rows, but shall not be used as the primary shade tree within the parking lot.

f. In addition to trees, ornamental grasses or ground cover in combination or singularly with the trees shall be provided at a ratio of six shrubs or shrub equivalents per nine foot by 19 foot island or 12 shrubs or shrub equivalents per nine foot by 38 foot island. Plant materials shall be sited appropriately to not exceed the confines of planting area at maturity.

Figure 4.7-25: 9 foot by 18 foot Landscape Island Typical

Figure 4.7-26: 9 foot by 38 foot Landscape Island Typical
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

- Landscaped islands may be mulched with either wood or rock mulch. The use of white rock mulch is prohibited.
- Where shared parking lots serve two or more adjacent lots, the requirements for perimeter landscaping between shall be determined by the Planning Director on a case-by-case basis to prevent parking lots on two adjacent lots from appearing as one large expanse of paving.
- Solar panels may be installed in lieu of parking islands. Trees shall be required around the perimeter of the parking lot and in terminal islands at the ends of parking rows.

4. Parking Block Design

- No more than 120 parking spaces or two parking rows maximum. Provide a landscaped median 20 feet in width with a pedestrian walk. See Figure 4.7-27.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

Figure 4.7-27: Landscape Areas in Surface Parking Lots
b. Parking lot medians shall be landscaped with one shade tree per 30 linear feet of median length and one or more understory treatments that may include mulch, mulched shrub beds or decorative rock mulch. Shrubs shall be provided at a ratio of six shrubs per 36 linear feet of median. Shrubs may be grouped.

c. Landscaping shall be protected from vehicles by the placement of wheel stops, curbs, or other acceptable means. If wheel stops are not used, the landscape bed shall not be reduced by two or more feet to accommodate vehicle overhang. If a pedestrian walkway is used for vehicle overhang, then the walk shall be widened by two feet.

d. Whenever pedestrians must cross internal landscaped medians, the median shall be landscaped with a combination of hardscape materials and living plant material. Hardscape shall consist of concrete, modular pavers or decorative stamped and integral colored concrete.

5. Parking Lot Perimeter Screening

a. Parking lots shall be visually screened from the public right-of-way, open space, and adjacent property. Such screening can be integrated into buffer requirements and is not in addition to such buffer requirements when the buffer and parking lot screening overlap with one another.

b. When not integrated as part of a required buffer, a minimum four foot buffer width shall be provided for screening around the perimeter of all parking lots.

c. Parking lots may be screened by one or more of the following methods:

   i. A berm between three and four feet high with a maximum slope of 3 in 1 in combination with evergreen and deciduous trees and shrubs. Screening shall be integrated with incentive features and streetscape plantings whenever possible.

   ii. In lieu of berms, a low continuous landscaped hedge between three and four feet high consisting of a double row of shrubs planted 3 feet on center in a triangular pattern. See Figures 4.7-28 and 4.7-29.

   iii. A decorative masonry wall three feet high in combination with shrubs, ornamental grasses, and perennials. Plant material shall be placed on the exterior side of the wall.

   iv. Openings in screening may be permitted to allow access ways and for drainage purposes.

   v. Plant material used for screening shall achieve required opacity within three years of construction of the vehicular use area to be screened.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

Figure 4.7-28: Parking Lot Screening

Figure 4.7-29: A Low Wall in Combination with Landscaping to Screen the Parking Lot

d. Shrubs species shall be chosen that will reach a minimum height of three feet at maturity. At least 50 percent of the shrubs shall be deciduous flowering species. Whenever parking lots abut public open space plant materials shall be selected that are compatible with the natural character of the area.

e. Large shade and evergreen tree species and/or small trees or large shrub species shall be used as accents throughout the screen planting in conjunction with buffer and street frontage plantings to offset the horizontal lines of a typical shrub bed. At least one tree per 40 linear feet of parking lot perimeter.

f. Ornamental grasses shall not be used to screen parking lots.

6. Surface Parking Lots as a Primary Use

In addition to the standards in Subsections 1 through 5 above, surface parking lots as a primary use of land shall comply with the following standards. If the standards in this Section 146-4.7.5.K.6 conflict with standards in Subsections 1 through 5 above, the provisions of this Subsection 6 shall apply.

a. Interior Landscaping

Developments whose primary purpose is for outdoor recreational vehicle storage, car sales, or airport parking are exempt from these requirements or have modified interior parking lot landscape requirements as noted below.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

i. Outdoor recreational vehicle storage and car sales
   Only patron and/or employee parking areas are required to comply with the
   interior parking lot landscape requirements in Section 146-4.7.5.K.3.

ii. Airport parking
   a. All parking rows shall be provided with a terminal landscaped island to
      protect parked vehicles, confine and direct moving traffic to aisles and
      driveways and provide space for landscaping.
   b. Terminal end islands shall be provided with a minimum of one canopy large
      shade tree per nine foot by 19 foot island and two canopy large shade trees
      per nine foot by 38 foot island. Large canopy shade trees shall be those that
      achieve a minimum crown width of 25 feet at maturity.

b. Perimeter Landscaping (Screening)
   A landscape buffer is required to provide the following types of screening for all
   outdoor recreational vehicle storage facilities, motor vehicle and light truck sales and
   rental facilities and airport-related parking lots:
   i. Car Sales
      Street and non-street frontage buffers shall be required for those portions of the
      development not being used for car sales/advertising immediately adjacent to a
      public or private street frontage and non-street frontage. Screening shall be
      provided in accordance with the required parking lot screening requirements
      and/or required non-street frontage buffer requirements as defined in Section
      146-4.7.5.E (Non-Street Perimeter Buffers) and 146-4.7.5.K.5 (Parking
      Lot Perimeter Screening). For developments located within the Havana Overlay
      District, refer to Section 146-2.6.7 for street frontage landscaping requirements.

   ii. Airport Parking Facilities
      A landscape buffer shall be provided along the perimeter of all airport-related
      parking lots in accordance with the buffer requirements in Section 146-4.7.5.D
      (Street Frontage Landscape Buffers) and 146-4.7.5.E (Non-Street Perimeter
      Buffers). If a fence is installed for security, the fence shall be set back a minimum
      of 25 feet from the back of walk or property line. A 25 foot wide buffer shall be
      provided and the fence shall be placed on the inward edge of the buffer.

L. Site Entryways and Intersections
   1. Distinctive landscaped areas shall be provided at project entries and at intersections of
      public streets adjacent to proposed development, and those areas may be counted
      toward street buffer requirements. If specific guidance has not been provided within an
      approved Master Plan, then a design shall be provided at the time of Site Plan
      submission.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

2. Entryway landscaping shall be installed within the MU-OA zone district to the maximum extent practicable given the existing site conditions and the extent of redevelopment occurring on each lot. Site entry landscaping shall consist of plant specimens having a high degree of visual interest during all seasons. A mixture of shrubs, flowers, and/or ground cover shall be planted around sign bases and at curb returns near site entrances, and shall be located in plant beds that are edged and mulched.

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 a recirculating water feature or located in wetland vegetated areas. Water quality enhancement areas within the bottom of the pond shall be planted with vegetation that is consistent with the presence of saturated soils, such as cattails.

2. Slopes
Generally, vegetated slopes shall not exceed one foot of rise to three feet of run (3 to 1). All pond turf areas shall be properly drained. Any mowed slope that is within a public right-of-way or any area proposed to be maintained by the public shall be no steeper than one foot of rise to four feet of run (4 to 1). If retaining walls are installed, they shall comply with the standards in Section 146-4.7.9.T (Retaining Walls).

3. Pond Grading
Pond grading shall be designed to accommodate access for maintenance. Rockscaped or riprap slopes are only permitted when necessary for erosion control. All riprap areas not receiving direct flows shall be buried and seeded.

4. Landscape of Areas Surrounding Detention, Retention, and Water Quality Ponds
The area within the tract surrounding a pond shall contain a minimum of one tree and 10 shrubs or the approved tree and shrub equivalents as listed in Subsection 2.1.1.A per 4,000 square feet above the 100 year water surface elevation. The 100 year water surface elevation shall be indicated on the landscape plan. The bottom of ponds shall be seeded and/or planted with water tolerant seed or plant materials that are capable of handling occasional water inundation. Plantings of willows and other wetland plant materials shall be included to the maximum extent practicable. The following areas may be deducted from tract square footage before calculating landscape requirements:

a. Area within 100-year flood plain.
b. Area within floodways.
c. Surface area of lakes and ponds.
d. Area within undisturbed marshes and wetlands.

5. Detention Ponds in Urban Landscapes
In the UC-TOD Core and MU-OA-MS subdistrict, detention, retention, and water quality ponds shall not be located adjacent to the street or back of walk unless the City Engineer determines that alternative on site or off-site locations are not available or are impracticable. All detention, retention, and water quality ponds shall be integrated physically, functionally, and aesthetically into the total landscape design.
6. Drive-Through Screening Adjacent to Street Frontages
   A wall between 42 and 48 inches in height shall be provided to mitigate noise and minimize the visual impacts associated with on-site signs with speakers as well as screen drive-through aisles, service areas and stacking lanes from abutting public or private street rights-of-way. The wall shall match or compliment the colors, materials and aesthetic theming of the main structure. Landscaping consisting of low shrubs shall be provided along the exterior or street side to soften the appearance of the wall. Screen walls may be located within any required buffer setbacks.

N. Oil and Gas Well Sites and Facilities
   If any part of the well pad is located within 1,500 feet of a platted residential lot, arterial or collector street frontage, a platted lot line containing either a building unit or a high occupancy building unit, or a park, open space, reservoir, or golf course, the well pad shall be landscaped. The applicant/oil and gas operator shall be responsible for installing the required landscaping unless they have a surface use agreement that transfers the responsibility to the landowner. Required landscape screening and buffering includes all of the following:
   1. An earthen berm located around the perimeter of the fence and planted with turf grass or appropriate ground cover material.
   2. Installation of ground covers, trees, and shrubs for screening and aesthetic purposes. The buffer shall be at least 25 feet wide and planted with one tree and five shrubs for each 25 linear feet of buffer. At least 50 percent of the trees shall be evergreen species.
   3. Natural screens shall be used in the facility design to the maximum extent practicable.

O. Medians
   All medians in public street rights-of-way that are to be privately owned and maintained by a homeowners’ association or Title 32 District shall be landscaped at a minimum in accordance with the Parks, Recreation and Open Space Department’s Dedication and Development Criteria Manual. Additional landscaping may be incorporated at the applicant’s option.

P. Residential Yard Landscape
   1. General
      Before 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. Temporary certificates of occupancy may be issued when landscaping
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
   lawn.

4. Plant Material Sizes
   All plant material shall meet the minimum plant sizes required by Section 146-4.7.3.B.2,
   and shall include a variety of shrubs and plants that will provide visual interest during all
   seasons. All plant beds, raised planters, plant containers, evergreen and deciduous trees
   and shrubs shall be mulched as required by Section 146-4.7.3.B.8. The mulch shall be
   applied to a circular area equal to the diameter of the tree.

5. Landscape Fabric
   Landscape fabric is only required when rock mulch is installed.

6. Residential Yard Landscape Requirements
   a. The residential yard landscape requirements in Table 4.7-3 shall be provided.
      Measurement of areas referenced in Table 4.7-3 are shown in Figure 4.7-29.
   b. Curbside street trees are required and are in addition to any required front yard trees
      and landscaping shown in Table 4.7-3.
   c. For developments using the Small Residential Lot option as described in Section146-
      4.2.3.A, incorporating Loop Lanes as described in Section 146-4.2.3.D, or Motor
      Courts as described in Section 146-4.2.3.E, the Planning Director may approve
      adjustments to the standards in this Section 146-4.7.5.P based on the degree of
      compliance with landscape standards reasonably possible in light of site and utility
      constraints. The developer shall make every attempt to meet the intent of the front
      yard landscape requirements.
   d. For Green Court Dwellings on lots smaller than 4,000 square feet or less than 50 feet
      in width, as described in Section 146-4.2.3.B, the Planning Director may approve
      crediting Green Court open space landscaping towards required front yard
      landscaping, based on the degree of tract landscaping provided.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.5. Required Landscaping

Table 4.7-3
Residential Yard Landscape Requirements

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<tr>
<th></th>
<th>Turf</th>
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<tbody>
<tr>
<td>A</td>
<td>Water-wise option: 0% turf</td>
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<tr>
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<td>Turf option: Min. = 400 sq. ft. Max. = 40% or 1,000 sq. ft., whichever is less; must be contiguous</td>
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<tr>
<td>B</td>
<td>Trees[1]</td>
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<td>1 shade tree (≥ 2.5 in. caliper) and either</td>
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<td>1 ornamental tree (≥ 2 in caliper) or 1 evergreen tree (≥ 6 ft. tall)</td>
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<td>C</td>
<td>Shrubs</td>
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<td>Min # of shrubs = (front yard landscaped area in sq. ft. minus turf area in sq. ft.) x 0.025.</td>
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<td>At least 30% of shrub count can be ornamental grasses or perennials</td>
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<td>When 9 or more shrubs are required, at least 3 plant species must be included to provide seasonal/visual interest</td>
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<td>Rock and Inorganic Mulches</td>
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<td>If Water-wise option is used, up to 50% of the area may be inorganic rock mulch</td>
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<td>E</td>
<td>Pavers</td>
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<td>If the xeric or non-turf option is used, up to 40% of landscape area can be provided as pavers such as brick and natural stone</td>
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<td>Features</td>
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<td>When the Water-wise option is used, one of the following shall be incorporated:</td>
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<tr>
<td></td>
<td>a. Wall 1-2.5 ft. high made of decorative stone, stucco, or CMU</td>
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<td></td>
<td>b. Fence</td>
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<td></td>
<td>c. Earth berm ≤ 2.5 ft. tall with slopes not to exceed 1:4 rise:run</td>
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<td>d. Natural boulders ≥ 2 ft. x 2 ft. x 2 ft.</td>
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<td>G</td>
<td>Side Yards</td>
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<td>Side yards with no public view: No plant material required; mulch required</td>
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<td></td>
<td>Side yards with public view: Front yard standards apply + 1 tree per 25 linear feet</td>
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<td>H</td>
<td>Rear Yards</td>
<td></td>
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<td>Rear yards with no public view: No standards; ≤ 45% turf</td>
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<td></td>
<td>Rear yards with public view: Front yard standards apply</td>
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Note:
[1] 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.

7. Yard Landscape Area Measurements

Figure 4.7-30 identifies what constitutes front and side yards for required and allowed shrub and sod requirements

![Figure 4.7-30: Residential Front Yards and Corner Side Yards](image)

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8. Erosion Control

a. Owners of all properties shall, within six months of the first occupancy, or as soon after that period as weather and survival of plants and vegetation will permit, install landscaping to control erosion. Such landscaping shall comply with Table 4.7-2 and the lawn permit and soil preparation procedures established by the Water Department, as well as any lawn establishment requirements contained in this UDO. Any second or later owner of a residential property that does not feature completed landscaping in its front and side yards shall complete the landscaping required in this Section 146-4.7.5.P within six months of the date that Code Enforcement first notifies a property owner, in writing, that the property has not been landscaped in compliance with the provisions of this UDO.

b. No artificial trees, shrubs, plants, or other materials not derived from natural vegetation shall be used to fulfill the requirements as set forth in this Section 146-4.7.5.P, unless approved by the Planning Director based in order to better achieve the intent of this Section 146-4.7.

Q. Landscape Requirements for Redeveloping Sites with Existing Development

The following standards apply to sites with existing development when those sites are redeveloped. Redevelopment shall include changes or expansions to existing parking areas, landscaping, buildings when the gross floor area is expanded by 25 percent or more, or the removal of an existing structure(s) in an effort to construct parking or new buildings.

1. Intent

These redevelopment landscape standards are adopted to encourage improvement of redevelopment sites where existing structures or land uses are outdated, while ensuring
that the resulting redevelopment improves the visual quality of the neighborhood and mitigates any negative impacts of the redevelopment on nearby residential development.

2. Landscape Plan Requirements
Landscape plans shall include all required information, symbology, and plan formatting that is typically associated with vacant or cleared land as set forth on application forms and as defined in the Landscape Reference Manual and Site Plan Manual.

3. Landscape Requirements
a. Minimum plant sizes at time of installation shall comply with the requirements found in this UDO.

b. Within the MU-OA zone district, the development potential of a property is often affected by lot size therefore in an effort to support redevelopment opportunities, the applicant and the City shall work together to include landscaping where screening or tree canopy may be most effective.

c. Within the remaining Subarea A (excluding the MU-OA zone district) and all of Subareas B and C, the following landscape requirements shall be met if deficient and if the proposed redevelopment creates a negative impact as determined by the Planning Director to surrounding existing or future development on adjoining properties or street frontages.

d. The landscape requirements as outlined in Sections 146-4.7.5.A through 4.7.5.P shall apply and be reviewed against each redevelopment application for applicability. This includes curbside streetscape, street and non-street frontage buffers, special landscape buffers, building perimeter landscaping, site entryway and intersection landscaping, parking lot landscaping & screening, urban street frontages, and residential front yard landscapes.

R. Seeding of Disturbed Land for Future Construction Phases
All future development areas in phased development projects that have been disturbed by grading shall be seeded and stabilized in accordance with requirements found in the City of Aurora Water Department’s Rules and Regulations Regarding Stormwater (Discharge) for Construction Activities to prevent wind and water erosion for the time the site remains without development. All such areas shall be shown on the landscape plan and information concerning tilling, seeding methods, seed mixtures, watering and mulching shall also be provided.

S. Alternative Compliance
The Planning Director is authorized to approve alternatives to the location, amounts, or types of landscaping required under this Section 146-4.7.5 (Required Landscaping) provided that the applicant submits a landscape plan for alternative compliance and the Director determines that:

1. The need for an alternative compliance plan is based on site or development constraints not generally shared by other similar uses and structures in the area, including but not limited to topography; soil conditions; utility or access easement locations; or considerations of traffic, pedestrian, bicycle, or public transit safety; and

2. The alternative compliance plan will achieve the goals of the types of landscaping required by this Section 146-4.7.5, including but not limited to buffering of adjacent properties from the impacts of the proposed development of the site, visual appeal of the site from public and private streets and rights-of-way, creation of shade and cooling of the
environment, as well or better than compliance with the standards otherwise required by this Section 146-4.7.5 (Required Landscaping).

4.7.6. SITE DESIGN FOR LOW IMPACT DEVELOPMENT – (LID)

A. General

1. Treating and capturing stormwater at the source is a proactive process. Traditional stormwater management practices include the construction of large unattractive detention basins that are at the receiving end of a pipe located on public property and maintained by a public agency. Recently, the thought process has started to shift to more environmentally proactive practices that look at preventing stormwater contaminants from entering the stormwater conveyance system and or water body at the source rather than spending costly amounts of money retrofitting existing systems.

2. Today homeowners, developers, and local governments have opportunities to implement source control practices through the use of Low Impact Development (LID) options. These are typically located within a public right-of-way or on private property and are maintained by the property owner. A vegetated component is usually included that is directly tied to the treatment and infiltration functions. Plant selection is key to public perception and ultimately the acceptance of the integration of LID practices into the landscape.

B. Purpose

1. To encourage the incorporation of low impact development standards (LIDs) into landscape designs in an effort to mitigate the impacts of increased runoff and stormwater pollution from new development, redevelopment or infill developments as close to the source as possible. LID practices are an integral part of the urban form and if designed and constructed correctly, will help ensure the preservation of permeable surfaces, encourage the use of native plants and promote infiltration into sub-soils to remove pollutants, regenerate ground water supplies and reduce subsidence rates.

2. The City acknowledges that project conditions associated with individual sites may justify approval of alternative methods of compliance when landscape is part of an integrated water management strategy or LID and the alternative proposal offers superior results. The standard landscape requirements may not be ignored or reduced by more than 35 percent in order to achieve the alternative. Planning staff will review the alternative design against standard landscape requirements and work with the applicant on a case-by-case basis to ensure compliance is achieved.

3. Applicants are encouraged to implement any of the following LID options at the time of site development. They are not intended to be prescriptive or inhibit creative design, but provide some ideas for consideration. Further descriptions and examples of Low Impact Development options that are permitted and promoted for use within the city are discussed in the Urban Drainage and Flood Control District Urban Storm Drainage Criteria Manual, Volume 3. By incorporating LIDs into parking lots, front yards and neighborhood streets, it becomes a tool to raise people’s awareness and change their behavior relative to reducing and cleaning stormwater runoff.

C. Low Impact Development (LID) Options

1. Bioswales are vegetated swales planted with wet tolerant species of plants or ornamental grasses. They transport, store, and allow infiltration of water and can be designed as a landscape feature. Bioswales are not grassed, but are planted with a variety of plant species that can withstand occasional water inundation for short periods of time.
2. Grassed swales are designed conveyance devices used to transport water over the surface of the ground to a point of disposal that may be a catch basin, ditch, water body that will filter, infiltrate, evaporate, and clean the water of total suspended solids, solid waste and other pollutants. Swales are often appropriate along property lines, public streets, and around buildings.

3. Permeable pavers, porous surfaces, grass paving. Pavers allow water seepage through the joints and through the graded gravel base that they are placed on. This allows for the infiltration of rainwater thereby reducing the runoff leaving a site. When used in connection with street tree plantings, they allow for more air circulation around tree roots and can easily be removed in order to trim tree roots and regrade for a walkable surface.

4. Rain gardens are small shallow, depressions planted with a variety of native or ornamental plants that can treat small amounts of runoff to improve water quality. Rain gardens are generally small collections of water loving plants planted on a low site area that naturally collects rainfall.
4.7. Landscape, Water Conservation, Stormwater Management

Article 146-4 Development Standards

4.7.6. Site Design for Low Impact Development – (LID)

5. Sand filters are depressions, trenches, barriers, or sand lens constructed of porous mineral matter that improve ground water recharge to filter, clean and trap waterborne pollutants.

6. In addition, other LID standards include extended detention basins that may be used in open space tracts to treat the runoff from multiple lots, roads, trails, and pathways.

D. Water Conservation and Irrigation

1. Single-Family, Two-Family (Duplex), and Single-Family Attached Dwellings
   The design and installation of all new turf areas for each lot shall comply with all of the requirements listed in Section 146-4.7.5.P (Residential Yard Landscape) and the turf area limitations in Subsection 2. Below.

2. All Other Development Except Playfields and Golf Courses
   In all other development sites except playfields and 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 a site’s total landscaped area. 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 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. A cool season grass species shall be considered a high water user if it requires one and one-half inches of water or more per week to survive. Tot lots and recreational areas that will benefit from the durability of cool season grasses are exempt from contiguity requirements of this Section. All other requirements shall apply.
3. **Z-Zone Program Option**

Applicants may choose to temporarily water native seed areas for a three-year period for establishment purposes under the Z-Zone Program administered by Aurora Water. The annual water allocation will be adjusted accordingly after three years or upon successful establishment of the z-zone areas as determined by Aurora Water. The adjusted water allocation will be based upon the permanently irrigated areas. Contact Aurora Water, Water Conservation Division for details on the Z-Zone Program.

### 4.7.7. **TREE PRESERVATION**

#### A. General Standards

All applicants are required to comply with the tree preservation, relocation and mitigation requirements found in the City's adopted "Policy of Existing Trees", as amended. It shall be unlawful for any person to remove an existing tree unless such removal is in accordance with the City's policy on the preservation of existing trees. The Parks Recreation and Open Space Department's Division of Forestry administers the tree preservation policy, and applicants considering tree removal as part of their land development should first contact the City Forester to discuss the proposed removal.

#### B. Additional Requirements for Black Forest Areas

The following additional standards apply to lands in the Black Forest area. If these standards conflict with those found in the City's Policy on the Preservation of Trees, the provisions of this Section 146-4.7.7.B shall apply.

1. **Intent**

The standards in this Section 146-4.7.7.B are intended to protect the Black Forest area’s unique ecosystem of non-mountainous extensions of Ponderosa Pine onto the high plains; protect the wildlife habitat created by its high quality Gambel Oak and Ponderosa Pines; and to achieve additional benefits of mature tree preservation, including shade and evaporative cooling, absorption of carbon dioxide and ozone, reducing soil erosion, increasing real properties, and enhancing the visual appeal of the area. The standards for the Black Forest Area are enacted to:

   a. Maintain a sustainable tree cover within the Black Forest by locating new development in a manner that preserves existing trees to the maximum extent practicable;

   b. Protect existing trees during development from the impacts of nearby construction; and

   c. Provide standards governing the removal, relocation, and monitoring of trees that cannot be preserved in their original location.

2. **Applicability and Exemptions**

This Subsection applies to that portion of the Black Forest located in Aurora as defined in the Definitions. Exemptions include:

   a. Trees that are diseased or constitute a threat to the public health and safety; and

   b. Routine forestry management and fire safety practices in accordance with the Colorado State Forest’s Forest Management Plan guidelines and developed by a professional forester.
3. Development Review

Any development activities and/or submittal of development applications to the City within the Black Forest shall include a tree protection plan in order to preserve existing Ponderosa Pine trees and associated Gambel Oak shrub vegetation to the maximum extent practicable. Development activities shall not result in the removal of any Black Forest trees and shrubs, except in accordance with this Section.

a. Plan Requirements

Any development activities or proposed development applications that involve disturbing the natural surface of the land or making any material change to any structure shall require the submittal of a tree protection plan that conforms to this Section and requirements set by the City Forester's office. Black Forest trees shall be protected according to the procedures in this Section. Following tree protection plan approval, any subsequent development activity requiring approvals or the issuance of any permits shall conform to the plan. Tree protection plans shall include the following:

i. An inventory of trees and existing shrub vegetation, including a description of which trees are candidates for preservation, removal, and replanting. The inventory shall include Ponderosa Pine greater than four inches in diameter and all Gambel Oak plants greater than three inches in diameter.

ii. A construction limit line, which shall include all building, parking, underground utilities, vehicular use areas, and all areas of required cut and fill.

iii. Details and locations of permanent and/or temporary construction protection devices and measures to assure tree protection and normal growth after construction.

iv. A description of the size and location of all new trees to be planted as part of the landscape design of the proposed project.

v. A conservation escrow account to collect funds from the owner or representatives to ensure compliance with the tree preservation measures described in this Section. The amount to be collected will be based upon the "Guide to Plan Appraisal," published by the International Society of Arboriculture. This amount will be assessed as an average diameter calculated from the total inventoried number of only those trees remaining in place and potentially impacted by construction activities. It does not include those trees outside of the construction limit line and, therefore, not impacted by construction activities as well as those that are to be removed or replanted according to plan specification. The amount will be returned to the owner upon completion of construction activities and implementation of tree protection plan requirements. If these measures are not complied with, the City shall use these funds to mitigate tree loss.

b. Plan Approval

Review and approval of the tree protection plan according to requirements set by the Planning Director and the Forestry Division of the Parks, Recreation, and Open Space Department shall be completed by the City Forester's office before the commencement of any development or planned development activity. Plans will be approved, approved with condition, or denied based upon conformity with the requirements of this division. Failure to comply with the provisions of an approved tree protection plan is a violation of this UDO.

c. Plan Amendment

The City Forester may amend any approved tree protection plan after receipt of an application for amendment from a property owner. The amendment shall be
approved if the City Forester determines that the proposed amendment complies with the requirements of this Section 146-4.7.7.B.

d. **Plan recordation**
   After approval of a tree protection plan, it shall be recorded in the office of the county clerk and recorder and shall be binding on the property owner and the owner's heirs, successors, and assigns.

4. **Tree Removal and Mitigation**
   a. **Tree Removal**
      Black Forest trees and associated vegetation shall not be removed from their existing location due to development or construction activity unless avoidance through modifications of proposed development plans and design is not feasible. Tree removal is unlawful unless it is pursuant to an approved tree protection plan.

   b. **Tree Mitigation**
      Trees to be relocated shall be replanted at a suitable location on the site. Candidate trees for replanting will be greater than four inches for Ponderosa Pine and three inches for Gambel Oak, but less than 10 inches in diameter measured at a point one foot above natural grade. When such replanting is not feasible, removed trees shall be replaced at a ratio of one-to-one with an approved single tree of similar size or combination of not more than six trees measured at a point one foot above the natural grade with a cumulative total diameter equal to the diameter of the tree to be replaced. Mitigated trees shall be measured per the “Guide to Plant Appraisal.” Appropriate measures shall be undertaken to protect trees from construction activities.

   c. **Tree Protection**
      Appropriate measures shall be undertaken to protect trees from construction activities. If any of the trees required to be retained or replanted as part of the tree protection plan should die within a period of three years after completion of construction, the property owner shall replace trees within 6 months of the issuance to the owner of a notice to replace.

5. **Monitoring**
   In addition to protection during new construction pursuant to Section 146-4.3.5 (Avoidance of Sensitive Areas), the following monitoring requirements apply to ensure that trees will be retained after construction is completed.

   a. On-site supervision by the property owner or representative to ensure tree protection actions;

   b. Pre-construction conferences between the property owner or representative and the City Forester;

   c. Monthly meetings between construction management and the City Forester to review progress of the monitoring program; and

   d. Final site inspection to verify that protection provisions have been followed.

6. **Notice to Prospective Purchasers**
   Vendors of real property located within the Black Forest shall provide the following notice to prospective purchasers and cause such notice to be recorded with the Clerk and Recorder of Arapahoe County:

   "**NOTICE:** The property described as (legal description and address) is located within an area governed by the Black Forest tree preservation ordinance, a tree
4.7.8. SCREENING OF SERVICE AREAS AND EQUIPMENT

The standards in this Section 146-4.7.8 apply in addition to the standards in Section 146-4.8.11 (Screening of Mechanical Equipment), but only one type of screening (through landscape or building design) is required for each area or piece of equipment required to be screened. If required screening for an area or piece of equipment is provided pursuant to this Section 146-4.7.8, then additional screening of the same area or piece of equipment is not required pursuant to Section 4.8.11, and vice-versa.

A. Utilities and Communication Lines

Meters or similar utility apparatus attached to the building façade shall be screened from view and painted to match, using landscaping and screen walls that match the architecture of the building they are part of. Such utilities shall not be mounted on or in front of the primary building façade.

B. Multifamily, Mixed-Use, Commercial, Institutional, and Industrial Developments

1. Mechanical Equipment Screening Standards
   a. Roof-mounted mechanical equipment shall be screened from public view from the street centerline by a parapet or mechanical screen that is integrated into part of the building’s architectural design.
   b. Ground-mounted mechanical equipment shall not be located between (i) a primary building façade or a patron or resident parking lot and (ii) a street or public open space.
   c. Ground mounted mechanical equipment shall be screened from public view by landscaping or by a decorative wall, or fence that is similar in appearance to the primary building.

2. Service, Loading, Storage, and Trash Area Screening Standards
   a. Service, Loading, and Storage Areas
      i. All service, loading, and storage areas visible from residences, public or private streets, public open spaces or trails shall be screened by fences (excluding chain link fencing), walls, berms, or any combination of those items with landscaping. If walls are used, they shall not exceed nine feet in height and shall be similar in appearance and materials to the closest wall of the primary building structure they serve.
      ii. Fence and wall screening shall be accompanied by landscaping on the exterior side to soften the appearance of the wall and fence. Landscaping shall consist of evergreen trees and shrubs, installed at a minimum of one tree and 10 shrubs per 40 linear feet. This requirement shall not be in addition to street and non-street frontage buffer requirements. If screening of service loading and storage areas overlap with the buffer requirements, then the wall or fence shall be provided at the inside edge of the required buffer and the plant material provided for the buffer may satisfy both requirements.
   b. Trash Facilities
      All trash dumpsters and recycling bins placed on an existing or developing site must be enclosed and set back at least 12 feet from adjacent properties with residential or commercial uses. The enclosure shall be large enough to accommodate both a...
dumpster and a recycling bin and shall be completely screened from view of public streets and adjacent properties using one of the techniques listed in Subsection 2.a above. Dumpsters shall be screened on three sides by a minimum six foot high masonry wall or an opaque fence enclosed on the exterior by evergreen plantings. The access opening shall be oriented so that the container is not visible from adjacent properties or public streets and shall have an opaque gate. Chain-link gates with metal cladding are prohibited.

c. Outdoor Storage
   i. Where outdoor storage is permitted, the following standards shall apply.
   ii. Outdoor storage shall be located behind required front setbacks or buffer areas.
   iii. 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 with a maximum height of nine feet, a berm, or a wall with a maximum height of nine feet in combination with landscaping that completely conceals the view of those materials from the locations listed in Subsection 2.a above. Chain link fencing may not be used for this purpose. Landscaping shall consist of one tree and 10 shrubs per 40 lineal feet.
   iv. Outdoor storage not visible to the street or adjoining properties may not require screening, but will be evaluated for potential impacts on surrounding areas on a case-by-case basis.

4.7.9. FENCE AND WALL REGULATIONS

A. Purpose
   1. To provide adequate screening by regulating the height, location and design of fences and retaining walls;
   2. To maintain adequate visibility on public and private property and intersections;
   3. To allow for adequate air and light visibility;
   4. To mitigate noise;
   5. To improve aesthetics;
   6. To preserve and protect the value of adjacent property with durable materials; and
   7. To avoid the appearance of fence and wall canyons along streets.

B. Applicability
   1. All fences and walls shall comply with the provisions of this Section 146-4.7.9, except temporary fences and barricades around construction sites, which shall comply with all other applicable City regulations.
   2. All fences and walls shall comply with any additional standards applicable to the use of the property in Section 146-3.3 (Use-Specific Standards).
   3. In addition to the standards in this Section 146-4.7.9, all development shall comply with any additional fence and wall standards applicable to the development in any approved Master Plan that includes the property.
C. General Standards

1. Avoidance of Traffic Hazards
   Notwithstanding other provisions of this Section 146-4.7.9, no fence, wall, or hedge shall be located in a location that the City determines will create a traffic hazard.

2. Sight Triangle
   The location and height of all fences and hedges shall conform to the sight triangle requirements of Section 146-4.2.3.I. Corner lot fences shall have a 45 degree angle if located within the 30 foot sight triangle.

3. Obstruction of Fire Hydrant or Fire Department Connection
   No person shall place or keep any post, fence, wall, retaining wall, tree, shrub, hedge, or any other structure or planting within five feet of a fire hydrant or Fire Department connection. Any variation from this standard shall require written approval from the Fire/Life Safety representative within the Building Division.

4. Prevention of Fence Canyons
   For existing subdivisions where the rear of the lots abut a street frontage, a homeowners’ association, Title 32 District, or other approved quasi-public entity shall maintain a fence or wall meeting all applicable standards of this Section 146-4.7.9. Residential lots shall comply with Section 146-4.3 (Subdivision Standards), which restrict rear yards of homes facing streets. Refer to Section 146-4.7.5.G for fence setback requirements when rear lots abut an arterial or collector street.

D. Permitted Fence and Wall Materials

1. Fences and walls shall be made of high-quality durable materials that require low maintenance. Acceptable materials are as follows:
   a. Brick, stone, and decorative concrete masonry unit (CMU) fences that meet the design requirements in this Section 146-4.7.9.
b. Wrought iron style and metal picket fences that meet the definition and design requirements in this Section 146-4.7.9.

c. Pre-cast concrete composed of integrally colored concrete and convincingly replicate the appearance of brick, stone, stucco and CMU fences as required by this Section 146-4.7.9.

d. Closed style wood or stockade fencing. Wood or stockade fencing shall have a top rail.
4.7.9. Fence and Wall Regulations

**Article 146-4 Development Standards**

- **e.** Chain link with or without weather resistant color coating.
- **f.** Omega (Welded Wire)
4.7.9. Fence and Wall Regulations

**g.** Wood or concrete three-rail and/or split rail.

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

F. Special Requirements for Specific Districts and Types of Development
1. Residential Districts
   The following standards apply to fences and walls in Residential districts, but do not apply to multifamily developments.
   a. Maximum length of unbroken fence plane shall not exceed 660 feet along arterial streets and shall not exceed 330 feet along collector streets in Subarea A.
   b. Maximum length of unbroken fence plane shall not exceed 700 feet along arterial streets and shall not exceed 350 feet along collector streets in Subareas B and C.
2. Industrial Districts
   a. No fence or wall shall exceed a maximum height of nine feet, except for oil and gas perimeter screening and sound walls.
   b. New wood closed-style fences are only allowed on Arterial streets in connection with industrial development, and only if they meet all the appearance and design requirements of this Section146-4.7.9 and related graphics.
   c. Barbed wire is only permitted in industrial districts, but may not be installed adjacent to any residential or commercial uses or residential or commercially zoned districts or along arterial or collector streets.
   d. For major public or private utilities in any zone, barbed wire may be allowed if it is located outside of required buffer yards.
   e. The use of metal picket prongs is permitted in lieu of barbed wire.
   f. Where allowed, barbed wire shall not extend more than six inches above the height of a permitted fence.
3. All Other Development
   No continuous fence plane shall extend more than 700 feet without including an offset in fence alignment and/or a change in material, fence, and/or wall type.

G. Along E-470
In all residential developments adjacent to E-470, a minimum eight-foot high solid sound attenuation wall shall be constructed along the development's E-470 frontage, and shall meet
all the material and design requirements for fences and walls along arterial streets. The sound attenuation wall shall be constructed and maintained by the developer, Title 32 District, homeowners’ association, or business district.

H. Along Arterial and Collector Streets

1. Setbacks

Fences in new subdivisions shall be set back at least the following distances:

a. Where the rear lots of residential homes front a street, fence and/or walls shall be set back a minimum of 40 feet from the flow line of arterial streets, 38 feet from the flow line of minor arterial streets and 34 feet from the flow line of collector streets. See graphics below.

b. Fences and/or walls provided along the side yards continuous for a distance of 300 feet or more shall be required to be setback 10 feet from the back of walk unless the fence or wall is being provided in connection with outdoor storage screening, then the buffer setback requirements as specified in Table 4.7-2 shall apply.

c. Residential fencing in the front yards shall comply with the front yard setback requirements in accordance with Section 146- 0 and shall not exceed 42 inches in height.

d. Fencing in the front yard of any commercial and/or industrial developments shall be limited to 42 inches in height unless such fencing is being provided in connection with the screening of outdoor storage, parking lots, equipment, or is to secure the site, in which case, fencing shall be limited to nine feet in height. Refer to Section 146-4.7.8.B.2.

Figure 4.7-32: Arterial Street Frontage – Straight Walk
4.7. Landscape, Water Conservation, Stormwater Management

**Article 146-4 Development Standards**

4.7.9. Fence and Wall Regulations

Figure 4.7-33 Arterial Street Frontage – Meandering Walk

Figure 4.7-34: Minor Arterial Street Frontage
2. **Allowable Materials**
   The following materials are permitted, except as required or permitted in Section 146-4.7.8.B.2.c (Outdoor Storage).
   a. Brick, stone, and integrally colored decorative concrete masonry units (CMUs);
   b. Decorative and durable pre-cast concrete panels and rails;
   c. Wrought iron, metal picket, and other metals simulating the appearance of wrought iron;
   d. Composite wood (not including vinyl);
   e. Closed-style wood fences, but only for industrial uses and only if located outside of the required buffer yards;
   f. Open-style three-rail fences made of wood or simulated wood adjacent to private open space areas and private common spaces; and
   g. Open-style three-rail fences made of wood adjacent to public parks and open space areas.

3. **Masonry Columns**
   a. All fence types along arterial and collector streets shall incorporate masonry columns of a minimum cross-section of 18 by 18 inches.
b. For all fence and wall types and locations, columns shall be placed at all fence corners, points of transition to other fence styles along a run of fence, and fence termination points.

c. In addition to the requirements of Subsection b, in residential developments, columns adjacent to residential uses shall be placed at a minimum spacing of 60 feet on center, or one for every two residential lots, and columns adjacent to community uses shall be placed at a minimum spacing of 60 feet on center.

d. In addition to the requirements of Subsection b, in commercial and industrial uses, columns shall be placed at a minimum spacing of 120 feet on center, and shall extend 75 feet down interior lot lines.

4. Special Requirements for Closed-Style Fences and Walls Over Four Feet in Height

   a. Maximum length of continuous fence shall not exceed 1,500 feet along arterial streets and shall not exceed 1,000 feet along collector streets.

   b. Maximum length of unbroken fence plane within length of fence shall not exceed 500 feet along arterial streets and shall not exceed 320 feet along collector streets.

I. Fences and Walls Along Other Public and Private Streets

   For fences and walls along other public and private streets, allowable materials shall include those permitted for arterial and collector streets plus:

   1. Wood fences, provided they meet the design standards in this Section 146-4.7.9 and related graphics; and

   2. Wood or wood simulated open-style three rail fences, provided they meet the design requirements in this Section 146-4.7.9 and related graphics.

J. Fences and Walls Along Interior Property Boundaries and Alleys

   1. Permitted Materials

      a. Permitted materials shall include those permitted for arterial and collector streets, except as modified by Subsections b through d below.
4.7.9. Fence and Wall Regulations

Article 146-4 Development Standards

b. Chain link fencing for industrial development, provided it is not visible from a street and is not located on a lot adjacent to commercially or residentially zoned properties.

c. Chain link fencing within industrial zone districts must be color cladded and may not include fabric mesh or slats.

d. Color cladded chain link, welded wire, and Omega or similar welded wire fencing may not be used to meet screening requirements.

2. Locations

a. Shared fences and walls shall be placed on lot lines.

b. Fences and walls shall not be located in required lot buffer areas but shall be located on the inner edge or interior buffer line with landscaping located along the exterior of the fence or wall. Exceptions are decorative low walls or seat walls.

K. Fences and Walls Along Open Space Tracts, Parks, Reservoirs, Golf Courses, Trails, and Drainage Ways.

1. Fences adjacent to open space tracts, parks, trails, and drainage ways shall meet the design standards shown in Figure 4.7-37 and the screening requirements of Section 146-4.7.5.H.2 (Buffer Standards for Areas Adjacent to Public Parks, Open Space, and Trails) shall also apply.

2. Fences adjacent to public golf courses or reservoirs shall be an open wrought iron style with masonry columns, or other styles or column spacing as may be specified by the Director of Parks, Recreation, and Open Space. Screening requirements of Section 146-4.7.5.H.2 (Buffer Standards for Areas Adjacent to Public Parks, Open Space, and Trails) shall also apply.

3. Fences may be up to four feet in height for parks and open space, and up to nine feet for athletic courts and fields and may exceed those maximum heights if the Parks, Recreation and Open Space Department determines that the additional height is needed and will not create a traffic hazard.

Figure 4.7-37: Fencing Along Open Areas
L. Fences and Walls in Residential Developments

The standards in Table 4.7-4

Figure, 4.7-38, Figure 4.7-39, and Figure 4.7-40 apply to all Single-Family Detached, Single-Family Attached, Two-Family, Co-housing, and Cottage Development or similar residential uses. In case of a conflict with other standards in this Section 146-4.7.9, these standards shall govern.

1. Location and Height

<table>
<thead>
<tr>
<th>Table 4.7-4</th>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Standard</strong></td>
<td><strong>Requirements</strong></td>
</tr>
<tr>
<td><strong>Front Yards</strong></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>Maximum 42 inches</td>
</tr>
<tr>
<td>Setback</td>
<td>Fence – 18 inches minimum from back of sidewalk, unless larger setback required per by another provision of this UDO.</td>
</tr>
<tr>
<td><strong>Side Yards (See Section 146-4.7.9.H for new fencing along Arterial and Collector Streets)</strong></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>Maximum six feet</td>
</tr>
<tr>
<td>Setback</td>
<td>Fence – four feet minimum from back of sidewalk, Fence abutting an adjacent lot’s front yard shall meet the front yard fence requirements. Where existing homes that share an internal fence, the fence may be chain link or welded wire and may be located on the lot line.</td>
</tr>
<tr>
<td><strong>Rear Yards (See Section 146-4.7.9.H for new fencing along Arterial and Collector Streets)</strong></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>Maximum six feet</td>
</tr>
<tr>
<td>Setback</td>
<td>Four feet minimum from back of sidewalk, if replacing an existing fence Where existing homes that share a rear yard fence, the fence may be located on the lot line.</td>
</tr>
<tr>
<td><strong>Corner Lots</strong></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>Maximum 42 inches.</td>
</tr>
<tr>
<td>Setback</td>
<td>A fence that meets the front yard requirements may wrap a corner and shall be set back a minimum of 18 inches from back of sidewalk. New side yard fences shall be set back a minimum of 10 feet from the back of sidewalk adjacent to the street, but in no case less than 15 feet from the street flowline. A replacement for an existing fence shall be set back a minimum of 4 feet from the back of sidewalk.</td>
</tr>
</tbody>
</table>

2. Design and Opacity

a. An open-style fence on a solid base is permitted in the front yard, provided the base does not exceed 18 inches in height. Where a solid base is proposed as part of the open fence, only stucco and masonry materials are allowed. A wood base is not allowed.

b. Open style picket fences that are at least 50 percent opaque are permitted in front yard.
c. Solid base fences with bases no taller than 18 inches above grade, and picket fences no taller than 18 inches mounted on top of that base, are permitted in front yards.

Figure 4.7-38: Street Frontage Fencing

Figure 4.7-39: Solid Fencing
d. Fencing on corner lots shall meet the requirements shown in Figure 4.7-39.

![Corner Lot Fencing Setbacks](image)

**Figure 4.7-40: Corner Lot Fencing Setbacks**

### M. Fences and Walls for Other Development

The standards in this Section 146-4.7.9.M apply to all mixed-use and non-residential development for which this UDO does not provide a different standard for fence and wall height and location.

<table>
<thead>
<tr>
<th>Table 4.7-5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fence Location, Type and Height: All Other Uses [1]</strong></td>
</tr>
<tr>
<td>Standard</td>
</tr>
<tr>
<td>Front Yards:</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Setback</td>
</tr>
<tr>
<td>Side Yards</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Setback</td>
</tr>
<tr>
<td>Rear Yards</td>
</tr>
<tr>
<td>Height</td>
</tr>
<tr>
<td>Setback</td>
</tr>
</tbody>
</table>

[1] Multi-family perimeter fencing shall not be located closer to a street or property line than the required buffer depth for setbacks.
N. Swimming Pools
The swimming pool area shall be completely enclosed by a fence not less than four feet in height with openings of not more than four inches. The fence shall be located not more than 100 feet from the edge of the pool. All gates shall be equipped with self-latching and self-closing devices placed on the inside top of the gate. See the International Building Code for additional restrictions on height, vertical member spacing, and access gates. Chain link and welded wire fences are prohibited.

O. Screening of Outdoor Storage, Equipment, Asphalt, Concrete, Landscape Yards, Surface Parking Lots, Oil and Gas Facilities, Substations or Pump Stations

1. Permitted Materials
   Permitted materials include the following, all of which must be opaque:
   a. Walls consisting of brick, stone, and integrally colored decorative concrete masonry units (CMUs);
   b. Decorative and durable pre-cast concrete panels
   c. Composite wood
   d. Closed style wood fences

2. Prohibited Materials
   Color cladded, welded wire, chain link, Omega or similar welded wire may not be utilized to meet screening requirements.

P. Fence Replacement Program

1. General Requirements
   All portions and side of a fence shall be finished with the same quantity and quality of materials as the predominant side facing the street.

2. Minimum Column Spacing
   Except for panelized construction, all masonry fences shall include masonry columns with a minimum cross-section of 18 inches by 18 inches placed at a maximum interval of 120 feet along the length of the fence. Additional columns shall also be required at all fence corners and turning points and at all fence termination points.

3. Color
   All fence colors shall be integral to the material. Fence materials shall not be painted or stained with exterior coat systems. All colors shall be earth tones such as tans, browns, and traditional red brick tones. Uncolored concrete is not permitted.

4. Masonry Unit Sizes
   When brick and concrete masonry are used, individual unit sizes shall not exceed 16 inches in length by eight inches in height. When panelized construction is used, the design of individual panels shall replicate the appearance of individual unit sizes as described above, or of a fence constructed of irregularly shaped stones.

5. Texture
   Fences consisting of masonry units shall have a surface texture. Masonry units in excess of four inches in height shall have a decorative split-face texture. Units designed to resemble stone shall have a natural-looking stone texture. Panelized materials shall duplicate the textures of masonry and stone units as described above and may be painted to simulate masonry or stone.
6. **Concrete Split Rail**
   Pre-cast concrete split rail and other open rail fence designs are not approved under this program for use along streets.

**Q. Substitute Materials**
Materials other than those required by this Section 146-4.7.9 may be allowed upon determination by the Planning Director that they are of comparable durability and quality, and have a similar appearance.

**R. General Fence and Wall Construction Standards**
All fences shall meet all the following general construction standards:

1. All construction materials shall be new and shall not include construction debris or salvaged material. Durable reprocessed and recycled materials sold as building materials for new construction may be approved by the Planning Director.
2. Wood fence posts shall be pressure treated. Cedar and redwood are not required to be pressure treated.
3. All fence posts for fences over 42 inches in height shall be set in circular concrete bases a minimum of two feet deep and one-foot diameter.
4. All wood fences shall conform to the post size and spacing requirements of Table 4.7-6

<table>
<thead>
<tr>
<th>Fence Type</th>
<th>Minimum Nominal Post Cross-Section</th>
<th>Maximum Fence Post Spacing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Along arterials</td>
<td>All other locations</td>
</tr>
<tr>
<td>Wood fences</td>
<td>Four inches x four inches</td>
<td>Five feet</td>
</tr>
<tr>
<td></td>
<td>Four inches x six inches</td>
<td>Eight feet</td>
</tr>
<tr>
<td>Composite Wood</td>
<td>Four inches x four inches</td>
<td>Five feet</td>
</tr>
<tr>
<td>fences</td>
<td>Five inches x five inches</td>
<td>Eight feet</td>
</tr>
</tbody>
</table>

5. Rails and/or posts shall be securely fastened.
6. Pickets and boards shall be securely attached to rails and posts. Wood picket or slat fences over 42 inches in height shall be constructed with a minimum of three, two inch by four inch horizontal rails and have a minimum nominal dimension for pickets or slats widths of four inches.
7. All brick and masonry fences shall be properly mortared and securely attached with foundations.
8. Where chain link fences are permitted, they shall have top rails.
9. The finished side of the fence shall face the public right-of-way or private streets or alleys, as applicable. Posts and rails shall be on the interior side along streets.

**S. Gate Standards**

1. All gates shall have hardware to secure the gate in a closed position.
2. All gates shall be installed to the maximum fence height at all entrances.
3. All unattended gates shall be self-closing, self-latching, and locked when not in use.
4. If a fence or wall along a sidewalk includes a gate, the gate shall not open into the public sidewalk area except when a person is entering or exiting the gated area.
5. All gates must be set back 35 feet from the street entry point.

T. Retaining Walls

1. General Requirements
   Retaining walls shall be required whenever slopes exceed one foot of rise in three feet of run (3 to 1). Retaining walls for detention, retention, and water quality ponds shall not exceed 48 inches in height. Any wall exceeding 30 inches in height requires a pedestrian railing or barrier.

2. Requirements for Residential Development
   Retaining walls in residential development shall comply with the following height requirements:
   a. Maximum 48 inch height adjacent to rear lot lines;
   b. Maximum 30 inch height adjacent to side lot lines;
   c. Maximum 30 inch height in front yard and side yard for corner lots;
   d. Maximum 48 inch height in all common areas; and
   e. Terraced retaining walls are not permitted within the side yards of single-family detached homes.

3. Requirements for Non-residential Development
   Retaining wall heights shall not exceed eight feet. Walls shall be terraced until the required amount of slope has been taken up. Slopes between walls shall not exceed one foot of rise for each four feet of run (4 to 1). The area between each wall shall be landscaped with one or more of the following: shrubs or groundcover in accordance with Section 146-4.7.3.B.5 (Living Material Requirements). Each wall shall be separated by not less than 36 inches. Retaining walls visible to the public view shall not be constructed from wood, plain concrete, or painted masonry units.

4. Requirements for Detention and Water Quality Ponds
   Retaining walls shall not exceed 48 inches in height unless the Director Planning determines there a wall of that height would have a negative impact on the appearance of the site or the surrounding area, in which case the Director may require that the maximum wall height not exceed 42 inches. Railings will be required along the top off all walls that exceed 30 inches.
4.8. Building Design Standards

Article 146-4 Development Standards

4.8.3. Design Standards for Single-Family Detached and Two-Family Dwellings

A. All new construction (but not including installation of a Mobile Home or Manufactured Home in an R-MH zone district), and

B. All expansions of the gross square footage of any primary building except a single-family detached or duplex dwelling by more than 25 percent, unless specifically exempted by the terms of this UDO. Specific provisions of this Section 146-4.8 apply to those types of buildings indicated in Table 4.8-1. Standards shall only apply to those portions of the building or site being modified as part of the expansion.

Table 4.8-1
Building Design Standards Applicability by Building Type

Adjustments for Affordable Housing Structures appear in Sections 146-4.8.5 and 146-4.8.6

<table>
<thead>
<tr>
<th>Standard</th>
<th>Single-family detached or two-family dwellings</th>
<th>Single-family attached</th>
<th>Multifamily buildings</th>
<th>Single-story non-residential buildings</th>
<th>Multi-story mixed-use or non-residential buildings</th>
<th>Large-scale retail large format over 75,000 sq. ft. gfa.</th>
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</thead>
<tbody>
<tr>
<td>General building design standards</td>
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<td>✓</td>
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<td>✓</td>
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<td>Massing and articulation</td>
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<td>Horizontal articulation</td>
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<td>Maximum building length</td>
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<td>Building materials</td>
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<tr>
<td>Masonry standards</td>
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<td>Four-sided building design</td>
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<tr>
<td>Façade character elements</td>
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<td>Roof design</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Roof materials</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
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<td>Roof form</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Screening of mechanical equipment</td>
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<td></td>
</tr>
<tr>
<td>Rooftop equipment</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>Ground-mounted equipment</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garbage storage areas</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
[1] Only applies when more than two stories or over 30 feet tall.

4.8.3. DESIGN STANDARDS FOR SINGLE-FAMILY DETACHED AND TWO-FAMILY DWELLINGS

A. Applicability

These standards shall be applied in addition to any other applicable standards in this Section 146-4.8 unless otherwise stated. When these standards conflict with any other standards in Section 146-4.8, the stricter shall apply.
B. Design Variety

1. In a subdivision plat of five to 10 lots, or a phase of development containing five to 10 detached single-family dwelling or two-family dwellings, distinct elevations shall be provided by incorporating at least four of the following:
   a. Placement of windows and doors on the front façade of the elevation include at least a two-foot vertical or horizontal variation in size or location.
   b. The use of different materials on the front façade elevation.
   c. The width of the front façade elevation at its widest point must differ by more than two feet.
   d. The locations and proportions of front porches must vary.
   e. Variations in the front wall plane.
   f. Use of roof dormers.
   g. A variation of the building types.
   h. Window shapes that are substantially different.

2. In a subdivision plat of 10 to 29 lots, at least two different home model varieties shall be constructed, each with a distinct floor plan and elevations.

3. In a subdivision plat of 30 to 49 lots, at least three different home model varieties shall be constructed, each with a distinct floor plan and elevations.

4. In a subdivision plat of 50 or more lots, at least four different home model varieties shall be constructed, each with a distinct floor plan and elevations.

5. No identical model home elevation shall be repeated directly across the street.

6. Approved paint schemes shall not be repeated more than once every four lots or directly across the street.

7. No model elevation shall be repeated more than once every four lots.

8. At least 30 percent of the model/elevation combinations must have variation in the roof line. Exceptions to accommodate rooftop solar applications will be permitted per Section 146-4.2.4.

C. Durability

All of the net façade area shall have durable siding materials. Manufactured siding shall have at least a 25-year written manufacturer's limited warranty. Sheathing or bracing shall not be used as an exterior wall covering. Durable siding materials include cement fiber, engineered composite wood, masonry, rust resistant architectural metals, stucco, any other material approved by the City as being of similar quality, appearance, and durability, and combination of these listed materials.

D. Distribution of Masonry and Architectural Features

1. Except as required by Section 146-4.8.6.B (Applicability and Exceptions) a minimum average of 15 percent of the net façade area of each primary structure shall consist of masonry. The percentage of masonry coverage may vary among any residential design plans or the elevations of any residential design plans submitted, provided that the minimum average coverage is met with each separate submission.

2. All residential design plans with side or rear elevations adjacent to streets, parks, golf courses, or open space shall distribute architectural features and materials so as to
4.8. Building Design Standards

Article 146-4 Development Standards

4.8.3. Design Standards for Single-Family Detached and Two-Family Dwellings

achieve side-specific design for each side that faces such street, park, golf course or open space. In addition, except for any residential design plan with a side elevation adjacent to a street, there shall be a four-foot change in the depth of the front elevation, achieved through a recessed or alternately loaded garage, covered porch, or other architectural feature.

E. Windows

Each elevation shall contain windows.

F. Architectural Features

1. Weighted Point System

This Subsection is implemented through a weighted point system. Residential design plans subject to the requirements of this Section shall be compared against the features listed in this Subsection and shall be assigned points accordingly. All residential design plans shall meet a minimum score of 17 points from Section 146-4.8.3.F.2 (Architectural Features).

2. Architectural Features

Points for architectural features shall be calculated according to Table 4.8-2.

<table>
<thead>
<tr>
<th>Feature</th>
<th>Points</th>
<th>3</th>
<th>2</th>
<th>1</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Windows</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One full height, two-story bay window (for a one-story residential design plan, one full height bay window)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One bay window</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One or more roof window dormers</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two or more clerestory windows or windows with transoms above the main window</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Window mullion patterns on 75% of windows</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front door with one or more sidelights, transom window or double door</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ribbon windows with two or more horizontal rows of windows containing at least three windows each</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Decorative shutters on at least two street facing windows</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>At least two special, decorative window heads or window sills on street facing elevations</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Four or more square feet of windows in the garage that are not on the door</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Garage door(s) with windows</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Roofs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clay, or concrete tile, cement, or standing seam metal roof</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16-inch roof overhang on all sides</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change in highest roof plane or ridgeline of at least one vertical foot</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Decorative roofing elements (e.g., copper above a bay window)</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Dimensional roof shingles with a 30-year warranty (previously no specified warranty length)</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Architectural Details and Styles</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Plan/elevation with 30% or greater masonry</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Porte-cochere over driveway</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garage not visible on front elevation</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plan/elevation with 20-29% masonry</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
### Table 4.8-2
Scoring System for Architectural Features

<table>
<thead>
<tr>
<th>Feature</th>
<th>Points</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Functioning or simulated chimney</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Change in siding style between home and roof gable ends</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Ranch plan offered</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Decorative material on at least one gable end facing a street (e.g., decorative vents, lintels, etc.)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Provide wide fascia at least four inches (nominal) - materials around doors, windows and porches</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Porchs, Stoops, and Enhancements**

<table>
<thead>
<tr>
<th>Feature</th>
<th>Points</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Covered porch of at least 50 square feet on the front elevation</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Wraparound porch, at least six feet deep</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Second story porch (at least 25 square feet)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Public view - landscape enhancements in yards that face streets, parks, golf courses, or open space</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Porch of at least 50 square feet on the front elevation</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Walk out back covered patio of at least 50 square feet</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Porch or balcony railings</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Eight-inch wide columns, as measured at the base of the column, on front or side porch</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**

### 4.8.4. BUILDING ORIENTATION AND SPACING

#### A. Intent

Multiple buildings on a site shall be arranged to promote multi-modal connectivity, provide visual interest to pedestrians, activate public spaces, and facilitate social interaction. Buildings shall be arranged to provide ample light and air into interior and exterior spaces.

#### B. Multifamily, Mixed-Use, and Light Industrial Districts

The following standards apply to primary structures in the R-3, R-4 zone districts, all Mixed-Use zone districts, and the AD, APZ, and I-1 zone districts.

1. **Building Orientation - General**

   Each primary structure shall be arranged so that the primary façade and each façade with a main pedestrian entry, orients onto and provides direct pedestrian access onto, one of the following:
   
   a. A public or private street;
   b. A public park, open space or common green;
   c. A plaza or courtyard; or
   d. A pedestrian passage.

2. **Building Orientation - Single-Story Commercial Buildings**

   a. Commercial developments shall break up supporting commercial uses into a cluster of individual pad and liner buildings at corners and street edges.
   
   b. Pad and liner buildings shall be designed to be "double-fronted", where one entrance faces the parking lot and another faces a street or other public space as defined in Section 146-4.8.4.B.1 above.
4.8.5. Massing and Articulation

A. Intent
The intent of the following standards is to create a built environment in which the massing of buildings contributes to a sense of human scale, with ground floor design, horizontal and vertical articulation, manipulation of building forms, and use of various materials, fenestration and architectural details to avoid long, monolithic building shapes and surfaces.

B. Horizontal Articulation
Each primary structure shall use horizontal articulation elements to break up long, flat walls.

1. Attached single-family developments shall use at least one of the horizontal articulation methods shown in Table 4.8-3 to differentiate the front façade of each attached dwelling unit from the abutting dwelling units.

2. Single story commercial buildings shall use at least one of the horizontal articulation methods shown in Table 4.8-3 at an interval of 50 feet or less on each street facing façade of the primary building.

3. Single story industrial buildings shall use at least one of the horizontal articulation methods shown in Table 4.8-3 at an interval of 100 feet or less on each street facing façade of the primary building.

4. Every 50 linear feet, mixed-use and multifamily developments shall use at least two of the horizontal articulation methods shown in Table 4.8-3 at an interval of 50 feet or less on each street facing building façade.

Table 4.8-3
Horizontal Articulation Methods

<table>
<thead>
<tr>
<th>Attached Single-family (Townhouses)</th>
<th>Mixed-Use and Multifamily</th>
<th>Single Story Commercial/Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Change in material texture, patterning or color - A change in material texture, patterning or color that extends the full height of the primary façade, excluding the ground level</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

...
Table 4.8-3
Horizontal Articulation Methods

<table>
<thead>
<tr>
<th>Attached Single-family (Townhouses)</th>
<th>Mixed-Use and Multifamily</th>
<th>Single Story Commercial/Industrial</th>
</tr>
</thead>
</table>

b. Horizontal offset or projection - A horizontal wall plane offset of at least 3 ft. extending for at least 50% of the average height of the primary façade

c. Change in fenestration pattern - A change in window size, style, or placement

d. Change in roof height or form - A variation in parapet height of at least 3 ft. or a change in roof form

e. Wall notch combination - A combination using at least one option from above, plus a wall notch. Wall notches shall be a minimum of 3 ft. deep and 8 ft. wide.

C. Vertical Articulation

1. Each primary structure or portion of primary structure with a height of 30 feet or more and more than two stories shall use vertical articulation to present a clear base, middle and cap to the building on each façade facing a street or a Residential zone district.

2. The “base” is generally the portion of the building that meets the ground. It is at least 24 inches tall, but for taller buildings could be as tall as the first two stories. It shall include pedestrian oriented elements, high transparency, and be made of high-quality and durable materials. The “middle” is the least dominant façade element. It is generally located between the “base” (anywhere above 24 inches above the ground) and the “cap”,...
or roofline. The “cap” is where the building meets the sky. This is generally a predominant roofline or architectural element indicating the end of a building.

![Diagram of Building Massing and Articulation]

3. At least one of the following vertical articulation options shall be used for each of the three vertical element categories.
Table 4.8-4
Vertical Articulation Methods for Base, Middle, and Cap of Buildings

<table>
<thead>
<tr>
<th>Vertical Articulation Methods for “Base”</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Use of “heavy” material on ground floor</td>
<td>Use masonry such as brick or stone, or other durable material to delineate the ground floor.</td>
</tr>
<tr>
<td>b. Horizontal reveal line at base</td>
<td>A horizontal reveal line a minimum of 24 in. from the ground.</td>
</tr>
<tr>
<td>c. Arcade, gallery, or colonnade</td>
<td>Use an arcade, gallery, or colonnade to accentuate the ground floor.</td>
</tr>
<tr>
<td>d. Architectural detailing</td>
<td>Use enhanced architectural detailing or fenestration on the ground floor.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vertical Articulation Methods for “Middle”</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>e. Stepback in massing</td>
<td>A stepback in massing a minimum of 5 ft. from the ground floor façade.</td>
</tr>
</tbody>
</table>
### Table 4.8-4
*Vertical Articulation Methods for Base, Middle, and Cap of Buildings*

#### Vertical Articulation Methods for “Base”

<table>
<thead>
<tr>
<th>Method</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>f. Change in material</strong></td>
<td>A change in material occurring between the first and second floors</td>
</tr>
<tr>
<td><strong>g. Variation in window size</strong></td>
<td>Visible variation in window size from ground floor to upper floor(s) (typically smaller)</td>
</tr>
</tbody>
</table>

#### Vertical Articulation Methods for “Cap”

<table>
<thead>
<tr>
<th>Method</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>h. Cornice</strong></td>
<td>Use of cornice (on flat-roof buildings) or projecting roof line (for sloping roofs)</td>
</tr>
<tr>
<td><strong>i. Reveal line at top of building</strong></td>
<td>A “reveal” line or change in material, texture, patterning or color (min. 24 in. from top)</td>
</tr>
</tbody>
</table>

---

### D. Maximum Building Length

1. The maximum building length of any multifamily or mixed-use building shall be:
   - a. 150 feet (or 200 feet for an Affordable Housing Structure) in Subarea A; and
   - b. 200 feet (or 250 feet for an Affordable Housing Structure) in Subareas B and C.

2. The maximum building length of any commercial building shall be:
   - a. 300 feet in Subarea A;
b. 400 feet in Subarea B; and

c. 600 feet in Subarea C.

3. The maximum building length of any industrial building shall be:
   a. 400 feet in Subarea A;
   b. No limit in Subareas B and C.

4. The maximum building length of single-family attached (townhouse) buildings shall be:
   a. No more than eight attached units in one single building cluster in Subarea A; and
   b. No more than 16 attached units in any single building cluster in Subareas B and C.

4.8.6. BUILDING MATERIALS

A. Intent

High quality building materials are promoted to ensure building longevity and architectural interest. Building materials shall provide a sense of human scale and interest, especially on ground floors. Colors shall be carefully chosen with respect to surrounding context.

B. Applicability and Exceptions

Each residential design plan submitted for approval after the Effective Date shall meet the requirements of Sections 146-4.8.6.C and 146-4.8.6.D except as those requirements may be modified by this Subsection B:

1. For any subdivision approved prior to November 1, 2012, where:
   a. The average percentage of masonry on the net façade area of all residential dwelling units permitted by the subdivision plat is 30 percent or greater; and
   b. At least 50 percent of the total residential dwelling units permitted by the subdivision plat have been built as of November 1, 2012,

Each new residential design plan shall provide that the net façade area of the residential dwelling unit shall be no less than 30 percent masonry. Upon application, the Planning Director may allow, on a case-by-case basis, the percentage of masonry coverage to vary among any residential design plans or the elevations of any residential design plans submitted to the Director for approval, provided that the minimum average coverage is met in each such submission for the remaining dwelling units within the subdivision.

2. For any subdivision approved prior to November 1, 2012, where:
   a. No masonry is included on the net façade area of any residential dwelling unit permitted by the subdivision plat and/or built within the subdivision; and
   b. At least 50 percent of the total residential dwelling units permitted by the subdivision plat have been built as of November 1, 2012.

No masonry shall be required in any new residential design plan.

3. The building material requirements for the facades of single-family detached and duplex structures shall not apply to:
   a. Any alterations, additions, or repairs to an existing single-family detached or duplex structure; or
   b. The rebuilding of any single-family detached or duplex structure not built in conformance with this division that has been damaged or destroyed by fire or natural...
disaster, provided that the rebuilt structure contains at least the same amount of masonry as the original.

C. Primary Building Materials

1. Intense, bright, or fluorescent colors shall not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but shall not constitute more than 10 percent of the area of each elevation of a building.

2. Highly reflective glass is prohibited on all façades. Such prohibition shall apply regardless of whether the glass is used in window or spandrels areas.

3. Table 4.8-5 indicates permitted primary exterior building materials for each general building type/zone district. Alternative equivalent material to those listed in Table 4.8-5 may be approved by the Planning Director if the applicant submits the material warranty, durability specifications, sample material, and photographs of the material on structures similar to the proposed structure or development and the Director determines that the materials provide similar durability and visual quality.

Table 4.8-5
Permitted Primary Exterior Building Materials

<table>
<thead>
<tr>
<th>Material</th>
<th>Residential Districts</th>
<th>Mixed-Use Districts</th>
<th>Special Purpose Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural Glass</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Corrugated Metal [1]</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Composite Wood</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Detailed Cast Concrete</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Masonry - Brick</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Masonry - CMU Block</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Masonry - Decorative Tile</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Masonry - Natural Stone</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Metal Panel</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Large Cementitious Panels [2]</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Three Coat Stucco</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Synthetic Stucco</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

[1] Buildings with corrugated metal as the primary exterior building material shall include wainscoting at least 42 in. high, surfaced in stone, decorative concrete, or brick masonry when facing a view corridor, drainage, public or private space, or right of way.

[2] Buildings with large cementitious tilt-up panels shall be embossed with reveals that repeat a common pattern that is human scaled.

4. In addition to the materials listed in Table 4.8-5 and equivalents permitted under Subsection 3 above, ecologically-based materials may be substituted provided those materials are certified as sustainable materials, such as reclaimed building materials, or are used to create ecological and sustainable building or site features such as living walls, water retention areas, or renewable energy elements may be approved by the Planning Director if the applicant submits the material warranty, durability specifications, sample material, and photographs of the material on structures similar to the proposed structure or development and the Director determines that the materials provide similar durability and visual quality.
4.8. Building Design Standards

Article 146-4 Development Standards

4.8.6. Building Materials

5. The following charts illustrate successful applications of the various permitted primary exterior building materials on a variety of building types.

- Architectural Glass
- Corrugated Metal
- Detailed Cast Concrete
- Engineered Wood/Composite
4.8. Building Design Standards

4.8.6. Building Materials

<table>
<thead>
<tr>
<th>Masonry - Brick</th>
<th>Masonry - CMU Block</th>
<th>Masonry - Decorative Tile</th>
<th>Masonry - Stone</th>
</tr>
</thead>
</table>

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### D. Masonry Standards for Single-Family Attached, and Multifamily Residential Dwellings

Masonry standards for single-family attached and multifamily dwellings (other than two-family dwellings), are as indicated in Table 4.8-6 below. Alternative equivalent material to the materials listed in Table 4.8-6 may be approved by the Planning Director if the applicant submits the material warranty, durability specifications, sample material, and photographs of the material on structures similar to the proposed structure or development and the Director determines that the materials provide similar durability and visual quality.

<table>
<thead>
<tr>
<th>Material</th>
<th>Image 1</th>
<th>Image 2</th>
<th>Image 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metal Panel</td>
<td><img src="image1.png" alt="Metal Panel" /></td>
<td><img src="image2.png" alt="Metal Panel" /></td>
<td><img src="image3.png" alt="Metal Panel" /></td>
</tr>
<tr>
<td>Prefabricated Concrete Panels</td>
<td><img src="image4.png" alt="Prefabricated Concrete Panels" /></td>
<td><img src="image5.png" alt="Prefabricated Concrete Panels" /></td>
<td><img src="image6.png" alt="Prefabricated Concrete Panels" /></td>
</tr>
<tr>
<td>Three Coat Stucco</td>
<td><img src="image7.png" alt="Three Coat Stucco" /></td>
<td><img src="image8.png" alt="Three Coat Stucco" /></td>
<td><img src="image9.png" alt="Three Coat Stucco" /></td>
</tr>
</tbody>
</table>
### 4.8.7. Four-Sided Building Design

#### A. Intent

Four-sided building standards are provided to eliminate the common treatment of “backs” of buildings. There shall be a hierarchy to building facades, but depending on what each façade orients to there may or may not be a “back” side. For example, when a façade of a building orients to open space or a residential district, that façade shall employ architectural interest due to its high visibility, even if the façade does not include a main entry.

#### B. Applicability

The following standards apply to construction of all new primary buildings, and to all additions to and renovations of existing primary buildings that increase the gross floor area by 25 percent or more or 2,000 square feet, whichever is greater.

#### C. Building Face Hierarchy

A building’s special architectural features and treatments shall not be restricted to a single facade. Each building face shall require a different degree of architectural treatment, commensurate with its degree of visibility from a public or private park, open space, or trail, or a public or private street right-of-way. Building faces shall be classified according to the hierarchy shown in Table 4.8-7.

<table>
<thead>
<tr>
<th>Table 4.8-7</th>
<th>Building Face Naming and Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Primary Building Face</td>
</tr>
<tr>
<td></td>
<td>This facade directly fronts a public or private street. It is typically the building face on which the primary entrance is located, and the face that will be viewed most frequently by pedestrian as well as automotive traffic.</td>
</tr>
<tr>
<td>B</td>
<td>Secondary Building Face</td>
</tr>
<tr>
<td></td>
<td>This facade is typically perpendicular to the primary building face and located (a) on the side of a building, where it is viewed by pedestrian and automotive traffic, but less directly, or on the rear of a building that faces a park, open space, or trail.</td>
</tr>
<tr>
<td>C</td>
<td>Minor Building Face</td>
</tr>
<tr>
<td></td>
<td>This facade is typically found at the rear of a building that does not face a park, open space, or trail, and that is viewed only from alleys, abutting lots, or indirectly from greater distances.</td>
</tr>
</tbody>
</table>
D. Façade Character Elements

1. In addition to any applicable Massing and Articulation standards, new buildings are subject to the following façade character requirements for four-sided design.

2. Façade materials shall wrap around a building corner a minimum of two feet when there is a change of façade material or color on two adjacent sides of the building.

3. Table 4.8-8 includes three categories for façade character elements. Each category includes a minimum number of required elements for each building face. This table may be used as a checklist for the Planning Director.

<table>
<thead>
<tr>
<th>Table 4.8-8</th>
<th>Façade Character Elements for Four-Sided Building Design</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mixed-Use and Multifamily Residential Districts</td>
</tr>
<tr>
<td>BUILDING FACE</td>
<td>PRIMARY FACADE</td>
</tr>
<tr>
<td>Massing</td>
<td>General</td>
</tr>
<tr>
<td>Wall off-set (min. 3 ft.)</td>
<td></td>
</tr>
<tr>
<td>Wall/parapet height change (min. 3 ft.)</td>
<td></td>
</tr>
<tr>
<td>Roof form change</td>
<td></td>
</tr>
<tr>
<td>Upper floor stepback</td>
<td></td>
</tr>
<tr>
<td>Wall notch (min. 12 in.)</td>
<td></td>
</tr>
<tr>
<td>Materials</td>
<td>General</td>
</tr>
<tr>
<td>Change in material</td>
<td></td>
</tr>
<tr>
<td>Change in color</td>
<td></td>
</tr>
<tr>
<td>Change in texture</td>
<td></td>
</tr>
<tr>
<td>Use of masonry (min. 40% of façade)</td>
<td></td>
</tr>
<tr>
<td>Use of panelized materials (min. 40% of façade)</td>
<td></td>
</tr>
<tr>
<td>Variety of window sizes</td>
<td></td>
</tr>
<tr>
<td>Transparency and glazing (min 70% transparent glass)</td>
<td></td>
</tr>
<tr>
<td>Human Scale</td>
<td>General</td>
</tr>
<tr>
<td>Architectural detailing</td>
<td></td>
</tr>
<tr>
<td>Display cases on ground floor (for mixed-use)</td>
<td></td>
</tr>
<tr>
<td>Building-mounted lighting fixtures</td>
<td></td>
</tr>
<tr>
<td>Awnings or shutters</td>
<td></td>
</tr>
<tr>
<td>Entry definition (pronounced massing/roof form, stoop, porch, etc.)</td>
<td></td>
</tr>
<tr>
<td>Building corner enhancements</td>
<td></td>
</tr>
<tr>
<td>Wall art</td>
<td></td>
</tr>
<tr>
<td>Balconies</td>
<td></td>
</tr>
<tr>
<td>Landscape wall/decorative screen for vines</td>
<td></td>
</tr>
</tbody>
</table>

E. Entry Design

Each building shown in Table 4.8-9 shall incorporate primary entries to either primary and/or secondary building faces. Each entry shall be accentuated by using one of the methods shown in Table 4.8-9.
Table 4.8-9
Entry Options

Entry Options for Residential Buildings with Individual Unit Access from Ground Floor

<table>
<thead>
<tr>
<th>a. Front Porch</th>
<th>![Front Porch Image]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front porches are common on single-family attached (townhouse) and other residential building types where individual units may be accessed from the ground floor. A front porch shall be raised a minimum of 24 in. off the ground and be at least partially open on three sides and include a roof overhead. It shall be large enough to accommodate seating for two people.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b. Patio</th>
<th>![Patio Image]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patios are common on single-family attached (townhouse) and other residential building types where individual units may be accessed from the ground floor. They are also common for units that have to be accessible from the ground floor. A patio is less than 24 in. off the ground and shall be at least partially covered. A patio shall be large enough to accommodate seating for two people.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>c. Stoop</th>
<th>![Stoop Image]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stoops are most common on single-family attached (townhouse) or stacked apartment building types. A stoop shall be raised a minimum of 36 in. off the ground. The landing of the stoop shall be a minimum of 30 square feet and be covered.</td>
<td></td>
</tr>
</tbody>
</table>

Entry Options for Mixed-Use, Commercial and Industrial Buildings

<table>
<thead>
<tr>
<th>d. Projected Mass</th>
<th>![Projected Mass Image]</th>
</tr>
</thead>
<tbody>
<tr>
<td>A projected mass entry includes a featured building form element where the main entry to a building is located. This is most common for building types that share a common entry, especially to service upper floors. The projected mass shall be a minimum of 2 ft. deep. The entrance shall be covered, either by an attached element or by recessing the doors into the building mass.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>e. Recessed Mass</th>
<th>![Recessed Mass Image]</th>
</tr>
</thead>
<tbody>
<tr>
<td>A recessed mass entry includes a featured building form element where the main entry to a building is located. This is most common for building types that share a common entry, especially to service upper floors. The recessed mass shall be inset a minimum of 2 ft. and shall be covered.</td>
<td></td>
</tr>
</tbody>
</table>
4.8. ROOF DESIGN

A. Mixed-Use and Multifamily Districts

1. Roof Materials

   a. Acceptable materials for all sloping roof areas with a pitch of 3:12 or greater, and visible from any public or private right-of-way, are listed in Table 4.8-10.

   b. Intense, bright, or fluorescent colors shall not be used on any roof areas visible from a public or private right-of-way or public open space.

   c. All roof materials on all portions of all development other than rooftop decks shall have a minimum 25 year warranty.

<table>
<thead>
<tr>
<th>Table 4.8-10</th>
<th>Permitted Materials for Visible Sloping Roofs</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ = Permitted</td>
<td>Blank cell = Not permitted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential Districts</th>
<th>Mixed-Use Districts</th>
<th>Special Purpose Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached and Duplexes</td>
<td>Townhouses and Multifamily</td>
<td></td>
</tr>
<tr>
<td>Asphalt Shingles</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Composition (Architectural) Shingles</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Concrete, Clay or Slate Tiles</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
2. Roof Form
   a. Where sloped roofs are used, at least one of the following elements shall be incorporated into the design for each 60 linear feet of roof to avoid long, flat roof surfaces:
      i. Projecting gables,
      ii. Hips,
      iii. Horizontal/vertical breaks, or
      iv. Other similar techniques.
   b. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least three feet along each 60 linear feet of façade.
   c. On all structures exceeding three stories in height, all flat roofs shall be internally drained, and external scuppers and wall drains shall be prohibited.

B. Special Purpose Districts
   Industrial buildings with metal as the primary exterior surface material shall have roofs enhanced with a decorative fascia, a roof pitch of 4:12 or greater, projecting gables, or other similar techniques.

4.8.9. SPECIAL STANDARDS FOR LARGE FORMAT RETAIL STRUCTURES
   Structures containing over 75,000 square feet of gross floor area, and in which over 80 percent of the gross floor area is occupied by a single retail use, shall comply with the following standards in addition to those in Sections 146-4.8.4 through 146-4.8.8 above. In the event of an inconsistency between these standards and the standards in Sections 146-4.8.4 through 146-4.8.8 above, the standards in this Section 146-4.8.9 shall apply.

A. Pedestrian Scale Details
   To promote a sense of human scale, special accent materials and design details shall be incorporated into all first floor facades and paving areas abutting pedestrian walkways. Such features shall include, but are not limited to:
   1. Changes in paving patterns and materials at pedestrian building entrances and other significant pedestrian locations;
   2. Special decorative wall patterns, textures, accent materials, or graphics;
   3. Trim banks and reveals;
   4. Special architectural features marking pedestrian entries; and
   5. Display windows.

---

Table 4.8-10
Permitted Materials for Visible Sloping Roofs

<table>
<thead>
<tr>
<th></th>
<th>Residential Districts</th>
<th>Townhouse/S and Multifamily</th>
<th>Mixed-Use Districts</th>
<th>Special Purpose Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Membrane System Roofs</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seamed Architectural Metals (e.g. Tin, Copper)</td>
<td>✓ ✓ ✓ ✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
B. Facade Articulation
Each facade greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the facade (or at least two feet), and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.

C. Facade Design
Each building facade shall have a repeating pattern that shall include no less than three instances of; (1) color change, (2) texture changes, (3) material module change, or (4) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset reveal, or projecting rib. At least one of those elements shall repeat horizontally at an interval of no more than 50 feet.

D. Pedestrian Oriented Design Features
Ground floor facades that face public streets, on-site auto circulation drives, sidewalks, pedestrian paths, or plazas shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.

E. Customer Entrances
Each building shall have clearly defined, highly visible customer entrances featuring at least three of the following elements:
1. Canopies or porticos,
2. Arcades, arches, peaked roof forms, outdoor patios, display windows, architectural tilework or moldings integrated into the building design,
3. Overhangs, recesses or projections, or
4. Integrated planters or wing walls that incorporate landscaped areas or seating areas.

F. Outdoor Amenities
Each primary structure subject to this Section 146-4.8.9 shall provide at least two of the following: patio or seating area, pedestrian plaza with benches, transit stop, window shopping walkway, display windows adjacent to pedestrian routes, outdoor playground area, water feature, clock tower, or other deliberately shaped and highly visible outdoor amenity as approved by the Planning Director.

4.8.10. SPECIAL STANDARDS FOR INDUSTRIAL STRUCTURES
In Subarea C, primary structures designed for industrial uses shall comply with other applicable standards for non-residential development and with the following additional standards. If there is a conflict between the standards in this Section 146-4.8.10 and other standards in this UDO, the standards in this Section 146-4.8.10 shall apply.

A. Concrete tilt-up panels are allowed subject to the following standards:
1. Panels shall be embossed with reveals that repeat a common pattern.
2. All elevations visible from a public or private street shall include variable parapet heights and 1 foot minimum projections with the distance between not to exceed 50 feet.
3. All main entries shall be uniquely identified by using an arcade, covered entry, spandrel glass or other similar architectural feature.
B. Metal is prohibited as a primary exterior surface material on buildings that are visible from a street, park, open space, or trail. Metal may be used as an accent material covering no more than 10 percent of the facades of such building facades. If metal is to be used along interior lot lines, such facades need to be integrated into the overall building design.

C. Loading doors and operations shall occur within the interior of the site and not visible from a public right-of-way. If physical site constraints or frontage on more than two rights-of-way prevent compliance with this standard, alternative compliance may be approved by the Planning Director on a case-by-case basis if the Director determines that the alternative will reduce visual and noise impacts of loading doors and operations on abutting rights-of-way and residential to the maximum extent practicable.

D. Accessory buildings not visible from the street shall meet the following standards.
   1. Articulation of each façade is required with a change in wall plane at a minimum of two locations.
   2. Metal buildings are permitted, but a wainscot or base treatment is required.

4.8.11. SCREENING OF MECHANICAL EQUIPMENT

The standards in this Section 146-4.8.11 apply in addition to the standards in Section 146-4.7.8 (Screening of Service Areas and Equipment) but only one type of screening (through landscape or building design) is required for each area or piece of equipment required to be screened. If required screening for an area or piece of equipment is provided pursuant to this Section 146-4.8.11, then additional screening of the same area or piece of equipment is not required pursuant to Section 146-4.7.8, and vice-versa.

A. Rooftop Equipment
   1. All rooftop mechanical equipment shall be screened from view from a point four feet above grade level on each property line with an abutting property, and from a point four feet above grade from each sidewalk on the far side of each adjacent street, or if there is no sidewalk then from a point five feet above grade at the curb line on the far side of each adjacent street. Appropriate methods for rooftop screening include:
      a. Freestanding screen wall
      b. Extended parapet wall
      c. Other similar technique

B. Ground or Wall-Mounted Equipment
   1. Ground or wall-mounted utility equipment such as HVAC units, electric and gas meters, panels, junction boxes and similar equipment shall be screened from view of public streets, parks, open spaces, trails, plazas, and other public space by using architecturally compatible walls and/or landscaping.
   2. Ground and wall-mounted equipment shall be located along or on secondary building faces, and not on primary building faces, to the maximum extent practicable.
   3. When walls are used to screen mechanical equipment, the walls shall use similar building materials and detail as the primary structure.

C. Garbage and Recycling Storage Areas
   Garbage dumpsters and recycling bins for multifamily dwellings and for mixed-use, commercial, and industrial buildings shall be accommodated within the primary structure or
an accessory structure to the maximum extent practicable. If located outside the structure, garbage storage shall be screened from public view from any adjacent public street or residential use or district within 100 feet of the trash dumpster or recycling areas through the use of techniques that comply with Sections 146-4.7.8 (Screening of Service Areas and Equipment) or 146-4.8.11 (Screening of Mechanical Equipment).

4.9 EXTERIOR LIGHTING

4.9.1. PURPOSE

The purpose of this Section 146-4.9 is to ensure that vehicle circulation areas, pedestrian circulation areas, parking areas, public gathering spaces, approaches to buildings, and other areas have adequate outdoor illumination to promote safety and walkability at night; to control the negative impacts associated with nuisance outdoor lighting, excessive lighting, light pollution, dramatic contrasts between lit and unlit areas; and to minimize light spillover onto adjacent properties.

4.9.2. STANDARDS APPLICABLE TO ALL DEVELOPMENT

A. Except in the R-R and R-1 districts, private sidewalks, internal pedestrian paths, and bicycle paths shall be lit with full cutoff shielded lighting fixtures no more than 16 feet tall and providing consistent illumination of at least one footcandle on the walking surface. All public sidewalks, pedestrian paths, and bicycle paths shall meet the requirements of the Aurora Roadway Design and Construction Specifications Manual.

B. In all zone districts except portions of the I-2 zone district located more than 750 feet away from a Residential zone district, on-site streets and parking areas shall be lit with full cutoff shielded luminaire type lighting fixtures no more than 25 feet tall, and fixtures shall be downcast types with full cutoff shielding. In the I-2 district, the maximum permitted height of lighting fixtures located at least 750 feet from Residential districts and residential uses shall be 40 feet.

Figure 4.9-1: Examples of Full-Cutoff Light Fixtures
4.9. Exterior Lighting

Article 146-4 Development Standards

4.9.2. Standards Applicable to All Development

Figure 4.9-2: Examples of Light Fixtures that Do Not Meet the Full-Cutoff Standard

C. Incandescent light sources of 100 watts or less or other light sources of 60 watts or less (gaseous discharge) that are located at least 150 feet from the property line of a residential district, are exempt from the full cutoff shielding requirement.

D. Lighting along public street and landscaped areas shall comply with the Aurora Roadway Design and Construction Specifications Manual and be of a unified design.

E. Lighting sources shall be color-correct types such as Halogen, metal halide, or light emitting diode (LED). Light types of limited spectral emission, such as low pressure sodium or mercury vapor lights, are prohibited.

F. Lighting fixtures shall have a minimum light intensity of one lumen per square foot and a maximum intensity of two lumens per square foot unless otherwise provided by this Section 146-4.9.

G. Light spillover onto adjacent properties shall not exceed 0.1 footcandles measured on abutting properties 10 feet away from the property line, except where adjacent to walkways, driveways, public and private streets.

H. All exterior light fixtures shall generate at least 80 lumens per watt of energy consumed, as shown on the manufacturer’s specifications for the fixture.
4.9.3. PARKING AREA LIGHTING

A. Shielding of Lights in Parking Areas
   The following standards apply to all multifamily developments and non-residential developments in Residential zone districts, and to all uses in all mixed-use and non-residential uses.
   1. Lighting fixtures for canopies or similar structures shall be flush-mounted or recessed above the lower edge of the canopy, and shall be equipped with flat lenses.
   2. Lighting fixtures on a lot adjacent to a Residential district or residential use shall shield the light source from sight from all adjacent residential uses.

B. Illuminance
   1. Maintained average illuminance values in parking areas shall be no less than two foot-candles. Illuminance shall be measured using only the light produced on-site.
   2. The acceptable uniformity ratio for lighted areas shall comply with recommended ranges adopted by the Illumination Engineering Society of North America (IESNA) for low, medium, and high activity areas.

C. Hours of Lighting
   1. All luminaires, except those required for security, shall be extinguished within one hour after the end of business closing and remain extinguished until one hour before business opening. A maximum of 25 percent of the total luminaires used for parking lot illumination may remain in operation during this period to provide security.
   2. Parking area lighting during off-business hours need not conform to the otherwise applicable average-to-minimum uniformity ratio in Section 146-4.9.3.B.

4.9.4. BUILDING LIGHTING

A. Location and Direction
   1. Building-mounted lights shall be installed so that all light is directed downward except for decorative lighting less than 100 watts fluorescent or the equivalent.
   2. No wall packs or similar lights shall be permitted unless the cutoff angle effectively eliminates glare from beyond the property lines.
   3. Lights shall not be mounted above the parapet or above the eave on a pitched roof except for motion-activated security lighting, and decorative lighting.
4. Lights shall not exceed 400 watts of incandescent illuminance or the equivalent.

B. Decorative Lighting

1. Decorative lighting is permitted to enhance the appearance of a building and/or landscaping provided that all light is cast against the building surface or downward onto a tree or other landscape feature.

2. Decorative lighting shall not exceed 100 watts of incandescent illuminance or the equivalent.

3. All decorative lighting shall be directed away from residential uses located within 300 feet of the façade on which the decorative lighting is mounted, and shall be shielded at all times to reduce light trespass upon adjacent residential uses. As an exception, patio string lighting may be mounted on a façade of a building facing and located within 300 feet of a residential use, provided that the lighting is turned off between 11:00 pm and 6:00 am.

4. Lighting for special events, emergencies, construction, or holidays shall be exempt from these decorative lighting standards provided that the lighting is discontinued within seven calendar days upon completion of the project or the holiday for which the lighting was provided.

4.10 SIGNS

This Section 146-4.10 applies to all signs erected in the City unless exempted or modified by another standard in this UDO, but excluding signs erected or required to be erected by the City or an entity of local, state, or federal government in the performance of its governmental functions.

4.10.1. PURPOSE AND INTENT

A. To protect the right to free speech by the display of protected message(s) on a sign, while balancing this right against public interests of preserving and protecting the public, health, safety and welfare within the City of Aurora;

B. To reduce hazards that may be caused or worsened by driver, bicyclist, and pedestrian distraction caused by signs, especially those projecting along public rights-of-way or near roadway intersections;

C. To promote the effectiveness of signs by preventing their over concentration, visual clutter, hazardous placement, deterioration, excessive size and number;

D. To preserve and enhance the aesthetic and environmental values of the community, as reflected in the Comprehensive Plan, while at the same time providing adequate channels of communication to the public;

E. To increase the economic value of commercial areas through use of quality design; and

F. To regulate signs in in a content-neutral manner in accordance with the City's policy and intent in a manner consistent with the U.S. and Colorado Constitutions, laws, and court decisions.
4.10.2. PROHIBITED SIGNS

A. Vehicle mounted signs that are not integrated into body of the vehicle, including mobile billboards;

B. Signs extending over or within the right-of-way, or within a protected sight triangle, unless otherwise authorized through a revocable right-of-way permit from the City;

C. Signs on utility poles, other than City-owned signs;

D. Roof signs or any signs placed on or above the roof line or parapet of a building;

E. Signs located on internally illuminated awnings; and

F. Signs that include, or message content that is communicated by, strobe or flashing lights.

4.10.3. EXISTING SIGNS

A. Generally
Existing signs that do not conform to the provisions of this Section 146-4.10 shall not be re-erected when removed from their supporting structure. They may be re-erected if the location and the sign are made to conform to the provisions of this Section 146-4.10 or any other ordinance or regulation.

B. Discontinued Business
Any existing sign that advertises a defunct business or an unavailable entity, product, or service is declared to be a nuisance and shall be removed by the owner, agent, or person having the control of the premises upon which such sign may be found as required by Section 146-4.11.1.E (Maintenance Requirements; Signs).

4.10.4. PERMITTED RESIDENTIAL SIGNS

Residential sign shall comply with the standards in Table 4.10-1:

<table>
<thead>
<tr>
<th>Sign Category</th>
<th>Sign Type</th>
<th>Maximum Number</th>
<th>Maximum Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily Dwelling structures containing 24 units or fewer</td>
<td>Wall or monument sign</td>
<td>1 wall sign or monument sign per street frontage</td>
<td>36 sf.</td>
</tr>
<tr>
<td>Multifamily Dwellings containing more than 24 units</td>
<td>Wall or monument sign</td>
<td>1 wall sign or monument sign per street frontage</td>
<td>96 sf.</td>
</tr>
</tbody>
</table>

4.10.5. PERMITTED COMMERCIAL, INSTITUTIONAL, MIXED-USE, AND INDUSTRIAL SIGNS

A. Applicability
These standards shall apply to all commercial, institutional, mixed-use, and industrial development unless otherwise specified in this UDO, Site Plan, Master Plan, Adjustment, or Variance.
B. Wall, Projecting, Blade, and Monument Signs

1. Number of Permitted Signs
   A total of five signs are permitted per use, with a total of 80 square feet minimum.

2. Total Sign Area Allowed
   a. Arterial Streets
      On arterial street frontages, two square feet of sign area for each linear foot of
      building frontage for the first 100 feet, then one-half square feet of sign area for each
      linear foot of building frontage thereafter as measured along the building frontage
      (the longest building frontage with a public entrance), up to the limit in Subsection c.
      below.
   b. All Other Streets
      On all other street frontages, one square feet of sign area for each linear foot of
      building frontage for the first 200 feet of building frontage; then one-half square feet
      of sign area for each linear foot of building frontage thereafter as measured along the
      building frontage (the longest building frontage with a public entrance), up to the limit
      in Subsection c below.
   c. Maximum Total Sign Area
      Maximum total sign area shall not exceed 600 square feet.
   d. Maximum Individual Sign Area
      No individual sign shall exceed 200 square feet.
   e. Additional Sign per Tenant or Business
      Each tenant or business is permitted one blade sign up to a maximum of six square
      feet. in addition to the signs listed in Subsections a. through d. above.

C. Monument Sign Standards
   Monument signage is considered as one of the five types of signs allowed and is included in
   the total allowable square footage as calculated above.

1. Location of Monument Signs
   a. Monument signs shall be located on the Site Plan showing size of sign face, setback,
      and sight triangle.
   b. If any monument sign is located in an easement, a revocable license must be
      obtained prior to permit issuance.
   c. No monument sign may be erected in a median.

2. Maximum Height
   The maximum height of monument signs shall be determined by the location as follows,
   measured from grade to top of sign:
   a. Along arterial streets: 12 feet
   b. Along all other streets: 8 feet

3. Total Sign Area Allowed
   The maximum size of a monument sign face is 100 square feet, unless otherwise noted
   in this Section 146-4.10.
4.10.6. Other Types of Signs

Signs of the types listed in Table 4.10-2 shall comply with the standards in that table.

**Table 4.10-2**

**Standards for Other Types of Signs**

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Description and Standard(s)</th>
<th>Size and Quantity</th>
<th>Permit Required?</th>
<th>Zone Districts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signs Erected by a Registered Neighborhood Group</td>
<td>At neighborhood entrances only on an arterial or collector street</td>
<td>96 sf. max. area; 6 ft. max. height; Max. 2 per entrance</td>
<td>Yes</td>
<td>Residential and mixed-use zone districts</td>
</tr>
<tr>
<td>Pillar or Column-Type Signs Erected by a Business improvement</td>
<td>On pillars or columns on arterial or collector streets</td>
<td>20 sf. max area; 6 ft. max. height</td>
<td>No</td>
<td>Mixed-use zone districts</td>
</tr>
</tbody>
</table>

D. Large Scale Retail Single-Tenant Use (over 50,000 sq. ft.)

1. Number of Permitted Signs
   a. May be extended from six to a total of eight signs through an Administrative Adjustment pursuant to Section 146-5-4.4.F.
   b. One monument sign per street frontage for those single retail uses that have more than 150 feet of street frontage, plus one additional monument sign is permitted provided that a separation of 150 feet is maintained between monument signs.

2. Total Sign Area Allowed
   Two square feet per linear feet of building frontage to maximum total sign area of 800 square feet.

3. Location of Monument Signs
   a. Minimum of four feet from back of sidewalk or 21 feet from flow line; and
   b. Shall not be placed within any applicable site triangle.

4. Motor Vehicle Dispensing Uses
   a. Choose either the primary linear frontage of the canopy or building for calculating the maximum sign area, but not both.
   b. Length of accessory car wash buildings may not be used to calculate sign area.

5. Donation Collection Bins
   Two kiosk mounted signs are permitted, limited to a maximum of six square feet each.

6. Small Recycling Centers
   One sign permitted, limited to a maximum of 20 square feet.

E. Wall and Monument Signs for Properties with Multiple Tenants, Businesses, or Users

1. In addition to signs permitted by Subsections B, C, and D above, properties with multiple tenants, businesses, or users are permitted one additional wall or monument sign for each public street or highway abutting the project. The additional sign may be located on the lot where the primary building in the project is located, or on any lot in a designated on a Master Plan covering multiple lots.

2. The maximum size of the additional sign shall not exceed 100 square feet per sign face, and the maximum height of the additional sign shall not exceed 14 feet.
4.10. Signs

### Table 4.10-2
Standards for Other Types of Signs

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Description and Standard(s)</th>
<th>Size and Quantity</th>
<th>Permit Required?</th>
<th>Zone Districts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>District or Business Association</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signs Erected by a Business Improvement District or Business Association</td>
<td>Only on an arterial or collector streets</td>
<td>96 sf. total area; 8 ft. max. height</td>
<td>Yes</td>
<td>Mixed-use zone districts</td>
</tr>
<tr>
<td>Bus Benches and Bus Shelter Advertising</td>
<td>Permitted on the City right-of-way pursuant to a bus bench or advertising bus shelter franchise agreement with City</td>
<td>As per agreement</td>
<td>Yes</td>
<td>All zone districts</td>
</tr>
<tr>
<td>Donation Collection Bin</td>
<td>See standards in Section 146-3.3.5.WW (Recycling Collection Facility)</td>
<td>Max. 2 kiosk mounted signs; 6 sf. each max. area</td>
<td>No</td>
<td>Mixed-use zone districts</td>
</tr>
<tr>
<td>Flags on Flag Poles</td>
<td>In no instance shall any part of a flag extend beyond the property line.</td>
<td>3 poles max.; Max. 240 sf. total area; 35 ft. max height</td>
<td>Required for any flag pole over 25 feet in height</td>
<td>Multifamily developments; and R-2, R-3, R-4, and mixed-use zone districts</td>
</tr>
<tr>
<td>Signs Adjacent to a Permitted Drive Up or Drive-Through Lane</td>
<td>Not calculated in business sign area</td>
<td>n/a</td>
<td>No</td>
<td>All zone districts where drive-up or drive-through facility is permitted or conditional use</td>
</tr>
<tr>
<td>Signs Located on a Motor Vehicle Fuel Dispensing Station Pump Island</td>
<td>Not calculated in business sign area</td>
<td>n/a</td>
<td>No</td>
<td>All zone districts where motor vehicle fuel dispensing station is a permitted or conditional use</td>
</tr>
<tr>
<td>Window</td>
<td>No flashing or blinking permitted. Calculated with all window signs (temporary and permanent) and includes &quot;open&quot; signs</td>
<td>General: 50% coverage per window pane max.; MU-OA-MS: 25% coverage per window pane max.; All: 200 sf. max. total area of all window signs</td>
<td>No</td>
<td>Mixed-use zone districts Refer to Sections 146-2.4.4.H.2.h</td>
</tr>
<tr>
<td>Incidental Site Signs</td>
<td>May not be directed to or designed to be legible from private or public streets</td>
<td>3 sf. max area per sign; General: 3 ft. max. height At corners where driving aisles meet or cross: 6 feet max. height</td>
<td>Yes</td>
<td>Mixed-use zone districts</td>
</tr>
<tr>
<td>Pennants, streamers, or similar decorative devices</td>
<td>30 consecutive days per year</td>
<td>n/a</td>
<td>Yes</td>
<td>All zone districts</td>
</tr>
</tbody>
</table>

### 4.10.7. ELECTRONIC MESSAGE BOARDS

A. An electronic message board is a form of on-premises sign.

B. An electronic message board is limited to use on monument signs only and shall be integrated into the overall sign face.

C. The area of the electronic message board signage shall not exceed 50 percent of the total sign area of the sign face.
D. The electronic message display must be programmed so it does not change more frequently than once every eight seconds, and the message change occurs instantaneously, without use of scrolling, flashing, fading, blinking, or other similar transitions. The board shall contain static messages only, changed only through dissolve or fade transitions, but that may otherwise not have movement, or the appearance or optical illusion of movement varying light intensity, of any part of the board, design or pictorial segment of the board. The change of message using dissolve or fade transition shall not exceed one second of time between each message displayed on the board.

E. The message display must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and varying daytime lighting conditions.

F. All existing electronic signs that contain an electronic changeable copy that does not comply with the provisions of the Section shall conform to the brightness of copy provisions and animation restrictions within 180 calendar days of the original adoption of the regulations recodified in this Section 146-4.10.

G. Within the areas designated as the Special Commercial Sign Overlay Districts, electronic message boards may be integrated into either a wall or monument sign, but is limited to 50 percent of the overall sign square footage.

4.10.8. SIGNS IN SPECIAL COMMERCIAL SIGN STANDARD AREAS

A. Purpose
The City Council determines that there are certain commercial areas in the city that warrant the designation as special commercial sign standard areas to permit a taller or larger ground sign because:
1. Such areas are characterized by intense commercial activity along major streets;
2. The uses to which such signs pertain have long street frontages;
3. Sign locations are buffered from residential areas;
4. The area is coterminous with other governmental jurisdictions that have less restrictive sign regulations; and/or
5. The signage otherwise permitted by this Section 146-4.10 would be obscured from visibility from public streets by light rail infrastructure.

B. Designation and Applicability
The City Council hereby designates special commercial sign standard areas along the frontage of the following streets for qualifying businesses having the requisite minimum frontage on such named streets:
1. Havana Street (South of Sixth Avenue);
2. Colfax Avenue (Outside of MU-OA-MS subdistrict and the MU-FB district);
3. Abilene Street; and
4. Parker Road.

C. Decision and Approval Criteria
The Planning Director shall approve the proposed sign, deny the sign, or approve the sign with conditions within 30 days after receipt of a complete application. The Director shall consider the following in making its determination:
4.10. Signs

Article 146-4 Development Standards

4.10.9. Creative Signs

1. Whether any negative offsite effects of the proposed sign are mitigated.
2. The extent to which the sign conforms to the associated design character of the development.

D. Appeal to or Call-up by City Council

1. An applicant may appeal the decision pursuant to Section 146-5.3.13 (Appeals), or City Council may call up the decision pursuant to Section 146-5.3.11 (Call-ups).
2. If the City Council denies the appeal or does not call up the decision pursuant to Section 146-5.3.11, the applicant may seek prompt judicial review of the denial pursuant to Rule 106 of the Colorado Rules of Civil Procedure.

E. Large, Integrated Development

The Planning Director may approve a sign that exceeds the height, area, or location limitations in this Section 146-4.10.8 if it finds such increase is appropriate because the sign relates to a large integrated development or development in an MU-R zone district.

F. Signs Allowed

The following sign standards apply to any property in a special commercial sign standard area:

1. Only monument style freestanding signs are permitted.
2. The maximum height of all monument signs in a special commercial sign standard area shall not exceed 20 feet above grade.
3. If the proposed use has a minimum single street frontage of 300 feet, then one ground sign shall be permitted in addition to the maximum number permitted elsewhere in this Section 146-4.10.
4. The maximum total sign area including the additional ground sign shall not exceed 800 square feet.

G. Installation and Design

1. The supports for such sign shall appear as an architectural and/or integral part of the sign.
2. The Planning Director is authorized to adopt design guidelines to be applied in the evaluation of each sign permitted in the commercial sign standard areas. Prior to their application, the design guidelines shall be reviewed and approved by the City Council.

4.10.9. CREATIVE SIGNS

A. Purpose

1. The creative sign program provides for property owners and businesses within the city to propose creatively designed signs. The intent of this process is:
   a. To encourage signs of high quality materials and workmanship;
   b. To encourage signs of unique design that exhibit a high degree of imagination, inventiveness; and
4.10. Signs

Article 146-4 Development Standards

4.10.10. District Specific Sign Regulations

c. To provide a process for the application of creatively designed signs that make a positive visual contribution to the overall image of the city, while mitigating the impacts of large or unusually designed signs.

2. Additionally, the creative sign program may provide for increased allowance to the maximum sign area permitted and to allow changeable copy in association with marquee signs.

**B. Procedures**

A creative sign program may be approved pursuant to Section 146-5.4.3.F (Creative Sign Program).

**4.10.10. DISTRICT SPECIFIC SIGN REGULATIONS**

**A. Signs in the MU-FB, MU-TOD, and MU-R Districts**

1. **Permitted Sign Types and Standards**

   Signs of the types listed in Table 4.10-3 shall comply with the standards in that table.

<table>
<thead>
<tr>
<th>Permitted Sign Types</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall sign</td>
<td>Each tenant or business is allowed 1 wall sign for each street and parking lot frontage. Wall signs shall be allowed up to 1 sf. per linear foot of building frontage with a maximum of 70 sf. of sign area. Individual tenants are allowed a minimum of 25 sf.</td>
</tr>
<tr>
<td>High wall sign (five stories or greater)</td>
<td>1 high wall sign is permitted on individual building(s) of 5 stories or greater in height. High wall signs shall be allowed up to 2 sf. per linear foot of building frontage with a maximum of 200 sf. in total sign area. The sign must be located in the area between the bottom of the top floor and the top of the parapet wall. Signs above the parapet wall will be considered roof signs.</td>
</tr>
<tr>
<td>Grand projecting sign</td>
<td>1 permitted per development on a building located on a corner lot with a street-facing open plaza. Grand projecting signs shall not be a multi-tenant development sign. Sign shall have a minimum clearance of 10 ft. above grade, and shall not project more than 5 ft. beyond the face of the building. A Grand Projection Sign shall be permitted upon an approved Site Plan review.</td>
</tr>
<tr>
<td>Canopy sign</td>
<td>Each tenant or business is allowed 1 canopy sign over a public entrance, each with a maximum sign area of 10 sf.</td>
</tr>
<tr>
<td>Awning sign</td>
<td>Each tenant or business is allowed a maximum of 3 sf. of sign area placed on the vertical flap of the fabric awning. Backlit or internally-lit awning signs are prohibited.</td>
</tr>
<tr>
<td>Pedestrian blade sign</td>
<td>Each tenant or business is allowed 1 blade sign per pedestrian entrance, with a maximum size of 6 sf. The sign must be placed within the occupied elevation leased and entirely between 9 and 12 feet above grade.</td>
</tr>
<tr>
<td>Monument sign</td>
<td>Only monument-style ground signs are permitted, with a maximum of 40 sf. per face for a total of 80 sf. for 2-sided signs with an 8 foot maximum height. Fabric, pole-mounted, and other types of permanent signs are prohibited.</td>
</tr>
<tr>
<td>Multi-tenant development wall sign and/or ground sign</td>
<td>Only wall and ground signs are permitted and must be integrated architecturally, with a maximum of 40 sf. per face for a total of 80 sf. for 2-sided signs. Fabric, pole-mounted, and other types of permanent signs are prohibited. More than 1 multi-tenant development sign is permitted for arterial street frontages in a development covered by a Master Plan provided they have a minimum separation of 150 feet.</td>
</tr>
<tr>
<td>Sidewalk sign</td>
<td>1 sidewalk sign may be placed in front of each tenant or business premises, provided they are located to maintain a clear 6 foot wide pathway for pedestrians. The maximum size for a sidewalk sign is 3 ft. by 4 ft. No permit is required for signs located on private property.</td>
</tr>
</tbody>
</table>
2. **Sign Design and Color Criteria**
   a. All monument style signs shall include a base constructed from the same primary materials as used on the main building;
   b. All letters and message content on a sign shall be individual 3-D, engraved, or projecting can type. Cabinet signs are prohibited; and
   c. All colors used on a sign background shall match the colors used on the main building. All colors and materials used on structures and frames containing the sign face shall match materials and colors used on the main building.

3. **Sign Illumination**
   If a sign is illuminated, all letters and message content on a sign shall be individually illuminated from an internal source, with the exception that wall signs are permitted to be illuminated entirely from downcast architectural lighting fixtures. A uniformly backlit sign face is not permitted on any sign.

B. **Signs in the MU-OA-MS and G Subdistricts**

1. **Applicability**
   These provisions apply to signs in the area bounded by 14th Avenue, 16th Avenue, Yosemite Street, and Oswego Street. Where the regulations of Section 146-2.4.4 (Mixed-Use -- Original Aurora District (MU-OA)) conflict with the requirements of this Section 146-4.10.10.B, the regulations in Section 146-2.4.4 shall govern.

2. **Sign Lettering**
   a. Except for projecting signs, all sign content shall consist of three-dimensional individual letters or message content of a material distinctive from the background to which it is attached.
   b. Cabinet type signs are prohibited.

3. **Sign Lighting**
   a. If a sign is to be internally illuminated, each sign letter shall be individually illuminated or "back-lit" from a shielded internal source.
   b. Signs with letters or message content applied to an internally lit sign face or translucent internally lit awning are prohibited.
   c. Neon of any color or neon accents is allowed.
   d. Wall, awning, and projecting signs with opaque style lettering may be externally illuminated from adjacent downcast architectural lighting fixtures.
   e. Canopy signs may be "up-lighted" or "halo-lighted" if the light source is not open to the sky or visible from the ground.
   f. LED (light emitting diode) lighting is prohibited for sign illumination.

4. **Permitted Sign Types and Standards**
   Signs in the MU-OA district shall comply with the standards in Table 4.10-4.
## Table 4.10-4
Sign Regulations in the MU-OA-MS and MU-OA-G Subdistrict

<table>
<thead>
<tr>
<th>Sign Types</th>
<th>Subdistrict</th>
<th>Standards</th>
<th>Size/Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall sign</td>
<td>MU-OA-MS</td>
<td>Individual channel letters or message content only. A wall or canopy sign, not both.</td>
<td>1 per tenant or business per building street frontage up to 30 sf. For properties that exceed 60 linear ft of building frontage: ½ sf per linear ft., up to 60 sf.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Individual channel letters or message content only.</td>
<td>Size and number per the general sign standards in this Section 146-4.10.</td>
</tr>
<tr>
<td>Alley wall sign</td>
<td>MU-OA-MS</td>
<td>1 alley wall sign is permitted up to a maximum of 10 sf.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Projecting sign</td>
<td>MU-OA-MS</td>
<td>Signs may be attached or suspended by a metal bracket or placed beneath a projecting canopy or arcade. A minimum ground clearance of 9 feet in height is required.</td>
<td>1 building-mounted projecting sign is allowed per tenant per each street/alley frontage, not to exceed 12 sf. per sign face.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Grand projecting</td>
<td>MU-OA-MS</td>
<td>A single grand projecting sign is allowed for buildings located at street corners, buildings facing an open public plaza, or buildings occupying at least 1/2 block. The projecting sign shall not extend more than 5 ft. above roof peak or parapet or more than 5 ft. beyond the face of its building. Such projecting sign shall maintain a minimum of 10 ft. clear distance from sidewalk to bottom of the sign. Canopy type signage at the base of the grand projecting sign is permitted. See Figure 4.10-1.</td>
<td>The canopy signage portion of the grand projecting sign shall not exceed 20 sf.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Prohibited</td>
<td>n/a</td>
</tr>
<tr>
<td>Monument sign</td>
<td>MU-OA-MS</td>
<td>Monument signs are not permitted without an administrative adjustment, which may only be granted if the proposed monument sign meets all the following design criteria: (a) There is sufficient plaza or other landscaped area outside of required rights-of-way on the applicant’s property to accommodate the sign; (b) The sign is designed with a solid base composed of brick or stone matching the materials on its associated building; and (c) The height of the sign does not exceed eight feet.</td>
<td>Per general sign standards.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Prohibited</td>
<td>n/a</td>
</tr>
<tr>
<td>Canopy sign</td>
<td>MU-OA-MS</td>
<td>A canopy or wall sign, not both. Backlighting illumination of canopies is prohibited.</td>
<td>Total area shall not exceed 25 sf.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>1 canopy sign is permitted in addition to the overall size and number permitted by this Section 146-4.10. Total area shall not exceed 25 sf.</td>
<td></td>
</tr>
<tr>
<td>Awning sign</td>
<td>MU-OA-MS</td>
<td>All awnings shall be constructed from an opaque fabric material. Backlighting of the awning is not permitted. Message content may not exceed 8 in. and may only be placed on the vertical front portion. Up to 3 sf. of message content may be placed on the slanted portion of the awning.</td>
<td>In addition to the overall number and size allowed by this Section 146-4.10.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Same as MU-OA-MS.</td>
<td></td>
</tr>
<tr>
<td>Sidewalk sign</td>
<td>MU-OA-MS</td>
<td>1 sidewalk sign may be placed in front of each tenant or business premises, provided it is located to maintain a clear 6 ft. wide pathway for pedestrians.</td>
<td>Sidewalk signs shall not exceed 3 ft. by 4 ft.</td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Prohibited</td>
<td>n/a</td>
</tr>
<tr>
<td>Banner</td>
<td>MU-OA-MS</td>
<td>Banners are permitted only if attached to street lights. Banners may remain in place for extended periods of time, but shall be kept in good repair and rotated on a seasonal basis or as appropriate for individual events.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Prohibited</td>
<td>n/a</td>
</tr>
<tr>
<td>Temporary banner</td>
<td>MU-OA-MS</td>
<td>Per general sign standards.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MU-OA-G</td>
<td>Per general sign standards.</td>
<td></td>
</tr>
</tbody>
</table>
C. Colfax Avenue Sign Preservation

1. Purpose

The purpose of this Section 146-4.10.10.C is to permit the preservation of signs that are illustrative of the city's history in the Post-World War II Era and that comply with the requirements provided in this Section 146-4.10.10.C. The term "Post-World War II Era" refers to a popular style of design from that time, also known as exaggerated modern. The style is characterized by the use of exaggerated geometry, streamlined curves, and fanciful literal elements and lighting, particularly in its use of shapes reminiscent of amoebas, stars, atoms, rockets, and flying saucers.

2. Display

a. Notwithstanding the provisions of this Section 146-4.10 to the contrary relating to height, area, and setback, the City Council hereby permits the continued display of signs it has designated based upon the finding that each sign complies with the following requirements:
   i. The sign is at least 25 years old.
   ii. The sign is of design representative of the Post-World War II Era.

b. A list of council-designated signs shall be kept on file in the office of the Planning Director.

3. Compliance

Signs designated by the City Council in this Section 146-4.10.10.C are granted exceptions to the provisions of this Section 146-4.10 regulating sign height, area, and setbacks. All other provisions, including permitted maximum number, shall apply. Nothing in this Section 146-4.10.10.C shall exempt any sign not designated in this Section 146-4.10.10.C from compliance with this UDO, including other signs on the same premises as a designated sign.

4. Termination of Exemption

a. The exemptions from the otherwise applicable sign code provisions granted in this Section shall cease if:
   i. The designated sign is not maintained in the same style;
   ii. The designated sign is not maintained in good condition;
   iii. The lighting, including neon signage, is inoperative; or
   iv. The sign becomes unsightly due to paint peeling.

b. The message content of these signs may be changed so long as all of the criteria and conditions of this Section are met.

5. Board of Adjustment and Appeals Review

The signs designated in this Section 146-4.10.10.C shall not be eligible for variances or exceptions granted by the Board of Adjustment and Appeals.

4.10.11. TEMPORARY SIGNS

A. Standards for Temporary Signs That Require a Permit

Signs of the types listed in Table 4.10-5 shall comply with the standards in that table.
**B. Standards for Temporary Signs That Do Not Require a Permit**

Signs of the types listed in Table 4.10-6 shall comply with the standards in that table.

**Table 4.10-5**

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Standards</th>
<th>Size/Quantity</th>
<th>Where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Additional Ground-Mounted Temporary Sign, On-Site</td>
<td>Must be located on a property for which at least 1 active building permit for construction of buildings for residential uses, as listed in Table 3.2-1, is in effect. Allowed for up to 12 consecutive calendar months.</td>
<td>Maximum 2 signs per development. Total sign area per sign shall not exceed 12 ft.</td>
<td>Subarea C</td>
</tr>
<tr>
<td>Additional Ground-Mounted Temporary Sign, Off-Site</td>
<td>Must be located within 2 miles, measured along the shortest public street right-of-way, of a property for which at least 1 active building permit for construction of buildings for residential uses, as listed in Table 3.2-1, is in effect. Allowed for up to 12 consecutive calendar months.</td>
<td>Maximum 8 signs per applicant. Each sign shall be a minimum of 600 ft. from another additional temporary off-site sign. Allowed in public right-of-way if at least 120 ft., from an intersection. Total sign area per sign shall not exceed 16 sf. or 32 sf. for a 2 sided sign. Sign height shall not exceed 12 ft.</td>
<td>Subarea C, with notification of abutting property owner</td>
</tr>
</tbody>
</table>

**Table 4.10-6**

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Application/Description</th>
<th>Time Limitation</th>
<th>Size/Quantity</th>
<th>Where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Temporary Event Sign</td>
<td>Any temporary event</td>
<td>Shall be removed within 7 days after the event</td>
<td>Max. 6 sf. per side, or 12 sf. for 2-sided sign, in area Max. 4 ft. in height Max. number of signs: 4</td>
<td>All districts</td>
</tr>
<tr>
<td>Small Additional Ground-Mounted Temporary Sign</td>
<td>Must be located on: A property for which at least 1 active building permit is in effect, or a property in which at least one premises recently constructed or improved pursuant to a building permit has not yet been occupied by a tenant or business</td>
<td>Sign may be erected between date the first building permit is approved and the date on which the last premises constructed or improved pursuant to that building permit is occupied by its first tenant or business.</td>
<td>For residential development in residential zone districts: Max. 6 sf. In area Max. 4. Ft. in height For other development: 1 sign allowed per street frontage of the main building. Max. 48 sf. in area. Max. 8 ft. in height</td>
<td>All districts</td>
</tr>
<tr>
<td>Temporary Fabric Sign, Wall</td>
<td>Any temporary event</td>
<td>Limited to 15 calendar days maximum, up to six times per year.</td>
<td>1 wall sign per business Max. 200 sf. combined area of temporary wall and ground fabric signs.</td>
<td>R-3, R-4, and mixed-use districts, except the MU-OA-MS subdistrict.</td>
</tr>
<tr>
<td>Temporary Fabric Sign, Ground-Mounted</td>
<td>Any temporary event</td>
<td>Limited to 15 calendar days maximum, up to four times per year.</td>
<td>General: 1 sign per business Single tenant or business property with over 150 feet of street frontage: 3 signs 100 sf. max area per sign 10 ft. max. height Max: 200 sf. combined area of temporary wall and ground fabric signs</td>
<td>R-3, R-4, and mixed-use districts, except the MU-OA-MS subdistrict.</td>
</tr>
<tr>
<td>Sidewalk Sign</td>
<td>Any temporary event</td>
<td>Limited to 15 calendar days maximum, up to four times per year.</td>
<td>Shall not exceed 3 ft. by 4 ft.</td>
<td>On private property in districts or areas where other UDO sidewalk sign standards do not apply</td>
</tr>
</tbody>
</table>
4.10.12. SIGN PROGRAMS FOR MULTI-TENANT DEVELOPMENTS

A. Intent
The purposes of a uniform sign program are to:
1. Achieve a reasonable degree of sign uniformity and coordination;
2. Enhance the visual quality of the area through compatibility of the signs in color, shape, and materials;
3. Provide clarity and legibility for visitors to the project; and
4. Meet or exceed sign design standards.

B. Applicability
A uniform sign program shall be required for shopping centers, or for multi-use or multi-building business, mixed-use, commercial, or industrial developments.

C. Large Scale Master Planned Communities
For those developments for which a Master Plan is required or approved, that exceed 90 acres in size, and that are located adjacent to a limited access roadway, one large scale sign is permitted. These signs shall not exceed 400 square feet per sign face, and shall not exceed 30 feet in height.

4.10.13. OFF-PREMISES SIGNS
Off-premises signs, including billboards, shall be permitted in the I-2 district, within 1,000 feet of a highway in commercial and industrial areas, providing they comply with the standards in this Section 146-4.10.13.

A. Signs Permitted
Ground Signs are permitted if they comply with the following standards:
1. One off-premises ground sign provided that not sign shall be less than 600 feet from another off-premises ground sign.
2. Maximum sign area shall not exceed 100 square feet per side for double-faced signs.
3. Maximum sign area shall not exceed 200 square feet for single-faced signs.
4. Maximum height shall not exceed 25 feet.
5. If abutting residential use or district, the sign shall not be illuminated between the hours of 11:00 p.m. and 6:00 a.m.

B. Authorization
Written permission from the property owner on which the sign is to be erected must accompany the original application and any renewal application.
C. Visibility
   No sign shall be allowed to be visible from any freeway, interstate highway, or residential zone districts.

D. Site Plan Exists
   Where a sign is to be located on a property that has an approved Site Plan, all tenants within the area covered by the Site Plan shall be notified of the application. The notice shall include the nature of the application and shall instruct the tenants to direct any comments on the application to the Planning Director.

E. No Site Plan Exists
   Where a sign is to be located on a property for which no Site Plan has been approved, a plan showing the property boundary, and the size, height, location, and orientation of the proposed sign shall be submitted to the Planning Director.

F. Application Required
   The plan shall be accompanied by an application for approval by the owner of the property.

G. Review
   The Planning Director shall review and shall approve the sign in accordance with the following criteria:
   1. The sign shall conform with all other applicable or potentially applicable requirements of this Section 146-4.10 and the Aurora City Code;
   2. The sign shall not obstruct the view of other signs or uses; and
   3. The sign shall not be located within the potential future location of streets, drives, or easements.

H. Approval Period
   Approval for signs under this Section 146-4.10.13 shall be for a period of five years, at which time application for renewal for an additional five-year period may be made.

I. Precedence
   Nothing in this Section 146-4.10.13 shall allow a sign to be within the location of any future streets, alleys, easements, fire lanes, access easements, or other requirements imposed during Site Plan review. Approval for a sign under this Section 146-4.10.13 may be terminated by the City upon submittal of a Site Plan to the City, if such termination is necessary to comply with the criteria for review set forth in this Section 146-4.10.13.

4.10.14. IDENTIFICATION AND MARKING
   Each sign erected or remodeled shall bear in a prominent position on the sign a clearly legible identification plate, stating the name of the person responsible for its construction and erection. Electrical signs shall be marked with input amperes at full load input.

4.10.15. STANDARDS, DESIGN QUALITY, AND MEASUREMENT
   A. Generally
      Signs may be erected, altered, and maintained only for those uses permitted in the zone district where the signs are located, and shall be located on the same lot as the permitted use unless otherwise permitted by this UDO.
B. Repairing
Painting, repainting, replacing damaged or broken parts, or cleaning of an advertising structure unless it is located within the MU-OA district, a structural change is made, or unless the sign is a nonconforming sign.

C. Message Substitution
1. A noncommercial message may be substituted for a commercial message on any sign permitted by this Section 146-4.10.
2. Changing of the message content of a sign shall not require a sign permit.

D. Standards
1. Setback
All signs on private property must be set back four feet from back of sidewalk and may not be placed in street medians, corner sight triangles (as required by the Aurora Roadway Design and Construction Specifications Manual) or within a parking space. In the absence of a sidewalk, such sign shall be located a minimum of 21 feet from the flowline of the street.

2. Revocable License
Signs shall not be located in the public right-of-way unless authorized by this UDO, or in the case of rights-of-way under the jurisdiction of the Colorado Department of Transportation (CDOT), then unless authorized by CDOT. Signs requiring permits to be installed in the public right-of-way or easement shall only be allowed upon execution of a revocable permit with the City.

3. Landscaping
Signs shall not be attached to or disturb landscape materials.

4. Building Permit
Permanent signs higher than seven feet in height shall require a building permit.

5. Sight Triangle
Private signs shall not be located within any sight triangle defined in the Aurora Roadway Design and Construction Specifications Manual.

6. Interior Signs
Signs located inside a building at least four feet away from any window through which the sign could be viewed from outside the building shall not be regulated by this Section 146-4.10.

7. Wall Signs
Wall signs are permitted to the maximum height of the wall structure. Signs on buildings with a flat roof are permitted to the top of the parapet wall. On structures with peaked roofs, wall signs shall not be installed above the height of the lowest point of the roof structure. Permitted wall signs may project into the public right-of-way to a maximum depth of 18 inches.

8. Animation
No sign shall flash, blink, rotate, or fluctuate.
E. Design Quality

1. Architectural and Visual Compatibility
   Sign type, scheme, size, and illumination within a development shall be coordinated and compatible with the site’s architectural character.

2. Sign Shape
   The silhouette of signs shall be simple and compatible with the building or facade they relate to.

3. Illumination
   Illumination shall be shielded so there is no glare in the public right-of-way and adjacent properties, and directed so light does not stray above the light source horizontally. All lighting elements shall be kept in working condition.

4. Materials
   Materials and textures of signs shall be consistent with the architectural character of the site and building. Supporting sign structures of monument signs shall match the primary finish and colors of the associated building(s). Sign materials not permitted include plywood, fabric/paper (except for temporary signs), wall siding, fencing, or roofing material, and plain concrete masonry units.

5. Placement
   Signs attached to buildings shall not overlap or cover features of the building such as cornices, eaves, window and doorframes, columns and other decorative elements.

6. Views
   Ground or freestanding signs shall not be placed where they obscure important architectural features such as entrances, display windows, or decorative elements when viewed from the public right-of-way.

F. Measurement

1. Area to Be Measured
   a. The structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign.
   b. Where a sign has two or more display faces, the area of all faces shall be included in determining the area of the sign.

2. Wall Signs
   a. In the MU-OA-MS and MU-OA-G subdistricts, channel letter signs shall be measured as shown in Figure 4.10-2.

   ![Figure 4.10-2: Channel Letters or Message Content Sign – MU-OA-MS and G Subdistricts](image-url)
4.11 Operating and Maintenance Standards

Article 146-4 Development Standards

4.11.1 Maintenance Requirements

A. General

1. All property in Aurora shall be maintained in a clean and safe condition and shall not create a public or private nuisance as determined by the Planning Director.

2. When the standards and procedures of this UDO or the conditions attached to any permit, approval, or variance require that any building or site feature be constructed or installed, the property owner is responsible for maintaining those building or site features.
in good repair, and for replacing them if they are damaged or destroyed or, in the case of living materials, if they become diseased or die after installation.

3. Where a development application includes streets, alleys, rights-of-way, access drives, sidewalks, utilities, or other forms of improvements that do not meet City standards for size, design, or construction, including but not limited to those standards in the Aurora Roadway Design and Construction Specification Manual, Aurora Parks and Open Space Dedication and Development Criteria Manual, Aurora Landscape Reference Manual, and FHAW/AASHTO roadside barrier requirements, the applicant or property may be required to sign a Development Agreement with the City, in a form acceptable to the City, agreeing that the property owner(s) or an entity under the control of the property owner(s) with adequate financial resources, as determined by the City, shall maintain any or all such improvements, utilities, or infrastructure that not dedicated to and accepted by the City for maintenance by the City.

B. Landscaping

1. General Standards
   a. Trees, shrubs, fences, walls and other landscaping materials required by this UDO or shown on approved Site Plans are required elements of the approved project, unless the Site Plan clearly indicates that they are to be removed or altered. The property owner is responsible for the continued existence and maintenance of those items.
   b. Infected, damaged, or diseased plant material shall be treated to remove the infection, damage, or disease, if such a treatment exists, and shall be removed and replaced if no such treatment exists.
   c. Trees required to be installed by this UDO that are lost to damage or disease within two years after installation shall be replaced by the property owner within six months at a ratio of one inch of Diameter at Breast Height (DBH) for each inch of DBH removed.
   d. Shrubbery or other plantings that die within 18 months of installation shall be replaced in kind within six months.
   e. In the Black Forest Area, appropriate measures shall be taken to protect trees from construction activities. If any of the trees required to be retained or replanted as part of the tree protection plan dies within a period of three years after completion of construction, the property owner shall replace the trees within six months of the issuance to the owner of a notice to replace.
   f. Branches of maturing street trees encroaching above a walkway, sidewalk, alley, and public right-of-way shall be pruned to a height of not less than eight feet. Pruning shall conform to forestry division standards.

2. Maintenance and Management of Landscaping
   All landscaping shall be maintained in a neat, clean, and healthy condition. Maintenance shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of dead plants, and irrigation of all live landscaping. All replacement plants shall conform to the City’s then-current landscaping standards unless a previously approved Site Plan is on file at the Planning Department, then replacement plants shall be installed according to the approved plan.
   a. Replacement of Dead Landscaping
      If any of the landscaping required to be retained or replanted as part of an approved landscaping or tree protection plan dies, the property owner shall replace the trees within six months of the issuance to the owner of a notice to replace.
b. Re-Vegetation
All areas disturbed during construction shall be re-vegetated. Permanent re-vegetation shall comply with requirements outlined below.

c. Re-establishment of Non-Irrigated Native, Dryland, and Restorative Grasses
All new development and changes to existing development proposing the seeding or re-seeding of non-irrigated areas with native grasses, dryland grasses, restorative grasses and/or forbs where they are intended to remain as the permanent condition on lands that will not be conveyed to the City shall submit a re-vegetation plan and comply with all requirements as provided for in Aurora Water Department’s Rules and Regulations Regarding Stormwater (Discharge) for Construction Activities.

d. Trees Overhanging Streets
Street trees shall be maintained no less than 13 and one-half feet above street level.

e. Landscape Improvements in the Public Right-Of-Way
The maintenance of all landscape improvements in the right-of-way is the responsibility of the adjacent lot owner unless specified elsewhere on the landscape plan.

C. Building Exterior
All primary and accessory building exteriors shall be maintained to comply with the following standards, and any necessary repairs, repainting, removals, or other actions needed to bring the property into compliance with these standards.

1. Exterior Walls
Every exterior wall shall be kept weatherproof, watertight, and kept free of deterioration, holes, breaks, loose or rotting boards, or timbers, except when under approved repairs or reconstruction.

2. Painting or Staining
When the finished surface of a building exhibits deterioration of its finished surface on any wall, that wall shall be painted or stained.

3. Architectural Projections
All shutters, cornices, moldings, lintels, sills, windows, and similar projections shall be kept in good repair and free from cracks and defects that make them hazardous or unsightly. Awnings designed to be covered with fabric or opaque materials shall be covered with those materials, so that bare frames are not visible.

4. Roof Surfaces
Roof surfaces shall have no defects that admit water. All roof drainage systems shall be secured and hung properly, and shall be maintained to avoid the blockage of rainwater.

5. Boarded Windows and Doors
Building windows and doors that have been boarded and secured shall be painted or stained to be compatible in color with the adjacent or surrounding walls.

D. Fences and Walls

1. Maintenance Responsibility along Arterials and Collectors
Except where a fence or wall is provided by the City or other governmental entity, the maintenance of all new fences and walls occurring in subdivisions of five or more residential lots along collector and arterial streets, as well as the landscaped setback
area between the sidewalk and fence or wall, shall be the responsibility of a homeowners' association composed of the owners of the residential subdivision lots. Where no homeowners' association exists, maintenance shall be the responsibility of the property owner on whose property the fence is placed.

2. **General Requirement to Maintain Fences**
   All fences and adjacent landscaping shall be maintained by their owners in good structural condition and in good repair at all times. This shall include general maintenance, painting and staining, and the replacement of any broken, warped, or missing portions of the fences with materials of equal or better quality and that are consistent in design, appearance and structural integrity. All fences shall be vertically aligned and structurally sound. Areas adjacent to fences and hedges shall be maintained in a clean and sanitary condition, free and clear of all rubbish and weeds. Angled or non-vertical fence post supports are not permitted.

3. **Maintenance and Repairs Not Requiring a Permit**
   a. Maintenance and repairs to fences that require a permit under Section 146-5.4.3.H (Fence Permit) may be carried out without meeting all the location, design, and material requirements of this UDO and without an additional fence permit if the work performed meets the definition of Fence Maintenance (and/or Fence Repair) in Article 146-6 and all other applicable standards in this UDO.
   b. Maintenance and repairs to those fences that require a fence permit under Section 146-5.4.3.H (Fence Permit) that does not meet the conditions of Section 146-4.11.1.D.3.a above shall require a fence permit and, at the discretion of the Planning Director, may be required to meet all or some of the standards listed in Section 146-4.7.9 (Fence and Wall Regulations).

E. **Signs**

The following standards apply to all signs, including those that do not require a sign permit and those that do not conform to the requirements of this UDO.

1. Every sign shall be maintained in good structural condition at all times. Fabric signs shall be maintained in a taut and unsoiled condition.

2. Any sign that becomes damaged, dilapidated, or dangerous shall be repaired or removed. If the paint on any sign has checked, peeled, or flaked to the extent that the sign cannot be read in whole or in part, the sign shall be repainted or removed.

3. Any sign that contains messages that have become obsolete because of the termination of the use or business or product advertised, or for some other reason, shall have such message removed within 60 calendar days after becoming obsolete. Upon failure to comply with such notice within the time specified in such order, the Planning Director is authorized to cause removal of such sign. Any expense related to the removal shall be paid by the owner of the premises upon which such sign is located. Designated historic signs are exempt from these requirements except as necessary to remove hazards to public safety.
F. **Landmarks and Structures in Historic Districts**
   All features of historic landmarks, historic districts, or Cultural Heritage Sites shall be maintained to prevent deterioration of all features, including features protected from alteration pursuant to the City Council’s exception from provisions of this UDO.

G. **Abandoned Construction**
   Any building or portion of a building that has been abandoned or upon which construction has ceased shall have a chain link security fence, no less than six feet high erected around the building, and at least one “no trespassing” sign attached to that fence, within 90 calendar days after receiving notice to do so from the City. 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 of the property.

H. **Stormwater Management System Maintenance**
   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.

I. **Parking Lots**
   All parking lots shall be kept free of litter and debris. Parking lots that use changes in paving materials or raised crosswalks or sidewalks for pedestrians shall keep such areas free from ice and snow so they are visible for users.

4.11.2. OPERATING STANDARDS

A. **Outdoor Display**
   Retailers of both new and used merchandise shall be permitted to display outdoors, provided the outdoor display meets the following standards.

   1. **General Requirements**
      a. Merchandise shall be displayed in a clean and orderly manner.
      b. Display of merchandise must be set back 10 feet from all side and rear property lines.
      c. No merchandise may be placed:
         i. On a public sidewalk
         ii. On the property or leased area of another owner or tenant without their permission;
         iii. On required landscaped areas;
         iv. Within three feet of either side of a working doorway;
         v. Within 10 feet directly in front of a working doorway; or
         vi. In a designated sight triangle or in any location that would impair a driver’s view of a street.
      d. Merchandise may be placed on a private sidewalk as long as a four-foot walkway clearance is maintained.
      e. Merchandise may be placed in a parking lot, provided that the merchandise is related to a permitted primary use on the property and the minimum number of required off-street parking spaces for primary uses on the property are maintained. Parking lot
sales by independent contractors who are not the owner or tenant of a permanent structure on the property are not permitted.

2. Outdoor Display of Used Merchandise
   Except for uses involving the outdoor display of vehicles, equipment or home building or landscaping materials, the size of the outdoor display area for used merchandise shall not exceed 10 percent of the total indoor gross floor area of the business conducting the sale, or 100 square feet, whichever is less, and no used merchandise shall be displayed or stored or otherwise left outdoors during non-operating hours of the business.

B. Outdoor Storage
   Outdoor storage of materials, equipment, and merchandise is permitted in the following cases, provided that the standards in this Section are met.

1. Vehicle or Equipment Sales, Rental, or Storage Businesses
   Outdoor storage areas for vehicles and equipment offered for sale or rental is permitted, provided the outdoor storage area is 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.

2. Outdoor Storage in Industrial Districts
   a. After the Effective Date, outdoor storage of equipment, materials, appliances, tires, abandoned or inoperable vehicle storage, and similar items are permitted only in the I-2 District.
   b. Railroad boxcars and trailers may not be used for storage or warehousing purposes.
   c. No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground. Tanks or drums of 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.

C. Glare, Heat, Smoke, Fumes, Radiation, and Odors
   Every use shall be operated so that it does not exceed an objectionable or dangerous degree of glare, heat, fumes, electromagnetic radiation, nuclear radiation, or odors beyond any boundary line of the site on which the use is located. Applicants shall provide all information necessary for the adequate review of potential impacts by the City, Tri-County Health Department, the Colorado Department of Public Health and Environment, the U.S. Environmental Protection Agency, and other agencies as appropriate.

D. Vibration
   Every use shall be operated so that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on any boundary line of the site on which the use is located.

E. Noise
   All activities shall comply with the maximum noise standards in this Subsection E unless another provision of this UDO or another City regulation applies a different standard. All sound measurements shall be made on a sound level meter that meets American National Standards Institute (ANSI) specifications S1.4-1974 or successor document for type I or type II equipment.
1. Prohibited Activities
   The following standards apply to all uses and development in the city, unless another Code or ordinance provides a different noise standard for a specific use or context, in which case the standard for the more specific use or context shall apply.
   a. Generating sound levels that exceed the limits established in the neighboring land zone category specified in Table 4.11-1 when measured at or within the property boundary of the neighboring land zone.
   b. Using, operating, or permitting the use or operation of any radio receiving set, loudspeaker, musical instrument, television, phonograph, tape player, or other machine or device for the production or reproduction of sound in such a manner as to violate the maximum permissible sound levels in Table 4.11-1, is prohibited.
   c. Using or operating any loudspeaker, public address system, or similar device between the hours of 10:00 p.m. and 7:00 a.m., in a manner that creates a noise disturbance to a residential real property boundary is prohibited, unless the activity is authorized by a temporary permit.
   d. Idling or permitting the idling of a motor or any stationary diesel fuel burning vehicle or motor vehicle of any kind for a period in excess of 15 minutes in any hour, within the city limits at any time is prohibited. This Section shall not apply to:
      i. Engines that must be operated in the idle mode for safety reasons, including but not limited to cranes and forklifts used in the construction industry; and
      ii. Uses where freight drivers sleep in their cabs, provided that the location of the idling is at least one-quarter mile from residential dwellings and from Residential zone district boundaries.
   e. Emitting periodic, impulsive, or shrill sounds that exceed five dBA less than the maximum permitted between 7:00 am and 9:00 in Table 4.11-1.

2. Maximum Permissible Sound Levels

<table>
<thead>
<tr>
<th>Adjacent Land Use [2]</th>
<th>Max decibels (dBA) 7am-9pm</th>
<th>Max decibels (dBA) 9pm-7am</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>Commercial or Mixed-Use</td>
<td>60</td>
<td>55</td>
</tr>
<tr>
<td>I-1 zone district</td>
<td>70</td>
<td>65</td>
</tr>
<tr>
<td>I-2 zone district</td>
<td>80</td>
<td>75</td>
</tr>
</tbody>
</table>

   Notes:
   [1] Construction work is subject to standards applicable to the I-2 district from 7 am to 5 pm, the standards applicable to the I-1 district from 5 pm to 9 pm, and the standards based on adjacent land uses between 9 pm and 7am. Operation of trash compactor trucks is subject to the standards applicable to the I-2 district at all times.
   [2] If there is more than one adjacent land use, the standard for the more restrictive applies

3. Exemptions
   The following uses and activities shall be exempt from sound level regulations:
   a. Sound made by safety signals, warning devices, and sound resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency;
   b. Sound emanating from activities permitted through the issuance of a special use permit, including parades and fireworks displays;
c. Sound emanating from City-sanctioned activities, including those at City parks and recreational facilities, or private activities at the facilities as authorized through a valid permit.

**F. Burning Restrictions**

1. **High Pollution Prohibition**
   a. No person may operate a solid fuel fired heating device during a high pollution day unless an exemption has been granted pursuant to Subsection 2 below. It shall be the duty of all persons owning or operating solid fuel fired devices to be aware of any declaration of a high pollution day by the Colorado Department of Public Health and Environment.
   b. At the time of the declaration of a high pollution day, the City Manager shall allow three hours for the burn down of existing fires in solid fuel burning devices prior to the initiation of enforcement.

2. **Exemption**
   a. A person who relies on a solid fuel fired heating device as his or her sole source of heat may apply to the City Manager for a temporary exemption from Subsection 1 above. An exemption obtained under this Section shall be effective for 12 months from the date it is granted.
   b. Burning in a Colorado Phase III certified device or in a solid fuel fired heating device shall be exempt from Subsection 1, provided the device meets standards established under state statute or Colorado Air Quality Control Commission regulations on the date the device is installed, as demonstrated by a test by a U.S. Environmental Protection Agency accredited laboratory and safety tested to Underwriters' Laboratories, Inc.

3. **Non-owner-occupied Dwelling Units**
   It shall be unlawful for a solid fuel fired heating device to be the sole source of heat in any non-owner-occupied dwelling unit. Any violation of Subsection 1 by the tenant of such a dwelling unit shall be considered a violation by the owner of the dwelling unit if a solid fuel fired heating device is the tenant's sole source of heat, and the owner (not the tenant) shall be liable for any penalty imposed.

**G. Hazardous Materials**

All uses and activities shall comply with all state statutes and regulations regarding the use, storage, handling, and transportation of flammable liquids, liquefied petroleum, gases, explosives, hazardous materials, hazardous wastes, toxic materials and solid wastes, as those terms are defined by applicable statutes, rules, regulations, or ordinances.

**H. Waste Materials**

1. No materials or wastes shall be deposited upon a zone lot in such form or manner that natural causes or forces may transfer them off the site.
2. All materials or wastes that may cause fumes or dust, or that constitute a fire hazard, or that may be edible by or otherwise attractive to rodents or insects shall only be stored outdoors in closed trash containers that are screened from adjacent property.
3. All biomedical wastes that are processed through ozonation treatment shall either be beneficially reused, recycled, or rendered safe for disposal in a municipal solid waste landfill or other approved disposal facility, or as otherwise permitted by state law.
Article 146-5  Zoning and Subdivision Procedures

This Article 146-5 describes all of the ways in which the City accepts and reviews applications and makes decisions on each type of zoning, subdivision, and land development regulated by this UDO. All applications for matters regulated by this UDO shall be filed, processed, and approved, approved with conditions, or denied as described in this UDO and any additional rules and procedures consistent with this UDO developed by the Planning Director.

5.1  REVIEW AND DECISION-MAKING BODIES

5.1.1. CITY COUNCIL

The City Council is the governing body of the City and has the following powers related to this UDO:

A. To approve the text of this UDO and amendments to the text of this UDO as described in Section 146-5.4.1.C;

B. To approve the Official Zoning Map and amendments to that map as described in Section 146-5.4.1.C.

C. To approve the designation of a historic district or landmark as described in Section 146-5.4.1.D.2.a or to remove the designation as a landmark, landmark site, or historic district as described in Section 146-5.4.1.D.2.b.

D. To approve annexations of land to the City, and disconnections of land from the City, as described in Section 146-5.4.1.B.

E. To approve the Comprehensive Plan and amendments to the Comprehensive Plan as described in Section 146-5.4.1.A.

F. To hear appeals from decisions of the Director, the Planning and Zoning Commission, or Historic Preservation Commission.

G. To call up decisions for review and decision by the Council as shown in Table 5.2-1 (Summary Table of Procedures) and pursuant to Section 146-5.3.11.

H. To hear applications to create an Improvement Reimbursement District and the assessment of public improvement costs to intervening undeveloped properties pursuant to Section 146-4.3.16.C.

5.1.2. PLANNING AND ZONING COMMISSION

A. Appointment, Terms, and Service

1. The Planning and Zoning Commission shall consist of seven members appointed by City Council.

2. All members shall be registered electors for at least one year immediately preceding their appointment.

3. No member shall hold any paid office or position in the city administration.
4. All members shall serve without compensation but shall be paid necessary expenses incurred in the discharge of their official duties and responsibilities, which expense monies shall be established by the City Council.

5. Each member shall be appointed for a term of three years, and may only serve three consecutive terms. However, if a member is appointed to fill a vacancy on the commission, that member may complete the term of the vacancy they were appointed to fill plus an additional three terms of three years each. Members who are term limited may reapply for a position on the Commission, but must wait one full term before reapplying.

6. Terms of office for members shall be staggered so that no more than three members are scheduled to expire in the same calendar year. If due to vacancies or other causes, more than three members’ terms will expire in the same calendar year, the City Clerk may take such action is necessary, including but not limited to extending the terms of members, as necessary to allow no more than three member’s terms to expire in a calendar year.

B. Powers and Duties

The Planning and Zoning Commission has the following powers and duties related to this UDO.

1. To make recommendations to City Council regarding the Comprehensive Plan and proposed amendments to that plan as described in Section 146-5.4.1.A.

2. To make recommendations to City Council regarding the text of this UDO and proposed amendments to the text of this UDO as described in Section 146-5.4.1.C;

3. To make recommendations to City Council regarding the Official Zoning Map and proposed amendments to that map as described in Section 146-5.4.1.C

4. To make decisions on all those types of applications indicated as a Planning and Zoning Commission decision in Table 5.2-1 (Summary Table of Procedures).

5. To make recommendations to City Council regarding a plan for capital improvements as provided in Section 9-5 of the City Charter.

6. To exercise any additional powers conferred by statute or Charter at the request of City Council.

5.1.3. BOARD OF ADJUSTMENT AND APPEALS

A. Appointments, Terms, and Service

1. The Board of Adjustment and Appeals shall consist of seven members appointed by City Council.

2. All members shall be registered electors for at least one year immediately preceding their appointment.

3. No member shall hold any paid office or position in the city administration.

4. All members shall serve without compensation but shall be paid necessary expenses incurred in the discharge of their official duties and responsibilities, which expense monies shall be established by the City Council.

5. Each member shall be appointed for a term of three years, and may only serve three consecutive terms. However, if a member is appointed to fill a vacancy on the commission, that member may complete the term of the vacancy they were appointed to fill plus an additional three terms of three years each. Members who are term limited may reapply for a position on the Commission, but must wait one full term before reapplying.

6. Terms of office for members shall be staggered so that no more than three members are scheduled to expire in the same calendar year. If due to vacancies or other causes,
more than three members' terms will expire in the same calendar year, the City Clerk may take such action is necessary, including but not limited to extending the terms of members, as necessary to allow no more than three member’s terms to expire in a calendar year.

B. Powers and Duties

1. The Board of Adjustment and Appeals has the following powers and duties.

   a. To make decisions regarding whether to grant a Hardship Variance from the requirements of this UDO as described in Section 146-5.4.4.A. A Hardship Variance is required when the requested deviation from the requirements of this UDO cannot be approved as a Single-family Dwelling Variance, an Administrative Adjustment, a Major Adjustment, or a Fair Housing Adjustment.

   b. To make decisions regarding whether to grant a Single-family Dwelling Variance from the requirements of this UDO as described in Section 146-5.4.4.B. A Single-family Dwelling Variance is required when the requested deviation from the requirements of this UDO affect only one existing single-family dwelling that has been issued a certificate of occupancy, and the requested deviation cannot be approved as an Administrative Adjustment or a Fair Housing Adjustment.

   c. To hear appeals of the Director’s decision on an Administrative Adjustment concerning a deviation from the requirements of this UDO for a single-family dwelling.

   d. To make decisions or requests for variances or appeals for matters arising from the enforcement of provisions of Article XV of Chapter 22, Chapter 90, and the City’s noise regulations.

   e. To compel persons to attend and to give relevant testimony, to compel the elicitation of evidence among evidence already produced, and to compel the production of relevant evidence by subpoena upon application by the appellant, by the administrative officer whose action is being appealed, either of whom shall be referred to in this Subsection 5 as a party, or by the City Attorney, who shall supply his or her own subpoena.

      i. Reasonable witness fees shall be paid to a nonparty by the party requesting attendance of the witness under subpoena upon timely demand by the witness.

      ii. All expenses involved in producing evidence shall be paid by the party requesting such evidence.

      iii. The chairperson or in his or her absence the vice-chairperson may administer oaths and accept affirmations.

      iv. Upon failure by a party or person to comply with such subpoena or to give relevant testimony while under or while not under subpoena or to produce relevant evidence, while under subpoena, the Board of Adjustment and Appeals may, in its discretion, render decision against the party or against the party on whose behalf the person so refusing was called.

   f. To exercise any additional powers conferred by statute or Charter at the request of City Council.

2. The Board of Adjustment and Appeals does not have the power or authority to authorize any variance that would allow a land use that is not listed as a permitted, conditional, accessory, or temporary use to be created in a district where it is not listed as such a use in Table 3.2-1, or to continue in operation longer than it would otherwise be permitted under the provisions of this UDO.
5.1.4. HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission is appointed by City Council and has the following powers related to this UDO.

A. To make recommendations to City Council regarding the text of Section 146-2.6.5 (Historic Protection Overlay (-HPO)) and amendments to the text of that Section.

B. To make recommendations to City Council regarding the designation of landmarks, landmark sites, and historic districts, and for the approval of adjustments to the provisions of this UDO related to those properties, as described in Section 146-5.4.1.D.2.a, and for removal from designation as a landmark, landmark site, or historic district as described in Section 146-5.4.1.D.2.b.

C. To make recommendations to the Planning Director on development applications for historic landmarks, landmark sites, or historic districts as described in Section 146-5.4.3.D.

5.1.5. PLANNING DIRECTOR

A. The Planning Director shall be responsible for the administration of this UDO, and is vested with the power necessary for such administration. The Director shall have the authority to interpret the provisions of this UDO, including the features shown on the zoning map, based on definitions in this UDO and other regulations adopted by the City, planning and engineering best practices, appropriate legal context, and commonly used definitions of the English language.

B. Without limiting the authority granted in Subsection A above, the Planning Director shall have the authority pursuant to Section 2-3 of the Aurora City Code to adopt rules and regulations governing project design, development, and review and approval procedures that are not inconsistent with this UDO.

C. The Planning Director shall have the authority to establish application submittal requirements and related data, study, and information requirements necessary for a complete application for each type of permit or approval described in this Article 146-5, and to waive listed application submittal requirements if the Director determines that a proposed development will create no citywide or neighborhood impacts that relate to those listed submittal requirements.

D. The Planning Director may refer a decision to the Planning and Zoning Commission pursuant to Section 146-5.3.10 (Referral to Planning and Zoning Commission).

E. In addition, the Planning Director shall have the authority to make each of those decisions shown as a decision of the Director in Table 5.2-1 (Summary Table of Procedures).

5.1.6. FLOODPLAIN ADMINISTRATOR

The duties and authority of the Floodplain Administrator are described in Article 70 of the Aurora City Code.
## 5.2 SUMMARY TABLE OF PROCEDURES

<table>
<thead>
<tr>
<th>Article 146-5 Zoning and Subdivision Procedures</th>
<th>5.1.6. Floodplain Administrator</th>
</tr>
</thead>
</table>

### Table 5.2-1: Summary Table of Procedures

- **Sec 146-**: Notice Required
- **Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council**
- **Review, Decision, and Appeal Authority**
- **Call-up**
- **Public Hearing Required**

#### Plan, Ordinance, and Map Changes
- **Comprehensive Plan Adoption or Amendment**
  - Sec 5.4.1.A: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

#### Subdivision of Land
- **Major Subdivision**
  - Sec 5.4.2.A.2.a: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Minor Subdivision**
  - Sec 5.4.2.B.2: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

#### Development Applications
- **Conditional Use**
  - Sec 5.4.3.A: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Major Site Plan, Subareas A and B**
  - Sec 5.4.3.B.2: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Major Site Plan, Subarea C**
  - Sec 5.4.3.B.2: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Minor Site Plan or Redevelopment Plan**
  - Sec 5.4.3.B.3: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Floodplain Development Permit**
  - Sec 5.4.3.C: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Historic Landmark/District Development Application**
  - Sec 5.4.3.D: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Temporary Use Permit**
  - Sec 5.4.3.E: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Creative Sign Program**
  - Sec 5.4.3.F: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Sign Permit**
  - Sec 5.4.3.G: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Fence Permit**
  - Sec 5.4.3.H: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council

- **Administrative Activity Center Designation**
  - Sec 5.4.3.I: Notice Required
  - Meeting Required
  - Review, Decision, and Appeal Authority
  - Published Mailed Posted City Website First Review Neighborhood Director Adjustment and Appeals Historic Preservation Planning and Zoning Commission City Council
5.3 COMMON PROCEDURES

5.3.1. FIRST REVIEW NEIGHBORHOOD MEETING

A. The purpose of the First Review Neighborhood Meeting is to allow residents, businesses and organizations in the area surrounding a proposed development project an early opportunity to learn about the proposed land uses, size, height, and layout of the project, and to give potential applicants an opportunity to hear the residents’, business’ and organizations’ comments and concerns about the potential development after the first review comments have been received.

B. When an application under this UDO is received, notice shall be sent by mail or electronically to those registered neighborhood groups that have boundaries within one mile of the proposed project site and to property owners abutting the proposed project site. The notice shall include a project description and a conceptual sketch. City staff shall provide a template for the project description and conceptual sketch.

C. A First Review Neighborhood Meeting is required for those types of applications indicated in Table 146-5.2-1, if:

1. A registered neighborhood group requests a meeting; or
2. The City has received significant comments regarding as determined by the Planning Director; or

<table>
<thead>
<tr>
<th>Table 5.2-1: Summary Table of Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sec 146-</strong></td>
</tr>
<tr>
<td>Commercial Mineral Designation</td>
</tr>
<tr>
<td>Flexibility and Relief</td>
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<td>Hardship Variance</td>
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<tr>
<td>Single-Family Dwelling Variance</td>
</tr>
<tr>
<td>Historic Landmark/District Adjustments</td>
</tr>
<tr>
<td>Major Adjustments</td>
</tr>
</tbody>
</table>

Notes:
[1] Mailed notice pursuant to Section 146-5.3.7.A is required for Redevelopment Plans, but not for other Minor Site Plans.
[2] Decision is made by City Manager’s Office and City Clerk.
[4] An appeal of an Administrative Adjustment related to matter an existing single-family dwelling shall be heard by the Board of Adjustment and Appeals, and thereafter may only be appealed to the courts. An appeal from other types of Administrative Adjustment shall be heard by the Planning and Zoning Commission and may thereafter be heard by City Council.
3. The Planning Director determines that the application raises potential controversy or potential unanticipated impacts on the surrounding area.

D. When a First Review Neighborhood Meeting is required pursuant to Subsection C above:
   1. The meeting shall be scheduled at least 14 days after the date on which the City sends notice that the application has been received; and
   2. Only one meeting is required to be conducted, unless the Planning Director requires one or more additional meetings; but
   3. The applicant may conduct additional meetings beyond those required by the City, at the applicant’s option.

E. At any required First Review Neighborhood Meeting, the applicant shall present information about the general land uses proposed to be included in the application, the proposed size, height, and location of any structures to be constructed, and concept-level information about the proposed site including multimodal connectivity, traffic flow, site layout, and building design. Detailed engineering is not required. The material presented shall be adequate to describe the proposed project features listed above without the need for the applicant to have retained project design architects, engineers, or consultants before the meeting is conducted.

F. For any required First Review Neighborhood Meeting, the applicant shall submit proof of notification mailing; a summary of the meeting, including the date, time, and place of the meeting; a list of meeting attendees; any drawings, illustrations, or written information about the project presented at the meeting; topics discussed at the meeting, any areas of neighborhood concern, and any changes to the application to be made by the applicant in response to neighborhood concerns. Any meeting attendee, or any registered neighborhood organization whose boundaries include the proposed project site may also submit a summary of the meeting, and that summary shall be included in any Department, Planning and Zoning Commission, or City Council review of the application.

G. If a First Review Neighborhood Meeting is required, and subsequent application submittals show that the proposed development is larger, taller, contains significantly reduced multimodal connectivity, or contains significantly different land uses than those presented at the neighborhood meeting, the Planning Director may require that an additional neighborhood meeting be held before the application is reviewed.

5.3.2. WHO CAN FILE AN APPLICATION

Unless otherwise expressly stated in this UDO:

A. An application for any type of application listed in Section 146-5.4 (Specific Procedures) other than those listed in Subsections B, C, D, E, or F below may be filed by:
   1. The property owner (if one owner);
   2. Petition of all the owners of the property (if multiple owners);
   3. Such property owners’ authorized agents;
   4. The City Council; or
   5. An entity with the authority to exercise the power of eminent domain; provided, however, that the approval of the subdivision plat shall not be effective until the entity has acquired an interest in the real property that is the subject of the application.

B. An application for designation of a historic district, historic site, or historic landmark, or for removal of designation as a historic district, historic site, or historic landmark (See Section
146-5.3.3. APPLICATION MATERIALS

A. An application for each type of development application or approval included in this Article 146-5 shall be filed with the Department within 180 calendar days after any pre-application technical meeting and/or First Review Neighborhood Meeting has been held.

B. Each application shall include all forms and information required by the City for that type of application as indicated below:
   1. Required application materials are available at the Planning Department or on the City’s website, as those lists may be updated by the Planning Department from time to time.
   2. If an application requires more than one type of development application or approval listed in this Article 146-5, a single application addressing all required permits and approvals shall be filed, except that a building permit or a certificate of occupancy may not be combined with another type of application under this Article 146-5.
   3. If the proposal is for a project to be developed in phases the application shall be for all permits and approvals required for that phase of the project.

C. Each development application for any development that benefits from a Special District organized pursuant to and in accordance with Title 32, Article 1, or Title 31, Article 25, C.R.S, and chapter 122 of the Aurora City Code shall include a public art plan. The public art plan shall provide for the acquisition of exterior works of art in compliance with the rules and regulations promulgated by the director of library, recreation, and cultural services. Nothing in this Subsection shall apply to any development located within a Title 32 Special District, where the district is obligated by virtue of the district service plan or an intergovernmental agreement with the City to provide for public art.

5.3.4. PAYMENT OF FEES

A. Payment of Application Fees
   1. Each applicant shall pay the application fee for that type of application(s) established by the City Council.
   2. Each fee shall be based on the estimated City time required to review and process the application, as well as any costs of required public notification required for that type of application. For large, complex, or unusual applications, or where this UDO authorizes the Planning Department to retain outside assistance to review an application, the Planning Director may require that the filing fee accompanied by a signed agreement by the applicant to pay additional fees in the amount of those additional costs.
3. The City Manager may waive all or a portion of an application fee when the City Manager determines that such waiver will promote the public interest or will promote the public health, safety, and welfare of the city.

4. No fee shall be required for an application filed by the Planning Director, the Planning and Zoning Commission, or City Council.

B. Payment of Other Fees

1. Each applicant shall pay all other fees for that type of application(s) established by the City Council.

2. When a change of building or property use results in a new use that would be subject to payment of such fees if the project were a new development project, the Planning Director may impose such fees on the change of building or property use to the extent needed to offset the impact of that change of use on City or public facilities or services.

5.3.5. APPLICATION COMPLETENESS

A. On receiving a development application, the Planning Director shall determine whether the application is complete. A complete application is one that contains all information and materials required by Planning Department and this UDO, by other City requirements, or to confirm compliance with previously approved development conditions for the property, for submittal of the particular development application, has sufficient detail and readability to evaluate the application for compliance with applicable review standards of this UDO, and is accompanied by the fee established for the particular development application.

B. On determining that the development application is incomplete, the Planning Director shall notify the applicant of the submittal deficiencies within 10 calendar days of receiving the application. The applicant may correct the deficiencies and resubmit the application for a determination of completeness until the Director determines the application is complete. No development application shall be reviewed for compliance with this UDO or scheduled for a public hearing by any review or advisory body until it is determined to be complete.

C. On determining that the application is complete, the Planning Director shall accept the application for review in accordance with the procedures and standards of this UDO.

5.3.6. SIMULTANEOUS REVIEW AND APPROVAL

Where a proposed development requires more than one of the types of development approvals or permits required by this UDO, all of the applications can be processed simultaneously, but none of the required permits or approvals shall be considered final until the last of the related permits or approvals has been approved.

5.3.7. NOTICE

Printed, published, mailed, and website notice for different types of development applications submitted under this UDO shall be required as shown in Table 5.2-1 (Summary Table of Procedures), and shall comply with the standards below.

A. Written Notice

1. Notice of the time, date, and place of any public hearing before the Planning and Zoning Commission or City Council shall be mailed to the individuals and organizations listed in Subsection 3 below at least 10 calendar days prior to the public hearing.
2. Notice of the receipt of an application for a Redevelopment Plan shall be mailed to the individuals and organizations listed in Subsection 3 below within 10 days after receipt of the application.

3. The individuals and organizations to be mailed notice when required by Subsections 1 or 2 above include:
   a. The owner of the property affected;
   b. All owners of property abutting the property that is the subject of the application; and
   c. Each registered neighborhood group whose boundaries include or are located within one mile of the property affected.

B. Published Notice

Notice of the time, date, and place of the public hearing on a development application before the Planning and Zoning Commission or City Council shall be published in a newspaper of general circulation within the city at least 10 calendar days prior to such hearing.

C. Posted Notice

Development applications requiring a public hearing shall be posted at a point clearly visible from a public right-of-way for at least 10 calendar days prior to the public hearing before the Planning and Zoning Commission and the City Council. The posted notices shall be of a number, size, and location as prescribed by the Planning Director and shall indicate the type of development applications proposed, the date, time, and place of the hearing. Posted notices may be furnished by the City. Posted notice signs shall be removed seven calendar days after the public hearing was held.

D. Notices for Creation of a Vested Right

Notices required for creation of a vested right are listed in Section 146-5.3.16 (Vested Rights), and are in addition to any other notices required under this UDO.

E. Notices for Reimbursement for Extension of Public Improvements

For a hearing under Section 146-4.3.16 (Responsibility for Improvement Costs), the required notice shall include:

1. The date, time, and location of the hearing;
2. A description of the public improvement or improvements and their proposed cost;
3. The share of the costs to be assessed each intervening parcel of land,
4. A statement that, at the time the intervening parcel of land abutting such improvement or improvements is developed and access thereto is accomplished, the City shall impose and collect an assessment per foot of property frontage from the owner of such parcel;
5. A statement that any objection may be made in writing prior to the date of the hearing and will be determined by the City Council at the hearing before final action is taken regarding the creation of the district and the assessment of public improvement costs to intervening undeveloped properties; and
6. A statement that the complete application submitted by the subdivider and all supporting documentation are on file and can be seen and examined by any interested person at the office of the City Clerk, or other designated place, at any time prior to the hearing.

F. Notice for Vacation of a Subdivision Plat or Established Street

1. Written notice of the filing of a plat vacation application shall be mailed to all property owners within the subject subdivision and all property owners whose property abuts the
subject subdivision at least 10 calendar days before a Planning Director decision on the application. Ownership information shall be obtained from the county assessor's office.

2. Written notice of the filing of an application to vacate an established street shall be mailed to all property owners whose property abuts the subject right-of-way at least 10 calendar days before City Council action on the application. Ownership information shall be obtained from the county assessor's office.

5.3.8. PUBLIC HEARINGS

A. Planning and Zoning Commission
The Planning and Zoning Commission shall conduct a public hearing on all development applications that are required to come before it. The Commission shall apply the criteria for review and approval as stated in this UDO when considering an application. At the conclusion of a public hearing, the Commission shall approve the application as presented, approve with conditions, deny the application, or make a recommendation to City Council, or may defer the matter at the request of the applicant. The Commission may postpone action on an item for one meeting on its own initiative to allow for the receipt of additional information. The Commission's decision becomes effective after the second City Council meeting following the notice of the Commission's decision on the application.

B. Board of Adjustment and Appeals
The Board of Adjustment and Appeals shall conduct a public hearing on all development applications that are required to come before it. The Commission shall apply the criteria for review and approval as stated in this UDO when considering an application. At the conclusion of a public hearing, or within a reasonable time thereafter, the Commission shall approve the application as presented, approve with conditions, or deny the application. The decision of the Board is final and effective immediately unless an appeal to District Court is filed. The decision may not be appealed to City Council.

C. City Council
The City Council shall conduct a public hearing on those types of applications where Table 5.2-1 indicates that a public hearing will be held. In addition, City Council shall hear appeals of decisions pursuant to Section 146-5.3.13 for those types of applications where Table 5.2-1 identifies City Council as the appeal body. At the conclusion of the hearing, the City Council shall approve the application, approve with conditions, or deny the application. The City Council may defer its decision to obtain additional information, or it may remand the application to the department or body that made an earlier decision on the application for further consideration.

5.3.9. CRITERIA FOR REVIEW AND DECISION

A. Where this UDO does not list additional or more specific criteria for the review and approval of applications, the application may be approved if the decision-maker determines that the application complies with all applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, the Comprehensive Plan, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

B. Where Section 146-5.4 of this UDO lists specific criteria for the approval of an application, the decision-maker identified in Table 146-5.2-1 may only approve the application if it finds that those criteria have been met.

C. In addition to any criteria listed for approval listed in Section 146-5.4 of this UDO, any permit or approval under this UDO may denied to an applicant who:
1. Has not complied with all relevant statutory, charter, and ordinance requirements.
2. Has failed to pay all fees, charges, taxes, special assessments, and other debts or obligations that are due from the applicant and payable to the City regarding any matter.
3. Is not in compliance with representations made at public hearing or conditions regarding previous City approvals that have been granted to the applicant for any matter.

D. The City is authorized to consider the past performance of the applicant in complying with City laws, regulations, and approvals. The Planning and Zoning Commission may deny, or recommend denial, of an application based on past performance of the applicant, and City Council may deny an application based on past performance of the applicant. Examples of past performance that may justify conditioning or denials of applications include but are not limited to:

1. Evidence of false or misleading statements in application materials or public hearings;
2. Evidence of bad faith in interactions with the public, property owners, stakeholders, or City staff or appointed or elected officials;
3. Evidence of failure to construct projects previously approved by the City in accordance with the terms and conditions of approval;
4. Noncompliance with all relevant statutory, charter, and ordinance requirements; or
5. Failure to pay all fees, charges, taxes, special assessments, and other debts or obligations that are due from the applicant and payable to the city regarding any matter.

E. The Planning Director and other administrative officials of the City are authorized to withhold permits and approvals under this UDO and to withhold building permits on any project when the Director has determined that the applicant or developer is in violation of any requirement, condition, or representations made at a public hearing relating to a previous development.

F. The Director of Public Works is authorized to withhold building permits on any project when the Planning Director has determined that the applicant or developer thereof is in violation of any requirement, condition, or representations made at a public hearing relating to a previous development. The Director of Public Works shall not release building permits until the Planning Director is satisfied that the applicant has provided sufficient safeguards to assure compliance with City requirements within a reasonable time after the City approval.

5.3.10. REFERRAL TO PLANNING AND ZONING COMMISSION

If Table 146-5.2-1 (Summary Table of Procedures) authorizes the Planning Director to make a decision, and the Director determines that the application is unusually complex or raises potentially unique or serious impacts on the City or the surrounding neighborhoods, the Director may, in his or her discretion, refer the decision to the Planning and Zoning Commission for decision pursuant to the same criteria that the Director would have been required to apply to that decision.

5.3.11. CALL-UPS

If Table 146-5.2-1 (Summary Table of Procedures) authorizes an individual or body other than the City Council or the Board of Adjustment and Appeals to make a decision, then any member of the City Council may move to have City Council call up the development application for consideration.

A. If the motion passes with a majority vote of all members of City Council, the application shall be brought before the City Council as soon as practicable following the date on which the decision was made for review and consideration in accordance with the criteria provided in this UDO.
B. The City Council shall have the authority to approve, approve with conditions, modify, or reverse the decision of the Planning Director, Planning and Zoning Commission, Board or Adjustment and Appeals, or Historic Preservation Commission or remand the application back to the Commission with direction for further consideration.

C. If the motion does not pass or the decision is not called-up, the decision made by the individual or body listed in Table 5-2-1 is final.

5.3.12. CONDITIONS ON APPROVAL

A. If Table 5.2-1 (Summary Table of Procedures) authorizes the Planning Director to make a decision on an application, the Director may impose conditions necessary to bring the application into compliance with the requirements of this UDO or other adopted City regulations.

B. If Table 5.2-1 (Summary Table of Procedures) authorizes the Planning and Zoning Commission, Historic Preservation Commission, or City Council to make a decision on an application, the decision-maker may impose conditions on the approval necessary to bring the application into compliance with the requirements of this UDO, other adopted City regulations, or the specific review criteria for that type of application, provided that:

1. All conditions shall be reasonably related to the anticipated impacts of the proposed development or land use and to the purposes of this UDO; and

2. Where mitigation of the impacts of a proposed plan or development requires an applicant to dedicate land or pay money to a public entity in an amount that is not calculated according to a formula applicable to a broad class of applicants, any condition imposed shall include an individualized determination and shall be roughly proportional both in nature and extent to the anticipated impacts of the proposed development, as shown through an individualized determination of impacts.

C. If Table 5.2-1 (Summary Table of Procedures) authorizes the Board of Adjustment and Appeals to make a decision on an application, the Board of Adjustment and Appeals may impose conditions necessary to address the specific review criteria for that type of decision, provided that:

1. All conditions shall be reasonably related to the anticipated impacts of the proposed development or land use and to the purposes of this UDO; and

2. Where mitigation of the impacts of a proposed plan or development requires an applicant to dedicate land or pay money to a public entity in an amount that is not calculated according to a formula applicable to a broad class of applicants, any condition imposed shall include an individualized determination and shall be roughly proportional both in nature and extent to the anticipated impacts of the proposed development, as shown through an individualized determination of impacts.

D. Any conditions shall be listed in or attached to the approval document, and violation of any approved condition shall be a violation of this UDO.

5.3.13. APPEALS

A. Appeals to City Council

1. Unless otherwise specified by this UDO, any administratively approved development application, interpretation, or decision of the Planning Director concerning the administration of this UDO, or any decision of the Planning and Zoning Commission or the Historic Preservation Commission may be appealed to City Council. Appeals may be submitted by an affected applicant or by the owner of a property that is adjacent to the
property that was the subject of the application. The notice of appeal must be filed with the City Manager within 10 calendar days after the decision, and shall specifically state the Section or the City regulation that has not been applied correctly.

2. If an appeal is filed under Subsection 1 above, the City Council shall schedule a public hearing according to the procedures described in Section 146-5.3.8 (Public Hearings). The City Council shall review the appeal based on the standards and criteria in this UDO and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of this UDO.

3. In the case of an appeal of a decision on a sign permit, the City Council shall decide the appeal within 30 calendar days after receiving the appeal, or as soon thereafter as reasonably possible.

B. Appeals to Board of Adjustment and Appeals

1. A decision of the Planning Director on an Administrative Adjustment concerning an existing single-family dwelling that has received a certificate of occupancy and/or the lot on which it is located may be appealed to the Board of Adjustment and Appeals.

2. A decision by the Planning Director or other administrative official of the City under Chapter 90 may be appealed to the Board of Adjustment and Appeals.

3. The Board of Adjustment and Appeals hereby delegates any authority it may have to hear appeals of a decision by an administrative official of the City regarding the issuance, denial, or conditions on a building permit to the Board of Appeals referenced in Section 22-3 of the City Code. If the Board of Appeals referenced in Section 22-3 ever ceases to exist and is not replaced by another body to hear appeals of decisions regarding building permits, the Board of Adjustment and Appeals may hear such appeals.

4. The Board shall schedule a public hearing according to the procedures described in Section 146-5.3.8. The Board shall review the appeal based on the standards in Section 146-5.4.4.B.3 and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of this UDO.

5. The filing of an application under Subsection B.1 or B.2 above shall stay the action of the administrative official appealed from until the Board of Adjustment and Appeals renders its first decision, except that the action of the administrative official shall not be stayed in cases of imminent hazard to life, limb or public safety or health as provided elsewhere in this UDO.

6. The Board’s decision under Subsection 4 above may not be appealed to City Council, but may be appealed to a court of competent jurisdiction.

5.3.14. LAPSING OF APPROvals

A. Running With the Land

Unless otherwise stated for a specific type of permit, approval, or decision under this UDO, or unless otherwise stated on the permit or approval document, permits and approvals issued under this UDO run with the land and are not affected by changes in ownership or the form of ownership of the property.

B. Period of Validity

Each permit or approval approved or approved with conditions under this UDO and not vested for a different period pursuant to Section 146-5.3.16 (Vested Rights) shall be valid for the periods of time shown in Table 5.3-1 below, and shall become of no force or effect after that period unless extended pursuant to Section 146-5.3.14.C (Extensions of Period of Validity).
Table 5.3-1
Permit and Approval Lapsing Table

<table>
<thead>
<tr>
<th>Type of Approval</th>
<th>Period of Validity</th>
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<tbody>
<tr>
<td><strong>Plan, Ordinance, and Map Changes</strong></td>
<td></td>
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<tr>
<td>Comprehensive Plan Adoption or Amendments</td>
<td>Do not lapse</td>
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<tr>
<td>Annexation and Disconnection</td>
<td></td>
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<tr>
<td>Ordinance Text Amendments</td>
<td></td>
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<tr>
<td>Zoning Map Amendments</td>
<td></td>
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<tr>
<td>Historic Landmark/District Designations or Loss of Designation</td>
<td></td>
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<tr>
<td>Master Plan</td>
<td></td>
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<tr>
<td><strong>Subdivision of Land</strong></td>
<td></td>
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<tr>
<td>Subdivision Preliminary Plat with outstanding conditions</td>
<td>1 year</td>
</tr>
<tr>
<td>Subdivision Preliminary Plat with no outstanding conditions</td>
<td>3 years, unless final plat for part of the preliminary plat area is filed within that time</td>
</tr>
<tr>
<td>Subdivision Final Plat (unrecorded)</td>
<td>1 year</td>
</tr>
<tr>
<td>Vacation of Plat without Established Streets</td>
<td>Does not lapse</td>
</tr>
<tr>
<td>Vacation of Established Street</td>
<td>Does not lapse</td>
</tr>
<tr>
<td><strong>Development Applications</strong></td>
<td></td>
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<tr>
<td>Conditional Use</td>
<td>Conditional use in existing structure: 1 year from date of approval, unless a certificate of occupancy is issued within that time Conditional use in new building: 3 years from date of approval, unless a certificate of occupancy is issued within that time</td>
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<tr>
<td>Major Site Plan</td>
<td>5 years, unless a building permit for the primary building is issued within that time</td>
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<tr>
<td>Minor Site Plan</td>
<td></td>
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<tr>
<td>Floodplain Development Permit</td>
<td></td>
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<tr>
<td>Historic Landmark/District Development Application</td>
<td>1 year, unless development consistent with the approval is begun within that time</td>
</tr>
<tr>
<td>Temporary Use Permit</td>
<td>As stated in approved permit</td>
</tr>
<tr>
<td>Creative Sign Program</td>
<td>1 year, unless at least one sign consistent with the approval is begun within that time</td>
</tr>
<tr>
<td>Sign Permit or Fence Permit</td>
<td>1 year, unless development consistent with the approval is begun within that time</td>
</tr>
<tr>
<td>Administrative Activity Center</td>
<td></td>
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<tr>
<td>Designation</td>
<td>Do not lapse</td>
</tr>
<tr>
<td>Commercial Mineral Designation</td>
<td></td>
</tr>
<tr>
<td><strong>Flexibility and Relief</strong></td>
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<tr>
<td>Hardship Variance</td>
<td>1 year, unless development consistent with the approval is begun within that time</td>
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<tr>
<td>Single-family Dwelling Variance</td>
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<td>Historic Landmark/District Adjustments</td>
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<td>Major Adjustments</td>
<td></td>
</tr>
<tr>
<td>Administrative Adjustment</td>
<td>Do not lapse</td>
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<tr>
<td>Federal Fair Housing Adjustment</td>
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</table>

Note: One or more of the approvals listed above may result in the creation of a vested right pursuant to Section 146-5.3.16. Lapsing and extension of a vested right are addressed in Section 146-5.3.16.

C. Extensions of Period of Validity

1. For each permit or approval for which Table 5.3-1 (Permit and Approval Lapsing Table) shows a lapsing period, except for those for which the Board of Adjustment and Appeals is the deciding body, the Planning Director may approve one extension of validity for a time not to exceed one year for that permit or approval for good cause shown, provided that the applicant or property owner files with the Planning Director a written request for the time extension before the expiration of the original permit or approval. Following such one year extension, the Planning and Zoning Commission may approve one additional
extension of validity for a time not to exceed two years for good case shown, provided that the applicant or property owner files with the Planning Director a written request for time extension before the expiration of the initial extension granted by the Director. The Planning and Zoning Commission may condition the approval of an extension upon the applicant's compliance with the standards in this UDO or in other adopted City regulations in effect at the time of extension request, unless the application of those standards is prevented by a valid Vested Right approved by the City pursuant to Section 146-5.3.16.

2. For each permit or approval for which Table 5.3-1 (Permit and Approval Lapsing Table) shows a lapsing period and for which the Board of Adjustment and Appeals is the deciding body, any extension of the period of validity requires a separate action by the Board of Adjustment and Appeals.

5.3.15. AMENDMENTS OF EXISTING APPROVALS

After the City has approved a permit or approval pursuant to this Article 146-5, the permit or approval may be amended as described in this Section 146-5.3.15. An application for an amendment to a permit or approval requests a change that complies with the terms of this UDO without a deviation from any Use-specific standard (See Section 146-3.2) or Development Standard (See Article 146-4) applicable to the development. If the applicant is requesting approval of a deviation from the standards of Section 146-3.2 or Article 146-4 applicable to the proposed development, an application under Section 146-5.4.4 (Flexibility and Relief Procedures) will be required.

A. Minor Amendments

Minor amendments to a permit or approval issued under this UDO may be approved by the Planning Director provided that the Director determines that the following criteria have been met.

1. The amendment does not approve any land use that was not authorized by the permit or approval or that was not already permitted by right on the property;

2. The amendment does not decrease the total amount of common outdoor area in the development, and does not reduce the size of any common outdoor area adjacent to abutting property containing residential dwelling units.

3. The amendment does not increase the maximum number of residential dwelling units in the development or the gross square footage of non-residential uses in the development.

4. The amendment does not reduce any building setback adjacent to development containing residential uses by any amount, and does not reduce any building setback adjacent to development containing only non-residential uses by more than 10 percent (cumulative of any earlier amendments);

5. The amendment does not change any other development standard by more than 15 percent in Subarea A and 10 percent in Subareas B and C (cumulative of any earlier amendments).

6. The amendment does not adjust any development standard where this UDO expressly prohibits adjustment of such standard.

7. The amendment does not increase the amount of traffic generated by the development that received access to the Site Plan property from local streets, and does not increase or decrease the number of through streets, sidewalks, trails, trail connections passing through the Site Plan or connecting to or designed to connect to abutting properties.

8. The amendment does not result in substantial variation of any building design standard applicable to any building in the development, unless the Planning Director determines that alternative building design elements included in the amendment improve the
5.3.16. Vested Rights

B. Major Amendments

All amendments to permits or approvals that do not qualify as Minor Amendments under Section 5.3.15.A above may only be approved by the City official, Board, Commission or City Council that issued the permit or approval, following the same procedure (including the payment of a new application fee, new process of staff referral, and any required public notice or public hearing) used to issue the original permit or approval.

5.3.16. VESTED RIGHTS

A. Eligibility for a Vested Right

A vested property right shall be deemed established with respect to any property upon the approval or conditional approval of a site-specific development plan. However, applicants must request vesting in writing at the time of site-specific development plan application. A vested property right shall attach to and run with the applicable property. It shall confer upon the landowner the right to undertake and complete the development and use of the property under the terms and conditions of the site-specific development plan. Site-specific development plans include the following application types:

1. Minor Site Plan;
2. Major Site Plan; and
3. Final plat.

B. Approval of Vested Rights

1. The Planning and Zoning Commission or City Council may approve vesting of a site-specific development plan upon such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Such approval or conditional approval shall result in a vested property right, although failure to abide by such terms and conditions shall result in a forfeiture of vested property rights. Zoning shall not result in the creation of vested property rights.

2. If a development application for a site-specific development plan does not require a public hearing by the Planning and Zoning Commission or City Council, the Planning
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Director may approve vesting or a site-specific development plan after a public meeting upon such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Such approval or conditional approval shall result in a vested property right, although failure to abide by such terms and conditions shall result in a forfeiture of vested property rights. The vested property right shall be deemed established with respect to the property upon the Director’s approval following notice and an administrative public hearing conducted by the Director. Notice of such hearing shall be published one time at least 10 calendar days prior to the hearing.

C. Notice

Not later than 14 calendar days following approval of a site-specific development plan, a notice advising the public of such approval and creation of a vested property right shall be published in the newspaper designated for published notices required by 5.3.8.C. Such notice shall include the name of the plan, address of the project, and date of approval by the Planning Director, Planning and Zoning Commission, or City Council.

D. Termination of Vested Rights

1. A property right that has been vested as provided in this Section 146-5.3.16 shall remain vested for a period of five years. If no building permit is issued within five years, the site-specific development plan shall be terminated. The affected landowner may request an extension of the site-specific development plan for up to five years, for a total of 10 years from the date of approval. Such an extension, if granted, shall not create a vested property right. The procedure for an extension is provided below.

2. The affected landowner may request in writing an extension of a site-specific development plan at least 30 calendar before the termination date. Upon receipt of the request, the provisions of Section 146-5.3.14.C (Extensions of Period of Validity) shall apply. An extension of a site-specific development plan shall not automatically extend the vested right associated with that plan. The procedure for extending a vested right is provided in Subsection 3 below.

3. The Planning Director may grant an extension to a vested right if the Director determines that:
   a. There is no conflict with this UDO, or that any conflict will be corrected by an amendment to the plan, which shall be presented with the request for extension.
   b. The applicant has demonstrated that the Site Plan continues to be compatible with adjacent properties and the surrounding area, or that compatibility may be established by an amendment to the plan, which shall be presented with the request for extension.
   c. The applicant has demonstrated that the Site Plan is consistent with the Comprehensive Plan. The applicant has demonstrated the Site Plan is consistent with the regulations, plans, and policies adopted by City Council since the Site Plan was approved.

E. Subsequent Reviews and Approvals

Following approval or conditional approval of a site-specific development plan, nothing in this Section 146-5.3.16 shall exempt such a plan or plat from subsequent reviews and approvals. These reviews and approvals include but are not limited to construction drawings, drainage plans, building permit, and certificate of occupancy to ensure compliance with the terms and conditions of the original approval. Such reviews and approvals shall not be inconsistent with the original approval.
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F. Amendments
A minor amendment to the site-specific development plan for which a vested right has been obtained shall not re-start the five year period of the vested right; the vesting period shall be measured from the date the original vested right became effective. A major amendment to the site specific development for which a vested right has been obtained shall re-start the five year vesting period as of the date the major amendment is approved.

G. General Ordinances and Regulations
The establishment of a vested property right shall not preclude the application of ordinances or regulations that are general in nature and are applicable to all property. Such ordinances and regulations include but are not limited to building, fire, plumbing, electrical, mechanical codes, and other health and safety codes.

H. Public Improvements
The vested property rights provided in this Section 146-5.3.16 shall in no way diminish or alter the requirement for public improvements applicable to subdivisions of land approved under this UDO or requirements for public improvements in other provisions of this UDO.

I. Other Establishment of Vested Rights
Absent a site-specific development plan, a vested right to develop shall be established when an applicant has taken substantial steps in reliance on a lawfully issued building permit, to the extent such permit authorizes construction.

5.3.17 CAPITAL IMPACT FEES

A. In addition to other fees required by this UDO, applicants for development and redevelopment containing residential land uses are required to pay a capital impact fee in an amount established by the City Council.

B. The City Council action establishing the residential capital impact fee may include provision for the periodic adjustments of those fees based on specified inflation adjustment factors without further action of City Council.

C. The City finance director is authorized to establish the amount of the residential capital impact fee annually, based on the base fee amounts and inflation factors most recently approved by City Council.

D. The amount of the residential capital impact fee and any period adjustments for inflation are available in the Planning Department or on the City’s website.

E. The City Manager is authorized to adopt rules and regulations regarding the administration and application of the fees established by this Section 146-5.3.17.

5.3.18 COMPLETION OF IMPROVEMENTS

Before any building shall receive a certificate of occupancy, the owner, developer, or authorized agent(s) shall have completed any improvements required by the approved Site Plan and subdivision plat, subject, however, to weather conditions, governmental restrictions, strikes, or other causes beyond reasonable control. In such occurrences, the owner or developer shall have substantially completed the necessary portion of improvements to provide all-weather access to buildings and all other improvements. This shall include but not be limited to completion of storm drains, paving of driveways and parking areas, landscaping, and screening necessary to protect the health, safety, and welfare of any users of the property. All improvements shall be completed if necessary to guarantee the safety of the site’s users. Following the authorized delays listed
above, the owner, developer, or authorized agent(s) shall complete all required improvements as soon as reasonably possible. If required improvements are not completed within any stated time listed in a written notice by the City to complete all required improvements, the City may refuse to issue additional permits or approvals until such completion, and may use any other powers granted in Section 146-5.6.2 (Enforcement) to require such completion.

5.3.19. DEVELOPMENT IMPROVEMENT GUARANTEES

Where this UDO requires that public improvements be constructed and installed, the City may require development improvement guarantees as described in this Section 146-5.3.19.

A. Improvements Required Before Certificates of Occupancy

1. No certificate of occupancy shall be issued until one of the following has occurred:
   a. All public improvements are in place as approved by the City Engineer on the civil engineering construction plans or as required by an approved phasing plan, to be determined by the City Engineer;
   b. A deferral has been issued by the City; pursuant to Section 146-5.3.19.B. below; or
   c. The City has received an approved method of security for noncritical public improvements.

B. Deferrals

1. Criteria
   A written deferral relating to a property owner's duty to construct public improvements may be granted by the Director of Public Works. To grant a deferral, the Director of Public Works must determine that installation of public improvements would:
   a. Create a safety, drainage, traffic or other hazard or be impractical;
   b. Be impractical at the time of issuance of the certificate of occupancy because of the physical characteristics of the land; or
   c. Be more efficiently constructed at the time of development of adjacent parcels.

2. Limitations
   All deferrals shall run with the land and shall not be effective until recorded by the City with the county clerk and recorder. The granting of a deferral shall not impair the City's authority to place public improvements through an improvement district or any other method authorized by law. The party receiving a deferral shall sign an agreement with the City stating that the party shall commence construction of the public improvements, or deposit with the City financial security for the installation of the required public improvements, within six months of the time written notice is provided by the City via certified mail or such other period of time as shall be established.

C. Method of Security

The City shall be authorized to require financial security for the purpose of assuring that all public improvements are installed in accordance with the approved civil engineering construction plan. Financial security shall be provided in the form of a cash bond in an amount as set forth in Section 146-5.3.19.D, including all costs of engineering, legal services, advertisement and collection. Cash bonds may be in the form of a cashier's check, bank draft, certified check, or bank money order. A certificate of deposit is not an accepted form of a cash bond. Cash bonds shall be deposited into the City treasury.
D. Amount of Security
The amount of security required to be posted under Section 146-5.3.19.C shall equal two times the estimated cost of the public improvements, as calculated by the City Engineer.

E. Forfeiture of Security
1. If a property owner fails to properly install all required public improvements within the time-frame established by the City, the City shall give 10 days' written notice to the property owner by certified mail, after which time the City may draw on the security and use the funds to complete the required public improvements.
2. After completing the required public improvements, the City shall provide a complete accounting of expenditures to the property owner and refund all unused security deposited, without interest, to the property owner.

F. Other Available Remedies
In addition to forfeiture of security, the City shall be authorized to use those remedies and enforcement powers of Section 146-5.6 (Enforcement and Penalties) if a property owner fails to install required public improvements.

5.4 SPECIFIC PROCEDURES
This Section 146-5.4 lists the different types of development applications that may be required to develop or redevelop land in the City, as well as the procedural steps, decision-makers, and approval criteria for each type of application. These provisions supplement – but do not replace – the Common Procedures described in Section 146-5.3 above. On any topic not addressed in this Section 146-5.4, the provisions of Section 146-5.3 will continue to apply; and if there is a conflict between the provisions of this Section 146-5.4 and those of Section 146-5.3 as they relate to a specific type of application, the provisions of this Section 146-5.4 shall apply.

5.4.1. PLAN, ORDINANCE, AND MAP CHANGES
This category of applications includes those for initial zoning, rezoning, changes to this UDO, or plan amendments.

A. Comprehensive Plan Adoption or Amendment
City Council shall adopt a Comprehensive Plan for the orderly development and redevelopment of the city. The Comprehensive Plan shall serve to guide the City Council and the Planning and Zoning Commission in their decisions and recommendations in all land use and land development applications. All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.A.

1. Applicability
This Section 146-5.4.1.A applies to the adoption of, and all amendments to, the Comprehensive Plan. The provisions of Section 146-5.3.15 (Amendments of Existing Approvals) shall not apply to amendments to the Comprehensive Plan.
2. Procedure
   a. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
   b. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a recommendation to City Council regarding the application pursuant to all applicable provisions of Section 146-5.3. The Planning and Zoning Commission shall make all recommendations for amendments to the Comprehensive Plan by not less than a two-thirds vote of the entire membership of the Commission.
   c. The City Council shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3. City Council may approve amendments to the Comprehensive Plan by an ordinance approved by a vote of not less than two-thirds of the entire membership of City Council.

3. Criteria for Approval
   A Comprehensive Plan, or an amendment to the Comprehensive Plan, shall be recommended for approval, and shall be approved, only if it promotes the long term economic, social, and environmental health of the City and protects the public health, safety, and welfare of the citizens of Aurora.

B. Annexation and Disconnection
   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.B.

1. Applicability
   This Section 146-5.4.1.B applies to all petitions to annex new land into the city, or to disconnect lands previously annexed to the city.

2. Annexation Procedure
   a. Annexation of land into the city shall comply with the procedures and other provisions of Colorado state statutes and approved Three-Mile Plan.
   b. Annexation of land into the city shall be consistent with the City’s annexation procedures manual.
   c. The final annexation plat shall be provided and shall conform with applicable state statutes. It shall include all information required by the City to evaluate potential impacts of the annexation and whether annexation would promote the public health, safety, and welfare of the citizens of the City.

3. Annexation Policies
   Annexation of land into the City is a legislative act of City Council, during which City Council shall consider the following policies.

   a. Facilities and Amenities
      The City Council finds and determines that certain public facilities and amenities are necessary and must be constructed as a part of any territory annexed to the city so that the public needs may be served by such facilities. These facilities include, but not by way of limitation, major and minor arterial streets, bridges, public parks and
recreation areas, school sites, fire and police station-sites, and storm drainage facilities.

b. **Cost of Public Facilities**
   The City Council further finds and determines that the annexation of lands to the city shall be shown not to create any additional cost or burden on the then-existing residents of the city to provide such public facilities in any newly annexed area. No annexation shall be accepted until the City Council, upon the recommendation of the City Manager, determines that the current requirements for such public facilities in the area proposed to be annexed have been fulfilled and that the future requirements for such public facilities can be fulfilled. The annexor shall provide such building schedules, development information, and other data that the City Manager determines to be necessary to establish whether the application meets the requirements of this Subsection b.

c. **School Districts**
   Any annexor shall also show that he or she has negotiated with the appropriate school district for dedication of land or cash-in-lieu of land as may be agreed upon between the parties.

d. **Fiscal Impact Analysis**
   In its consideration of any proposed annexation, City staff shall provide to the City Council an analysis of the fiscal impact of the proposed annexation. The City Council may request additional information or analysis from the annexor. The cost of such additional information and analysis shall be borne solely by the annexor. A fiscal impact analysis shall be valid for one year and may not be used to meet the requirements of this Subsection 3.d for any lands outside the physical boundaries included in the fiscal impact analysis.

4. **Disconnection Procedure**
   a. The procedure for disconnection described in this Section 146-5.4.1.B is the sole and exclusive procedure for seeking disconnection from the city. It is the intent of the City Council of the City of Aurora to exercise the Home Rule powers granted to certain municipal corporations by Section 6 of Article XX of the Colorado Constitution, to supersede all provisions in C.R.S., Title 31, relating to disconnection.
   b. Within 90 calendar days of receipt of an application by the City Clerk, the City Council shall give due consideration to an application for disconnection based on those factors listed in Subsection 5 below.
   c. If the City Council finds and determines that the disconnection of such tract will not prejudice the best interests of the city, considering the criteria herein, it shall adopt an ordinance effecting such disconnection.
   d. Land disconnected shall not be exempt from the payment of any taxes lawfully assessed against it for the purpose of paying an indebtedness lawfully contracted by the City Council while the land was within the limits of the city and that remains unpaid, and for the payment of which the land could be lawfully taxed.
   e. The City Council may by a disconnection agreement establish terms and conditions for granting a disconnection, which terms shall survive the disconnection of the tract of land.
   f. An ordinance for disconnection shall be effective as established by the Home Rule Charter. A copy shall be recorded with the county clerk and recorder of the county in which such tract is situated.
5. Disconnection Considerations
Before making a decision on an application for disconnection, the City Council shall consider the following:

a. Whether the tract is situated such that its disconnection would impair extension of roads, utilities, or other infrastructure to other tracts of land located within the city;
b. Whether the tract of land is contiguous to the exterior boundary of the city. Contiguity with unincorporated areas embraced within the limits of the city or enclaves shall not constitute contiguity with the exterior boundary of the city;
c. Whether the tract of land is situated such that its disconnection would impair or preclude future annexations identified in the Comprehensive Plan;
d. Whether the retention of the tract of land within the city would impose a cost for services and infrastructure significantly in excess of the benefit of such tract of land remaining in the city;
e. Whether the disconnection of the property would permit development in a manner that would negatively impact the city or abutting tracts of land that are located within the city;
f. Whether the City is reimbursed for public funds expended on the parcel for infrastructure or other costs;
g. Whether the water rights associated with the land have been received by the City and incorporated into the City’s water supply plans;
h. Whether the tract of land is obligated contractually or otherwise expected to participate in the development of a Master Plan or regional infrastructure; and

i. Such other matters the City Council finds relevant to the application.

C. Ordinance Text or Zoning Map Amendments
All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.C.

1. Applicability
This Section 146-5.4.1.C applies to:

a. All applications for initial zoning of property into a base zone district(s), and to initial zoning into an overlay district, if any, at the time property is annexed to the city; and
b. All applications for changes of zoning from one base zone district(s) to a different base zone district(s) following initial zoning into a base zone district; and

c. All applications to include property in, or exclude property from, an overlay district(s), or to change the overlay district(s) that apply to a property; and

d. All applications to change the text of this Unified Development Ordinance.
2. Procedure
   
a. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).

b. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a recommendation to City Council regarding the application pursuant to all applicable provisions of Section 146-5.3.

c. The City Council shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

3. Criteria for Approval
   
a. Initial Zoning and Changes to Zoning Map for Individual Parcels or Small Areas
   An application for initial zoning, rezoning, and changes to the Zoning Map for individual parcels or small areas shall only be recommended if the Planning Director and the Planning and Zoning Commission finds 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 change to the Zoning Map is needed to correct an error (change in the character of surrounding areas does not constitute an error in the map); or

   ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

      a. The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district(s);

      b. The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the proposed initial zoning or rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

      c. The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.

b. Ordinance Text Amendments and Legislative Rezoning of Large Areas
   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.
ii. Non-substantive updates to the text of the Ordinance, including but not limited to updates of hyperlinks or other references to online information related to this UDO, may be approved by the Planning Director and do not require review or approval by the Planning and Zoning Commission or City Council.

c. Approval of Map and Text for a PD Zone District
In addition to meeting the criteria for zoning map and UDO text amendments in Subsection a above, an application for approval of rezoning to a PD zone district 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 the following criteria have been met.

i. The proposed PD is required because of changed conditions or circumstances on the property or in the surrounding area: and

a. The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the Comprehensive Plan and with other policies and plans adopted by the City Council; and

b. The applicant has demonstrated that the proposed initial zoning or rezoning is compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and

ii. Any portion of PD zone district to be occupied by single-family detached or single-family attached dwellings shall be divided into blocks with a dimension of no larger than 330 feet by 660 feet with each such block divided from other blocks by local, collector, or arterial streets or freeways; and

iii. Any portion of the PD zone district to be occupied by multifamily, mixed-use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by Section 146-4.5 (Access and Connectivity) if the project were not being developed in a PD zone district; and

iv. When scored against the criteria in Table 4.8-2 (Scoring System for Architectural Features), each single-family detached and single-family attached structure in the PD zone district shall achieve a higher score than would be required if the project were not being developed in a PD zone district; and

v. Each multifamily, mixed-use, or industrial primary structure in the PD zone district shall provide a greater level of design quality than would be required by Section 146-4.8 (Building Design Standards) if the project were not being developed in a PD zone district; and

vi. The PD includes private common spaces that include recreational or community amenities, public art, and/or outdoor gathering spaces for the project residents, occupants and users that exceed those that would be required if the project were not being developed in a PD zone district;

vii. Any lands designed for public park and school sites in the PD zone districts meet the criteria for location of those types of lands in Sections 146-4.3.17 (Parks and Open Space) and 146-4.3.18 (School, Park, and Other Lands for Public Facilities) and any required park and open space lands are designed to connect with similar lands developed or designated on property adjacent to the proposed PD zone district to the maximum extent practicable.

D. Historic Designation or Loss of Designation
The City Council may designate landmarks, landmark sites, and historical districts in the city to accomplish the purposes of this Section. All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.D.
1. Applicability

This Section 146-5.4.1.D applies to all applications for designation of a historic structure as a City landmark building, and to all applications for designation of an area of the City as a landmark site or historic district. In addition, this Section applies to all applications to remove a structure or an area of the City from the City’s list of designated landmark structures, landmarks sites, or historic districts.

2. Procedure

a. Designation

i. A Historic Preservation Commission member, the owner of the property, or any City Council member may initiate consideration by the Historic Preservation Commission of the recommendation for designation of any site as a landmark, landmark site, Cultural Heritage Site, or historic district in writing. The decision to conduct a public hearing shall be approved or denied by a majority of the Commission present.

ii. If a request for recommendation is approved for a public hearing upon the request of someone other than the owner of the property, notice of the proposed recommendation shall be mailed by certified mail to the owner of the property. Such notice shall describe the property affected and provide notice of the date, time, and place at which a hearing before the Commission shall be conducted.

iii. Not less than 30 calendar days following the mailing of notice to the owner, the Historic Preservation Commission shall conduct a public hearing on all recommendations of landmarks, landmark sites, or historic districts.

iv. Following the public hearing, the Historic Preservation Commission shall make a recommendation to City Council based on those criteria in Section 146-5.4.1.D.3. The Commission in its recommendation shall describe the reasons for the decision and provide written notice of the decision to the property owner within 10 calendar days of the hearing.

v. The Historic Preservation Commission shall forward its recommendation to the City Council.

vi. The City Council shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

vii. The City Council may make available economic incentives to enhance the possibility of designation as an historic landmark, landmark site, or district. The City Council is empowered to receive private or public grants that would enhance historic preservation.

viii. The City Council may amend or rescind its designation of any historic landmark, landmark site, or district. The Historic Preservation Commission shall make a recommendation for such amendment or rescission through the same procedure as was followed in the original designation, including a public hearing.

b. Removal / Loss of Designation

i. Any person or organization may request in writing the removal of a property from landmark designation by describing the reasons for removal.

ii. In the case of a privately-owned property designated as a landmark, when that property falls into physical disrepair or the historic qualities of the structure are threatened, remedial measures shall be addressed directly with the property owner.
owner by the Historic Preservation Commission prior to the removal of landmark designation. Such measures may include help in applicable grant research, aid in the composition of restorative grant applications, or assistance in fundraising for such repairs.

iii. Properties removed from the state register or the national register shall not be considered to have been removed from the City's landmark listing without formal action by the Historic Preservation Commission and the City Council. However, all properties removed from the state register and the national register prior to June 30, 1994 shall be considered to have been automatically removed from City landmark designation.

iv. Requests for removal shall be considered following the procedure in Section 146-5.4.1.D.2.a above.

3. Criteria for Recommendations

a. Landmarks or Landmark Sites

At the conclusion of the public hearing, the Historic Preservation Commission shall recommend to City Council the designation of a landmark or landmark site, if such structure or site is of particular historical, architectural, cultural, or archaeological significance and:

i. Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, or community; or

ii. Is identified with historic personages or with important events in national, state, or local history; or

iii. Embodies distinguishing characteristics of an architectural type specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or

iv. Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized; or

v. Meets specific archaeological criteria as designated by the commission, in accord with federal regulations and community standards; and

vi. Does not deny the owner a reasonable economic use of property.

b. Cultural Heritage Sites

A site and/or structure may qualify for designation as an Aurora Cultural Heritage Site if it meets one or more of the following criteria but lacks sufficient integrity (i.e., it has been significantly altered from its original historic condition) to support its designation as a landmark. Generally, Cultural Heritage Sites are more than 50 years old, but younger sites with exceptional significance to the community may be considered.

i. The property exemplifies or reflects the broad cultural, political, economic, or social history of the community; or

ii. The property is identified with a historic person or historic group significant to local history; or

iii. The property embodies distinguishing characteristics of an architectural type inherently valuable to the study of a period, style, method of construction, or indigenous materials or craftsmanship; or

iv. The property is representative as the work of a master builder or architect; or

v. The property has the possibility to yield important archaeological information.

c. Historic Districts

At the conclusion of the public hearing, the Commission shall make a recommendation to City Council concerning a historic district. The Commission shall determine if the district is an area containing a significant concentration, linkage or continuity of sites, buildings or structures or objects united by past events or
aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history, and shall meet the following criteria:

i. A distinguished area that exemplifies or reflects the particular cultural, political, economic, or social history of the community; or

ii. A definite area identified with historical personages, groups or with important events in national, state, or local history; or

iii. A definite area that embodies distinguishing characteristics of an architectural type or style inherently valuable for the study of a period, method of construction, or of indigenous materials or craftsmanship; or

iv. A definite area that, owing to its unique location or singular characteristics, represents established and familiar visual features of the neighborhood, community, or city; or

v. An area that is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized; or

vi. An area encompassing multiple significant archaeological sites; and

vii. An area that permits reasonable economic use of the owner's property.

d. **Recommended Adjustments**

   The Historic Preservation Commission's recommendation to City Council on a proposed landmark, landmark site, or historic district may include recommendations for exceptions from provisions of this UDO, pursuant to Section 146-5.4.4.C (Historic Landmark and District Adjustments).

e. **Removal / Loss of Designation**

   i. The property, site, or district has ceased to meet the criteria for landmark designation because the qualities that caused it to be listed have been lost or destroyed, subsequent to nomination and prior to listing as a landmark; or

   ii. Additional information shows that the property does not meet City criteria for landmark designation; or

   iii. Failure to comply with any administrative procedure requirement contained by the nomination or the listing process; or

   iv. Continued designation of the landmark, landmark site, or historic district is not in the best interests of the City.

E. **Master Plan**

   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.E.

1. **Applicability**

   a. A Master Plan shall be approved pursuant to this Section 146-5.4.1.E when an application is filed for any of the following:

   i. Any area proposed for subdivision of land under common or related ownership or control in Subareas A or B or C;

   ii. Any area proposed for development in phases;

   iii. Any area where new streets or regional infrastructure will be required to connect to the City's existing systems;
iv. Any area where multiple parcels of adjacent land require that internal circulation, infrastructure, and open space systems be coordinated to reduce traffic or other impacts on the surrounding area.

b. The Planning Director shall determine the geographical extent and the required components of the various types of Master Plans as defined in any applicable planning development manuals.

c. The Planning Director may authorize simultaneous processing of a Master Plan and other types of approvals required by this UDO if the Director determines that:
   i. Compliance with all standards of this UDO and related development manuals can be adequately addressed during simultaneous review; and
   ii. It is unlikely that required changes to the Master Plan will require revisions to applications for other types of approvals that would require additional rounds of staff review and inefficient use of staff resources.

d. After a Master Plan is approved, all Site Plans and later development approvals and permits shall only be approved if they are consistent with the Master Plan (except for renovations of existing buildings that do not add gross floor area to the building, and except for additions to existing buildings that add less than 2,000 square feet of gross floor area, unless and until that Master Plan is amended under Section 146-5.3.15 (Amendments of Existing Approvals).

2. Procedure

   a. **Subareas A and B**
      i. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
      ii. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

   b. **Subarea C**
      The Planning Director shall review the application and make a decision on the Master Plan.

3. **Criteria for Approval**

   A Master Plan shall only be recommended for approval, and shall only be approved, if:

   a. It is consistent with the Comprehensive Plan, the purpose statement for the zone district(s) where the property is located, the use regulations in Article 146-3 for the zone district(s) where the property is located, and all other adopted plans and policies of the City Council;

   b. It will allow future development of the property to comply with all applicable standards in this UDO;

   c. It will result in a coordinated system of streets, trails, sidewalks, open spaces, and infrastructure systems that do not create significant adverse impacts on the surrounding area, or any significant adverse impacts have been mitigated to the degree practicable;
5.4. Specific Procedures

Article 146-5 Zoning and Subdivision Procedures

5.4.2. Subdivision of Land

A. Initial Subdivision of Land

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.2.A.

1. Applicability

   a. General Applicability and Exceptions

      See Section 146-4.3.1 (Applicability and Exceptions).

   b. Minor and Major Subdivisions

      Subdivisions of land are divided into Minor Subdivisions and Major Subdivisions:

      i. A Minor Subdivision is any division of land into lots for sale or development that is not listed as exempt in Section 146-4.3.1 (Applicability and Exceptions) that:

         a. Creates three or fewer new lots; and
         b. Where each new lot already has access to public streets, utilities, and services required by Section 146-4.3 (Subdivision Standards) and only the construction of on-lot utility lines is necessary to connect those lots to existing infrastructure systems with adequate capacity to serve the lots; and
         c. In which no infrastructure, land, or improvements are required to be dedicated or transferred to the City; and
         d. The subdivision does not result in remnant tracts or parcels; and
         e. Does not include any deviation from any Ordinance standards applicable to the proposed lots, other than an Administrative Adjustment pursuant to Section 146-5.4.4.A.

      ii. A Major Subdivision is any division of land into lots for sale or development that is not listed as exempt in Section 146-4.3.1 (Applicability and Exceptions) and does not qualify as a Minor Subdivision under Section 146-5.4.2.A.1.b.i above.

      iii. If the Planning Director determines that an application for a Minor Subdivision is part of a sequence or pattern of subdivision of a larger area of land designed to avoid the standards or procedures required for approval of a Major Subdivision, the Planning Director may require that the standards and procedures applicable to a Major Subdivision shall apply to the application.

2. Procedure

   a. Minor Subdivisions

      i. Application for a Minor Subdivision shall include a final plat unless the applicant requests approval of a preliminary plat before submitting an application for a final plat.

      ii. The Planning Director shall refer the application to the City Engineer for confirmation that the application meets the Minor Subdivision standards regarding the availability of lot access, infrastructure, and utilities.

      iii. If a preliminary plat and a final plat are submitted separately, the final plat shall be submitted within one year after approval or approval with conditions of the

   d. It will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers; and

   e. If the property is located in Subarea C, and the Master Plan includes over 160 acres of land designated for residential development, the Master Plan must include at least one area to be zoned MU-N or MU-C or designated for development pursuant to MU-N or MU-C zone district standards pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation).
preliminary plat, and both shall be referred to the City Engineer for comment before the Planning Director makes a decision on each application.

iv. The Planning Director shall review and make a decision on the application reflecting the comments of the City Engineer, or shall notify the applicant of the modifications to the final plat needed to comply with conditions on approval or the requirements of this UDO and other adopted City ordinances and regulations.

v. The applicant shall record the final plat within one year after the Planning Director’s approval.

b. Major Subdivision
   i. The applicant shall submit a preliminary plat.
   ii. The Planning Director shall refer the application to the City Engineer for early identification of any issues regarding the availability of lot access, infrastructure, and utilities, and drainage.
   iii. Following review by the City Engineer:
       a. If the property is located in Subareas A or B, the Planning Director shall review the preliminary plat and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3.
       b. If the property is located in Subareas A or B, the Planning and Zoning Commission shall conduct a public hearing and shall make a decision on the preliminary plat pursuant to all applicable provisions of Section 146-5.3.
       c. If the property is located in Subarea C, the Planning Director shall review the application and make a decision on the preliminary plat pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
   iv. If the preliminary plat is approved with conditions, the applicant shall submit a preliminary plat reflecting satisfaction of all required conditions within one year after the decision of the Planning and Zoning Commission or Planning Director applying those conditions.
   v. A final plat consistent with the preliminary plat and complying with all requirements of this UDO and other adopted City ordinances and regulations shall be submitted within three years after the date of approval of the preliminary plat without conditions, or after the date on which all conditions on the preliminary plat were satisfied.
vi. The Planning Director shall review and make a decision on the final plat, or shall notify the applicant of any modifications to the final plat needed to comply with conditions on approval or the requirements of this UDO and other adopted City ordinances and regulations.

vii. The applicant shall record the approved final plat within one year after approval by the Planning Director.

c. Recording
Following approval of a final plat, the City Clerk shall record the final plat with the Clerk and Recorder of the county where the property is located.

d. Civil Engineering Construction Drawings
i. The applicant shall submit civil engineering construction plans for all required streets, utilities and other public improvements to the City Engineer, and the City Engineer shall approve those plans before a building permit or a public improvement permit will be issued for any property shown on the final plat.

ii. Upon receipt of civil engineering construction plans, the City Engineer shall review and approve or reject the plans and shall provide the applicant written notice of the action. If the City Engineer rejects the civil engineering construction plans, the City Engineer shall provide a written explanation of the modifications necessary for approval.

3. Criteria for Approval

a. Minor Subdivision Plat
A Minor Subdivision plat shall only be approved if the application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

b. Major Subdivision Preliminary Plat
A Major Subdivision preliminary plat shall only be recommended for approval, and shall only be approved if:

i. It is consistent with the Comprehensive Plan and all other adopted plans and policies of the City Council;

ii. The application complies with the applicable standards in this UDO (including but not limited to the standards in Sections 146-4.2 (Dimensional Standards), 146-4.3 (Subdivision Standards), and 146-4.5 (Access and Connectivity).

iii. The application complies with other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

iv. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.
c. Major Subdivision Final Plat
   i. A Major Subdivision final plat shall only be approved if it is generally consistent with the approved preliminary plat and meets all conditions on the preliminary plat approval. A final plat is not generally consistent with an approved preliminary plat if it:
      a. Increases the number of residential, mixed-use, or non-residential lots, or increases the number of permitted dwelling units, or increases the amount of permitted non-residential development.
      b. Decrease the number of residential, mixed-use, or non-residential lots, or decreases the number of permitted dwelling units, or decreases the amount of permitted non-residential development in an MU-TOD zone district, or in another area where the Comprehensive Plan recommends increasing development density or intensity, or where achieving a minimum density or intensity of development were factors in the City's discussion or approval of the preliminary plat.
      c. Modifies the proposed street layout or the location or dimensions of proposed blocks or development areas so as to increase through traffic in residential areas within the subdivision, or so as to increase the length of pedestrian, bicycle, or automobile trips within the subdivision or to or from streets bordering the subdivision.
      d. Modifies the location of designated open space or an existing or proposed conservation easement so as to increase the distance or decrease usability or attractiveness of the open space or easement area for residents and occupants of the subdivision, or so as to decrease the connectivity of open spaces with adjacent properties outside the subdivision,
      e. Creates additional adverse impacts on property owners or occupants adjacent to the subdivision.
      f. Removes a restriction on property use or modifies an administrative adjustment or variance related to the preliminary plat.
   ii. If a Major Subdivision final plat is determined not to meet the criteria in Subsection i, the Planning Director shall notify of the applicant:
      a. The modifications needed to for general consistency with preliminary plat, or to comply with conditions on approval that plat, or with the requirements of this UDO and other adopted City ordinances and regulations; and
      b. The option to submit a revised Major Subdivision preliminary plat.

d. Simultaneous Review and Approval
   An applicant may submit a final plat together with a preliminary plat, and the two plats may be reviewed simultaneously by the same body that would make a decision on the preliminary plat if submitted separately, and may be approved if the two plats together comply with the same criteria that would apply to the preliminary plat if submitted separately.

e. Civil Engineering Construction Plans
   In acting on civil engineering construction plans, the City Engineer shall consider all of the following:
   i. Whether the plans comply with the standards of this UDO;
ii. Whether the plans comply with all applicable City construction standards and specifications; and

iii. Whether the proposed construction schedule is reasonably designed to ensure completion of the necessary public improvements as required by the City, the property owners, and the residents of the subdivision, giving due consideration to topography, existing public improvements, size of the subdivision, traffic demands in the vicinity, adequate emergency access, the needs and requirements of property owners and residents in the subdivision and any other pertinent matters.

B. Revisions and Changes to Adopted Subdivisions Plats

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.2.B.

1. Minor Plat Amendments

   a. Applicability
   
   The Minor Plat Amendments process may only be used for changes to adopted final plats that:

   i. Are necessary to correct minor survey or drafting efforts, but that will not increase the number of lots or have any material effect on the location of streets or open spaces within the subdivision; or

   ii. Adjust lot lines in ways that do not increase the number of lots or building sites or affect any public right-of-way, and that comply with all Ordinance standards (including lot size and frontage) in effect at the time of application; or

   iii. Adjust building envelopes in ways that do not increase allowable lot coverage or violate any building setbacks in this UDO or any building setbacks included as conditions to previous approvals applicable to the property, and that do not affect any public right-of-way; or

   iv. Are necessary to bring the subdivision plat into conformance with any approved Minor Site Plan.

   b. Procedure

   i. The Planning Director shall refer the application to the Director of Public Works for confirmation that the application does not have any effect on public rights-of-way or any streets within the subdivision.

   ii. The Planning Director shall review and make a decision on the application reflecting the comments of the Director of Public Works.

   iii. After approval, the City Clerk shall record the amended final plat with the Clerk and Recorder of the County where the property is located.

   c. Criteria for Approval

   A Minor Plat Amendment shall be approved only if the application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.
2. Vacation of Plat without Established Streets

a. Applicability
This process shall apply to the vacation or all or a part of a subdivision plat that does not include the vacation of improved streets that have been accepted by the City.

b. Procedure
i. The Planning Director shall refer the application to the Director of Public Works for review of its effects on public rights-of-ways, infrastructure, utilities, and drainage systems.

ii. The Planning Director shall review and make a decision on the application.

iii. After approval, the City Clerk shall record evidence of the vacation with the Clerk and Recorder of the County where the property is located.

iv. Once a subdivision plat vacation has been approved and vacation documents have been recorded, the real estate description shall revert to that which existed prior to the recording of the subdivision plat (or to unplatted land, if specified by the plat vacation document).

c. Criteria for Approval
A partial or complete plat vacation shall only be approved if it will not:

i. Create any landlocked parcel;

ii. Restrict or affect the right of access of property owners within or abutting the subject subdivision so that access is unreasonable or economically prohibitive;

iii. Reduce the quality of public services to any property;

iv. Be inconsistent with any adopted transportation plan; or

v. Affect the ownership of land within the subdivision.

3. Vacation of Established Streets

a. Applicability
This process shall apply to the vacation of all or a part of an improved public right-of-way that has been accepted by the City.

b. Procedure
i. The Planning Director shall refer the application to the Director of Public Works for review of its effects on public rights-of-ways, infrastructure, utilities, and drainage systems.

ii. The Planning Director shall review and make a recommendation on the application, including whether the City will require payment of fair market value for the established street to be vacated, to the City Council.
iii. The City Council shall review and act to approve or deny the application
iv. After approval, the City Clerk shall record evidence of the vacation with the Clerk 
and Recorder of the County where the property is located.

c. **Criteria for Approval**
The City Council may approve a public right-of-way vacation if it finds that the 
requested vacation will not:
i. Create any landlocked parcels;
ii. Restrict access to any parcel so that access is unreasonable or economically 
prohibitive;
iii. Vacate a public alley unless such vacation is consistent with the Comprehensive 
Plan and the resulting land complies with lot access and connectivity 
requirements per Section 146-4.5 (Access and Connectivity);
iv. Reduce the quality of public services to any property; or
v. Be inconsistent with any transportation plan adopted by the City.

4. **Other Changes to Approved Final Plats**
All changes to approved final plats that do not qualify as Minor Plat Amendments or a 
partial or complete vacation of a plat without public streets, or vacation of an established 
street, and all changes to approved final plats that include the relocation of roads, will 
require re-subdivision pursuant to Section 146-5.4.2.A (Major Subdivision).

**5.4.3. DEVELOPMENT APPLICATIONS**
This category of applications includes those applications that do not require rezoning, subdivision, 
or other approvals under this UDO.

A. **Conditional Use**
All applicable provisions of Section 146-5.3 (Common 
Procedures) apply unless specifically modified by the 
provisions of this Section 146-5.4.3.A.

1. **Applicability**
a. This Section 146-5.4.3.A applies to all 
applications for a use listed as a conditional 
use in Table 3.2-1 (Permitted Use Table) or for 
a use listed as a listed as a “V” use in Table 
3.2-1 if the application is filed after the primary 
building on the property has been vacant for 
five years or more. Uses listed as conditional 
uses or “V” uses are only allowed if approved 
pursuant to this Section 146-5.4.3.A.
b. A conditional use approval is only valid for the 
location stated in the application, and cannot be 
transferred to a new location.
c. If an approved conditional use is discontinued 
for a period of one year or more, it may not be 
reestablished without approval of a new 
conditional use application.
2. Procedure
   a. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
   b. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

3. Criteria for Approval
   A conditional use shall be approved only if the Planning and Zoning Commission determines that:
   a. The application complies with the applicable standards in this UDO, other adopted City regulations (including but not limited to any use-specific standards for the proposed conditional use in Section 146-3.3), any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;
   b. The application is consistent with the Comprehensive Plan;
   c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;
   d. The proposed use will not change the predominant character of the surrounding area;
   e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable; and
   f. The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application.
   g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

4. Oil and Gas Permit Procedures and Review Criteria; Notice; Appeal
   a. Applicability
      i. The application for oil and gas drilling or operation of a production site in a location more than 1,000 feet from a platted residential lot, a platted lot line containing either a building unit or a high density building unit, or a government-owned park, reservoir, open space or golf course shall be submitted to the Planning Director. The Director shall issue the oil and gas permit for drilling if it is determined that the application complies with the requirements of this Section 146-5.4.3.A.4.
      ii. An application for drilling or operation of a production site in a location less than 1,000 feet from a platted residential lot, a platted lot line containing either a building unit or a high density building unit, or an existing or proposed City-owned...
5.4. Specific Procedures

Article 146-5 Zoning and Subdivision Procedures

5.4.3. Development Applications

Specific Procedures

Zoning and Subdivision Procedures

Development Applications

b. Notice

Notice of the application shall be mailed by the applicant to property owners within one-half mile, to registered neighborhood groups within one mile, and to the surface owners of the subject property at least 10 calendar days prior to a decision by the Planning Director or Planning and Zoning Commission.

c. Criteria for Approval or Denial

i. Approval

An oil and gas permit for a well drilling site or production site shall be approved or approved with conditions if the application conforms to the requirements of this Section and complies with:

a. The submittal requirements;

b. The provisions, development standards, and performance standards of this Section; and

c. The applicable requirements of the fire code and City storm drainage criteria manual, and storm water quality criteria approved by the Director of Water and the Director of Public Works.

ii. Denial

An application for an oil and gas permit for a well drilling site or production site shall be denied if:

a. The application does not meet the requirements listed in this Section.

b. The applicant has failed to comply or otherwise violated the terms and conditions of a previous permit or has failed to make any mitigation or damage payments to the City required by a previous permit.

d. Failure to Comply with the Conditions

Failure to comply with the conditions imposed on a permit shall be grounds for revocation of the permit. Notice of an alleged violation of conditions shall be provided to the permittee, who may request a hearing before the City Council on the alleged violation.

e. Appeals

i. From Planning Director

Any administratively-approved well permit application, interpretation, or decision of the Planning Director concerning this Section may be appealed by an applicant, by the owner of the subject property, or by the owner of a property that abuts the subject property. The notice of appeal must be filed with the City Manager within 14 calendar days of the director’s decision. Such appeal shall specifically state the grounds for the appeal. If an appeal is filed, the Planning and Zoning Commission shall schedule a public hearing according to the procedures described in Section 146-5.3 (Common Procedures). The Planning and Zoning Commission shall review the appeal based on the various requirements of this Section 146-5.3.13 and shall ensure that the intent and specific requirements of this UDO are met. At the conclusion of the hearing, the Planning and Zoning Commission shall approve, approve with conditions, or deny the permit.

ii. From Planning and Zoning Commission

A decision by the Planning and Zoning Commission may be appealed to the City Council provided such appeal is received by the Planning Director within 14 calendar days after the Planning and Zoning Commission’s action on the permit.
Such appeal may be filed by the applicant or any abutting property owner and shall specifically state the grounds for appeal. The City Council shall hold a public hearing on the application. At the conclusion of the hearing, council shall approve, approve with conditions, or deny the permit.

B. Site Plans

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.B. Oil and gas wells are processed under the provisions of Section 3.3.5.DD and are not subject to this Section.

1. General Requirement

a. A Minor or Major Site Plan complying with this Section 146-5.4.3.B is required before a building permit may be issued for all development in the City except those listed below:
   i. Single-family detached homes on lots in a subdivision of three or fewer lots and that are not a part of land for which a Master Plan has been approved.
   ii. Permitted additions to existing single-family detached dwellings.
   iii. Non-habitable accessory structures (not including Telecom Facilities and Major Utilities facilities) that have no significant external effects on adjacent lands as determined by the Planning Director.
   iv. Minor changes in architectural facade treatments, or architectural changes to buildings approved without architectural elevations, that qualify as administrative adjustments under Section 146-5.4.4.F.
   v. Park facilities that are developed pursuant to a parks master plan approved by the City.
   vi. Facilities owned or operated by the City that do not include habitable structures and do not require any personnel on site to operate or provide services from the facility (except for maintenance or repairs of the facility).
   vii. Interior improvements and tenant finish.

b. In those circumstances where a Master Plan approval is required pursuant to Section 146-5.4.1.E (Master Plan), no Site Plan may be approved before a Master Plan is approved for the proposed Site Plan area.

c. Approved Site Plans, as amended, shall be binding upon the owner, successors, and assigns. The Site Plan shall limit and control the issuance and validity of all building permits, and shall restrict and limit the construction, location, use, occupancy, and operation of all land and structures within the plan to all conditions, requirements, locations, and limitations set forth in the adopted Site Plan.

2. Major Site Plan

a. Applicability

In Subareas A and B, the Major Site Plan process and criteria apply to all applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application does not qualify for Minor Site Plan review. In Subarea C, Major Site Plans that are submitted without requests for Major Adjustments are approved administratively pursuant to the Minor Site Plan review process in Section 146-5.4.3.B.3.

b. Procedure

i. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
ii. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

c. Criteria for Approval

i. General
The Major Site Plan shall be approved only if:

a. The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.

b. The City’s existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.

c. Major Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.

d. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.

e. The application is compatible with surrounding uses in terms of size, scale and building façade materials.

f. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

ii. Additional Criteria in the MU-FB District

a. Multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features, and quality design.

b. All listed uses shall have connections to a pedestrian system serving the neighborhood, Fitzsimons, and surrounding areas.

c. Where abutting parcels of land exist under single ownership, no Site Plan shall be approved for any portion of such parcels until a Master Plan that includes all such abutting parcels has been approved.
5.4. Specific Procedures

Article 146-5 Zoning and Subdivision Procedures

5.4.3. Development Applications

d. Normal maintenance or minor repairs do not need to conform to the building and site design standards in Section 146-2.4.5 (Mixed-Use -- Fitzsimons Boundary District (MU-FB)) except for the following:

i. Replacement of 25 percent or more of a building's total facade area shall not be considered normal maintenance and repair work. Such improvements shall be considered a site modification and shall require that the entire building's facade open to public view be subject to the applicable design requirements of this Section.

ii. Exterior painting and the replacement or addition of signs and awnings for any reason shall be considered site modifications and shall be subject to the applicable design requirements of this Section.

e. Alterations or additions of less than 2,000 square feet to existing buildings for conforming uses shall conform to the building and site design standards in Section 146-2.4.5 (Mixed-Use -- Fitzsimons Boundary District (MU-FB)) as follows:

i. New construction, replacement construction, and modifications to existing parking lots and landscape areas on sites with existing development shall comply with the applicable requirements unless prevented by existing physical site conditions.

ii. Proposed changes to areas adjacent to street frontages shall require compliance with applicable right-of-way improvements, dimensional standards, and other development standards in this UDO.

f. New buildings and alterations or additions of 2,000 square feet of gross floor area to existing buildings shall comply with the building and site design standards of Section 146-2.4.5 (Mixed-Use -- Fitzsimons Boundary District (MU-FB)).

ii. Additional Standards in MU-TOD District

a. Any new exterior construction or landscaping, or any exterior changes to existing development including changes to building façades, signage, streetscape, landscaping, public rights-of-way, parking areas, drives, or other Site Plan changes shall meet the building and site design standards of Section 146-4.8 (Building Design Standards) subject to the Touch Rule defined in Article 146-6.

b. To allow greater intensity in the MU-TOD district over time:

i. Buildings and surface parking (if allowed) shall be located on the lot so that the layout will accommodate future structured parking garages.

ii. Drives within commercial parking lots shall be located so they can conform to urban street standards in the future.

iii. Both sides of major pedestrian streets shall be developed to establish the streetscape character and pedestrian connections.

iv. Important public parks and plazas shall be constructed in the initial phase of development to establish a public amenity and the area's identity.

3. Minor Site Plan

a. Applicability

The Minor Site Plan procedures and criteria apply to applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application is for one of the following:
5.4. Specific Procedures

Article 146-5 Zoning and Subdivision Procedures

5.4.3. Development Applications

i. Subareas A and B
   a. A new commercial, mixed-use, civic, institutional and industrial development that includes a single primary building on a single lot or parcel that contains less than 10,000 square feet of gross floor area on the ground floor, compatible with the heights of buildings on abutting lots facing the same street right-of-way.
   b. A new residential development that contains six or fewer dwelling units.
   c. An expansion of existing multifamily, non-residential, mixed-use and non-residential properties, projects, or developments that increase the property, project, or development by less than 10,000 square feet of gross floor area.
   d. A project for which the primary use is listed in the Industrial use category in Table 3.2-1 (Permitted Use Table) and that is located at least 300 feet, measured radially, from a Residential zone district.
   e. A Redevelopment Plan.

ii. Subarea C
   All applications that do not include Major Adjustments, and that do not require Major Site Plan review.

b. Procedure
   The Planning Director shall review and make a decision on the application.

c. Criteria for Approval
   The Minor Site Plan shall be approved only if the application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. If the application does not comply with those standards, the Planning Director will notify the applicant of what other permits, approvals, or changes to the application are required for compliance.

C. Floodplain Development Permit
   Any property required to obtain a Floodplain Development Permit pursuant to Article 70 of the Aurora City Code shall obtain such permit before a building permit may be issued by the City.

D. Historic Landmark/District Development Application
   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.D.

   1. Applicability
      No person shall carry out or cause to be carried out any construction, alteration, removal, or demolition of a building or feature or make any changes that would impair the historic association of the landmark building, landmark site, or historic district, or take any action that would create indirect impacts on historic resources, such as impairment of the view corridor or historic context of the structure, pursuant to those qualities identified in Section 146-5.4.3.D.3, without first obtaining a permit pursuant to this Section 146-5.4.3.D.
2. Procedure

a. Applications for application approval shall be submitted to the Historic Preservation Commission through the preservation specialist and shall contain the information required by the Commission's rules of procedure and bylaws. The Commission's preservation specialist shall determine whether the request constitutes "major" or "minor" changes in the landmark or district.

b. If an application is received for an application or a request to carry out any new construction, alteration, removal, or demolition of a building or other designated feature on or in a landmark property, site, or district for which landmark designation, zone change, or development plan is pending, the application shall be forwarded to the preservation specialist and Historic Preservation Commission within 10 working days.

c. The Planning Director shall reserve the right to review and comment on recommendations for historic preservation activities prior to any decision by the Historic Preservation Commission.

d. No application shall be approved or request granted before comment has been received from the Historic Preservation Commission.

e. Commission comment shall be made within 60 calendar days of receipt of the request or application.

f. After receiving the Commission's comment, the Planning Director shall continue processing the Development Application pursuant to Section 146-5.4.3.B.

3. Criteria for Approval

a. The Historic Preservation Commission shall consider the following in reviewing applications affecting historic landmarks, sites, or districts:

i. For applications pertaining to landmarks and landmark sites, the proposed work shall preserve, enhance, or restore the exterior architectural features of the landmark. The proposed work shall not adversely affect the special character or special historical, architectural, or archaeological nature of the landmark or its site.

ii. For applications pertaining to property in historic districts, other than on a designated landmark site, reasonable efforts shall be made to preserve, enhance or restore, and not to damage or destroy, the exterior architectural features of the subject property. The degree of compatibility and the character of the historic district, the feasibility of rehabilitation, and other pertinent factors shall be considered in the preservation efforts. New construction, remodeling, or other proposed exterior changes to a structure shall be compatible with the character of the historic district as described in the designating ordinance, particularly with reference to scale and materials. An application for a building permit or new construction must be approved if such compatibility exists.

iii. The commission shall seek compatibility of structures in the district in terms of size, texture, scale, and Site Plan. The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be considered by the commission in passing applications for any application.
E. Temporary Use Permit

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.E.

1. Applicability
   This Section applies to applications for any use listed as a temporary use in Table 3.2-1 (Permitted Use Table).

2. Procedure
   The City Manager’s Office and City Clerk shall review and make a decision on the application.

3. Criteria for Approval
   A Temporary Use Permit shall only be approved if the Planning Director determines that the following criteria are met. If the applicant requests that the duration of the permit be extended beyond the maximum time permitted by this UDO or the terms of the initial permit, the extension shall only be approved if the Director receives the request for extension before the expiration of the initial permit and determines that the following criteria are still met:
   a. It is for one of the uses listed in Table 3.2-1 (Permitted Use Table) as a temporary use permitted in the zone district where the property is located or:
      i. The proposed temporary use is a temporary Telecom Facility on private property that does not create an obstruction or hazard to the public right-of-way, above ground utility lines, or protected airspace in which case the permit may be issued for a period not to exceed 14 consecutive days. A longer period may be authorized only upon a finding by the Planning Director that such longer period is needed to address an emergency situation.
      ii. An annual permit has been issued to a licensed individual vendor for a temporary outdoor food and/or merchandise stand. Vending will be permitted pursuant to Section 146-3.3.6.R (Temporary Outdoor Food or Merchandise Stand).
   b. The application complies with the applicable standards in this UDO and other adopted City regulations and, including but not limited to any use-specific standards for the proposed temporary use in Section 146-3.2, unless an adjustment of or variance from standards is approved under Section 146-5.4.4.
   c. Approval of the application or request for extension of a Temporary Use Permit will not result in the use of any portion of the property for unenclosed or enclosed storage of goods, materials, equipment, or vehicles for a period longer than 12 consecutive months (including any periods permitted by prior Temporary Use Permits).
   d. The applicant has submitted a cash deposit in the amount specified in the schedule of fees. Such deposit shall be returnable at the conclusion of the proposed activity provided that the site of the proposed activity is returned to its original condition within 24 hours after the last day of the permitted use. If it is necessary to initiate cleanup operations because of trash, garbage, or debris attributable to the proposed activity, the cost of such cleanup operation shall be deducted from the cash bond. Nothing in this Section shall prohibit the City from commencing appropriate legal proceedings against the applicant if the cost of cleanup operations exceeds the cash deposit.
   e. The issuance of the permit will not endanger the public health, safety, or welfare.
   f. If any adjustment of standards in this UDO or waiver or adjustment of adopted City standards outside of this UDO related to sanitary facilities, adequate water supply,
additional fire protection measures, traffic control measures, liability insurance, or cleanup bond has been requested by the applicant, the Planning Director shall consult with the relevant City departments and determine that the requested waiver or adjustment will not endanger the public health, safety and welfare and will not injure the appropriate use of adjacent conforming property.

F. Creative Sign Program

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 5.4.3.F.

1. Applicability
   Any property owner or business owner in the city that is not otherwise subject to an approved privately-enforced sign program is eligible to apply for a creative sign application.

2. Procedures
   The Planning Director shall review and make a decision on the application.

3. Criteria for Approval
   An application for a creative sign program shall be approved if the Planning Director determines that it meets the following criteria:

   a. Architectural Criteria
      i. The sign(s) uses or enhances the architectural elements of the building;
      ii. The sign(s) are placed in a logical location in relation to the overall composition of the building facade;
      iii. The sign(s) are integrated within and do not cover any key architectural features and details of the building facade; and
      iv. The sign is not larger than 100 square feet.

   b. Wall Signs
      i. Wall signs are centered within an area uninterrupted by doors, windows, or architectural details.
      ii. Each sign is designed to be compatible with and relate to the architectural style of the main building or buildings upon the site where the sign is located.
      iii. The color(s) of a sign are harmonious and complementary to the colors of the building on or near which it is to be located.

   c. Design Quality
      The sign(s):
      i. Constitute a substantial aesthetic improvement to the site and have a positive visual impact on the surrounding area;
      ii. Be of unique design, and exhibit imagination, inventiveness;
      iii. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, proportion and form; and
      iv. Contribute to the image of the city by conveying a distinctive character that conveys a strong sense of place.

   d. Illumination
      The sign(s) use of back-lit or reverse channel letters or message content with halo illumination rather than internally-lit signs where possible.
e. **Multiple Signs**
   Where more than one sign is proposed, all signs shall have designs that incorporate the following design elements in a compatible and coordinated fashion:
   
i. Letter style of copy; components;
   ii. Type of construction materials;
   iii. Lighting; and
   iv. Method used for supporting sign (e.g., wall or ground base).

f. **Neighborhood Impacts**
   The sign(s) shall:
   
i. Be located and designed not to create adverse impacts on neighboring uses;
   ii. Constitute a substantial aesthetic improvement to the site and have a positive visual impact on the surrounding area; and
   iii. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.

g. **Sign Materials**
   The sign(s) maintain attractive and compatible styling so as not to conflict or distract from the architectural character of the area, and the choice of materials and the workmanship in the use of the materials conveys both a sense of quality and creativity.

G. **Sign Permit**
   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.G.

1. **Applicability**
   a. No person shall erect, move, re-erect, construct, alter, enlarge, or allow the erection of any sign without first obtaining a Sign Application.
   b. No application is required for text changes or changes to the visual content or message on a sign if no structural physical design, sign area, type of sign, or other changes are made.
   c. The applicant may seek prompt judicial review of any denial of a sign application pursuant to Rule 106 of the Colorado Rules of Civil Procedure.

2. **Procedure**
   The Chief Building Official shall review and make a decision on the application within 30 calendar days after receiving a complete application.

3. **Criteria for Approval**
   A sign application shall be approved only if:
   
a. The application complies with all applicable standards for that type(s) of sign in Section 146-4.10 (Signs).
   b. The applicant is a contractor licensed by the City. No person other than a sign contractor licensed by the City shall obtain any sign application or install any sign (other than a temporary sign) for which an application is required by this UDO.
c. The property does not contain any illegal signs. No sign application may be issued to a business where any illegal signs are currently displayed in violation of this UDO, except to replace an illegal sign with a legal sign.

**H. Fence Permit**

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.H.

1. **Applicability**
   This Section applies to all applications to construct or modify a fence or wall for which a building permit is required by the City.

2. **Procedure**
   The Chief Building Official or other City official so designated by the City Manager shall review and make a decision on the application.

3. **Criteria for Approval**
   The application shall be approved if the application complies with the provisions of Section 146-4.7.9 (Fence and Wall Regulations), and other adopted City regulations.

**I. Administrative Activity Center Designation**

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.I.

1. **Applicability**
   This section applies to all requests by an owner of land located in Subarea C to designate portions of lands zoned R-1 or R-2 so they may be developed pursuant to those UDO regulations applicable to the MU-N or MU-C zone districts.

2. **Procedure**
   The Planning Director shall review and make a decision on the request.

3. **Criteria for Approval**
   a. The requested land in Subarea C zoned R-1 or R-2 shall be designed to allow development pursuant to those standards applicable to the MU-N zone district, and the City shall indicate that designation on a map where the designation can be viewed in relation to zone district designations, if the Planning Director determines that:
      i. The land area is located at the intersection of two platted collector streets or at the intersection of a platted arterial street and a platted collector street; and
      ii. The land area is less than ten acres in size; and
      iii. The land is not located within one-half mile of another site in Subarea C that is zoned MU-C or designated for development pursuant to MU-C zone district standards, as measured along either of the arterial streets; and
      iv. The land is not located within one-quarter mile of another site in Subarea C that is zoned MU-N or designated for development pursuant to MU-N zone district standards, as measured along either the arterial or collector street.
b. The requested land in Subarea C zoned R-1 or R-2 shall be designated to allow development pursuant to those standards applicable to the MU-C zone district, and the City shall indicate that designation on a map where the designation can be viewed in relation to zone district designations, if the Planning Director determines that:
   i. The land area is located at the intersection of two platted arterial streets; and
   ii. The land area is less than 40 acres in size; and
   iii. The land is not located within one-half mile of another site in Subarea C that is zoned MU-C or designated for development pursuant to MU-C zone district standards, as measured along either of the arterial streets;
   iv. The land is not located within one-quarter mile of another site in Subarea C that is zoned MU-N or designated for development pursuant to MU-N zone district standards, as measured along either of the arterial streets.

4. Post Approval Action
   If the owner of land that has been designated for development pursuant to as MU-N or MU-C zone district standards pursuant to this Section 146-5.4.3.I and (a) has not begun development of some or all of those lands, and (b) has not obtained approval of a final subdivision plat for development of surrounding lands for duplex residential dwellings, attached single-family residential dwellings, or multifamily dwellings, the owner may file an application to vacate or modify the Master Plan or Site Plan to exclude some or all of those lands from eligibility for development pursuant to MU-N or MU-C zone district standards. Upon receipt of such an application, the Planning Director shall confirm that no development pursuant to the MU-N or MU-C zone district standards has occurred on the land proposed to be excluded, and if so, shall approve the application to redesignate the requested portion(s) of the property back for development pursuant to R-1 or R-2 zone district standards (whichever applied prior to the MU-N or MU-C development designation), and shall revise the map referenced in Subsection 3 above to reflect that change.

J. Commercial Mineral Designation
   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.3.J.

1. Applicability
   This section provides a procedure to comply with the requirements of C.R.S. § 34-1-301 et. seq. "Preservation of Commercial Mineral Deposits," in which the General Assembly declared that the preservation of access to commercial mineral deposits are matters of concern in the populous counties of the state, and restricted development approvals inconsistent with the removal of commercial mineral deposits.

2. Procedure
   a. The owner of a mineral resource may apply to the Planning Director to have the resource designated as a "commercial mineral deposit."
   b. Notice of the application shall be given to the surface owner, if the mineral interest has been severed from the surface estate.
   c. The Planning Director shall review and make a decision on the request.
3. Criteria for Approval
A mineral resource shall be designated as a commercial mineral deposit only if Planning Director determines that the definition of a commercial mineral deposit in C.R.S. § 34-1-301 et. seq. has been met and all of the criteria in Section 146-2.7.1.E (Mineral Extraction) are established by the evidence presented.

4. Post Approval Action
Following the designation of commercial mineral deposit, no use of any area containing a designated commercial mineral deposit shall be permitted in a manner that would interfere with or permanently preclude the extraction of the deposit by an extractor. Written notice of an application for zoning or subdivision of land within an area containing a commercial mineral deposit shall be provided by the applicant to the owner of the underlying mineral interests.

5.4.4. FLEXIBILITY AND RELIEF PROCEDURES

A. Hardship Variance
All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.A.

1. Applicability
a. This Section 146-5.4.4.A applies to all requests for variances from the standards and provisions of this UDO that do not meet the criteria for approval under any other flexibility and relief procedures in Section 146-5.4.4.

b. Hardship Variances under this Section 146-5.4.4.A may not be approved in the APZ I or II zone district.

2. Procedure
a. The Planning Director shall review the application and forward a recommendation to the Board of Adjustment and Appeals pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).

b. The Board of Adjustment and Appeals shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

3. Criteria for Approval
An application for a general Hardship Variance shall be approved if the Board finds that all of the following criteria have been met.

a. The Hardship Variance is necessary because literal enforcement of the provisions of this UDO will result an unnecessary, and unreasonable hardship to the applicant caused by a unique site condition that is not generally applicable to other lots in the surrounding area; and

b. The need for the Hardship Variance was not knowingly created or created without investigation of UDO provisions by the owner, lessor, or operator of the property; and

c. The grant of the Hardship Variance will not injure the appropriate use of, or the supply of light and air to, adjacent conforming property within the same zone district; and
d. The effect of the granting the Hardship Variance is to allow the applicant
development potential similar to, but not greater than, other lots in the same zone
district in the surrounding areas.

4. Resubmittal
An application for a Hardship Variance that the Board of Adjustment and Appeals has
denied or approved with conditions shall not be resubmitted within one year after such
decisions unless a substantial change in the first application has been made, as
determined by the Board.

B. Single-Family Dwelling Variance
All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the
provisions of this Section 146-5.4.4.B.

1. Applicability
This Section 146-5.4.4.B applies to all applications
for a variance from the standards and of
provisions of this UDO or to the provisions of
Chapter 90 as they relate to the modification of an
existing single-family dwelling or the lot on which it
is located that do not qualify for approval as a
Minor Amendment under Section 146-5.3.15.A.
This section may not be used to vary the
standards or provisions of this UDO for single-
family homes that have not yet obtained a certificate of occupancy or Manufactured
Homes that have not yet been installed in accordance with Chapter 90.

2. Procedure
a. Planning Director shall review the application and forward a recommendation to the
Board of Adjustment and Appeals pursuant to all applicable provisions of Section
146-5.3 (Common Procedures).

b. The Board of Adjustment and Appeals shall conduct a public hearing on the
application and shall make a decision on the application pursuant to all applicable
provisions of Section 146-5.3.

3. Criteria for Approval
An application for a Single-family Dwelling Variance shall be approved if the Board finds
that the proposed variance will adversely affect adjacent properties or the surrounding
neighborhoods and a majority of the following criteria have been met.

a. The proposed variance results in improved design.

b. The proposed variance does not adversely affect the character of lower density
residential areas.

c. The proposed variance will result in development that is compatibility with adjacent
land development.

d. The proposed variance will not result in undue or unnecessary burdens on existing
infrastructure and public improvements, or arrangements have been made to mitigate
those impacts.

e. The proposed variance results in development that achieves internal efficiency for its
residents and does not endanger public health or convenience.

f. The proposed variance results in development that controls external effects on
nearby land uses, movement and congestion of traffic, noise generated, arrangement
of signs and lighting to prevent nuisances, landscaping, and features to prevent detrimental impacts on public health, welfare, safety or convenience.

4. **Resubmittal**
   An application for a Single-family Dwelling Variance that the Board of Adjustment and Appeals has denied or approved with conditions shall not be resubmitted within one year after such decisions unless a substantial change in the first application has been made, as determined by the Board.

C. **Historic Landmark and District Adjustments**
   All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.C.

1. **Applicability**
   This Section 146-5.4.4.C applies to all requests for deviations from standards applicable to landmarks, landmark sites, and historic districts pursuant to 146-2.6.5 (Historic Protection Overlay (-HPO)) or standards adopted by the Historic Preservation Commission pursuant to that Section, or to other provisions of this UDO applicable to those landmarks, landmark sites, or historic districts.

2. **Procedure**
   a. The Planning Director shall review the application and forward a recommendation to the Historic Preservation Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
   
   b. The Historic Preservation Commission shall hold a public hearing and shall make a recommendation to City Council regarding the application pursuant to all applicable provisions of Section 146-5.3.
   
   c. The City Council shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

3. **Criteria for Approval**
   A Historic Landmark/District Adjustment shall only be recommended for approval or shall only be approved if the Council determines that:
   
   a. The adjustment allows a building or site feature that would not be permitted under this UDO but is necessary to preserve the historic character or significance of the affected building, site, or district, and is subject to the same protections and guidelines apply to the remainder of the building or site.
   
   b. The adjustment is drafted to expire at the time the use that created the need for the adjustment or the historical character of the item changes or ceases.
   
   c. The owners or managers of property containing building or site feature permitted by the adjustment have agreed in writing to paint, repair, and otherwise refurbish the permitted features to keep them in good repair and working order, and that failure to maintain the feature may cause the adjustment to be revoked.
D. Major Adjustments

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.D.

1. Applicability

This Section 146-5.4.4.D applies to all applications requesting an adjustment to the Development Standards in this UDO, except those involving an existing single-family dwelling and/or the lot on which it is located, that do not meet the applicability criteria for an Administrative Adjustment or Federal Fair Housing Adjustments and do not meet the applicability criteria for a Hardship Variance under Section 146-5.4.4.A.

2. Procedure

a. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).

b. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

3. Criteria for Approval

a. The adjustment will have no material adverse impact on any abutting lot, or any material adverse impacts have been mitigated by conditions attached to the adjustment; and

b. The adjustment does not violate any conditions of approval specifically applied to development of the property by the Planning and Zoning Commission or City Council; and

c. At least one of the following criteria have been met:

i. The adjustment will result in a perception of development quality as viewed from adjacent streets and abutting lots that is equal to or better than would have been required without the adjustment.

ii. The adjustment will provide options for a more connected neighborhood layout or, for an adjustment for a residential subdivision, the adjustment will result in a neighborhood layout and level of multi-modal connectivity equal or better than would have been required without the adjustment.

iii. The adjustment will result in equal or better screening and buffering of adjacent properties and ground and roof mounted equipment than would have been required without the adjustment.

iv. The adjustment will not result in a material increase in on-street parking or traffic congestion on any local street in any Residential zone district within 200 feet of the applicant’s site; and

v. For an adjustment to the maximum number or area of signs or sign setbacks, the adjustment will have a minimal visual effect on the surrounding neighborhood, and is necessary to compensate for unusual shape or orientation of the lot or to allow sign visibility comparable to, but not exceeding, that available to nearby lots of approximately the same size and shape in the same zone district.
E. Federal Fair Housing Adjustments

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.E.

1. Applicability

This Section 146-5.4.4.E applies to all requests that the City provide “reasonable accommodation” or “reasonable modifications” to the provisions of this UDO pursuant to the federal Fair Housing Amendments Act of 1988.

2. Procedure

The Planning Director shall review and make a decision on the application.

3. Criteria

A Federal Fair Housing Adjustment shall only be approved if the Planning Director determines that the adjustment is the minimum change from the provisions of this UDO necessary to comply with the requirements of the federal Fair Housing Act Amendments of 1988 and that the adjustment will not cause a material adverse impact on the surrounding area. The Director shall not be required to approve, approve with conditions, or deny the requested adjustment, but may approve a different adjustment that meets the criteria in the previous sentence.

F. Administrative Adjustments

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.F. Decisions to approve an Administrative Adjustment are not appealable, but the decision or approval that includes an Administrative Adjustment is appealable pursuant to Section 146-5.3.13 (Appeals).

1. Applicability

a. This Section 146-5.4.4.F authorizes the Planning Director to make administrative adjustments to those development standards listed below as part of other development approvals and applications under this UDO.

<table>
<thead>
<tr>
<th>Ordinance Standard</th>
<th>Amount of Variation Permitted from Ordinance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Permits and Approvals</td>
<td></td>
</tr>
<tr>
<td>Maximum or minimum building setbacks</td>
<td>10%</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>5% in Residential districts; 10% in other districts</td>
</tr>
<tr>
<td>Maximum height of fence or wall</td>
<td>10%</td>
</tr>
<tr>
<td>Minimum off-street parking required or maximum off-street parking permitted</td>
<td>5% in Residential districts; 10% in other districts</td>
</tr>
</tbody>
</table>
Table 5.4-1
Administrative Adjustments

<table>
<thead>
<tr>
<th>Ordinance Standard</th>
<th>Amount of Variation Permitted from Ordinance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Additional for Redevelopment Plans</strong></td>
<td>The minimum amount needed to allow redevelopment of the property given the location of lawfully existing buildings and structures that will remain after redevelopment.</td>
</tr>
<tr>
<td>Any development standard in Article 146-5</td>
<td></td>
</tr>
<tr>
<td><strong>Additional for Signs</strong></td>
<td></td>
</tr>
<tr>
<td>Maximum total sign area</td>
<td>10%</td>
</tr>
<tr>
<td>Maximum number of signs</td>
<td>2 additional for large scale retail single-tenant use (over 50,000 sq. ft. 1 additional sign for all other uses)</td>
</tr>
<tr>
<td><strong>Additional for Fences</strong></td>
<td>As necessary to allow the replacement fence to comply with requirements of the Neighborhood Fence Replacement Program</td>
</tr>
<tr>
<td>Location, setback, or height of fences constructed under the Neighborhood Fence</td>
<td></td>
</tr>
<tr>
<td>Replacement Program</td>
<td></td>
</tr>
<tr>
<td><strong>Additional for Existing Single-Family Property</strong></td>
<td></td>
</tr>
<tr>
<td>Setbacks</td>
<td>10%</td>
</tr>
<tr>
<td>Fences</td>
<td>10%</td>
</tr>
<tr>
<td>Other property issues identified in Section 106 Article 3</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Additional for Infill Development in Subarea A and –HSO Zone District</strong></td>
<td>That amount determined by the Planning Director to be consistent with the guidance in the Aurora Infill Handbook</td>
</tr>
<tr>
<td>Any dimensional standard or design standard related to primary or accessory buildings or structures addressed by the Aurora Infill Handbook</td>
<td></td>
</tr>
<tr>
<td><strong>Additional for MU-0A, MU-FB, MU-TOD, and MU-R Zone Districts in Subarea A</strong></td>
<td>That amount determined by the Planning Director as necessary to contribute to achieving the types of pedestrian-friendly, street-oriented development desired in these zone districts.</td>
</tr>
<tr>
<td>Street Frontage Landscape Buffers</td>
<td></td>
</tr>
</tbody>
</table>

b. Administrative adjustments may only be used to adjust development standards on a single lot or two adjacent lots to address unique site constraints. All requests for adjustments to development standards for more than two adjacent lots, or for an entire development or subdivision or phase of a development or subdivision must be reviewed as Major Adjustments.

c. In addition to the adjustments listed in this Section 146-5.4.4.F, the Planning Director is authorized to approve alternative compliance with the standards in Section 146-4.7.5 (Required Landscaping) pursuant to Section 146-4.7.5.S (Alternative Compliance).

2. Procedure
There is no separate procedure for an Administrative Adjustment. Instead, applicants under Sections 146-5.4.3.B (Site Plans), or 146-5.4.2 (Subdivision of Land) may include a request for an Administrative Adjustment with those applications.

3. Criteria for Approval
a. The adjustment allows improved site or building design elements to be incorporated that are more consistent with the surrounding context; and

b. The adjustment will adjust permitted development standards for no more than two adjacent lots; and

c. The adjustment addresses a unusual site constraint or unusual requirement of the proposed use or building that is not common to other lots, uses, or buildings in the surrounding area; and
5.5. Pre-existing Development and Nonconformities

Article 146-5 Zoning and Subdivision Procedures

5.5.1. General Provisions

A. It is the general policy of the City to permit the continued use, sale, leasing, operation, and maintenance of nonconforming uses, structures, lots, site features, and sign features unless the nonconformity creates a danger to the public health and safety, or unless this UDO limits that continued use, operation, or maintenance.

B. If the City or another governmental or quasi-governmental entity obtains land through the use of eminent domain, or through transfer completed through negotiations to avoid the use of eminent domain, and the result is a parcel of land that does not meet the minimum lot size, minimum lot dimensions, or maximum lot coverage requirements for the zone district(s) where the property is located, the property shall be considered to be in conformity with the provisions of this UDO, unless the Planning Director determines that the nonconforming aspects of the property create a threat to the public health and safety.

C. Single-family detached dwelling units and their accessory structures built before the Effective Date are conforming and are not subject to the requirements of this Section 146-5.5. Any addition to such structures must comply with all applicable provisions in the zone district(s) where the property is located.

5.5.2. Nonconforming Use

A. Continuation

1. A nonconforming use may continue to be used in its current location, and the business or entity operating the nonconforming use may be sold, leased, or operated by a new owner, lessee, or operator in its current location, subject to other limitations in this Section 146-5.5.
2. The right to continue a nonconforming use does not include the right to relocate the use to a new lot. A land use that is relocated to a new lot loses its nonconforming status.

B. Expansion

1. A nonconforming use located inside an enclosed single-tenant structure may be expanded to occupy the entirety of the existing single-tenant structure where it is located, but the existing structure may not be enlarged to accommodate an expansion of the nonconforming use.

2. A nonconforming use located inside an enclosed multi-tenant structure shall not be expanded to occupy additional tenant space that it did not occupy when it became nonconforming.

3. Any portion of a nonconforming use located outside of an enclosed structure may not be expanded to occupy any portion of the lot that it did not occupy when it became nonconforming, and cannot be expanded to occupy any lands contiguous with the lot it occupied when it became nonconforming.

C. Restarting after Discontinuance

If a nonconforming use is discontinued for a period of one year or more, it may not be restarted in that location.

D. Replacement

A nonconforming use may be replaced by a conforming use or by a nonconforming use that the Planning Director determines will have fewer adverse impacts on surrounding properties.

5.5.3. NONCONFORMING STRUCTURE

A. Continued Use

1. A nonconforming structure may continue to be used in its current location, and the structure may be sold or leased to a new a new owner or lessee in its current location, subject to other limitations in this Section 146-5.5.

2. The right to continue a nonconforming structure does not include the right to relocate the structure to a new lot. A nonconforming structure that is relocated to a new lot loses its nonconforming status and may only be relocated to a lot where it is a conforming structure.

B. Expansion

1. A nonconforming structure may only be expanded if the expansion area conforms with all applicable provisions in the zone district(s) where the property is located.

2. No expansion of a non-conforming structure shall increase the degree of nonconformity of the building. Without limiting the generality of the previous sentence, no structure wall that does not comply with applicable setbacks shall be expanded horizontally unless the expansion complies with applicable setbacks.

C. Routine Repairs and Maintenance

A nonconforming structure may be maintained and repaired so as to maintain or improve the safety of building occupants or the appearance of the building when viewed from public streets or abutting properties.
D. Repairs after Significant Damage

1. A nonconforming structure that has been damaged by fire, flood, wind, or other natural forces may be restored in the location it occupied immediately before the damage, and to the size, height, and building footprint that existed immediately before the damage provided that:
   a. All repair and restoration work complies with the building code; and
   b. Repair and restoration work is begun with six months after the damage and is completed within 12 months after the date on which the repair and restoration work began.
   c. If other requirements of this Section 146-5.5.3.D are met, the owner or operator of any nonconforming use that existed in the structure prior to the damage may restart that use following repair and restoration work, provided:
      i. The period of discontinuance of the use is not longer than two years; and
      ii. The use does not create adverse environmental impacts, or mitigates those impacts on site to the maximum extent practicable.

2. A nonconforming structure that has been damaged by fire, flood, wind, or other natural forces, and in which the costs of repairing the damage exceed 50 percent of the fair market value of the structure immediately before the damage, may only be repaired or restored if the repairs or restoration result in a structure that conforms to the standards for the zone district(s) where it is located.

3. A nonconforming structure that according to the Planning Director requires demolition due to neglect shall not be permitted to be restored or rebuilt unless it complies with all standards of this UDO.

5.5.4. NONCONFORMING LOT

A lot that was platted before the Effective Date and that does not meet the requirements of the zone district(s) in which it is located may be used for any permitted use in that zone district(s), provided the structure in which the use is operated complies with the following standards.

A. Subarea A

In Subarea A, the structure shall comply with all applicable standards in Section 146-4.2 (Dimensional Standards) for the zone district(s) where the property is located, except that required building side setbacks shall be reduced and maximum lot coverage shall be increased in the same proportion that the actual lot size bears to the required minimum lot size in that zone district. For example, if the actual lot size is 80 percent of the required minimum lot size, required side setbacks shall be 80 percent of those required by Section 146-4.2 (Dimensional Standards).

B. Subareas B and C

In Subareas B and C, the structure shall comply with all applicable standards in Section 146-4.2 (Dimensional Standards) for the zone district(s) where the property is located.

5.5.5. NONCONFORMING SITE FEATURE

A. Continuation

A developed lot that contains site features – for example, parking areas that do not comply with the standards of Section 146-4.6 (Parking, Loading, and Stacking), or landscaping that does not comply with the standards of Section 146-4.7 (Landscape, Water Conservation, Stormwater Management), outdoor lighting that does not comply with the standards of Section 146-4.9 (Exterior Lighting), or accessory structures that do not meet the height, size,
or location standards in this UDO may continue to be used in its current condition, and the site feature nonconformity shall not affect an applicant’s ability to alter the use or land or structures on the lot in other ways permitted by this UDO, except as stated in this Section 146-5.5.5.

**B. Expansion**

If the primary structure on a lot is increased by 25 percent or more, measured cumulatively from the Effective Date of this UDO, the existing off-street parking on the lot shall be increased by the amount required by Section 146-4.6 (Parking, Loading, and Stacking) for the expansion area, and all required new parking areas shall comply with the standards in Section 146-4.7 (Landscape, Water Conservation, Stormwater Management). Any outdoor lighting installed in required new parking areas shall comply with the standards in Section 146-4.9 (Exterior Lighting).

**5.5.6. NONCONFORMING SIGN**

The right to operate and maintain any nonconforming sign shall terminate upon the occurrence of any one of the following conditions, unless such sign is brought into conformance with the standards in Section 146-4.10 (Signs):

A. Any change is made to the structure or physical characteristics of the sign;

B. A request is made for a permit to change the sign; or

C. A Site Plan or Site Plan Major Amendment for the property containing the nonconforming sign is approved by the City.

**5.6 ENFORCEMENT AND PENALTIES**

**5.6.1. VIOLATIONS**

Each of the following actions, or inaction when action is required, is a violation of this UDO, and is subject to enforcement and the imposition of penalties as shown in Article 1-3 of the Aurora City Code, or Sections-146-5.6.2 (Enforcement) or 146-5.6.3 (Penalties).

A. Failure to comply with any standard, regulation, of requirement of this UDO or any regulation adopted by a City department or agency under authority granted by this UDO.

B. Failure to comply with any condition attached to a permit or approval by the City under this UDO.

C. Engaging in the division of land for sale or development in any way that does not comply with the standards, criteria, and procedures for approval of a Subdivision of Land under this UDO.

D. Transferring title to any lot, tract, or parcel of land before any subdivision plat required for this UDO has been approved and the approved plat has been filed with the County Clerk and Recorder for the county or counties in which the property is located.

E. Submitting for recording with any County Clerk and Recorder any subdivision plat that has not been approved under this UDO.

F. Obtaining a permit or approval under this UDO through submittal of inaccurate or misleading information, or through making inaccurate or misleading statements at a public hearing, regarding the proposed development, the conditions of the land on which the proposed development is located, or conditions on adjacent parcels.
G. Obstructing or removing any notice required to be posted or otherwise given under this UDO.

H. Failing to operate and maintain property or to properly secure sites where construction has been abandoned, as required by Section 146-4.11 (Operating and Maintenance Standards).

I. Creating or maintaining a public nuisance in violation of Chapter 62, Article II of the Aurora City Code.

J. Failure of a structure or other development to be fully compliant with the provisions of Sections 146-2.6.1 (Flood Protection Overlay (-FPO)), as those requirements may have been adjusted by an approved variance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 C.F.R. Sections 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

K. Placing, using, permitting, or allowing a donation collection bin to be placed or allowed to remain on a property without a donation collection bin permit, or permitting or allowing operation of a bin that is not in compliance with any requirement of this UDO, any of which actions are detrimental to the public health and safety.

L. Failing to maintain or keep in good repair any donation collection bin, including without limitation failing to promptly remove graffiti or failing to repair any part of the bin that is missing, broken, damaged, or deteriorated.

M. Failing to maintain the area around any donation collection bin, including without limitation, the prompt removal of dumped items.

N. To continue any violation as defined in Subsections A through M above, with each day of continued violation to be considered a separate violation for purposes of charging of any ordinance violations and computing cumulative penalties.

5.6.2. ENFORCEMENT

A. Responsibility
The Director of Neighborhood Services shall be responsible for enforcement of this UDO except as indicated in Subsection 2 below, and for inspections of property to determine violations of this UDO through the employment of inspectors who are vested with the powers of enforcement.

B. Inspections
Upon presentation of proper credentials, including a warrant, an authorized employee or agent of the City may enter at reasonable times any building, structure, or premises in the City to perform inspections of potential violations of this UDO.

C. Remedies are Cumulative
The City may use any or all of the powers listed in this Section 146-5.6.2, in any order, to enforce the provisions of this UDO. The selection of any methods of enforcement does not restrict the power of the City to choose an additional or different form of enforcement in the future.

1. Withholding of a Building Permit or Certificate of Occupancy
No building permit or final certificate of occupancy shall be issued for any building or structure that does not fully comply with the provisions of this UDO. Nothing in this UDO...
2. Withholding of Other Permits and Approvals
   a. If the City has issued some permits or approvals for a development or subdivision, but additional permits or approvals are needed for completion of the project, and the City determines that there have been violations of this UDO related to those permits or approvals already granted, the City may withhold later permits or approvals for the development until the violations have been corrected.
   b. As an alternative to withholding of permits or approvals, the City may issue later permits or approvals subject to conditions that the existing violations be cured within a stated period of time.

3. Withholding of Water Taps or Water Service
   The City may refuse to issue water taps for the development where the violation exists, and/or may withhold water service to that development, until the violation is cured.

4. Revocation of Permits or Approvals
   The Planning Director may revoke any permit or approval under this UDO if the Director determines that the permit or approval has been issued in error, or that the site development, land uses, or structures authorized by that permit or approval have been established or constructed or are being maintained in violation of this UDO.

5. Removal of an Illegal Sign or Temporary Structure
   a. Where the violation of this UDO is an illegal sign or a temporary structure, the City may remove the sign or temporary structure after giving the property owner 10 calendar days written notice of its intent to do so.
   b. As an exception to Subsection 5.a. above, if the Public Works Director determines that the sign or temporary structure is a threat to public health or safety, or if the violation is the third or more violation of an illegal sign and/or temporary structure on the same property, then the Planning Director or Public Works Director may order the immediate removal of the sign.
   c. When removal of a sign is required, the entire sign and all supporting structures shall be removed. Signs painted directly on an exposed brick, stone, or concrete wall shall be removed by a process that strips the entire sign from the wall, not by painting over the sign.
   d. Signs placed in medians, parks, open space areas, on any traffic control device, in any rights-of-way without authorization, or in a manner impairing traffic or pedestrian visibility are illegal and are subject to immediate removal by the City without notice.
   e. Regardless of whether the procedure in Subsection 5.a. or 5.b. above is followed, following the removal of the illegal sign or temporary structure, the City shall provide the property owner written notice of its removal and the property owner’s right to obtain the sign or temporary structure from the City. The City shall retain the illegal sign or temporary structure for at least 30 days, and shall thereafter have the right to destroy or dispose of the sign or illegal structure without liability to the property owner, the owner of the sign or structure, or any other person.
   f. Any costs incurred by the City in removing an illegal sign or temporary structures may be collected from the owner of the property on which the illegal sign was posted. The Planning Director shall determine the costs incurred for repair or removal of the illegal sign or temporary structure, and shall notify the owner or occupant of the premises of the amount of those costs. If the owner or occupant shall fail within 30 calendar days after the notification to pay the entire costs and expenses of such repair or removal, the City shall certify those costs to the County Treasurer for the county in which the
property is located, and those costs shall become a lien against the property. The amount certified by the Director of Finance to the County Treasurer for collection shall include the actual cost of repair or removal of the sign, plus any costs associated with any penalty and interest for the cost of collection.

6. Suspension of Licenses
The City may suspend the license of the builder, contractor, or subdivider responsible for the violation.

7. Stop Work Order
With or without revoking permits, the City may issue a stop work order or a notice of violation requiring the property owner and its agents and contractors to stop work on any building or structure on any land on which there is an uncorrected violation of a provision of this UDO or of a permit or approval issued under this UDO.

8. Abatement
The City may seek a court order in the nature of mandamus, abatement, injunction or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

9. Injunctive Relief
If the Planning Director or the Director of Public Works determines that irreparable harm or injury may result to person or property by the continued violation of this UDO, the Planning Director may request the City Attorney to seek injunctive relief in a court of proper jurisdiction.

10. Article 1-13 Powers
The City may use any powers and procedures listed in Article 1-13 of the Aurora City Code to enforce this UDO.

11. City Abatement and Recovery Costs
When a violation of this UDO or a failure to complete construction or improvements required by this UDO creates a nuisance or a hazard to public health or safety, the City may correct the violation or abate the nuisance or hazard itself and recover the costs of such abatement from the owner of the property in any manner permitted by law.

12. Others Permitted by Law
The City may use any other powers permitted by Colorado law to enforce this UDO, the terms and conditions of any permit or approval issued pursuant to this UDO, or the violation of any regulation issued based on authority granted in this UDO.

D. Enforcement Procedures

1. Non-emergency Matters
   a. Notice of Violation
      i. In the case of violations of this UDO that do not constitute an emergency or an immediate threat to public health or safety, the City may give written notice of the nature of the violation to the occupant (other than the resident of an apartment in a multifamily residential or mixed-use structure), property owner, or any applicant for any relevant permit. Notice may be provided by:
         a. Delivering a copy of the notice to the occupant (other than the resident of an dwelling unit in a multifamily residential or mixed-use structure), property owner, or the holder of the permit or approval, mail return receipt requested, to the last-known post office address of the property owner or holder of the permit; or
b. Leaving a copy of the notice with any agent of the premises and mailing a copy to the property owner as shown in the real estate records; or

c. If no person can be found on the premises, affixing a copy of the notice in a conspicuous place at or near the entrance to the property or primary structure on the property.

ii. Violation notices shall state the nature of the violation, and the time period for compliance, and may also state the corrective steps necessary to ensure compliance with the Ordinance and the types of additional enforcement steps and/or penalties that the City may use if the violation is not corrected within the stated time.

b. Correction of Violations

i. Unless otherwise stated in this UDO, the notice of violation shall generally allow the occupant, property owner, or permit holder 10 calendar days from the date of the notice to correct the violation before further enforcement action may be taken. However, the Planning Director may provide a longer period for compliance if the Director determines that the nature of the violation or other unique circumstances make it unlikely that the violation can be corrected within 10 calendar days. Similarly, the Director may allow a shorter time period if the Director determines that the violation can be corrected in less than 10 calendar days, or if the violation involves a temporary use or structure that will be used or will occur in less than 10 calendar days from the date on which the notice of violation is provided, or if the violation is associated with a property deemed to be a chronic violator by the Neighborhood Support Division.

ii. The Planning Director may extend the time permitted to correct a violation of this UDO upon receipt of written evidence that the required correction has been started and is being diligently pursued, and that it is impossible or impracticable to complete the correction within the time period stated in the notice of violation.

c. Summons to Municipal Court

Violations not corrected within the required timeframe may be subject to summons to appear in municipal court and subject to additional penalties.

2. Emergency Matters

In the case of violations of this UDO that constitute an immediate threat to public health and safety, or an emergency situation with the potential to create substantially increased problems, costs, or liabilities for the City if not remedied immediately, the City may use the enforcement powers available under this UDO without prior notice. In such cases, the City shall give notice simultaneously with the beginning of its enforcement action or as soon as possible after beginning enforcement action. Notice may be provided to the property owner or to the holder of any approval or permit under which the violation has occurred.

5.6.3. PENALTIES

A. Unless a violation of this UDO is by its nature uncorrectable or irreversible, each day of continued violation shall constitute a separate violation.

B. Any violation of this UDO shall be punishable in accordance with the penalty as set forth in Section 1-13 of the Aurora City Code.

C. Any violation of this UDO that is determined to be a public nuisance is subject to those penalties in Chapter 62, Article II, of the Aurora City Code.

D. An applicant that has had a temporary outdoor food and/or merchandise special use permit revoked may not apply for another permit within one year of the revocation.
Article 146-6 Definitions and Rules of Construction

All provisions, terms, phrases, and expressions contained in this UDO shall be construed according to the purposes set out in Section 146-1.3. Terms not defined in this Article shall be interpreted based on standard usage. When not otherwise defined in this Article, categories of allowed uses shall be interpreted by the Planning Director.

6.1 RULES OF CONSTRUCTION

6.1.1. TECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. More specifically:

A. The words "owner," "person," or "developer" include a firm, association, partnership, trust, company, or a corporation as well as an individual.

B. The words "used" or "occupied" include the words "intended, arranged, maintained, or designed to be used or occupied".

C. The word "lot" includes the words "plot" or "parcel."

D. The words "existing," "existed," "exists," and "occupied" shall imply the modifier "lawfully."

E. The terms "district," "zone," "zone district," and "zoning district" shall all refer to the zone districts defined by this UDO.

6.1.2. LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples, not to be exhaustive lists of all possibilities.

6.1.3. COMPUTATION OF TIME

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or a holiday observed by the City.

6.1.4. PUBLIC BODIES, DOCUMENTS, AND AUTHORITY

A. All public officials, bodies, and agencies to which references are made are those of the City of Aurora, unless otherwise expressly stated.

B. Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

C. Whenever a provision of this UDO requires the head of a department or another officer or employee of the City to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility to others over whom
they have authority. The person to whom authority under this UDO has been delegated is sometimes referred to as a “designee.”

D. Whenever a provision of this UDO identifies an individual or entity associated with an application or with property, that provision shall be construed as including any legally authorized agents or assigns of that individual, but the City may require proof of such legal authorization before authorizing any agent or assign to take actions related to any application or property for which they are not the property owner.

6.1.5. **MANDATORY AND DISCRETIONARY TERMS**

The words “shall,” “will,” and “must” are always mandatory. The words “may” and “should” are discretionary terms.

6.1.6. **CONJUNCTIONS**

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

A. “And” indicates that all connected items, conditions, provisions or events apply; and

B. “Or” indicates that one or more of the connected items, conditions, provisions, or events apply.

6.1.7. **TENSES, PLURALS, AND GENDER**

A. Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary.

B. The singular includes the plural and the plural the singular, unless the context clearly indicates the contrary.

C. Words used in the masculine gender include the feminine gender and vice versa.

6.1.8. **HEADINGS, ILLUSTRATIONS, AND TEXT**

In case of any difference of meaning or implication between the text of this UDO and any heading, drawing, table, figure or illustration, the text shall control.

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6.2 **DEFINITIONS AND TERMS OF MEASUREMENT**

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**A-weighted Sound Level**

The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

**Above Ground Bulk Storage of Flammable Liquids or Gasses**

The storage of over 2,000 gallons of commercial and industrial liquids or gasses in above ground containers for subsequent resale to distributors or retail dealers or outlets. This definition shall not include the dispensing of fuel to individual retail customers.
**Abutting**
Refers to two or more properties or zone lots sharing a common border or separated only by a public or private right-of-way or by public open space or body of water not more than 1,000 feet in width.

**Abutting Property or Zone Lot**
Property that shares at least part of a boundary line, not just a corner point, with the subject property or zone lot.

**Abutting Property Owner**
The owner of an abutting property. In case of property held in condominium ownership, abutting owner means all the individuals holding undivided ownership in the abutting property.

**Accessible**
Approachable, enterable, and usable by persons with disabilities.

**Accessory Building**
A detached building, or a building connected to a principal building through a roofed structure with partially enclosed sidewalls, or without enclosed sidewalls, located on the same zone lot with the principal building, the use of which is customary and incidental to the use of the principal building.

**Accessory Structure**
A structure detached from a principal structure located on the same lot and customarily incidental and subordinate to the principal building, principal structure or principal use.

**Accessory Use**
A use of land or of a building or portion of the land or building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

**Accident Potential Zone I (APZ I)**
An area 3,000 feet wide by 5,000 feet long located immediately beyond the clear zone at the end of a runway, as shown on the air installation compatible use zone map.

**Accident Potential Zone II (APZ II)**
An area 3,000 feet wide by 7,000 feet long located beyond the accident potential zone I area, as shown on the air installation compatible use zone map.

**Active Use**
A land use that generates pedestrian and patron activity, including but not limited to retail, restaurant, office, residential, commercial, or civic use.

**Adjacent**
Lots, parcels, or rights-of-way are adjacent to each other when that share all or part of a common lot line or are separated from each other only by a public street, water body, or public land.

**Adult or Child Day Care Center**
A facility, by whatever name known, that is maintained for the whole or part of a day for the care of children under the age of 16 years, or for elderly adults, and that is not located in a dwelling unit occupied by any of the operators of the facility. The facility shall be operated with or without compensation for such care, and with or without stated educational purposes, and shall hold a valid state license for the operating of an adult or child day care center, that provide day care services, including monitoring of clients, social and recreational services, food and nourishment,
Definitions and Terms of Measurement

Article 146-6 Definitions and Rules of Construction

6.2. Definitions and Terms of Measurement

6.1.8. Headings, Illustrations, and Text

and health support services. The term shall include facilities commonly known as "day care centers," "day nurseries," "nursery schools," "kindergartens," "preschools," "play groups," "day camps," "summer camps," "adult care," or "adult day care center." It shall include those facilities that give a maximum of 10-hour care for dependent and neglected children. It shall include those facilities for children under the age of six years, with stated educational purposes, operated in conjunction with a public, private, or parochial college or a private or parochial school. The term shall not apply to a kindergartenn maintained in connection with a public, private, or parochial elementary school system of at least six grades. Child care centers are divided into two distinct use groups:

1. “An Adult or Child Day Care Facility, Large” includes facilities that are maintained for the whole or part of a day for the care of 16 or more children under the age of 16 years, or not more than 16 elderly adults, who are not related to the owner, operator or manager of the facility.

2. “An Adult or Child Day Care Facility, Small” includes the following:
   a. Facilities that are maintained for the whole or part of a day for the care of from six to 15 children under the age of 16 years, or five to 15 elderly adults, who are not related to the owner, operator or manager of the facility.

Affordable Housing Structure

A multifamily dwelling structure that has received financial assistance from the Colorado Housing and Finance Authority or Federal HUD programs under conditions that ensure that some portion of the included dwelling units will be rented or sold at stated levels of affordability as defined by HUD’s Area Median Income levels for a stated period of time.

After Hours Club or Entertainment

A Restaurant; Bar or Tavern; Microbrewery; Meeting, Banquet, Event, or Conference Facility; or other establishment (whether or not alcohol is served) that operates between midnight and 5:00 am that also includes any of the following: live music, live entertainment, amplified recorded music, bottle service, bottle buckets, elaborate lighting, or dance floor, or that permits entry of more persons than can be comfortably seated in the facility at one time. Amplified music does not include background music played at low volumes and not audible outside the premises. This use does not include any use meeting the definition of a Sexually Oriented Business.

Agricultural and Animal-related Uses

A land use category (containing individual land uses) that includes the use of land for purposes including farming, dairying, pasturage, horticulture, animal and poultry husbandry, and the necessary accessory uses for treating or storing of farm products and parking of equipment.

Agriculture

The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to persons, on a site larger than five acres in size, including the storage of agricultural products produced off the premises. This use does not include a tract of land and related structures, pens, or corrals, in which more than 50 cattle, horses, sheep, goats, or swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market. This use does not include “Slaughterhouse, Small.”

Air Installation Compatible Land Use Zone (AICUZ)

A land use planning concept established by the U.S. Air Force to protect the integrity of military operations at airfields, and to protect the safety, health, and welfare of the affected public through source and operational controls and the use of land use compatibility measures.

Aircraft Hangar and Aircraft Maintenance Facility

Facilities intended for maintenance, loading, unloading, storage, and fueling of aircraft.
Article 146-6 Definitions and Rules of Construction

6.2. Definitions and Terms of Measurement

Airport
A landing area, runway, or other facility designed, used, or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

Airport Influence District
A designated area of land surrounding an airport that is affected by noise, clear zones, accident potential, flight tracks and any additional locations of potential aircraft noise, vibrations, fumes, smoke, dust and fuel particles from aircraft operations.

Aisle
The traveled way by which motor vehicles enter and depart parking spaces.

Alley
Any paved or hardscaped public or private space or thoroughfare of 20 feet or less in width that connects to a public or private street on both ends and provides a secondary means of public access to abutting properties or buildings.

Alley-Loaded
A principal use or structure, an accessory dwelling unit, garage, or other accessory structure, or lot on which or to which the access comes from an alley.

Alteration
As it relates to historic preservation, any change because of construction, repair, maintenance, or otherwise to buildings located within an historic district or designated as a landmark. This includes direct and indirect effects as well as adverse or innocuous changes.

Alternate-Loaded Residential Product
A home design having garage doors facing in a direction other than towards the street on which the home fronts, including an alley, Green Court open space, or Motor Court.

Ambulance Service
Space owned or leased as quarters for a single ambulance crew, adjacent parking for the ambulance, and the pedestrian and electrical power connections necessary to support operations of a single ambulance.

Amenity
A natural or created feature that enhances the aesthetic quality, visual appeal, usefulness or attractiveness of a particular property, place, or area.

Applicant
1. The record owner of the site and/or and buildings located on the site, or
2. A lessee of the property; or
3. A person holding a contract to purchase the property, or
4. A person with written authority to file an application signed by one or more of the persons listed in Subsections 1, 2, or 3 above.

Area, Building
The total of areas taken on a horizontal plane of the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.
Area, Minimum Site
The minimum area of land exclusive of dedicated rights-of-way required for development of a site.

Area, Site per Dwelling Unit
The gross site area divided by the number of dwelling units on a site.

Art Studio or Workshop
A use with an interior building area for artist galleries, studios, and residences used for the creation, display, and associated sale of various artistic mediums and creative arts.

Artificial Turf
A surface of synthetic fibers made to look like natural turf.

Assessed Value
The value at which property is appraised for tax purposes.

Assisted Living Facility
A building or group of buildings specifically designed for persons occupying private residential quarters with full bathroom facilities and at least partial kitchen facilities. Residents in such a facility need some assistance in performing one or more of the following daily functions: the preparation of some or all meals, bathing, housekeeping, and laundry, the administration of medication, periodic medical attention, and transportation. The term “assisted living facility” shall also include “life care facilities” but shall not include facilities designed exclusively for the care of persons needing full-time nursing care, Alzheimer patients, or bed-ridden patients.

Automobile
A self-propelled wheeled vehicle designed for the transportation of either passengers or cargo and weighing less than 6,000 pounds empty weight, to include any passenger vehicles, pick-ups, passenger vans, and/or cargo vans.

Automobile and Light Truck Sales and Rental
Selling, leasing, renting, brokering, or auctioning vehicles seven feet or less in height, including automobiles, sport utility vehicles, light trucks and van, and motorcycles, but excluding trailers.

Avigation Easement
An easement or right-of-way for unobstructed passage of aircraft above property that waives any right or cause of action against the City or airport arising from noise, vibrations, fumes, dust, fuel particles and other effects caused by aircraft and airport operations.

Awning
A framed architectural feature that is attached to and supported from the wall of a building, and that is covered with canvas fabric, or other material as its primary surface, and that shields or has the appearance of shielding a doorway or window from the elements.

Back of Sidewalk
The side of a street sidewalk furthest from the street to which that sidewalk is roughly parallel.

Bar and Tavern
An establishment engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises and that may or may not serve food. This use also includes “hookah” bars in which patrons consume flavored tobacco from a stemmed instrument designed...
for vaporizing tobacco. If food is served, the revenue from sales of food is smaller than the revenue from alcohol sales. In addition, if food is served, the revenue from sales of food is smaller than the revenue from alcohol sales for all periods during which the establishment is open after 9:00 pm during each calendar month.

**Bay Window**
A window or series of windows projecting outward from the main wall of a building and forming a bay or alcove in a room within.

**Bed and Breakfast**
An owner occupied, single-family detached home having from one to not more than five guestrooms.

**Berm**
A mound of earth or the act of pushing earth into a mound, constructed for the purpose of shielding, screening, and buffering undesirable views and to separate incompatible land uses.

**Bicycle Parking**
Space for the temporary storage of a bicycle in the form of a rack, locker, or storage area of appropriate design and dimension, used exclusively for the storage of a bicycle.

**Bio-Medical Waste Treatment Facility**
A facility for the processing, storage, or disposal of bio-medical waste through processes that involve ozone treatment, and that comply with all applicable federal, state, and local regulations.

**Black Forest**
An area within the city limits generally south of a line bounded by Arapahoe, Picadilly, and Smoky Hill roads, east of Parker Road. This region is characterized by hilly terrain, steeply incised slopes, and partial tree cover consisting primarily of Ponderosa Pine and Gambel Oak assemblages.

**Black Forest Tree or Trees**
Either or both Ponderosa Pine trees and Gambel Oak shrub plant species.

**Block**
A parcel of land within a platted subdivision bounded on all sides by streets or avenues, other physical boundaries such as a body of water, or the exterior boundary of a platted subdivision.

**Boundary Road**
As used for the MU-R zone districts adjacent to E-470, a road that roughly parallels the alignment of E-470 (and also turns to parallel the alignment of I-70 at the E-470/I70 interchange) and terminates other streets running toward E-470. The Boundary Road shall be located at least 300 feet from the E-470 right-of-way to define a single row of building sites located between the Boundary Road and E-470, which are referred to as High Visibility Sites. In the case of a regional shopping mall or other regional use containing at least 1,000,000 square feet of gross floor area, the Boundary Road may (at the applicant's option) be a frontage road located closer than 300 feet to the E-470 or I-70 rights-of-way. When the Boundary Road is designed as a frontage road, the areas between the Boundary Road and the E-470 and I-70 rights-of-way shall meet the parking lot perimeter landscaping requirements of Section 146-4.7.5.K.5.

**Brewery**
Any establishment where malt liquors or fermented malt beverages are manufactured and production exceeds 1,860,000 gallons of malt liquor per year. This use does not include a Brewpub.
**Brewpub**
An establishment that manufactures not more than 1,860,000 gallons of malt liquor or fermented malt beverage each calendar year, and that may include retail sales in an on-premises licensed facility.

**Brick**
An architectural product laid up in small, individual units with concrete mortar joints and with a veneer depth of at least three inches that complies with one or more of the following standards:
1. ASTM C55—Standard specification for concrete building brick;
2. ASTM C216—Standard specification for facing brick (solid masonry units made from clay or shale);
3. ASTM C652—Standard specification for hollow brick (hollow masonry units made from clay or shale);
4. An ICC-ES approved evaluation service report; or
5. Any applicable building code standard adopted by Chapter 22 of the Aurora City Code.

**Buffer**
A continuous strip of land set aside for landscaping between land uses of different types or intensities, or between land uses with different impacts. Buffer landscaping mitigates external effects such as noise or glare from lights, ensures compatibility between uses, and provides a natural transition between uses.

**Buffer Strip**
Open spaces, landscaped area, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another to visually shield or block noise, lights, or other nuisances.

**Building**
Any structure having a roof supported by columns or walls, and built for the support, shelter, or enclosure of persons, animals, chattels or property of any kind.

**Building Code**

**Building Footprint**
The total area measured at the building’s outside walls at its ground plane exclusive of uncovered porches, terraces, and steps.

**Building Front or Frontage**
The elevation of a building facing a street, Loop Lane, Motor Court, or drive lane from which the building's main pedestrian entrance can be accessed most directly. Except that in the case of a single- or two-family home, the building front shall never be designated as the elevation facing a drive lane. In no case shall a building front be designated as the elevation facing an alley.

**Building Line**
A line parallel to the street line touching that part of part of the exterior face of a structure (but not including applied claddings) closest to the street closest to the street.
Building Permit
The document issued by the chief building official that is required for all structures and buildings prior to any activity that involves the construction, erection, alteration, enlargement, repair, relocation, improvement, removal, conversion, or demolition of a structure or building.

Building Separation
The least horizontal distance permitted between the nearest portions of any buildings on a site.

Building Unit
As used in the context of oil and gas regulation, shall have the meaning defined in Colorado law or related regulations.

Bulk Commodity Storage Facility
An establishment engaged in the storage of over 2,000 gallons of oils, lubricants, liquids, grains, mineral products, or other commodities not listed separately as specific types of warehousing, wholesaling, or storage. This use includes a grain elevator and facilities or areas for the temporary storage of commodities listed above for transfer to trucks, train cars, or other forms of transportation.

Caliper
The diameter of a tree trunk measured at six inches above ground level for trees up to four inches in diameter and 12 inches above ground for larger diameter trees.

Capital Impact Fee
A fee imposed on new development or redevelopment by the City in order to fund the cost of providing new or expanded capital facilities required to serve that development or redevelopment.

Caretaker’s Residence
An accessory dwelling unit located on the premises of another principal use for the occupancy of a caretaker, security guard, or other person charged with oversight or protection of the principal use.

Carport
A structure sheltering one or more parking spaces, unenclosed on one or more sides, and not meeting the definition of a residential garage.

Catering Service
An establishment whose principal business is to prepare food on-site, then to transport and serve the food off-site. This use includes a commercial kitchen. No business consumption of food or beverages is permitted on the premises.

Cemetery
Property used for the interring of dead humans or animals.

Centerlines, Streets and Alleys
A line drawn along the center of a street or alley that is parallel to and equidistant from each edge of the street or alley right-of-way.
Certificate of Occupancy
The document issued by the chief building official prior to the occupation or use of a building or structure that certifies the building or structure is in conformance with the provisions of the building code and any other laws enforced by the City Code Enforcement Division.

CFR Part 77 Surfaces (or 14 CFR Part 77 Surfaces)
Imaginary surfaces in the vicinity or an airport as established by the Federal Aviation Administration Regulations, part 77, “Objects Affecting Navigable Airspace,” U.S. Department of Transportation, FAA, January 1975, as amended, for commercial and military airports for the purpose of controlling heights of objects in the airport vicinity, as codified at 14 CFR 77.28, incorporated into this UDO by this reference.

Change of Use
Any use that substantially differs from the previous use of a building or land.

Chief Building Official
That person in the Building Division designated to make decisions regarding compliance of applications with the UDO and other adopted City codes and regulations.

Christmas Tree Sales
A temporary retail sales operation, generally conducted wholly outside, that offers for sale Christmas trees and related holiday items, such as wreaths and tree stands.

Circulation
Systems, structures, and physical improvements for the movement of people, goods, water, air, sewage, or power, by such means as streets, highways, railways, waterways, towers, airways, pipes, and conduits and the handling of people and goods by such means as terminals, stations, warehouses, and other storage buildings or transshipment points.

Civic, Cultural, or Public Use Facility
Museums, art galleries, botanical or zoological gardens, libraries, visitor centers, and similar establishments that document and present natural, historic, scientific, or cultural interests; as well as facilities for the performance or presentation of theater arts, dance, drama, and similar cultural pursuits to the general public. This use does not include an art studio of workshop, a sexually-oriented businesses, or a public safety facility.

Clear Zone (CZ)
An area at the immediate end of each airport runway, which area is 3,000 feet wide by 3,000 feet long.

Club, Lodge, and Service Organization
Affiliations with a selective membership whose members have voting control over significant aspects of the group’s operations, and that do not charge daily or weekly dues or entry fees or admit persons into the premises based upon application fees.

Code of Federal Regulations (C.F.R.)
The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government.

Commercial Message
A message that is primarily concerned with the marketplace of goods and services, or the economic interests of the speaker and/or the audience, or that proposes a commercial transaction.
Commercial Vehicle
Any vehicle used or designed to be used for business, commercial, or industrial purposes and licensed as a commercial vehicle, including but not limited to a bus, tow truck, dump truck, tank truck, garbage truck, panel truck, stake bed truck, hoist truck, step van, semi-tractor, semi-trailer, commercial tree trimming equipment, construction equipment, or any non-recreational trailer.

Compatible or Compatibility
Characteristics of uses, activities, designs, or facilities that allow them to be located near each other without creating significant adverse visual, functional, or operational impacts on each other. Determinations of compatibility include considerations of the height, scale, mass, or bulk of structures; levels of activity discernible outside a structure; levels of pedestrian, bicycle, or vehicle traffic; levels of site circulation, site access, or parking activity; landscaping, lighting, noise, odor, architectural features, and building materials. Compatibility does not require that two uses, activates, or designs be identical or substantially the same.

Composite Wood
The composite materials made of wood fiber and/or wood flour and thermoplastics, with a minimum of a 20-year manufacturer’s warranty, and of a color integral to the fence material so as to not require painting.

Comprehensive Plan
The long-range Comprehensive Plan for the City adopted by City Council, including all amendments adopted by City Council.

Conditional Use
A use that may be permitted if found to be compatible with adjacent uses and would not change the character of the neighborhood.

Condominium
A form of organizing and owning real estate ownership as recognized in Colorado Revised Statutes §§ 38-33-101 et. seq., and as regulated by the State of Colorado.

Congregate Living Facility
Any building or portion of a building that contains facilities for living, sleeping and sanitation that comply with the standards set forth in the code, and may include facilities for eating, cooking, counseling, or training. Congregate living facilities can include any entity protected under the Fair Housing Act, but do not include jails, halfway houses, hospitals, hotels or boarding houses.

Construction
Any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities, or similar property. On a historic site or in a historic district construction means the erection of any improvements on any parcel of land.

Construction Protection Devices and Measures
Temporary structural measures such as fencing, tape lines, and berms, installed prior to construction to minimize tree damage and permanent structural measures such as retaining walls and aeration devices designed to protect the tree throughout its lifetime.

Contextual Site Plan
A plan for the development of land approved by the City before the Effective Date pursuant to the provisions of the Aurora Zoning Code applicable to the former E-470 and/or Northeast Plains zone districts. Approved Contextual Site Plans are treated as approved Site Plans or Final
Subdivision Plats in this UDO, depending on whether they were approved as zoning or subdivision actions.

**Continuing Care Retirement**
A community for care of the elderly that has common facilities and provides licensed intermediate and skilled nursing facilities for its residents, as well as other supportive services. This use generally includes a variety of housing types and provides a variety of levels of assistance and care so that its residents may obtain higher levels of care and service as they age without having to move to another residential care facility.

**Corner Commercial Use**
An art studio or workshop, office, personal service, restaurant, or retail sales use in a structure located at a specific type of street intersections in the MU-OA zone district.

**Courtyard**
An unoccupied open space, other than a yard, on the same lot with a building and that is bordered on two or more sides by the building.

**Cul-de-Sac**
A street with one end open for the public vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

**Cultural Heritage Site**
A parcel with improvements, such as a building, structure, or object, that lacks sufficient integrity to warrant landmark designation, but still possesses historical, architectural, cultural, or archeological significance. An age of 50 years or more is typical but not required if a site is of exceptional significance to the community.

**Crematorium**
A facility containing furnaces for the reduction of dead bodies to ashes by fire.

**Curb Cut**
A cut in the curbline of a street provided for the passage of vehicles.

**Curbside Landscape**
The landscape portion of a street or drive lane right-of-way located between the back of curb and face of sidewalk or walk where street trees or other plant material is installed.

**D**

**Day Labor Hall**
A business office engaged in procuring employment for others, and/or in procuring employees for employers, on an hourly, daily, or weekly basis, at which prospective employees generally arrive and remain until they obtain a work assignment or decide to depart. Offices and facilities at which prospective employees generally do not assemble or remain to await work assignments are included in this use.

**Demolition**
The complete or constructive removal by an applicant of a building on any site.

**Density**
The number of families, individuals, dwelling units, households, or housing structures per unit of land.
Department or Planning Department
Unless the context clearly indicates otherwise, the Aurora Planning and Development Services Department.

Developer
The legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other persons having enforceable proprietary interests in such land.

Development
Any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, conversion, or enlargement of any structure; and any clearing, dredging, grading, paving, excavation, or drilling or mining operation. The term "development" shall also include the subdivision of real property.

Development Application
An application for development approval that does not include any application listed in Table 5.2-1 in the categories of "Plan, Ordinance, and Map Changes," "Subdivision of Land," or "Flexibility and Relief Provisions."

Development Parcel
A tract of platted or unplatted land that does not meet the definition of either an infill development parcel or master planned community.

Direct Effect
As it relates to historic preservation, the result of an alteration to a historic property that directly affects the structure. This may include additions, changes, or demolitions.

Distillery
A facility where distilling, typically of alcoholic liquors, is done.

Donation Collection Bin
A small freestanding standalone receptacle used to collect donated materials from the public.

Dormer
A windowed wall area flanked on both sides by sloping roof areas.

Dormitory, Fraternity, or Sorority House
A building devoted exclusively to living facilities in which each person residing in each living unit shall be a duly registered student in any accredited school, college, or university, the spouse of such student, or a management employee.

Double Frontage Lot
A platted lot where both front and rear property lines face a street (or a designated open space along a street).

Downcast Lighting
On-site illumination that is constructed, located, and aligned in such a manner to restrict the cone of illumination to ground surface areas within the boundaries of the site and to prevent such illumination sources from being visible from abutting properties and public streets.
Drainage Feature
Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

Drive Lane
A private paved, unenclosed accessway allowing vehicular access either to individual buildings or to parking spaces within parking lots, or to more than one parking space. In the case of single-family attached or multifamily dwellings, drive lane means an accessway shared by the residents as guests of the two or more dwellings.

Drive-Up or Drive-Through Facility
Uses at which an occupant of a vehicle may make use of the service or business without leaving their vehicle and includes drive-by parcel pickup facilities.

Driveway
1. In the case of a lot containing a single-family detached or two-family home, the unenclosed vehicular access way leading exclusively to the enclosed or unenclosed parking spaces serving the lot; or
2. In all other cases involving a residential use, the unenclosed vehicular access way leading directly to one or more parking spaces where both the access way and parking spaces are reserved for the exclusive use of the inhabitants or guests of the single dwelling unit.

Durable
A product that is able to exist for a long time without significant deterioration in quality or value.

Dwelling or Dwelling Unit
A building or portion of a building designed to provide independent living facilities including a full kitchen and bath to an individual, family group, or group home relationship.

Dwelling Unit, Accessory
A single, subordinate dwelling unit added to or detached from a primary dwelling structure that is secondary to the primary dwelling and provides basic requirements for independent living, sleeping, eating, cooking, and sanitation.
1. An “attached accessory dwelling unit” is an accessory dwelling unit that shares one or more walls with the primary dwelling unit.
2. A “detached accessory dwelling unit” is an accessory dwelling unit that does not share any walls with the primary dwelling unit.

Dwelling, Co-housing Development
A residential development that does not meet the definition of a Group Home, that combines individual dwelling and in which individual units may or may not have partial or complete kitchens. The development must include a community building(s) with a community kitchen and dining room intended for communal use on a regular basis, and in which most or all residents generally agree to share in the provision of regular communal services such as cooking meals or providing child care.
Dwelling, Cottage Development
Small, infill project consisting of small single-family detached cottages, each containing no more than 800 square feet of gross floor area in which project density is measured by the total square footage of cottage dwelling unit gross floor area instead of the number of dwelling units.

Dwelling, Green Court
A form of development in which three or more single-family attached, single-family detached, or two-family (duplex) dwelling units are organized so that habitable spaces of different dwelling units are arranged in a side-by-side, rather than a stacked configuration, and where the front doors of one or more of the dwelling units do not face a public street or a private street, but instead face a Green Court opens space.

Dwelling, Live/Work
An integrated housing unit and working space, occupied and used by a single household in either a single-family attached dwelling or multifamily dwelling, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and includes:
1. Complete kitchen space and sanitary facilities; and
2. Working space reserved for and regularly used by one or more occupant of the unit.

Dwelling, Loop Lane
A single-family dwelling located without direct motor vehicle access to a public street, but with indirect vehicle access onto a Loop Lane, and in which the Loop Lane encloses a common open space.
**Dwelling, Motor Court**
A single-family dwelling located without direct motor vehicle access to a public street, but with indirect motor vehicle access to the public street through a Motor Court.

**Dwelling, Multifamily**
A building with three or more separate independent housekeeping dwelling units for permanent occupancy, where such units have habitable living spaces arranged in a stacked configuration. This use includes a manor house dwelling, which is a single residential structure containing up to four primary dwelling units designed and articulated to appear as a large single-family detached dwelling. This use does not include hotels, motels, or inns, regardless of the length of stay of customers of such motels, hotels, or inns.

**Dwelling, Short-Term Rental**
The rental of a dwelling for a period shorter than one month, more than one time in a 12 month period, or the rental of part of a dwelling while the owner or leasehold tenant continues to occupy the dwelling, for a period shorter than one month, more than four times in each calendar year.

**Dwelling, Single-Family Attached (Townhouse)**
Three or more dwelling units where each unit is attached to other units by party walls, where habitable spaces of different units are arranged in a side-by-side, rather than a stacked configuration, and where the front door of each dwelling unit faces a public street.

**Figure 6.2-4: Single-Family Attached (Townhouse)**

**Dwelling, Single-Family Detached**
A single dwelling unit in a single building on a single lot of record, not attached to any other buildings other than those accessory to the dwelling, regardless of the size of the dwelling unit. This definition includes a single-family detached dwelling that is located and oriented so that it meets the definition for a Green Court Dwelling, Loop Lane Dwelling, or Motor Court Dwelling, but does not include a detached dwelling located in a Co-housing development or Cottage Development, or a Tiny House. This definition also includes a Manufactured Home meeting the standards of the federal Manufactured Home Construction and Safety Act of 1974.

**Dwelling, Tiny House**
A single-family dwelling constructed on a frame and capable of being transported on its own wheels but from which the wheels have been removed, that contains less than 400 square feet of gross floor area, and that meets either the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 *et. seq.*) or the building code.
Dwelling, Two-Family (Duplex)
A single building on a single lot, designed for occupancy by two separate dwelling units in a side-by-side or stacked configuration, and not attached to any other buildings other than those accessory to the dwellings. This definition also includes a dwelling unit attached by a party wall to only one other dwelling unit in a side-by-side configuration, with each unit located on its own lot.

Dwelling Unit, Accessory
A secondary and subordinate dwelling unit created within or detached from a single-family residence, but located on the same lot or parcel as a primary residential structure, that provides basic requirements for living, sleeping, cooking, and sanitation.

Easement
A grant or one or more of the property rights by the owner of a parcel of land to and/or for a public agency, corporation, or persons, for specific uses and purposes.

Electric Power Generator Station
A facility or area that generates electricity from mechanical power produced by the firing of fossil fuels, or that produces heat or steam for space heating and other similar uses.

Electric Vehicle Charging Facility
A facility in which electric vehicle charging services are made available to the public or to members for a fee, including structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

Electronic Message Board (EMB)
A sign that is capable of displaying words, symbols, figures, or images that can be changed by remote or automatic means.

Equipment Rental and Repair
The rental and repair of supplies and equipment primarily for intended for use by homeowners, gardening, construction, landscaping, or industrial contractors, including, but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

Exterior Architectural Feature
The architectural style, design, general arrangement and components of all of the outer surfaces of an improvement as distinguished from the interior surfaces enclosed by the exterior surfaces, including but not limited to the kind, color, and texture of the building material and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

Facade
All exterior walls of a building, including without limitation the any front, side, or rear wall facing a public or private street, alley, right-of-way, park, trail, open space, public lands, or front, side, or rear lot line.

Family or Family Group
Any of the following:
1. A group of persons related by blood, marriage, or adoption, living together as a single housekeeping unit; or
2. Persons living together in the relationship and for the purpose of guardian, ward, or foster family or receiving home care who may not necessarily be related by blood or marriage to the head of the household, but live together as a single housekeeping unit, but not including correctional homes; or
3. A group of not more than four unrelated persons living together in a dwelling unit as a single housekeeping unit; or
4. Living arrangements in which one person is providing care to another occupant who is not related by blood or marriage, provided they neither maintain separate cooking facilities nor advertise the premises for rent; or
5. A single individual living as a single housekeeping unit; or
6. A group of individuals whose right to live together in a group home setting is protected by the federal Fair Housing Act Amendments of 1988, as interpreted by the courts, or by similar legislation of the State of Colorado.

A family shall not include more than one person required to register as a sex offender pursuant to § 18-3-412.5, C.R.S. as amended, unless related by marriage or consanguinity. A family shall not include any group of individuals who are in a group living arrangement as a result of criminal offenses.

Faux Window
A recessed glass surface or other surface that mimics the appearance of a window, and which may contain transparent or nontransparent glass backed by a solid wall.

Federal Fair Housing Adjustment
A request that the City provide “reasonable accommodation” or “reasonable modifications” to the provisions of this UDO pursuant to the federal Fair Housing Amendments Act of 1988, that has been approved by the City pursuant to Section 146-5.4.4.E (Federal Fair Housing Adjustments).

Federal Register
The official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.

Fence
An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fence, Closed-Style
A fence design that has a method of construction and pattern of materials leaving the plane of the fence solid or less than 50 percent open as measured continuously in four-foot intervals along its length.

Fence, New
The construction and installation of a fence where none previously existed. The term shall also apply to construction and installation of extensions and additions to existing fences.

Fence, Open-Style
A fence design that has a method of construction and pattern of materials leaving the plane of the fence at least 50 percent open as measured continuously in four-foot intervals along its length.
Fence, Replacement
Either the replacement of 50 percent or more of the length of an existing fence under a single ownership, or replacement of 150 linear feet or more within a single run of existing fence, whichever amount is less. "Single run of fence" shall mean a portion of fence, either continuous or with gaps, generally aligned along a single direction, such as a fence running parallel to a single street. A single fence run shall be deemed to terminate at a street intersection, or at a major change of direction such as at a corner lot line. Minor fence jogs of 15 feet or less shall not be deemed to terminate a fence run.

Fence Height
Fence heights shall be measured from the highest adjoining grade to the top of the fence sections running between posts or columns.

Fence Maintenance (and/or Fence Repair)
Work required to maintain the appearance and structural stability of an existing fence, where such work does not alter the fence's existing size, location, height, design, or type of materials used. Any work meeting the definition of "replacement fence" shall not be considered maintenance and repair.

Final Plat
A final diagram of a proposed major or minor subdivision of land intended to be recorded with the Clerk and Recorder of the county in which the land shown on the diagram is located. See Section 146-5.4.2 (Subdivision of Land). This term includes Contextual Site Plans (CSPs) for lands located in Subarea C that were approved by the City as subdivision decisions before the Effective Date, and that have not expired (a) pursuant to the terms of the CSP, or (b) if the CSP did not indicate when it would expire, then (b) pursuant to the terms of this UDO.

Flag Pole
A pole physically anchored to the ground with an underground foundation.

Floodplain Administrator
The City official designated by title to administer and enforce the floodplain management regulations.

Floor Area, Gross
The sum of the horizontal areas of all the floors of a building or structure as measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. The area of parking garages contained within a building shall not be included in the calculation.

Flowline
The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the City Engineer shall establish the flowline.

Focal Point
As used for MU-R zone district, a point that serves as the center of the area with the highest development density or the most intense activity in the MU-R zone district. If the property abuts the E-470 right-of-way, the focal point shall include a distinctively designed building or feature that is visible from E-470 and that is immediately adjacent to the Walkable Main Street element. The Focal Point shall be connected to the Main Street (as defined in this Article 146-6), and may be located within a High Visibility Site (as defined in this Article 146-6). The tallest buildings and the buildings with the highest development density within the MU-R zone district shall be located on Focal Point Sites, which shall include all of the land within 660 feet of the Focal Point, and which
may also (at the applicant’s option) include any additional land located within 660 feet of the Main Street.

**Food, Beverage, and Lodging**
A land use category (containing individual land uses) that includes establishments serving prepared food or beverages for consumption on or off the premises or providing lodging, meals, and the like to transient visitors for a defined period. Accessory uses may include food preparation areas, offices, and parking.

**Framework Development Plan**
A general plan for the development of land approved by the City before the Effective Date pursuant to the provisions of the Aurora Zoning Code applicable to the former E-470 and/or Northeast Plains zone districts before the Effective Date. Approved Framework Development Plans are treated as approved Master Plans in this UDO.

**Frontage, Lot**
The width of a lot measured at the front street right-of-way line.

**Front-Loaded**
Describes a garage or lot on which the driveway access is directly off of the street in front of the house.

**Garage**
A fully enclosed building with one or more vehicular doors for the parking or storage of motor vehicles.

**Garage, Private Residential**
A fully enclosed structure with one or more vehicular doors; and owned by or assigned to the occupants of a specific dwelling unit or their guests.

**Garden**
An area of land used to cultivate plants, shrubs, and or trees, any of which may produce flowers, fruit, or vegetables.

**Gardening**
The act or practice of cultivating a garden.

**Grain and Oil Seed Milling**
An establishment used for the processing and storage of grains (cereal, feed, etc.) and associated uses, including the receipt and shipment of grain by truck or rail.

**Greenhouse**
A structure with predominately transparent walls and roof, used for the cultivation of plants, shrubs, or trees and in which food may be produced.

**Green Space**
An area of land generally no less than 10,000 square feet in size, unimproved with any residential, commercial, or industrial uses and set aside as a public area designed to provide social interaction and leisure opportunities for surrounding residents and to create focal points and activity nodes within small residential lot neighborhoods. Examples include greens or commons, squares, plazas, and promenades as described in the Parks and Open Space...
Dedication and Development Criteria Manual. Green space is intended to meet the need for park/open space land in more compact areas of the City. It is not required to be designated a component of the City’s open space network.

**Ground Floor Commercial Use**
An art studio or workshop, office, personal service, restaurant, or retail sales use that occupies space only on the ground floor of a multifamily building.

**Groundcover**
Plants, other than turf grass, that are low growing and spreading in character and obtain heights of 18 inches or less.

**Group Home, FHAA**
Subject to licensing requirements of the state if applicable, a Group Home, FHAA is a dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Colorado, including but not limited to facilities providing housing for handicapped, mentally ill, or developmentally disabled persons.
1. “A Group Home, FHAA Large” is a facility designed for and occupied by seven or more residents living together.
2. “A Group Home, FHAA Small” is a facility designed for and occupied by no more than six residents living together.

**Group Living**
This land use category (containing individual land uses) is characterized by residential occupancy of a structure by a group of people who do not meet the definition of Household Living. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff.

**H**
Habitable Unit
Any habitable room or group of habitable rooms that provide sleeping facilities alone or in combination with required cooking, eating, or living facilities.

**Handicap**
As used to interpret the requirements of the federal Fair Housing Act Amendments of 1988, as interpreted by the courts, or regulations adopted pursuant to that legislation, (1) a physical or mental impairment that substantially limits one or more life activities, (2) a record of having such an impairment, or (3) being regarded as having such an impairment, but the term does not include current, illegal use of or addiction to a controlled substance as defined in 21 U.S.C. § 802.

**Hazardous Materials**
Any materials present in large enough quantity to pose a significant physical or health hazard to public health, public safety or the environment due to its chemical composition. Hazardous materials include but are not limited to explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, organic peroxides, oxidizers, pyrophoric materials, unstable (reactive) materials, water reactive solids and liquids, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, carcinogens, irritants, sensitizers and other health hazards.
Heavy Manufacturing
Large-scale industrial operations and processes including heavy equipment and construction yards. This use includes uses previously listed as animal food manufacturing; animal products; animal products manufacturing; basic chemical manufacturing; bio-fuels and ethanol manufacturing; carbon graphite manufacturing; cement and concrete products manufacturing; clay products and refractory manufacturing; grain and oil seed milling; other non-metallic mineral products; paint, coating and adhesive manufacturing; paint, coat and adhesive manufacturing; petroleum and coal products; petroleum and coal products manufacturing; primary metal manufacturing; pulp, paper and paperboard mills; sawmills and wood preservation; sugar; sugar manufacturing; and leather and hide tanning and finishing. This use also includes locomotive and rail car repair, the manufacturing of products from raw minerals, the processing or treatment of raw minerals, and facilities involved in manufacturing, processing or assembly that requires delivery of goods or shipping of products by railcar or having greater environmental effects and multi-modal traffic impacts than activities classified as manufacturing or restricted light industrial uses.

Hedge
A row of densely planted shrubs with upright growth habits, spaced between 18 inches and 36 inches on center. Hedges may be formal (pruned) or informal (unpruned) in character. Hedges may be composed of either deciduous or evergreen plants.

Height, Building
For a building, the vertical distance above a reference point measured to the highest point of the coping of a flat roof or the deck line of a mansard roof or to a point halfway between the eave and the highest point on a pitched or hipped roof. For a non-building structure, the vertical distance above a reference point measured to the highest point on the structure. For both buildings and structures, the reference point shall be whichever of the following yields a greater height of building or structure:

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Subsection 1 of this definition is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

High Occupancy Building Unit
As used in the context of oil and gas regulation, shall have the meaning defined in Colorado law or related regulations

High Visibility Site
As used in the MU-R zone district regulations, the single row of building sites located between the E-470 right-of-way and the Boundary Road.

Higher Education Institution
Any college, university, post-secondary or higher educational facility or trade school beyond high school without an on-campus housing facility that meets applicable State requirements to award
degrees and primarily teaches usable skills that prepare students for employment in a profession or trade.

**Highly Reflective Glass**
Glass with a reflectance factor of .25 or higher.

**Historic**
As used in the context of historic preservation, typically 50 years of age or older.

**Historic District**
An area designated by the historic preservation commission as an historic district under this division. A district is a geographically definable area, urban or rural, that possesses a significant concentration, linkage or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

**Historic Preservation**
The protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in the city's history, architecture, archaeology, engineering, or culture.

**Historic Preservation Commission**
A body established in chapter 78, article I of the Aurora City Code in accordance with federal law, 36 CFR 61.5, Subsection 2, to administer certain provisions of this UDO related to historic preservation.

**Historic Structure**
Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
   a. By an approved state program as determined by the Secretary of the Interior; or
   b. Directly by the Secretary of the Interior in states without approved programs.

**Home Adult or Child Day Care**
A facility, by whatever name known, that is maintained for the whole or part of a day for the care of children under the age of 16 years, or for elderly adults, and that is located in a dwelling unit occupied by one or more of the operators of the facility, and that is accessory to the primary purpose of the structure as a dwelling unit. The facility shall be operated with or without compensation for such care, and with or without stated educational purposes, and shall hold a valid state license for the operating of an adult or child day care center. This use includes:
   a. A facility licensed by the state to provide adult day care for not more than five adults not related to the care provider, and that does not include overnight occupancy by the clients.
   b. A facility licensed by the state to provide care and training for up to five children, not related to the caretaker, for more than two full consecutive calendar days on a regular
weekly basis, and that does not include overnight occupancy for the clients. A full day is seven or more hours.

**Home Building Supplies**
An establishment for the sale of materials and hardware customarily used in the construction of buildings and other structures, and that includes facilities for storage.

**Home Occupation**
A business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use of the lot and that does not adversely or perceptively affect the character of the lot or surrounding area. This use shall not include an animal hospital, day care, health clinic, hospital, kennel, or tearoom.

**Horse Stable**
A commercial facility for the keeping and boarding of horses.

**Hospital**
An establishment or facility providing health services, primarily for in patients and medical or surgical care of the sick or injured, including related facilities such as laboratories, out-patient facilities, training facilities, central service facilities, and accessory staff offices.

**Hotel**
A building designed for short-term occupancy, in which no more than 10 percent of the guests reside for a period of more than 30 days. Accessory uses may include restaurants, meeting rooms, and motor vehicle rental.

**Household**
Any group of individuals living together in a dwelling unit. This use does not include a group of individuals who are living together in order to receive therapy, medical assistance, or assistance with daily activities, unless such group is required by state or federal law to be treated as a household.

**Household Living**
This land use category (containing individual land uses) is characterized by residential occupancy of a dwelling unit by a household or family. Tenancy is arranged on a month-to-month or longer basis (lodging where tenancy may be arranged for a period of less than 30 calendar days is classified under the lodging category). Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants’ vehicles.

**Illuminance**
The areal density of the luminous flux incident at a point on a surface, as measured in lumens.

**Indirect Effect**
As it relates to historic preservation, the result of an alteration near a historic property that does not directly affect the structure (i.e., addition or demolition) but has an effect nonetheless. Indirect effects may include an abridged view corridor (the view of or from a historic property) or damage to the historic context (surrounding architecture or historic use) of a landmark or district.
**Individual Letter**
As used in sign regulations, a sign system of individual letters sometimes referred to channel letters. Such letters shall have a minimum depth of one inch and shall not be associated with a cabinet sign type system.

**Indoor Recreation and Entertainment**
Indoor facilities for entertainment, sports, and recreational activities such as health clubs, bowling, skating, swimming, tennis, teen clubs, health and fitness centers, gyms, escape rooms, haunted houses, stadiums, and similar indoor activities.

**Indoor Shooting Range**
An indoor facility used for firearm target practice, competitions, or similar uses, including but not limited to archery, skeet, trap, paintball, and similar shooting activities.

**Industrial**
A land use category (including individual land uses) including establishments engaged in the transformation of materials by hand, mechanical or chemical means or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors, as well as establishments that are engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and similar uses perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage.

**Infill Development**
New development of building or structures on vacant or underused lots that have frontage on existing streets and that are bounded on at least 65 percent of their side and rear lot lines by lots containing existing buildings or structures.

**Infill Development Parcel**
An area of platted or unplatted land in Subareas A or B that, together with all adjacent vacant land in private ownership, includes no more than 10 acres of land, and where the land along at least 75 percent of the boundaries of the proposed subdivision (ignoring intervening streets) has been developed for a period of at least 10 years.

**Institutional Use**
A community or civic use devoted to the promotion of a particular cause or program, especially one of a public, educational, or religious character, such as schools, recreation centers, and churches.

**Intermodal Cargo Transfer Yard**
The site at which freight is transferred between railroad flat cars and trucks, typically involving containers or trailers.

**Irrigated Area**
The total area of a lot or site that receives water from an irrigation system.

**Irrigation**
The automatic application of water to support landscaping.

**Irrigation System**
A permanent, underground, and automatically controlled artificial watering system designed to transport and distribute water to plant materials.
6.2. Definitions and Terms of Measurement

Article 146-6 Definitions and Rules of Construction

J

[Reserved]

K

Kennel
Any structure or premises used for boarding or breeding of any animal for compensation or for profit.

L

Landfill
A permanent facility either publicly or privately owned and operated for the purpose of disposing solid waste.

Landmark
A parcel with improvements, such as a building, structure, or object, that has been designated as historically significant by the Historic Preservation Commission under this UDO.

Landmark Site
An unimproved parcel of ground declared by the historic preservation commission to be a landmark site under this division.

Landscaped Area
An unoccupied space open to the sky on the same lot with the building consisting of private landscaped areas, open recreational facilities, and areas used exclusively for pedestrian and non-motorized traffic. Parking lots, recreational vehicle and equipment storage areas, public and private roadways, and structures shall not be included as landscaped area.

Landscape Design Components
Species recommendations for street trees, other plantings and other items identified in the Original Aurora Public Realm Design Standards.

Landscaping
An area of natural scenery, and lawns, trees, plants, and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, and pools.

LDN
A day-night average sound level measured in decibels (dBA) during a 24-hour period of the A-weighted sound pressure level, with the levels during the period 10:00 p.m. to 7:00 a.m. the following day increased by 10 dBA before averaging. Points of equal LDN level may be linked by a contour line.

Light Manufacturing
Uses engaged in the manufacture, processing, fabrication, treatment, assembly, packaging, incidental storage, sales and distribution of finished products or parts, predominately from previously prepared materials such as cloth, plastic, metal, paper, leather, precious or semiprecious stones, including without limitation the manufacture of electronic instruments or pharmaceuticals, the manufacture of custom medical and dental implants, the preparation of food products, blueprinting and commercial printing services (but not consumer photocopying and shipping stores), and other activities that do not create nuisances to surrounding properties and do not require delivery or shipping by railroad cars. This use does not include the manufacturing
of products from raw minerals, the processing or treatment of raw minerals, or any manufacturing involving hazardous materials.

**Locomotive and Railcar Yard and Repair Facility**
An area and related facilities connected with the fueling, repair switching, assembly or disassembly of trains, including without limitation passenger or freight terminals, operations and maintenance shacks, train sheds, and classification yards.

**Loop Lane**
A shared driveway that has two points of motor vehicle access to a public street and that provides access to a Loop Lane Dwelling development.

**Lot**
A designated parcel, tract, or area of land established by plat, subdivision map, or as otherwise permitted by law, to be separately owned, used, developed, or built on.

**Lot Area (or Lot Size)**
The total horizontal area included within lot lines.

**Lot Coverage**
The total area of a lot occupied by a buildings and structures, sometimes expressed as a percentage of the total lot area.

**Lot Line**
A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

![Lot Line Diagram](image)

**Figure 6.2-6: Lot Line**

**Lot Line, Front**
The lot line separating a lot from a street right-of-way.

**Lot Line, Interior Side**
A side lot line that does not abut a street.

**Lot Line, Rear**
The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
Article 146-6 Definitions and Rules of Construction

6.2. Definitions and Terms of Measurement

6.1.8. Headings, Illustrations, and Text

Lot Line, Reverse Corner
A lot configuration where the rear yard of the lot in question abuts an adjacent property’s front and side yard.

Lot Line, Side
Any lot line other than a front or rear lot line.

Lot Line, Street
Any lot line that abuts a street (but not an alley). On a corner lot, there are two or more street lot lines.

Lot Line, Street Side
A lot line that is both a side lot line and a street lot line.

Lot Width at Setback
The length of a straight line connecting the points at which the front setback line intersects with each side lot line.

Lot, Corner
A lot or parcel of land abutting on two or more streets at their intersection or on two parts of the same street forming an interior angle of less than 135 degrees.

Lot, Small Residential
A lot platted for residential development that either (i) has less than 50 ft. of street frontage, or (ii) contains less than 4,500 square feet in lot area (not including alleys or common shared drives), or (iii) both, regardless of vehicular access or configuration.
1. A Regular Small Residential Lot is one in which a house is located with a side yard of both sides of the single-family detached dwelling.
2. An Offset Small Residential Lot is one in which a house is located with a side yard of both sides of the single-family detached dwelling.

Lot, Standard Residential
A standard lot is single-family detached residential lot that contains at least 4,500 square feet of area and that has at least 50 feet of frontage along the front lot line.

Lot, Wedge-Shaped
Wedge-shaped lots shall be defined as single-family detached residential lots where the lot width as measured at the front lot line is narrower by at least five feet than the minimum frontage required as measured at the front setback line.
6.2. Definitions and Terms of Measurement

Low Impact Development
Development that minimizes stormwater runoff from a lot or parcel by implementing site design techniques, natural grades and features, and soil treatment to allow cleansing and infiltration of stormwater on-site.

Low Wall
A wall faced with stucco, brick, or integrally colored decorative masonry block, to match or blend with the materials used on other site buildings.

Maintenance and Repair
1. All work on interior improvements that are not visible on a building's exterior; all repair, replacement and upgrades to mechanical equipment on a building's interior or otherwise screened from view; resurfacing of existing roofs;
2. Replacement of deteriorated exterior building surfaces, subject to the exceptions noted below;
3. Minor cosmetic improvements to structures, parking lots, and landscaping subject to the exceptions noted below;
4. Replacement of dead or dying landscaping;
5. Resurfacing of existing deteriorated asphalt surfaces;
6. Re-stripping of parking lots;
7. Addition of miscellaneous individual light fixtures, and very minor landscape improvements such as the addition of potted plants or 10 or fewer shrubs.

Major Electrical Facility
Facilities including but not limited to generating plants, electrical substations, switching buildings, or overhead electrical transmission lines and distribution feeder lines that collect and transmit over 110 KV of power.

Manufactured Housing or Manufactured Home
This term has the same definition shown in Sec. 90-1 of the Aurora City Code.

Manufactured Housing Park
This term has the same definition shown in Sec. 90-1 of the Aurora City Code.
Marijuana-Related Definitions

As used in the context of regulating marijuana-related uses in Section 146-3.3.5.S, the following terms have the following meanings:

1. Marijuana
   All parts of the plant of the genus Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including but not limited to marijuana concentrate, that is cultivated, manufactured, distributed, or sold by a licensed marijuana establishment. Marijuana does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

2. Marijuana Cultivation Facility
   An entity licensed to cultivate, prepare, and package retail or medical marijuana and to sell retail marijuana to retail marijuana stores, sell marijuana to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

3. Marijuana Establishment
   A marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, a retail marijuana store, a marijuana transporter, or a marijuana research business.

4. Marijuana-Infused Product
   A product infused with marijuana that is intended for use or consumption other than by smoking, including but not limited to edible products, ointments, and tinctures. These products, when manufactured or sold by a licensed retail medical marijuana store or a marijuana-infused product manufacturer, shall not be considered a food or drug for the purpose of the "Colorado Food and Drug Act," Part 4 of Article 5 of Title 25, C.R.S.

5. Marijuana Membership Club
   Any building or structure wherein two or more people gather for the primary purpose of consuming marijuana or marijuana products, or any building or structure wherein club members meet with the ongoing practice of routinely or regularly consuming marijuana or marijuana products.

6. Marijuana Product Manufacturing Facility
   An entity licensed to purchase retail marijuana, to manufacture, prepare, and package retail marijuana or retail marijuana products, and to sell retail marijuana or retail marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

7. Marijuana Research Business
   A Marijuana Research and Development Facility or a Marijuana Research and Development Cultivation, as defined by the State of Colorado.

8. Marijuana Testing Facility
   A public or private laboratory licensed by the City and the State of Colorado to conduct research and analysis of marijuana, marijuana-infused products, and medical marijuana concentrates for contaminants and potency.

9. Marijuana Transporter Licensed Premises
   A building or structure designed or used for the storage of marijuana for a period of not more than seven consecutive days, for transportation by a licensed marijuana transporter. This use does not include an off-premises marijuana storage facility.

10. Off-Premises Marijuana Storage Facility
A building or structure designed or used for the storage of marijuana that is located off the premises of any licensed retail marijuana store, marijuana cultivation facility, marijuana product manufacturing facility, marijuana testing facility, marijuana research business, or marijuana licensed premises.

11. Pre-K-12 public or private school
For purposes of regulating marijuana, a public or private facility that provides a sequential program of instruction, including, but not limited to, communication skills of reading, writing, and speaking, mathematics, history, civics, literature, and science, in compliance with the School Attendance Law of 1963, C.R.S. § 22-33-101 et. seq., as amended, to students from preschool through twelfth grade. The term "pre-K-12 public or private school" does not include home-based education within the meaning of C.R.S. § 22-33-104.5, as amended.

12. Retail Marijuana Store
An entity licensed to purchase retail marijuana from retail marijuana cultivation facilities and retail marijuana and retail marijuana products from marijuana product manufacturing facilities and to sell retail marijuana and retail marijuana products to consumers.

13. Vapor Lounge
Any building or structure, not open to the general public, wherein two or more people gather for the primary purpose of consuming, inhaling, or ingesting marijuana in smokeless or vapor form, or any vapor consisting of a base (such as, but not exclusively, water, propylene glycol, diethylene glycol, vegetable glycol, or vegetable glycerin), and tetrahydrocannabinol (THC) or tetrahydrocannabinolic acid (THCA).

Marquee
A permanently roofed architectural projection that has vertical sides intended for the display of signs, and that is supported entirely from an exterior wall of a building.

Masonry
Brick, stone, or stucco, or any combination thereof. For purposes of the City's Residential Design Standards in Sections 146-4.8.3 (Design Standards for Single-Family Detached and Two-Family Dwellings) and 146-4.8.6 (Building Materials). This term does not include cementitious panels, pre-cast concrete panels, or Concrete Masonry Units (CMU).

Masonry Fence
As used in this UDO and under the City of Aurora Fence Replacement Program shall mean a fence constructed of the materials allowed along an arterial street (brick, stone, concrete, tile, or other similar building units or materials) laid up unit by unit to construct a fence and/or its main support structure. Siding and veneers may be permitted to be applied (i.e. stucco) as long as the internal support structure or bearing wall of the fence is constructed of the aforementioned masonry materials. Masonry fence construction fabricated in a location other than its final in-service location (known as prefabricated and panelized masonry shall be permitted as long as the fence panel is constructed entirely of masonry materials. Poured concrete construction has been classified as masonry, and therefore shall mean that pre-cast concrete panels shall be permitted for use as fences under this definition.

Masonry Wall
A wall faced with integrally colored decorative masonry block, stucco, or brick to match or blend with materials building or fence column materials on the parcel.

Master Plan
A general plan of development of a large or complex area indicating general locations and intensities of land uses and street, trail, and open space networks, that does not contain the level of detail required in a Major or Minor Site Plan and is required to comply with all City
administrative regulations regarding such plans. This term includes Framework Development Plans, General Development Plans, and Station Area Plans approved by the City before the Effective Date.

**Maximum Extent Practicable**
The Planning Director has determined that no feasible or prudent alternative exists, that all possible efforts to comply with the standards or regulation or minimize potential harmful or adverse impacts have been undertaken by an applicant, and that the costs of complying with a UDO standard or criteria clearly outweigh the benefits to the public of complying with the standard or criteria. Economic considerations may be taken into account, but shall not be the overriding factor determining whether compliance with a standard or criteria in this UDO is impracticable.

**Measured Radially**
A distance, measured in a straight line between two points drawn from the closest points of the perimeters of the lots containing the use or improvement that is subject to the radial measurement.

**Median**
A paved or landscaped strip dividing a highway/street into lanes according to direction of travel.

**Medical and Dental Clinic**
A health care facility where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, or social workers, and where patients are not usually lodged overnight. This use includes dialysis and other outpatient services clinics and emergency care clinics without ambulance services.

**Meeting, Banquet, Event, or Conference Facility**
A facility with or without food preparation equipment, used for meetings, conferences, receptions, fellowship, catered meals, and other social functions; and available on a rental basis to the general public.

**Mentally Ill**
A person with a substantial disorder of the cognitive, volitional, or emotional processes that grossly impairs judgment or capacity to recognize reality or control behavior.

**Microbrewery**
An establishment where malt liquors are manufactured and packaged on or off-premises, manufacturing more than 9,000, but less than 60,000 barrels of malt liquor on its licensed premises each calendar year. If food is served, the revenue from sales of food is smaller than the revenue from alcohol. In addition, if food is served, the revenue from sales of food is smaller than the revenue from alcohol sales for all periods during which the establishment is open after 9:00 pm during each calendar month.

**Micro-cell Facility**
A Telecom Facility used to provide increased capacity in high-call demand areas or to improve coverage in areas of weak coverage.

**Mining**
The development or extraction of mineral deposits, including but not limited to limestone, coal, sand, rock, clay, dirt, gravel, and other materials, and quarry aggregate from their natural occurrences on affected land. The term includes but is not limited to open pit mining and surface operations, strip mining, quarrying, dredging, and the disposal of refuse from those activities.
**Mining or Mineral Extraction as an Interim Use**
As an interim use, the extraction of minerals, sand, gravel, and ores, from their natural occurrences on affected land and distribution of extracted materials.

**Mixed Residential Neighborhood or Development**
A development with a range of housing types for a variety of incomes and lifestyles; generous and high quality open space amenities; quality construction and design; and transportation options as a result of an interconnected network of streets, trails, and other pedestrian and bicycle facilities.

**Mixed-Use**
A land use where both residential and non-residential land uses are permitted within a zone district are combined on a lot or within a structure or development, and where the different types of land uses are in close proximity.

**Mixed-Use Building**
Any building that contains both residential and non-residential uses.

**Mobile Billboard**
Any wheeled vehicle used primarily for the display of general advertising or general advertising for hire, by means of traversing upon any public street or parking on any public street in a manner that the advertising image(s) on the vehicle are visible from any portion of the public right-of-way. Also known as “sign truck” or “billboard truck.” This definition does not apply to vehicles displaying images related to the same business or establishment of which the vehicle is an operating instrument, such as, by way of example and not limitation, an advertisement for a grocery store on a truck delivering merchandise to that store. Also, it does not apply to vehicles that are on the public road for the primary purpose of transportation, such as taxis and buses, even if such vehicles display general advertising.

**Mobile Food Truck**
A retail food establishment that is not intended to be permanent and is a motorized wheeled vehicle, or a trailer that is licensed for use on public roadways, designed and equipped to serve food and beverages, operating in either a static or transitory location. This definition includes but is not limited to vehicles selling or distributing frozen milk, frozen dairy or ice confection products, candy, gum or other confection products.

**Mobile Home**
This term has the same definition shown in Sec. 90-1 of the Aurora City Code.

**Mobility Hub**
A location intended to facilitate transfers among several different modes of travel that is designed to support at least two, and preferably more, of the following uses or activities: transit access, personal or shared bicycle or other mobility device storage, electric vehicle charging, car sharing, and access to ride-hailing services.

**Mortuary**
An establishment for the preparation of the deceased for burial and the display of the deceased and rituals connected with, and conducted before burial or cremation. This definition includes columbaria and may include a facility for the permanent storage of cremated remains of the dead. This definition shall not include freestanding crematoria facility.

**Motor Court**
A shared access driveline with a single point of access to a public street and that provides access to a Motor Court Dwelling development.
Motor Freight Terminal
An establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks and similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A motor freight terminal may also include overnight accommodations, showers, and restaurant facilities primarily for the use of truck crews.

Motor Vehicle Body Shop and Painting
An establishment in which automobiles, light trucks, or other motor vehicles that operate on roadways are painted, or in which damage to the bodies and frames of such vehicles are repaired. Accessory uses may include motor vehicle rental.

Motor Vehicle Fuel Dispensing Station
Buildings or premises or portions of buildings or premises used for the retail sale or accessory fueling of gasoline or other motor vehicle fuels, motor oils, and other accessory products and may include vehicle washing facilities as an accessory use. When a primary use of land, accessory use may include convenience food and beverage sales.

Motor Vehicle Indoor Showroom or Broker
A business or broker selling or leasing new or used automobiles, sport utility vehicles, light trucks and vans, recreational vehicles, and motorcycles in which all vehicles are displayed and offered for sale or lease in a completely enclosed, indoor showroom. On-site vehicle repair, detailing, service, and/or body work are not permissible accessory uses. Outdoor storage of vehicles is not permitted.

Motor Vehicle Repair and Service
Buildings or premises or portions thereof used for the purpose of maintaining repairing, or painting of motor vehicles. Repair includes the fixing, refurbishing, or replacement of any part of a motor vehicle, including paint and body work. This use does not include motor vehicle salvage, wrecking, or dismantling or a motor vehicle body shop and painting facility.

Motor Vehicle Towing, Salvage, and Dismantling
An establishment used for the storage, collection, processing, purchase, sale, or disposal of motor vehicles and motor vehicle parts and/or a commercial establishment engaged in towing of vehicles or equipment from one location to another.

Motor Vehicle Wash
Any building or premises or portions of the building or premises used for washing motor vehicles, including the use of automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying. This use does not include motor vehicle fueling as an accessory use.

Mulch
Nonliving plant materials that are applied to plant beds and are at the base of trees and shrubs. Mulches include organic materials such as wood chips and shredded bark, and inert organic materials such as decomposed granite, cobble, and gravel.

Native Seed, Dryland Grasses, Restorative Grasses
Native seed, dryland grasses, or restorative grasses shall mean all warm- and cool-season grass species used for the re-vegetation of disturbed natural grass areas that are not maintained in a uniform, consistent, and evenly cut condition.
Natural Gas Facilities
Facilities, including but not limited to lines and regulator stations, that distribute, convey, or transmit natural gas. This definition does not include an oil and gas facility.

Noise
Any sound that annoys or disturbs a reasonable person of normal sensitivities disturbs or animals or that causes or tends to cause an adverse psychological or physiological effect on humans or animals.

Noncommercial Message
A message that pertains primarily to debate in the marketplace of ideas. Such messages typically cover subjects such as politics, religion, philosophy, social policy, as well as commentary on sports, arts and entertainments, etc. There is no on-site/off-site distinction as to noncommercial messages.

Nonconforming Lot
A platted lot or parcel of land that does not conform to the provisions of this UDO for the zone district(s) in which it is located, but that was lawful for sale or development at the time it was created.

Nonconforming Sign
A sign that does not conform to the provisions of this UDO, but that was lawful at the time it was erected.

Nonconforming Site Feature
A feature of a developed lot, parcel, or site – such as parking areas, landscaped areas, or exterior lighting, that does not conform to the provisions of this UDO, but that was lawful at the time the lot, parcel, or site was last developed or redeveloped.

Nonconforming Structure
A building or structure that does not conform to the provisions of the building and/or zoning regulations, but that was lawfully constructed according to the building and zoning provisions existing at the time of such construction.

Nonconforming Use
A use of land that does not conform to the requirements of the zoning code, but that was lawfully established under the zoning code provisions existing at the time the use was established.

Non-Living Landscape Material
Non-landscaped organic and inorganic materials such as rock, cobbles, wood chips and shredded bark, artificial turf, natural and man-made pavers, crusher fines, and crushed granite.

Non-Street Frontage
The perimeter area of a site that does not abut a public or private right-of-way.

Nuisance
An interference with the enjoyment and use of property generally recognized in law as a private or public nuisance.

Nursing or Convalescent Home
An extended or intermediate care establishment licensed by the State of Colorado, that maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care to individuals who, by reason of advanced age, chronic illness, or infirmity,
are unable to care for themselves, including Alzheimer’s facilities, excluding, however, hospitals and drug or alcohol treatment centers.

Office
Establishments that provide executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include government, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, medical, dental, and similar offices. Accessory uses may include cafeterias, health facilities, game or activity areas, parking, or other amenities primarily for the use of employees in the firm or building.

Office Showroom
A land use that combines at least two of the following: office, display and showroom, retail and storage functions where the storage function of the use is accessory to the primary operation. This use does not include uses that are primarily warehousing or distribution in function or that require substantial off-street loading.

Office, Flex
A use that combines office and storage for goods, wares, and merchandise, including distribution functions that may require off-street loading. This use also includes buildings that could be used for either office, industrial, makerspace, light craft production and sales, research and prototype production, or other light industrial or commercial uses.

Official Zoning Map
See Section 146-1.5

Oil and Gas Facility
As used in the context of oil and gas regulations in Section 146-3.3.5/DD, the following terms have the following meanings:

1. Accessory Equipment
   Any equipment that is integral to the production and operation of an oil or gas well, including but not limited to tanks, treaters, separators, and production pits.

2. Act

3. Building Unit
   The meaning as set forth in the COGCC regulations.

4. Berm
   An earthen barrier of compacted soils preventing the passage of liquid materials or providing screening from adjacent uses as may be specified in an applicable development standard.

5. COGCC
   The Colorado Oil and Gas Conservation Commission.

6. COGCC Regulations
   The rules and regulations promulgated by the COGCC and codified at 2 C.C.R. Title 404, as amended.

7. Designated Agent
   The designated representative of any producer, operator, transporter, refiner, or gasoline or other extraction plant operator or owner.
8. Distance from a well site to a platted residential subdivision, platted lot line containing either a building unit or high density building unit
   The distance from the edge of the well pad (graveled area not including access road) to the nearest platted residential lot line, or a platted lot line that contains a building unit or a high density building unit.

9. Gas
   All natural gases and all hydrocarbons not defined in this Article 146-6 as oil.

10. High Occupancy Building Unit
    The meaning as set forth in the COGCC regulations.

11. Injection Well
    Any hole drilled into the earth into which fluids are injected for purposes of secondary recovery, storage, or disposal pursuant to authorizations granted by the COGCC.

12. Oil
    Crude petroleum oil and any other hydrocarbons, regardless of gravities, that are produced at the well in liquid form by ordinary production methods, and that are not the result of condensation of gas before or after it leaves the reservoir.

13. Oil and Gas
    Oil or gas or both oil and gas.

14. Oil and Gas Well
    A hole drilled into the earth for the purpose of exploring for or extracting oil, gas, or other hydrocarbon substances.

15. Oil and Gas Facility
    Equipment or improvements used or installed at an oil and gas location for the exploration, production, withdrawal, gathering, treatment, or processing of oil or natural gas.

16. Operating Plan
    A general description of an oil or gas well facility identifying purpose, use, typical staffing pattern, seasonal or periodic considerations, routine hours of operation, source of services and infrastructure, and any other information related to regular functioning of that facility.

17. Operator
    The person designated as operator and named in COGCC form 2 or a subsequently filed COGCC form 10.

18. Owner
    Any person with a working interest ownership in the oil and gas or leasehold interest therein.

19. Platted Residential Subdivision
    A subdivision that has been approved and recorded and is located in a zone that allows residential uses.

20. Production Pits
    Those pits used for initial settling, temporary storage, or disposal of produced water by permeation or evaporation after drilling and initial completion of the well.

21. Production Site
    That surface area immediately surrounding proposed or existing production pits, or other accessory equipment necessary for oil and gas production activities, exclusive of transmission and gathering pipelines.

22. Tank
Any container used in conjunction with the production or storage of petroleum and hydrocarbon substances, stored at or near atmospheric pressure.

23. **Treatment Facilities**
Any plant, equipment, or other works used for the purpose of treating, separating, or stabilizing any substance produced from a well.

24. **Twinning**
The drilling of a well adjacent to or near an existing well bore when the existing well cannot be drilled to the objective depth or produced due to an engineering problem such as collapsed casing or formation damage.

25. **Well**
An oil and gas well or an injection well.

26. **Well Site**
That surface area of a proposed or existing well or wells and its pumping systems.

**Open Space**
Land that is primarily unimproved, except for the inclusion of trails and limited passive recreation facilities or built features of cultural significance, and which is designated to be reserved for natural, environmental or historical reasons, such as to support natural systems, conserve habitat for plants and animals, preserve terrain features, retain scenic quality, interpret the past, teach an outdoor ethic, and provide the general population with quiet places away from development.

**Original Aurora**
The area whose outer boundaries are shown on the following map.
Ornamental Tree
Any self-supporting woody perennial plant that reaches a mature height of eight feet to 25 feet.

Other Motor Vehicle, Trailer, Boat, or Manufactured Home Sales or Rental
A business that displays on-site any recreational vehicle, boat, house trailer, modular structure, or Manufactured Home, or any motor vehicle other than an automobile or light truck, for the purpose of sales, rental, brokering or auction.

Outdoor Recreation and Entertainment
Outdoor facilities, excluding racetracks, for outdoor concerts, amusement parks, miniature golf, drive-in theaters, go-cart tracks, stadiums, and other similar outdoor activities, and that may provide limited bleacher-type seating for the convenience of users. This use includes facilities for outdoor sports such as golf courses, driving ranges, swimming pools, tennis and basketball courts, sports fields, and playgrounds.

Outdoor Seating or Dining
Service facilities or seating areas accessory to a restaurant or establishment serving items to be consumed on site. This definition shall not include sidewalk cafes in the public right-of-way.

Outdoor Storage
A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by a construction contractor.

Overseas Container
A large metal or wooden container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property. Also known as shipping containers.

Owner or Occupant
The person or entity that holds legal title to property, or the person or entity that occupies a property with the permission of the owner.

Ozonation Treatment of Biomedical Waste
The processing of biomedical waste using sterilization through ozone application, including any accessory collection and storage of wastes as part of such processing. Ozone application processes do not include those that solely rely on chlorination, biological, steam, heat, or radio wave sources. Biomedical waste includes pathogenic agents such as bacteria, viruses, fungus, proteinaceous infectious agents, and chemical components of medical and physiological materials, including:
1. Cultures and stocks of infectious agents and associated biologicals;
2. Liquid human and animal wastes, including blood, blood products, and body fluids;
3. Pathological wastes;
4. Contaminated wastes from animals;
5. Sharps; and
6. Other wastes, such as trace chemotherapeutics, pharmaceuticals, and hormones.

Parapet
An extension of the main exterior walls of a building above the roof level.
Pari-Mutuel Wagering Facility
A facility operated pursuant to the provisions of the Colorado Limited Gaming Act of 1991, as amended, at which pari-mutuel wagers are placed on simulcast horse and greyhound races.

Park
Land that may be developed or unimproved but that is created, established, designated, maintained, provided, or set aside for purposes of serving the general population’s need for rest, enjoyment, play, assembly and recreation, and all facilities, structures and buildings located on that land.

Parking Area
Any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, private driveways, and legally designated areas of public streets.

Parking Garage
An above ground and/or belowground structure, or a part of a primary structure, designed for parking automobiles and light trucks and van, in which at least one level of parking is located above or below another level of parking in the same structure. This use does not include parking and storage facilities for recreational vehicles, boats, and trucks seven feet in height or greater.

Parking Lot
An at-grade primary parking area for automobiles and light trucks and vans that is not part of an above ground or underground parking structure or included in a primary structure. This use does not include parking and storage facilities for recreational vehicles, boats, and trucks seven feet in height or greater.

Parking, Shared
Joint use of a parking area for more than one use.

Pawnbroker
An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

Pennant
Any lightweight material, whether or not containing a message of any kind, suspended from a rope, wire, string or other contrivance usually in a series, designed to move in the wind.

Perimeter Buffer
A landscape area measured inward from a non-street frontage perimeter boundary.

Permitted Use
Any use authorized by right in a particular zone district or districts and subject to the restrictions applicable to that use and zone district.

Person
Where this UDO refers to the owner of property or applicant for a permit or approval under this UDO as a “person”, that terms includes a human being, association, corporation, partnership, or other legal entity.
**Personal Service**
Establishments primarily engaged in providing services involving the care of a person or of the care or repair of his or her personal goods or apparel. Personal services include but are not limited to laundry, including cleaning and pressing service, diaper service, beauty shops, barbershops, shoe repair, personal copying/shipping services, daytime non-medical pet care, bicycle and sports equipment repair, small appliance repair, and similar uses.
1. “Personal Service, Large” is a facility with more than 15,000 square feet of gross floor area.
2. “Personal Service, Small” is a facility with up to 15,000 square feet of gross floor area.

**Place of Worship**
A building, together with its accessory buildings and uses, that is primarily used as a place where persons regularly assemble for religious worship. This term includes uses such as synagogues, churches, temples, or mosques. Worship services and related religious activities in buildings primarily used for residential purposes that have not undergone any interior or exterior structural modification to accommodate group assembly, and with no external evidence that advertises the activity, shall not be considered a place of worship.

**Plant Bed**
An area prepared for the installation of plant materials.

**Plant and Tree Nursery or Greenhouse**
Any land or structure used primarily to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

**Plat**
A map of a land subdivision prepared according to applicable laws of the State of Colorado and those regulations having the necessary affidavits for filing, dedications, and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas and other dimensions of land.

**Plaza**
An outdoor space for civic purposes and formal gathering that meets the following standards. Building facades define any boundaries of a Plaza not bordered by public rights-of-way or other active pedestrian corridors. Access shall be accommodated by at least two well-defined and easily identified areas for public access. Plazas bordered by public right-of-way may accommodate one or both access areas. A Plaza is largely comprised of constructed materials to withstand heavy pedestrian traffic gathering, but can contain intermittent lawns, landscape beds, or trees in a formal ornamental pattern.

**Preliminary Plat**
A preliminary diagram of a proposed major subdivision of land. See Section 146-5.4.2 (Subdivision of Land).

**Preservation Specialist**
The person under the supervision of the Library and Cultural Services Department who is the Historic Preservation Commission's staff person and as such prepares presentations for Commission meetings and serves as the initial recipient of landmark nominations and development applications, pursuant to Article 146-5 (Zoning and Subdivision Procedures). The preservation specialist shall also be the custodian of records, official correspondence, and staff liaison. The preservation specialist shall maintain and submit landmark designations and applications to the Planning Department and the Neighborhood Services Department.
6.2. Definitions and Terms of Measurement

**Article 146-6 Definitions and Rules of Construction**

**Primary Building Material**
Any building material that appears on more than 30 percent of the horizontal wall space of any exterior wall of a primary building.

**Principal Building**
The primary structure located on a zone lot, and designed for a use or occupancy that is a permitted primary use in the zone district applicable to the zone lot.

**Principal Use**
The primary or predominant use of any lot or parcel as determined by the Planning Director based on the land or building area occupied by the use, the percentage of economic activity represented by the use, the importance of the use to the function of the property, or the impacts created by the use.

**Private Common Space**
A landscaped open space area held in private ownership and not meeting the definition of a buffer. Yard areas of single-family, two-family, and single-family attached duplexes shall not be considered private common space.

**Private Golf Course, Tennis Club, Country Club, or Clubhouse**
An establishment typically associated with a golf course, tennis facility, country club, club house, or similar recreational facility that serves as a place of social and recreational gatherings for members of a private club or a residential development and their guests, rather than the general public. This use may include one or more guest rooms or guest houses made available to guests of members of the club or residents of the development, and not to members of the general public.

**Protected Lot**
A lot that is protected from impacts of adjacent development pursuant to Section 146-4.4 (Neighborhood Protection Standards).

**Public, Institutional, Religious, and Civic Uses**
A land use category (containing individual land uses) that includes buildings, structures, or facilities owned, operated, or occupied by a governmental entity or nonprofit organization to provide a service to the public, or an institution (which may be for profit or not-for-profit) providing specialized services related to health care or services for the dead. This use includes public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools that provide educational instruction to students, primary health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care, medical laboratories, outpatient, or training facilities, and parking, or other amenities primarily for the use of employees in the institution or building.

**Public Realm**
Publicly accessible space, including but not limited to public or private rights-of-way, sidewalk areas, other areas between the facades of buildings on the opposite sides of a public or private right-of-way, and also including parks, open spaces, trails, walkways, plazas, gathering areas and other areas where the public interacts outside of primary and accessory structures.

[Reserved]
Public Facility
A facility owned or operated by the City or an entity under the control of the City and used to provide police, fire, emergency medical, health, recreational, social, or other public services to the City or the residents of the surrounding community, but not including a long-term correctional or detention facility or a major or minor utility.

Racetrack
An outdoor facility for sanctioned competition of racing vehicles (including cars, trucks, motorcycles, and other vehicles designed for racing purposes) or for horses or dogs, on a closed circuit. In addition to a racetrack, the facility may include spectator seating (bleacher-type stands), a paddock area for support crews and maintenance, racetrack operations offices, ticket sales offices, and spectator services.

Radio and Television Antenna Tower
A structure for the transmission of broadcasting of radio, TV, or radar signals.

Railroad Track
An area or facility connected with the operation of individual railroad tracks, including without limitation main (through) tracks, spur tracks, and areas associated with sidings, siding and switching equipment, crossing safety arms, and contiguous maintenance, switching, or storage sheds.

Recreation, Active
Activities that involve significant movement of people and/or animals, such as games played on sports fields or travel along multi-use paths or trails.

Recreation, Passive
Activities that involve minimal movement of people and/or animals, such as wildlife observation, sitting, walking, and other leisurely pastimes.

Recreation and Entertainment
A land use category (containing individual land uses) that includes establishment providing recreation or entertainment activities to the general public or to their members. Accessory uses may include concessions, snack bars, parking, administrative offices, and maintenance facilities.

Recreational Vehicle
A vehicle, such as a motor home, travel trailer, truck/camper combination or camper trailer that is designed for human habitation for recreational or emergency purposes and that may be moved on public highways without any special permit for long, wide or heavy loads. This term also includes a small transportable dwelling that does not meet the definition of a Tiny House.

Recreational Vehicle Park
An outdoor facility designed for overnight accommodation of human beings in motorized vehicles, rustic cabins and shelters, or trailers for recreation, education, naturalist, or vacation purposes. Office, retail and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.

Recycling Collection Facility
The term recycling and collection facility includes the following:
1. Mobile Recycle Unit
An automobile, truck, trailer, or van, licensed by the Department of Motor Vehicles, that is used for the collection of recyclable materials. A Mobile Recycling Unit shall also include the bins, boxes, or containers transported by trucks, vans, or trailers and used for the collection of recyclable materials.

2. Recycle Collection Facility
   A facility for the collection of recyclable materials, including paper, glass, plastic, cloth, ferrous and nonferrous metals, or other items and quantities normally recycled by households or small businesses; excluding, commercial and industrial refuse, yard waste, white goods, and hazardous materials. Recycling Collection Facilities include Mobile Recycling Units, Reverse Vending Machines, and Small Recycling Collection Facilities.

3. Recycling Collection Facility, Small
   A Mobile Recycling Unit, Reverse Vending Machine or a grouping of Reverse Vending Machines occupying not more than 120 square feet each. They include kiosk-type units that may include permanent structures occupying not more than 120 square feet each and unattended containers placed for the donation of recyclable materials occupying not more than 120 square feet each.

4. Reverse Vending Machine
   An automated mechanical device that accepts at least one or more types of empty beverage containers, including but not limited to aluminum cans, glass or plastic bottles, and that issues a cash refund or a redeemable credit, provided that the entire process is enclosed within the machine. A reverse vending machine may be designed to accept more than one container at a time, paying by weight instead of by container.

Redevelopment
Any proposed replacement, expansion, addition, renovation, or major change of or to an existing building, structure, or aspect of development.

Redevelopment Plan
A detailed plan for how a site is developed for a use that is limited to lawfully existing buildings and structures.

Registered Neighborhood Group
A neighborhood organization, homeowners’ association, business association, or other non-profit group that has registered with the City of Aurora for purposes of receiving notices under or related to this UDO for proposed development within or near a defined area in which its members reside, and whose registration and contact information has been updated at least once within the previous calendar year.

Research and Development
A facility including research, synthesis, analysis, development and testing laboratories, including the fabrication, assembly, mixing and preparation of equipment and components incident or convenient or necessary to the conduct of such activities.

Restaurant
An establishment where full meals and beverages are prepared, served, and consumed, either on premises (inside or outside), taken out, or delivered, including full-service and limited service restaurants, cafeterias, snack, and nonalcoholic beverage bars. Restaurants may also include an accessory dance floor less than 220 square feet that does not operate after midnight. Drive-in or drive-through facilities are only permitted if shown as an accessory use in the zone district where the property is located in Table 3.2-1 (Permitted Use Table) and may require a conditional use approval. A restaurant may include the sale of alcoholic beverages or a brewing facility, subject to local licensing requirements for alcoholic beverages. If alcohol is served, the revenue from
alcohol sales is smaller than the revenue from sales of food. In addition, if alcohol is served, the revenue from the alcohol sales is smaller than the revenue from sales of food for all periods during which the establishment is open after 9:00 pm during each calendar month.

**Retail Liquor Store**
A type of retail sales use that includes a business licensed by the state for the retail sale of alcoholic beverages in original packages for consumption off the premises, in which those sales are the primary goods being sold and generate the majority of the revenue generated by the business. The accessory sales of food or other items shall not result in the business being a general retail sales business if the above conditions are met.

**Retail Sales**
Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This use does not include any form of retail sales or other use listed separately in Table 3.2-1 (Permitted Use Table).
1. “Retail Sales, Large”, is a facility or establishment with more than 15,000 square feet of gross floor area.
2. “Retail Sales, Small”, is a facility or establishment with up to 15,000 square feet of gross floor area.

**Retail Sales and Personal Services**
A land use category (containing individual land uses) including establishments that sell products directly to the final consumer for whatever purpose but not specifically or exclusively for the purpose of resale, as well as establishments that provide services directly to the final consumer for the conduct or improvement of the consumer’s home or business or personal life.

**Rezoning (or Rezone)**
A change to the zoning map that redesignates one or more lots, parcels, or sites, or parts thereof, from one zone district(s) to another zone district(s).

**Riding Academy**
An establishment or area for keeping horses or other domestic animals other than for the property owner’s personal use, for compensation, hire, boarding, riding, or show.

**Right-Of-Way**
An area of land dedicated to the public in fee simple title conveyed to the City for drainage, pedestrian, utility, street lighting, landscaping, roadway, or other purposes.

**Riparian Corridor**
An area adjacent to one or more rivers or streams that has a high density, diversity, and productivity of plant and animal species related to nearby upland areas.

**Roadside Sales Stand**
A temporary structure and/or use intended for the sales of products or wares, unenclosed and so designed and constructed that it can be easily moved.

**Roadway**
A right-of-way reserved for motor vehicles, bicycles, and other mobility devices that are street-legal to operate in Aurora. The term shall include public and private streets and alleys; and private Loop Lanes, Motor Courts, drive lanes, but shall not include driveways as defined in this UDO. The right-of-way in roadways may encompass crosswalks, parking lanes (for both
motorized and non-motorized vehicles), or other elements to facilitate moving people and goods along or across them by both motorized and non-motorized means.

**Rodeo Practice Arena**
A facility designed and intended for the display of equestrian skills and the hosting of events including, but not limited to, show jumping, dressage, and similar events of other equestrian disciplines.

**Rooming House**
A residential building where meals or lodging are provided for compensation for two or more persons, not members of the family, and where occupancy is usually provided for periods of one month or more. The term includes a guesthouse or a lodging house, but not a motel, hotel, or bed and breakfast.

**Sale at Wholesale**
A facility for the sales and distribution of goods and parts intended either for resale at retail or as components in the manufacture or assembly of other retail goods; and where such sales are not intended for the general public. Does not include sales or storage of live animals, radioactive, infectious or hazardous waste, or commercial explosives.

**School, Elementary or Secondary**
An accredited school under the sponsorship of a public, private, or religious agency, having a curriculum generally equivalent to public elementary or secondary schools.

**Scientific, Environmental, or Interpretive Educational Use**
Facilities for recreational uses related to the functions and values of a natural area that require limited and low impact site improvement, including soft-surface trails, signs, pedestrian bridges, seating, viewing blinds, observation decks, handicapped facilities, drinking fountains, picnic tables, interpretive facilities, and similar facilities.

**Screening**
A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

**Screening Components**
Walls, fences, and other items listed in the Original Aurora Public Realm Design Standards

**Self-Storage Facility**
A structure containing separate storage spaces of varying sizes leased or rented as individual spaces, or in the case of storage for recreational vehicles, boats, and similar operable vehicles, storage in a fully screened outdoor area with individual parking stalls leased or rented as individual spaces.

**Sensitive Area**
Areas or site features that are listed in Section 146-4.3.5.B.1, Subsections a through h.

**Setback**
The distance between the building and any lot line or roadway flowline if closer than the nearest lot line.
Setback Line
That line that is the required minimum distance from any lot line and that establishes the area within which principal or accessory structures shall be erected or placed.

Setback, Front (or Street)
A setback extending across the full width of the front of a lot, the required depth of which is measured from the street right-of-way line.

Setback, Rear
A setback that is to extend across the full width of the rear of a lot, the required depth of which is measured from the rear lot line.

Setback, Side
A setback that extends from the front setback line to the rear setback line, the required depth of which is measured from at a right angle from the interior side lot line.

Sewage Disposal Plant
A plant for the primary, secondary, tertiary treatment of sewage.

Sexually-Oriented Business
An establishment consisting of, including, or having the characteristics of any or all of the following:
1. Adult Bookstore
   An establishment having a substantial or significant portion of its stock-in-trade books, magazines, publications, tapes, or films that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.
2. Adult Cabaret
   a. An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas; or
   b. A cabaret that features topless dancers, go-go dancers, strippers, impersonators of a person of a different gender or sexual orientation, or similar entertainers for observation by patrons.
3. Adult Mini Motion Picture Theater
   An enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.
4. Adult Motion Picture Theater
   An enclosed building with a capacity for 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

An establishment that meets the definition of a sexually-oriented business shall not be interpreted to be included in any other listed use in this UDO.

Shade Tree
A self-supporting deciduous canopy tree that has at least two and one-half inches caliper at the time of installation and is of a species that reaches a mature height of at least 45 feet.
Shrub
A self-supporting woody perennial ranging in height from six inches to 20 feet. Shrubs are characterized by multi-stemmed growth habits and can be deciduous or evergreen.

Sidewalk Design Components
Sidewalk layout, pattern, pavers, material, colors, and other aspects listed in the Original Aurora Public Realm Design Standards.

Siding
The outer covering or cladding of a building, made of wood, fiber cement, or a composite material, meant to shed water and protect the house from the effects of weather.

Siding, Lap
Siding composed of tapered boards, as clapboards, laid horizontally with the thicker lower edge of each board overlapping the thinner upper edge of the board below it.

Sign
Any medium, including its structure and the component parts, that is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. The term "sign" shall not include design features of an architectural nature that do not employ words or prices. The term includes but is not limited to the following:
1. **Sign, Awning**
   A sign depicted or placed upon, attached to, constructed in, or supported by an awning extending over functional or faux windows.

2. **Sign, Banner**
   Banners and other signs of a temporary nature designed to be attached to walls or hung or suspended from posts or brackets.

3. **Sign, Blade**
   Small scale sign hanging or projecting perpendicular to building face.

4. **Sign, Cabinet**
   A fabricated sign box that contains a light source and a plastic or aluminium face with letters or graphics. A cabinet sign may be designed to mount to a wall or may be designed to be part of a monument or pylon sign.

5. **Sign, Canopy**
   A sign on a framed architectural feature that is attached to and supported from the wall of a building.

6. **Sign, Fabric**
   Any sign, banner, valance or advertising display constructed of cloth, canvas, fabric, or other light material, with or without frames.

7. **Sign, Ground Fabric**
   Any sign with a structure that is mounted on the ground, intended to be displayed for a limited time period and is temporary in nature.

8. **Sign, Individual Letter**
   A type of sign consisting of independent letters or message content items respective of each other, text or symbols with no background material other than the wall of the building or a common structure known as a "raceway" to which they are affixed, with a minimum depth of one inch. If the individual letters or message content items are attached to a "raceway", the "raceway" must be painted to match the color of the wall and must be limited to a height of no more than one-half of the height of the tallest letter or message content item.

9. **Sign, Multi-Tenant Development**
   An on-site sign for a development containing two or more tenants on the premises where the sign is located.

10. **Sign, Monument or Ground**
    A detached, freestanding sign supported by a permanent base, where the entire bottom of the sign is affixed to the ground.

11. **Sign, Off-Premises**
    A sign including billboards or general outdoor advertising device that advertises or directs attention to a business, profession, commodity, entertainment, service, religious, charitable or nonprofit organization, or an activity, product, good, or service that is not located upon or available upon the premises where the sign is located.

12. **Sign, On-Premises**
    A sign that does not meet the definition of an Off-Premises Sign.
13. Sign, Projecting
   Any sign that projects perpendicular to and is supported by a building. A grand projecting sign is a projecting sign that is substantially larger and is more visible to drivers, cyclists, or pedestrians at a distance.

14. Sign, Roof
   A sign erected upon or that projects above any portion of the roof or parapet of the building or structure.

15. Sign, Temporary
   Any sign or other advertising device or display constructed of fabric, canvas, cardboard, wall board, plywood, or other light temporary material, with or without structural frame, intended for a temporary display for a limited period of time. Examples of temporary signs include real estate "for sale," "for rent", and "open house" signs, garage sale signs, signs identifying the architect, engineer or contractor for work currently under construction, signs advertising a temporary event or commercial opportunity, and signs that express noncommercial messages.

16. Sign, Wall
   Any sign attached to or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall.

17. Sign, Window
   Any sign that is applied, painted or otherwise attached to the interior or exterior of a window surface or is otherwise clearly visible from the exterior of the structure.

Site
A parcel of land included in a Site Plan or other plan submitted to the City for approval that is occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this UDO.

Site Area
The area of the lot or parcel on which a primary structure may be erected or maintained. For residential lots containing a single-family dwelling unit (with or without accessory dwelling unit), the minimum required site area and the minimum site area per dwelling unit are the same. For residential lots that can contain more than one primary dwelling unit, the site area is the minimum lot or parcel area that can contain a primary structure with those dwelling units, but the minimum site area per dwelling unit must still be met.

Site Furnishing Components
Utility boxes, benches, trash receptacles, news corrals, bicycle racks, planters, and other items listed in the Original Aurora Public Realm Design Standards.

Site Improvements
Constructed utilities, roads, driveways, parking areas, landscaping, sidewalks, or structures on a site.

Site Plan
A detailed plan depicting how a site will be developed by illustrations and drawings of such site features as architectural building elevations, building locations, sidewalks, parking areas,
landscaping, recreational amenities and other site features. This term includes Contextual Site Plans (CSPs) for lands located in Subarea C that were approved by the City as zoning decisions before the Effective Date, and that have not expired (a) pursuant to the terms of the CSP, or (b) if the CSP did not indicate when it would expire, then (b) pursuant to the terms of this UDO. Site Plans are categorized as “minor” or “major”, each of which is regulated differently in Title 146-5 (Zoning and Subdivision Procedures).

**Site-Specific Development Plan**
A Minor Site Plan, a Major Site Plan, or a Final Subdivision Plat.

**Slaughterhouse, Small**
A facility on a lot no greater than 20,000 square feet size for the slaughtering and processing of animals and the refining of their byproducts, subject to the use specific standards in Section 146-3.3 and the requirements of Section 35-33 et. seq. Colorado Revised Statutes governing “custom processing of meat animals” for the slaughter or processing of meat or meat products of an animal not owned by the person performing the slaughter or processing and not intended for sale by the owner of the animal. This definition does not include commercial feedlots or commercial slaughterhouse operations that process animal products for bulk sales to retail outlets.

**Solar Collector, Ground or Building-Mounted**
A system of panels, wiring, and related equipment used to transform direct solar energy into thermal, chemical, or electrical energy that is mounted either to the ground or to a building.

**Sole Source of Heat**
One or more residential solid fuel fired heating devices that constitutes the only source of heat in a private residence for purposes of space heating. A residential solid fuel fired heating device shall be considered to be the sole source of heat if the private residence is equipped with a permanently installed furnace or heating system, designed to heat the residence, but is disconnected from its energy source, e.g., heating oil, natural gas, electricity, or propane.

**Solid Fuel Fired Heating Device**
A device designed for solid fuel combustion so that usable heat is derived for the interior of a building, and includes solid fuel fired stoves, fireplaces, pellet stoves, solid fuel fired cooking stoves, and a combination of fuel furnaces or boilers that burn solid fuel. Solid fuel fired heating devices do not include barbecue devices or natural gas fired fireplace logs.

**Solid Waste Transfer Facility**
A facility at which non-hazardous refuse awaiting transportation to a disposal site is transferred from one type of collection vehicle to another. Refuse may be sorted and repackaged at a transfer station.

**Special Landscape Buffer**
A landscape area to be provided adjacent to public open space, parks, and trails, and adjacent to I-70, I-225, and E-470.

**Specialty Food Production**
Small-scale production or preparation of food made on site with minimal use of automated processes, and where packaging and sales of the goods produced on site to the public may occur. This definition includes uses such as bakeries, coffee roasters, candy making, and cheese making, but does not include any use involving marijuana or otherwise meeting the definition of a retail marijuana cultivation, product manufacturing, and testing facility. This use may or may not have outdoor seating or patio as an accessory use depending on the zoning district in which it is located.
Stacked or Stacked Configuration
An arrangement of dwelling units in which at least one dwelling unit is positioned vertically over all or a portion of another dwelling unit.

Stadium
A large open or enclosed place used for games and major events and partly or completely surrounded by tiers of seats for spectators.

Station Area Plan
A plan for the development of land around a transit station approved by the City before the Effective Date pursuant to the provisions of the Aurora Zoning Code applicable to transit-oriented development before the Effective Date. Approved Station Area Plans are treated as approved Master Plans in this UDO.

Stone
As used in applying the standards in Section 146-4.8 (Building Design Standards) natural stone or a cement-based product made to match the appearance of natural stone, and laid up in small, individual units with a veneer depth of at least two inches; provided that any cement-based product shall comply with one or more of the following standards:
1. An ICC-ES approved evaluation service report; or
2. Any applicable building code standard adopted by Chapter 22 of the Aurora City Code.

Storage, Distribution, and Warehousing
The storage of goods, vehicles, or materials in a warehouse, structure, or hangar, and/or the use of that facility for the intake of goods and merchandise, individually or in bulk, the short-term holding or storage of those goods or merchandise, and/or the breaking up into lots or parcels and subsequent shipment off-site of such goods and merchandise. This use includes but is not limited to commercial warehouses and aircraft hangars.

Storage, Distribution, or Wholesaling
A land use category (that includes individual land uses) that includes establishments engaged in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Uses may include carting, hauling or storage yards and contractor’s shops, large-scale distribution, and warehousing. Accessory uses may include offices, truck fleet parking, and maintenance areas.

Story
That portion of a building, other than a basement or cellar as defined in the building code, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between the surface of the floor and the ceiling next above it.

Street
A public or private vehicular right-of-way that provides access to more than one lot. The term “street” shall not include vehicular rights-of-way defined as driveways, drive lanes, Loop Lanes, Motor Courts, as defined in this UDO.

Street Furniture
Constructed, above ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, fountains, and telephone booths, that have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to, and used by, the public.
Street Standards
All standards contained in the most recent version of the Aurora Roadway Design and Construction Specifications Manual and Chapters 126-1 and 126-36 of the Aurora City Code.

Street Tree
A self-supporting deciduous woody perennial plant that reaches a mature height of 45 feet.

Stub Street
A nonpermanent dead end street intended to be extended in conjunction with development on adjacent lots or sites.

Streetscape
A design term referring to all the elements that constitute the physical makeup of a street and that, as a group, define its character, including building frontage, street paving, street furniture, landscaping, awnings and marquees, signs, and lighting.

Structure
Anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having fixed location on the ground.

Stucco
A cement-based exterior coating system that complies with one or more of the following standards:
1. ASTM C1328—Standard specification for plastic (stucco) cement;
2. An ICC-ES approved evaluation service report; or
3. Any applicable building code standard adopted by Chapter 22 of the Aurora City Code.
This term does not include any exterior insulation and finish system (EIFS) or synthetic stucco.

Subdivider
The individual, firm, corporation, partnership, association, syndication, trust, or other legal entity that files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this subdivision ordinance. A “subdivider” need not be the owner of the property.

Subdivision
The division of any lot, tract or land parcel into two or more lots, tracts, parcels or other land divisions for the purpose of sale or development.

Supportive Housing
A dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of persons requiring medical, correctional, or other mandated supervision whose right to live together is not protected by the federal Fair Housing Act Amendments, as amended and as interpreted by the courts, and that does not meet the definition of another use in this UDO. Supportive housing” includes, but is not limited to:
1. An owner-occupied or nonprofit residential dwelling for the exclusive use of at least two but not more than eight persons, who, together with staff, live as a single housekeeping unit but do not require 24 hour medical or nursing care.
2. A shelter for persons experiencing temporary homelessness.
3. A domestic violence shelter, which is a public or private building or structure housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse. The term includes battered women’s shelter.
“Supportive Housing, Large” is a facility designed for and occupied by seven or more residents living together. “Supportive Housing, Small” is a facility designed for and occupied by no more than six residents living together.

**Tall Landscape Screen**
(a) A row of evergreen trees planted in a minimum 15 foot wide buffer strip, or (b) a mixture of evergreen shrubs planted 36 inches on center and deciduous trees planted 25 feet on center. Deciduous shrubs shall be of species that mature to a height of at least five feet, and evergreen trees shall be of species that mature to an average height of 12 feet.

**Tandem Parking**
A parking space that can be blocked by another parking space.

**Teen Club**
A type of indoor recreation and entertainment that is a building, a part of a building, a room or a premises in which entertainment, either live or recorded, vocal or instrumental, is provided, with or without dancing by customers or patrons, for persons between the ages of 13 years and 19 years. A teen club does not include uses operated by public agencies or charitable organizations such as church youth centers, or youth community centers provided for recreation or congregation.

**Telecom-Related Definitions**
As used in the context of regulation of telecom-related uses in Section 146-4, the following terms have the following meanings:
1. **Co-Location**
   The siting of two or more Telecom Facilities of similar or different technologies on the same freestanding support structure that allows appropriate separation of antennae to eliminate radio interference between providers.

2. **Equipment Storage Shelter**
   As used in Telecom Facility regulations, an unmanned structure used for freestanding facilities or, when necessary, roof or building-mounted facilities to house Telecom Facility equipment.

3. **Repeater Facility**
   A Telecom Facility that extends coverage of a cell.

4. **Search Area**
   A geographic area with defined boundaries primarily at or near the center of a potential service area for one Telecom Facility within the context of a provider's network. The area includes any available support structures, existing buildings, towers, electrical transmission towers, monopoles, and vacant land. Final determination of a site is based on topography, zoning, structure height, the ability to obtain an acceptable lease or property, radio frequency, coverage, capacity, and transmission requirements for the proposed Telecom Facility service area.

5. **Small Cell Facility**
   A Telecom Facility used to provide increased wireless capacity as defined by C.R.S. §29-17-402

6. **Telecom Facility, Building-mounted**
   An unmanned facility mounted to an existing structure, on the roof of a building, or on the building face(s) consisting of antennas, equipment, and equipment storage shelter used for
the reception, switching, and/or transmission of wireless telecommunications including but not limited to paging, enhanced specialized mobile radio, personal communication services, cellular telephone, and similar technologies. Facilities within this category may include micro-cell or repeater facilities.

7. Telecom Facility, Freestanding Monopole
   An unmanned facility consisting of a stand-alone support structure, antennas, equipment, and equipment storage shelter used for the reception, switching, and/or transmission of wireless telecommunications including but not limited to paging, enhanced specialized mobile radio, personal communication services, cellular telephone, and similar technologies.

8. Telecom Facility, Freestanding Stealth
   A freestanding Telecom Facility that has been designed to blend in with the adjacent natural environment or man-made setting, thus allowing the presence of antennae, antennae arrays, towers and equipment storage or support facilities to be reasonably camouflaged or concealed by man-made trees, clock towers, bell steeples, light poles, flag poles, signs, or artistic or architectural structures within the context of the existing or planned land use pattern and environment.

9. Telecom Facility, Freestanding Unipole
   An unmanned facility consisting of a stand-alone support structure, antennas, equipment, and equipment storage shelter used for the reception, switching, and/or transmission of wireless telecommunications including but not limited to paging, enhanced specialized mobile radio, personal communication services, cellular telephone, and similar technologies, and incorporating designs to mitigate visual impacts of antennas and equipment on the structure. Techniques to accomplish this design include but are not limited to incorporating equipment canister covers, equipment enclosures, or other attachments that will block the equipment from view.

10. Telecom Facility, Tower
    An unmanned facility supported, in whole or in part, by guy wires and ground anchors or a self-supporting open frame structure consisting of support structures, antennas, equipment, and equipment storage shelter used for the reception, switching, and/or transmission of wireless telecommunications including but not limited to paging, enhanced specialized mobile radio, personal communication services, cellular telephone, and similar technologies.

**Temporary Construction Support Facility**
Temporary buildings customary to the construction of residential or non-residential development.

**Temporary Event or Sales**
A temporary outdoor use of land for the purposes of an event or sale including but not limited to: a circus, carnival, fair, part, or celebration that reasonably may be expected to attract more than 100 persons at any one time; or any sale made by a person, firm or corporation engaging in the temporary business of selling goods, wares or merchandise from a tent, truck, vending cart or other area outside of a permanent structure on property owned or leased by the person, firm or corporation. The temporary event or sale shall be secondary to or incidental to the permitted use or structure existing on the property and not incompatible with the intent of the zone district. This use does not include any temporary use defined separately in Table 3.2-1 (Permitted Use Table).

**Temporary Outdoor Food or Merchandise Stand**
Any showcase, table, bench, rack, handcart, pushcart, trailer, stall or any other fixture or device that is used for the purpose of selling or offering for sale any food, beverage, or any type of general merchandise, but does not include a Mobile Food Truck. The sale of ice cream and other confection products is specifically provided for in Sections 26-347 and 26-348 of the Aurora City Code. This use shall not be interpreted to prohibit the sale or sampling of items from regularly
held events commonly described as "farmer's markets." Temporary lemonade stands and other food and drink stands operated by persons under 18 years of age are not included in this use.

**Theater**
A building designed and/or used primarily for the commercial exhibition of motion pictures to the general public or used for performance of plays, acts, dramas by actors and/or actresses.

**Three-Mile Plan**
A plan required by Section 31-12-105(e) Colorado Revised Statutes prior to the annexation of lands outside the city boundaries and which generally describes the location, character, and extent of land uses within a three-mile area outside its boundaries and the infrastructure, parks and open space, transportation, water, or other services to be provided by the City.

**Title 32 District**
A special district organized under the provisions of Colorado Revised Statutes Title 32, Special Districts Act which provides the services specifically authorized by Title 32 and has the powers and authority provided in Title 32. Services authorized by Title 32 are limited to: ambulance, fire protection, health service, metropolitan, park and recreation, sanitation, water and sanitation, water, tunnel, mental health care service, and health assurance. These entities are often referred to as Metropolitan Districts, Metro Districts, or Special Districts.

**Touch Rule**
Projects that involve expansions of existing land uses or buildings, or that include a major conversion of use among major use categories, but that do not include the construction of new primary buildings, shall be required to bring the property into compliance with the standards in Sections 146-4.6.5 (Parking Design and Location), 146-4.6.6 (Off-Street Loading Areas), 146-4.6.7 (Drive-Through Stacking Areas), 146-4.7 (Landscape, Water Conservation, Stormwater Management), 146-4.8 (Building Design Standards), and 146-4.9 (Exterior Lighting) as follows:

### Degree of Building or Land Use Expansion

<table>
<thead>
<tr>
<th>Subarea</th>
<th>Degree of Compliance Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10% of existing gross floor area or 2,500 gross square feet, whichever is less</td>
<td>A, B, C</td>
</tr>
<tr>
<td>10% to 100% of existing gross floor area or 2,500 to 10,000 gross square feet, whichever is less</td>
<td>A</td>
</tr>
<tr>
<td>10% to 50% of existing gross floor area or 2,500 to 10,000 gross square feet, whichever is less</td>
<td>B, C</td>
</tr>
<tr>
<td>More than 100% of existing gross floor area or more than 10,000 gross square feet, whichever is less</td>
<td>A</td>
</tr>
<tr>
<td>More than 50% of existing gross floor area or more than 10,000 gross square feet, whichever is less</td>
<td>B, C</td>
</tr>
</tbody>
</table>

### Building Use Conversion

<table>
<thead>
<tr>
<th>Subarea</th>
<th>Degree of Compliance Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conversion of primary building use from residential to non-residential, or from non-residential to residential, as shown in Table 3.2-1.</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>B, C</td>
</tr>
</tbody>
</table>
For purposes of applying this Touch Rule, all expansions shall be measured cumulatively from
the Effective Date.

**Tract**
An area, parcel, site, piece of land, or property. When shown on a subdivision plat, a tract
indicates land that is not included in the boundaries of a developable lot.

**Transit Facility**
Mass transit stations, including bus or rail terminals/stations or depots, transfer points, and park 'n
ride facilities without vehicle repair or storage. This use also includes commercial transit facilities
engaged in providing bus passenger transportation over regular routes and on regular schedules,
 principally outside a single metropolitan area and its adjacent non-urban areas. The term does
not apply to shuttle services providing round trip service within 50 miles of the metropolitan area,
including but not limited to casino shuttle services. This use does not include any transit related
facilities located in the public right-of-way. A transit facility is not an accessory use to a travel
agency, and motor bus repair is not an accessory use to a transit facility.

**Transit Station**
A facility where public transit vehicles load and unload patrons, and where patrons may transfer
from between public transit lines. This use is more limited than a transit facility, and does not
include park and ride facilities or public transit vehicle repair or maintenance facilities.

**Transportation and Freight**
A land use category (including individual land uses) that includes establishments engaged in the
storage or movement of goods for themselves or other firms. Goods are generally delivered to
other firms or the final consumer, except for some will call pickups. There is little on site sales
activity with the customer present. Accessory uses may include offices, truck fleet parking, and
maintenance areas.

**Tree**
A self-supporting woody perennial reaching a mature height of at least 8 feet. Trees are further
classified for the purposes of these standards as ornamental, shade, and street trees.

**Tree Mitigation**
The offsetting of tree values lost due to development and/or construction activities by replanting
or replacing trees.

**Turf, Lawn, or Sod**
Turf, lawn, or sod shall mean any area of grass where cool-season grasses are cultivated and
required to be maintained in a uniform, consistent, and evenly cut condition.

**Use**
The purpose or activity for which land or buildings are designed, arranged, or intended or for
which land or buildings are occupied or maintained.
Utilities and Communication
A land use category (including individual land uses) including facilities for the provision of infrastructure or communications services that support legally established uses and that need to be located in or near the area where the service is provided. This use includes communal water supply systems; water treatment and pumping stations; water pumping stations; water storage tanks; communal sewer systems; sewage treatment plants and pumping stations; utility substation, transmission; utility substation, distribution; utility transmission lines, and telecommunications facilities. These facilities may be publicly or privately provided. Accessory uses may include control, monitoring, data, or transmission equipment.

Utility, Major
Generating plants, electrical substation on a lot or lots consisting of five or more acres of land, transmission lines operated at 69,000 volts or higher, switching buildings, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants, gas compressors, gas mains, gas laterals, and similar scale facilities, as well as associated structures and facilities, that have relatively greater potential for adverse aesthetic and/or environmental impacts than minor utility facilities.

Utility, Minor
This use includes:
1. Electrical substations on a lot or lots consisting of less than five acres of land;
2. Above ground electrical transmission lines, or underground pipelines, flood control or drainage facilities, transportation or communications utilities, and similar facilities of public agencies or utilities; and
3. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, poles or cables, switch boxes, transformer boxes, cap banks, and underground water and sewer lines.
4. Minor utility facilities generally do not have employees on-site, and the services may be publicly or privately provided.

Vehicle
Any device that is capable of moving itself or being moved from place to place upon wheels or tracks, as well as devices capable of being moved on or through water or air, such as boats or airplanes, but such term shall not include any device designed to be moved by muscular power.

Vehicle Fleet Operations Center
A central facility for the distribution, storage, loading and repair of fleet vehicles, with or without associated dispatch services and offices. Typical uses include, but are not limited to, ambulance service, taxi dispatch, meals-on-wheels dispatch, and other operations that require frequent coming and going of cars or vans such as courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services.

Vehicle, Motor
A self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.

Vehicle-Related Operation
A land use category (including individual land uses) that includes a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.
Veterinary Clinic and Hospital
Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals. All facilities for housing animals shall be only for use incidental to medical treatment.

View Corridor
Designated areas associated with streets, particular land uses, or any City-designated trail corridor, public park, or recreational facility, where significant features can be seen in the background resulting in special design approaches or requirement to protect the view of those features. View corridors can be used to plan in or around areas with particular historic value.

Walkable Main Street
As used for MU-R zone districts in Subarea C, a street, at least 660 feet long, to act as a linear pedestrian feature within or connecting to the Focal Point. The Main Street shall be a public or private street or major walkway that serves as the primary walkable street in each MU-R district, and it may or may not allow automobile traffic (at the applicant's option). The building sites adjacent to the Main Street are referred to as Main Street Sites. In the case of a regional shopping mall containing at least 1,000,000 square feet of gross floor area, the Main Street may be designed as an extension of the mall's circulation axis to adjacent outdoor areas, provided at least 440 feet of the "Main Street" shall be located outdoors.

Waste and Recycling
A land use category (including individual land uses) that includes establishments that receive solid or liquid wastes from others for disposal on the site or for transfer to another location. The category includes uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and Recycling uses also include uses that recycle materials and receive hazardous wastes from others. Accessory uses may include offices, and repackaging and shipment of by-products.

Water Feature
Any permanent natural or artificial collection or display of water as an amenity.

Wetlands
Areas having: (i) hydric soils (in the area or close by if area has been under agriculture), (ii) associated water-adapted hydrophytic plant materials, and (iii) natural surface inundation of water for 15 consecutive calendar days of the growing season or soils naturally saturated to the surface for 21 consecutive calendar days of the growing season. All three criteria shall be present to meet this definition.

Wildlife Habitat
Specific geographic areas that provide the physical and biological features needed for life and successful reproduction of plant or animal species.

Wind Energy System, Large
A large wind energy conversion system that has an output rating greater than 100 KW that converts wind energy into electrical power for the primary purpose of sale, resale, or off-site use.

Wind Energy System, Small Ground-Mounted
A small wind energy conversion system, mounted to the ground, that has a rated capacity of 100 KW or less and is an accessory use within a zone district. The small wind system shall support the energy needs of the principal use on the site.
Wind Energy System, Small Roof-Mounted
A small wind energy conversion system, mounted to a rooftop, that has a rated capacity of 100 KW or less and is an accessory use within a zone district. The small wind system shall support the energy needs of the principal use on the site.

Window Pane
A plate glass surrounded by a framework.

Winery
An establishment that manufactures vinous liquors, and that may include a restaurant or a sample venue that sells the winery's products, including retail sales, and as allowed under Article 47, Title 12, of the Colorado Liquor Code.

Xeric Plants
Xeric, xeriscape, drought tolerant, or drought resistant landscaping and/or plant species shall mean plant species that can survive on one half-inch to one inch of water per week and are listed in the reference materials found in this UDO or the landscape manual.

Xeriscape
A landscaping method typically used in arid or semi-arid climates that considers individual site conditions, soils and the use of specific water conserving plants, mulch and efficient irrigation to maximize water usage.

Yard
That portion of a site not occupied by a building housing the principal and accessory uses.

Yard, Front
The open space on the same site with the building between every point on the front of such principal building and the front lot line of the site, extending the full width of the site, and measured perpendicularly to the building at the closest point to the front lot line. On a corner lot, the open space adjacent to the shorter street right-of-way shall be considered the front yard.

Yard, Rear
The open space on the same site with the building between the rear line of the principal building and the rear line of the site, extending the full width of the site, and measured perpendicular to the building at the closest point to the rear lot line.

Yard, Required
The open space between a lot line and the yard line within which no structure shall be located except as provided in this UDO.

Yard, Side
The open space on the same site with the principal building situated between the building and the side line of the site and extending from the front yard to the rear yard.
Zone

**Zone (or Zone District)**
A specifically delineated area or district in the city within which regulations and requirements in this UDO govern the use, placement, spacing, and the size of land and buildings. A Subarea of a zone district is a defined area within a named base or overlay zone district within which different permitted uses or development standards apply. Examples are the Main Street and General subdistricts of the MU-OA zone district, and the Core and Edge subdistricts of the MU-TOD district.

**Zone Lot**
A designated single parcel of contiguous land occupied by or capable of being occupied by a use or structure, the area of which is contained within the boundaries of one or more contiguous ownerships, plus one-half of any abutting alley and including one-half of any abutting dedicated street.