



NOTICE OF PLANNING AND ZONING COMMISSION MEETING

September 23, 2026

Members of the public and media are invited to attend remotely through the options listed below. Public comment is welcome for items appearing on the agenda or on any matter of Planning & Zoning Commission concern. Each speaker is allotted a maximum of three minutes to speak.

Sign-up to speak at the meeting. Individuals wishing to comment on an agenda item during 'Public Invited to be Heard' must register in advance of the meeting. To register, visit the City's website at: www.AuroraGov.org/PC

View or Listen Live

Click to join: [September 23, 2026, Planning and Zoning Commission Meeting](#)

Call-in Participation

Call: 720.388.8447

Conference ID: 955 873 638#

Translation/Accessibility

If you are in need of an interpreter, please contact the Office of International and Immigrant Affairs at 303.739.7521.

Si necesita un intérprete, comuníquese con la oficina de asuntos internacionales e inmigrantes al número 303.739.7521.

For accommodations, please visit www.AuroraGov.org/Accessibility



AGENDA

Regular Meeting of the Planning and Zoning Commission

September 23, 2026, 5:00 pm

VIRTUAL MEETING

Pages

1. Study Session - 5:00 p.m. - No Study Session Scheduled
2. Regular Meeting - Call to Order 6:10 p.m.
3. Roll Call
4. Pledge of Allegiance
5. Approval of the Planning Commission Minutes
 - 5.a Draft September 9, 2026, Planning Commission Minutes 2
6. Adoption of Agenda
7. Consent Agenda
8. General Business
 - 8.a Unified Development Ordinance Amendment Text Change to Permitted Use Table - Project 1998014 (All Wards) 6

CASE MANAGER: Stacy Wasinger APPLICANT: City of Aurora
Planning and Business Dev

Development Application: DA-2163-31 Case Number: 2018-1006-31

General Location: Within city boundaries
9. Public Invited to be Heard (non-agenda related issues)
10. Commissioner Comments/Miscellaneous Items of Business
11. Reports
 - 11.a Report by Planning Division Manager

11.b Report by City Attorney

12. Adjournment

Planning and Zoning Commission Projected Agenda Items

City of Aurora, Colorado

October 14, 2026 6:10 PM

**1. CANDELA RESTAURANT – CONDITIONAL USE FOR AFTER-HOURS OPERATION
(Project #1993027) (Ward IV)**

CASE MANAGER: Stephen Gubrud

APPLICANT: Comerser Hospitality LLC

Development Application: DA-1013-18

Case Number: 1997-6048-05

General Location: South of E Evans Avenue and S Blackhawk Street



Planning and Zoning Commission
DRAFT MINUTES
September 9, 2026

Commissioners Present: **Becky Hogan**
 Michael Riley
 Sonda Banka
 Gayle Jetchick
 Melvin Bush
 Robin Becker

Commissioners Absent: **Garrett Walls**

1. **Study Session – 5:00 p.m.**
 2026 Update – UDO Text Amendment for Accessory Dwelling Units – Jeremiah Fettig
2. **Regular Meeting – Call to Order 6:10 p.m.**
3. **Roll Call**
4. **Pledge of Allegiance**
 Not Conducted Due to Virtual Meeting
5. **Approval of the Planning Commission Minutes**
 5.a. August 26, 2026, Draft Minutes
 A MOTION WAS MADE BY VICE CHAIR HOGAN AND SECONDED BY COMMISSIONER
 BECKER TO APPROVE THE MINUTES AS SUBMITTED WITHOUT OBJECTION.

 MINUTES APPROVED UNANIMOUSLY WITHOUT OBJECTION.
6. **Adoption of Agenda**
 A MOTION WAS MADE BY VICE CHAIR HOGAN AND SECONDED BY COMMISSIONER
 BANKA.

 MOVE TO APPROVE THE DRAFT AGENDA AS THE PERMANENT AGENDA. AGENDA
 ITEM 8a WILL BE HEARD AT THIS MEETING ALL OTHER AGENDA ITEMS HAVE EITHER
 BEEN WITHDRAWN, ARE INACTIVE, OR ARE BEING CONTINUED TO A LATER DATE.

 MOTION PASSED UNANIMOUSLY WITHOUT OBJECTION.
7. **Consent Agenda**
 Not Conducted Due to Lack of Items.



Planning and Zoning Commission
DRAFT MINUTES
September 9, 2026

8. General Business

8a. ALTURA FARMS – SITE PLAN EXTENSION

The applicant, GCSA LLC, is requesting a two-year extension of the site plan for “Altura Farms” for seven (7) single-family residential lots on 1.96 acres, originally approved on August 12, 2020. The subject property is located south of the intersection of E. 12th Avenue and N. Kittredge Street. There is one (1) single-family home currently on this property, which is proposed to be demolished and rebuilt on a smaller lot within the development. The property is adjacent to the Highline Canal to the north; large, rural residential lots; and the City of Aurora Fire Station 5 to the southeast. The zoning for this property is split with Low Density Single-Family Residential District (R-1) on the west and Accident Potential Zone District (APZ-II N) to the east. The entire property is also located within the 55 LDN Subarea of the Buckley Air Force Base Airport Influence Overlay District. As part of this project, an Administrative Street Vacation has been recorded, and a Site Plan and Subdivision Plat are ready for recording.

Per the UDO, site plans are valid for five years from the date of approval and shall become of no force or effect after that period unless extended. This is the second site plan extension proposal. The first site plan extension was administratively approved for one year on October 2, 2025. The applicant’s request for an extension is to allow the applicant to complete the civil plan review process and obtain building permits before the site plan expires. This extension request is the final extension allowed by the UDO.

The Altura Farms site plan application was originally submitted on January 16, 2020, and approved by the Planning Commission on August 12, 2020. The applicant suggests they have changed consultants, which has delayed completion of the preliminary drainage report (PDR) required for the site plan process. Aurora Water will not accept civil plans without an approved PDR. The one-year extension originally granted has allowed them to complete the PDR, which is now near completion. However, the applicant is requesting additional time to complete the civil plan review process and pull building permits.

Ten (10) adjacent property owners and thirteen (13) neighborhood associations were notified of the application. No responses were received, and no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioners Banka, Becker, Bush, Jetchick, Hogan, and Riley visited the site.

Ben Bravenec, Case Manager, gave a presentation of the item, including the staff recommendations.

Christina Aldana and German Aldana, GCSA, LLC, representing the applicant, presented the item. G Aldana explained that only five houses will be built. One nearby house that was originally expected to be demolished will now remain because the owner changed his mind. So instead of seven houses, the project will include only five.

C Aldana added that the applicant is requesting a two-year extension because it has taken longer than expected to reach this stage. As B Bravenec mentioned, the preliminary drainage report has been approved, which is required before the site plan can move forward in the approval process. During this time, the original engineer left unexpectedly, and a new engineer needed to be hired. Coordinating between the City of Aurora and the new engineer has taken considerable time, but the project is now moving forward. Therefore, an additional two years are needed to complete the remaining steps.



**Planning and Zoning Commission
DRAFT MINUTES
September 9, 2026**

Commissioner Riley noted that the backup material shows the home on Lot 1 as not being part of the project because it was originally expected to be relocated, then asked whether it is correct that the current homeowner no longer wishes to be displaced and will retain his property as it is, and that development will proceed only on the remaining lots.

C Aldana responded that this is correct and the existing home on Lot 1 will remain as is.

Vice Chair Hogan noted that the property is in Arapahoe County, not Adams County as stated in the staff report, and requested that this correction be made as a technical clarification. B. Bravenec apologized for the mistake and agreed to have it corrected.

Vice Chair Hogan stated that seven years is a long time for a project to remain in process and that many circumstances can change over such a period. Vice Chair Hogan asked the applicant to confirm that they understand any request for an extension beyond the additional two years will not be granted.

C Aldana responded that the project is expected to be completed within two years. As noted earlier, it has been challenging to secure engineering support, and communication with the City of Aurora has taken time. The full two years will be necessary to complete the five homes, as the work includes constructing three new houses and installing all required infrastructure. From the building area to Laredo Street, there are more than 2,000 linear feet where existing utilities must be removed and replaced with new sewer, water, sidewalks, and other improvements. The engineer has nearly finished the required plans, and the team is close to being ready to proceed. Based on this progress, the applicant is confident that two years will be sufficient to complete the project.

Planning Commission Results

AGENDA ITEM 8a – SITE PLAN EXTENSION

A MOTION WAS MADE BY COMMISSIONER BUSH AND SECONDED BY COMMISSIONER BANKA.

APPROVE THE SITE PLAN EXTENSION FOR TWO ADDITIONAL YEARS, TO AUGUST 12, 2028, BECAUSE THE APPLICANT HAS PROVIDED JUST CAUSE PER CODE SECTION 146 5.3.14.C OF THE UNIFIED DEVELOPMENT ORDINANCE AND BECAUSE OF THE FOLLOWING REASONS:

1. THE APPLICANT HAS SHOWN THAT THEY ARE TAKING STEPS TO ACHIEVE CIVIL PLAN APPROVAL.
2. THE APPLICANT WILL BE REQUIRED TO CONFORM WITH CITY STANDARDS AND THE ROADWAY MANUAL CRITERIA AT THE TIME OF CIVIL PLAN REVIEW; AND,
3. THE EXTENSION WILL NOT IMPACT THE DELIVERY OF REQUIRED SERVICES OR UTILITIES FOR OTHER DEVELOPMENT.

Further Discussion:

No further discussion occurred.

MOTION PASSED UNANIMOUSLY.



Planning and Zoning Commission
DRAFT MINUTES
September 9, 2026

9. Public Invited to be Heard

There was no public comment.

10. Commissioner Comments/Miscellaneous Items of Business

Vice Chair Hogan announced that Susan Chapel, Project Coordinator, will be retiring at the end of the month and encouraged everyone to attend the retirement luncheon.

11. Reports

11a. Report by Planning Division Manager

Brandon Cammarata, Planning Manager, did not have a report

11b. Report by City Attorney

Lena McClelland, Assistant City Attorney, did not have a report.

12. Adjournment

Vice Chair Hogan adjourned the meeting at 6:30 p.m. until September 23, 2026.

City of Aurora Planning and Zoning Commission Case Report

Project Title: Unified Development Ordinance Amendment – Text Change for Permitted Use Table
Date: September 23, 2026
Development Application Number: DA-2163-31
Case Number: 2018-1006-31
Case Manager: Stacy Wasinger
Applicant: City of Aurora
General Location: City of Aurora Municipal Boundary
Ward: All Wards

Project Summary:

At the direction of City Council, this item proposes an amendment to the Unified Development Ordinance (UDO) to modify the Permitted Use Table (Table 3.2-1) for Data Center uses. This change would remove “Data Center” as a permitted use in the Mixed Use-Office/Institutional (MU-OI) zone district. The “P” will be removed and the cell left blank, meaning the use is prohibited.

Staff has provided a draft ordinance based on the feedback received by the City Council for the Planning and Zoning Commission’s review and recommendation to the City Council. The proposal is supported by several policies and goals of the Aurora Places Comprehensive Plan and meets the approval criteria for UDO text amendments in Code Section 146-5.4.1.C.3.

Request:

Recommendation of Approval to City Council for Text Changes to the Unified Development Ordinance

Background:

The Unified Development Ordinance (UDO) currently defines a data center as: *“A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes backup batteries and power generators, cooling units, fire suppression systems, and enhanced security features.”* This use is classified under industrial uses in the UDO Permitted Use Table.

Currently, a Data Center is a permitted use-by-right in the following zone districts:

- Mixed-Use Office/Institutional (MU-OI)
- Airport District (AD)
- Accident Potential Zone (APZ)
- Business/Tech District (I-1)
- Medium Industrial District (I-2)

A Data Center is a Conditional Use in the following zone districts:

- Mixed-Use Regional Activity Center (MU-R)
- Mixed-Use Airport (MU-A)

Of the zone districts that currently allow a data center as a use-by-right, three are districts that only allow non-residential and industrial uses. The APZ district allows limited residential uses. The Mixed-Use Office/Institutional (MU-OI) Zone District also allows uses such as Schools, Multifamily, and Assisted Living Facilities. It is possible, as a use-by-right, that a Data Center may be established in proximity to these types of uses in the MU-OI district. Therefore, this item proposes to remove Data Center as a use-by-right in the MU-OI zone district and avoiding proximity to residential, schools, and other sensitive uses in this zone.

See the attached Permitted Land Use Table for Data Center uses and map showing the MU-OI zoned property. (Exhibit B)

This item was discussed at the August 24, 2026, City Council Study Session. At that meeting, Council gave direction to staff to bring forward an ordinance modifying the permitted use table to remove Data Center as a permitted use in the MU-OI zone district. After a recommendation from the Planning and Zoning Commission, this item will proceed to the October 12th City Council meeting for First Reading of an Ordinance.

Community Comments:

The project was posted through the development review portal and is available for public review. Staff received a comment in support of this proposed land use table change (see Exhibit E).

Issues Discussed:*Industrial Uses*

Data Centers are classified as an industrial use within the UDO. The MU-OI district permits primarily office, retail, institutional, and some residential uses with limited allowance for industrial uses. Industrial uses are more commonly permitted in the AD, APZ, I-1, and I-2 zone districts. It would be appropriate to remove this industrial use from the MU-OI as a permitted use. Many existing schools are located in the MU-OI zone district. The MU-OI zone district supports uses like schools that are situated on campuses.

Legal Nonconforming Uses

If this amendment is approved, any data center already in place would become a legal nonconforming use, subject to the provisions in UDO-146-5.5. Specifically, a nonconforming use may continue in its current location under the current or a different operator. The structure housing the use may be maintained and repaired within UDO standards. A nonconforming use may not be expanded in size and cannot be restarted if discontinued for one year or more.

Summary of Staff Recommendation:

Recommend approval of the Unified Development Ordinance Amendment to the City Council.

Detailed Case Analysis

Public Notification:

Legal notice appeared in the Aurora Sentinel on September 10, 2026.

Community Input:

The project was posted through the development review portal and is available for public review. It was also discussed at the August 24, 2026, City Council Study Session. Staff received a comment in support of this proposed land use table change (see Exhibit E).

Summary of Changes:

The permitted use table would be updated to remove the “P” for Data Center in MU-OI. The blank cell indicates the use is not permitted in that zone district. (see Exhibits B and D).

Conformance with Code Criteria:

1. Ordinance Text Amendment Approval Criteria - Ordinance Text Amendment approval criteria are found in Section 146-5.4.1.C.3.b of the UDO as follows:

- 1. 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.*

The proposed Ordinance Text Amendment complies with the approval criteria for the following reasons:

- It is consistent with the spirit and intent of the Aurora Places Comprehensive Plan and policies adopted by the City Council;
- It is required because of changed conditions or circumstances in all or a portion of the City; and
- It supports public health, safety, and welfare.

Compliance with Aurora Places Comprehensive Plan:

The proposed UDO amendment is in compliance with the following principles and goals of the comprehensive plan:

- A Strong Economy Principle, Goal 3: Continue to support the growth of primary employment to bolster the local economy.
- An Authentic Aurora, Goal 2: Protect the character and quality of established neighborhoods and districts throughout Aurora.
- A Healthy Community Principle, Goal 5: Ensure that Aurora is a safe environment for all community members.

Exhibits:

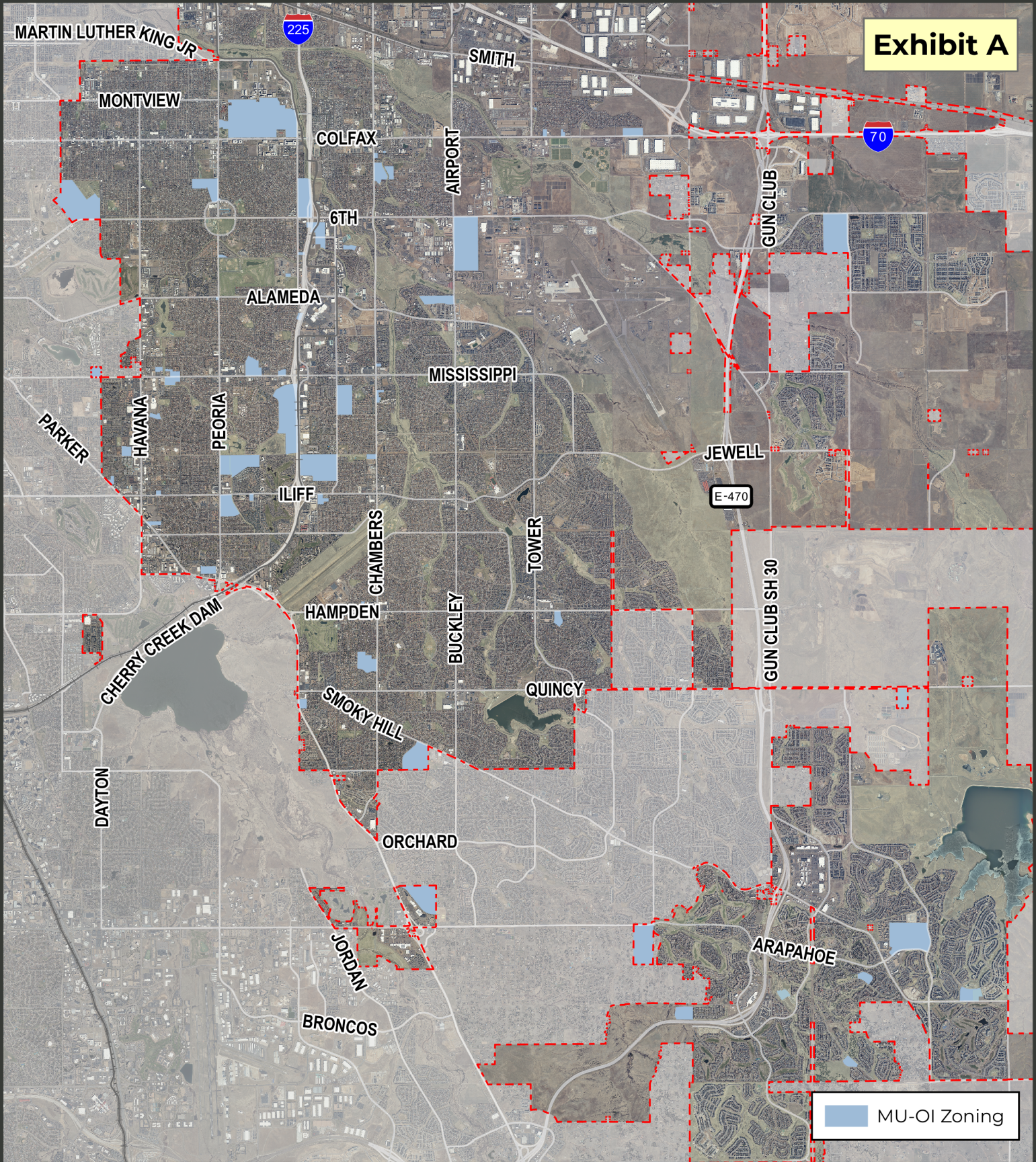
Exhibit A	MU-OI Zoning Map
Exhibit B	Permitted Use Table for Data Center (Current and Proposed)
Exhibit C	August 24, 2026, City Council Study Session Commentary
Exhibit D	Draft Ordinance
Exhibit E	Public Comment Received

Staff Recommendation:

Agenda Item 8a: Ordinance Text Amendment

Recommend approval to the Aurora City Council of the Unified Development Ordinance Amendment to change the Permitted Use Table because the proposal complies with the requirements of Code Section 146-5.4.1.C.3.b of the Unified Development Ordinance for the following reasons:

- It is consistent with the spirit and intent of the Comprehensive Plan and policies adopted by the City Council;
- It is required because of changed conditions or circumstances in all or a portion of the City; and
- It supports public health, safety, and welfare.



**Planning and
Business Development**
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AuroraGov.org
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GIS@auroragov.org

City of Aurora, Colorado

Miles 0 0.5 1

MU-OI Zoning

ACCESSIBILITY STATEMENT
Please know that, while the city is working to make all information accessible, PDF map products are primarily visual in nature. If you have trouble accessing this document, please visit www.AuroraGov.org/Accessibility or call the Office of Accessibility (303-326-8858) and let us know how best to assist you.



Case Number: 2024-6017-01
Development Application: #206270

Table 3.2-1 Permitted Use Table		P = Permitted C = Conditional use		A = Accessory to primary use T = Temporary use		V = Permitted if structure vacant for 5 years or more																						
	RESIDENTIAL						MIXED-USE										SPECIAL PURPOSE					OVERLAY DISTRICTS						
ZONE DISTRICT & Subarea or Subdistrict		R-1		R-2				MU-N			MU-OA							MU-TOD										
Land Use	R-R	A&B	C	A&B	C	R-3	R-4	R-MH	A&B	C	MU-OI	MU-C	OA-R1	OA-R2	OA-RMU	OA-MS	OA-G	MU-FB	Core	Edge	MU-R	MU-A	AD	APZ	I-1	I-2	POS	USE SPECIFIC STANDARD
Industrial																												
Data Center											P										C	C	P	P	P	P		

Table 3.2-1 Permitted Use Table		P = Permitted C = Conditional use		A = Accessory to primary use T = Temporary use		V = Permitted if structure vacant for 5 years or more																						
	RESIDENTIAL						MIXED-USE										SPECIAL PURPOSE					OVERLAY DISTRICTS						
ZONE DISTRICT & Subarea or Subdistrict		R-1		R-2				MU-N			MU-OA						MU-TOD											
Land Use	R-R	A&B	C	A&B	C	R-3	R-4	R-MH	A&B	C	MU-OI	MU-C	OA-R1	OA-R2	OA-RMU	OA-MS	OA-G	MU-FB	Core	Edge	MU-R	MU-A	AD	APZ	I-1	I-2	POS	USE SPECIFIC STANDARD
Industrial																												
Data Center																					C	C	P	P	P	P		



CITY OF AURORA

Council Agenda Commentary

Item Title: Text Amendment to Update the Permitted Use Table Regarding Data Centers (Ordinance)
Item Initiator: Stacy Wasinger, Senior Planner, Planning and Business Development
Staff Source/Legal Source: Brandon Cammarata, Planning Manager, Planning and Business Development / Lena McClelland, Senior Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Economically Strong: Building a conducive development climate, a diverse mix of industries and housing options, and fostering economic growth so that our community thrives and remains resilient.

COUNCIL MEETING DATES:

Study Session: 8/24/2026

Regular Meeting: N/A

2nd Regular Meeting (if applicable): N/A

Item requires a Public Hearing: ☒ Yes ☐ No

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

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only indicate combined time needed for presentation and discussion)

Brandon Cammarata, Planning Manager, Planning and Business Development / Lena McClelland, Senior Assistant City Attorney
Estimated time: 10 mins

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

- | | |
|--|---|
| ☐ Approve Item and Move Forward to Study Session | ☐ Approve Item as Proposed at Policy Committee |
| ☒ Approve Item and Move Forward to Regular Meeting | ☐ Approve Item as Proposed at Study Session |
| ☐ Information Only | ☐ Approve Item as Proposed at Regular Meeting |
| ☐ Approve Item with Waiver of Reconsideration
<i>Reason for waiver is described in the Item Details field above.</i> | |

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

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

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

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

On August 10, 2026, Resolution R2026-98 passed, directing staff to review Data Centers and propose regulations, as well as identify related items pertaining to Mixed Use and APZ zone districts and potential conflicts with residential uses.

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

The Unified Development Ordinance (UDO) defines a Data Center as: "A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes backup batteries and power generators, cooling units, fire suppression systems, and enhanced security features." This use is classified under industrial uses in the UDO Permitted Use Table.

Currently, a Data Center is a permitted use-by-right in the following zone districts:

- Mixed-Use Office/Institutional (MU-OI)
- Airport District (AD)
- Accident Potential Zone (APZ)
- Business/Tech District (I-1)
- Medium Industrial District (I-2)

A Data Center is a Conditional Use in the following zone districts:

- Mixed-Use Regional Activity Center (MU-R)
- Mixed-Use Airport (MU-A)

Of the zone districts that currently allow a Data Center as a use-by-right, the Mixed-Use Office/Institutional (MU-OI) Zone District also allows uses such as Schools, Multifamily, and Assisted Living Facilities. There are concerns that a Data Center may be established in proximity to these types of uses in the MU-OI district. Therefore, this item proposes to remove Data Center as a use-by-right in the MU-OI zone district and avoid proximity to residential, school, and other sensitive uses. It is important to note that there are two data centers currently in the City zoned MU-OI. If this amendment is approved, those two data centers would become legal nonconforming uses. The item proposes an amendment to the UDO text:

1. Modify the Permitted Use Table (Table 3.2-1) in the Unified Development Ordinance to remove "Data Center" as a permitted use in the MU-OI zone district. The "P" will be removed and the cell left blank.

See the attached Permitted Land Use Table for Data Center uses and map showing the MU-OI zoned property.

An item for future discussion may include updating the UDO definitions to clarify scale and size of permitted Data Center uses.

Proposed MU-OI Text Change Schedule
 8/24/2026 - Council Study Session
 9/23/2026 - Planning and Zoning Commission
 10/12/2026 - City Council Public Hearing
 10/26/2026 - City Council Second Reading

Exhibit A: Map of MU-OI zoned areas

Exhibit B: UDO Permitted Land Use Table for Data Center

FISCAL IMPACT

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

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

REVENUE IMPACT

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

BUDGETED EXPENDITURE IMPACT

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

NON-BUDGETED EXPENDITURE IMPACT

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

WORKLOAD IMPACT

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

QUESTIONS FOR COUNCIL

Does Council wish to support an Ordinance that would remove Data Center as a permitted use in the MU-OI zone district?

LEGAL COMMENTS

The City Council is the governing body of the City and has the authority to approve amendments to the text of the UDO. (UDO §146-5.1.1.A)

The City Council shall conduct a public hearing on the application. (UDO §146-5.4.1.C.2.c)

Amendments to the text of the UDO shall only be approved if City Council finds that the proposed 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 text amendment is required because of changed conditions or circumstances in all or a portion of the City; or (b) the text amendment is required to address a new or unforeseen threat to the public health, safety, and welfare; or (c) the text amendment is required to promote economic growth and investment that will not create material risks to the public health, safety, and welfare. (UDO §146-5.4.1.C.3.b.i) (McClelland)

ORDINANCE NO. 2026- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-3.2
OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO DATA CENTERS

WHEREAS, Section 146-5.4.1.C.3 of the Unified Development Ordinance provides that all applications for ordinance text amendments shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to the City Council for final decision; and

WHEREAS, on _____, following a public hearing, the Planning and Zoning Commission voted to recommend the ordinance text amendment to City Council.

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

Section 1. Section 146-3.2 Table 3.2-1 of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

Table 3.2-1 Permitted Use Table		P = Permitted C = Conditional use	A = Accessory to primary use T = Temporary use	V = Permitted if structure vacant for 5 years or more	
	RESIDENTIAL	MIXED-USE		SPECIAL PURPOSE	

ZONE DISTRICT & Subarea or Subdistrict		R-1		R-2					MU-N				MU-OA						MU-TOD										
Land Use	R-R	A&B	C	A&B	C	R-3	R-4	R-MH	A&B	C	MU-OI	MU-C	OA-R1	OA-R2	OA-RMU	OA-MS	OA-G	MU-FB	Core	Edge	MU-R	MU-A	AD	APZ	I-1	I-2	POS	USE SPECIFIC STANDARD	
COMMERCIAL AND INDUSTRIAL USES																													
Industrial																													
Data Center											P										C	C	P	P	P	P			
Equipment Rental and Repair												P										C	P		P	P		3.3.5.AA	

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 4. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this ____ day of _____, 2026.

PASSED AND ORDERED PUBLISHED this ____ day of _____, 2026.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY:
CITY ATTORNEY PETE SCHULTE

BY: *Lena McClelland* RLA
Lena McClelland, Sr. Assistant City Attorney

September 1, 2026

City of Aurora Planning & Zoning Commission
c/o Ms. Stacy Wasinger, Senior Planner
Planning and Business Development Department
City of Aurora
15151 E. Alameda Pkwy.
Aurora, CO, 80012

RE: Text Amendment to Modify the Permitted Use Table (Table 3.2-1) in the Unified Development Ordinance to remove "Data Center" as a permitted use in the MU-OI zone district. The "P" will be removed and the cell left blank.

Dear Members of the Planning & Zoning Commission:

My name is Stephen Elkins, and I am a resident of Ward I. Today, I write as a private citizen and my views and opinions do not represent the views and opinions of my employer or any other group or organization. As I am sure you are aware, data center development has recently gone from a national and state issue to a local issue. I have followed this issue closely as an Aurora resident, and I want to offer my feedback on this Text Amendment.

By way of background, I worked in local and state government for over 10 years with the focus of my public service career serving in development review at the local level. My capstone position in public service was leading a county-level planning and building department. Since 2024, I have worked in the data center industry on data center projects throughout the United States. Similar to my work in government, my professional focus continues to be on development though now I am working on data center projects. My professional experience has given me a strong background and knowledge base about what it takes to successfully deliver a new major development project.

I believe strongly in responsible development. In keeping with that belief, I wanted to express my strong support for the proposed Text Amendment to remove data centers as a permitted use in the Mixed-Use Office/Institutional (MU-OI) zone district. Institutional zone districts can be a difficult concept since they are intended to be flexible in nature and are often embedded in longtime low density residential neighborhoods. Institutional zone districts also presume that land ownership will change infrequently and only then between institutional owners rather than contemplate the outcomes of potential sales to private entities. The City staff created map is an excellent tool to understand where this zone district is currently mapped in Aurora. Many of the mapped locations are in close proximity to longtime institutional land uses and low-density residential neighborhoods. This close proximity will therefore be a significant challenge to mitigate off-site impacts on these adjacent longtime uses.

Given the larger conversation about where data center development is and is not appropriate in our city, I believe this Text Amendment is an important step forward in that conversation. With the *Village of Euclid v. Ambler Realty Co.* United States Supreme Court case, the right of municipalities to establish zoning regulations was upheld. Broadly, this Case endowed municipalities with zoning police powers to maintain the public health, safety, and welfare of their citizens. I believe this Text Amendment is in keeping with what zoning can and should do—i.e. deciding which land uses are appropriate and inappropriate adjacent to one another and what, if any, off-site mitigation is required to ensure their long-term compatibility.

Thank you for the opportunity to comment on this proposed Text Amendment.
I appreciate your service to our city.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Elkins", written in a cursive style.

Stephen Elkins
Ward I Resident