



NOTICE OF COUNCIL MEETING

(Open to the Public)

Monday, February 23, 2026

6:00 PM

Members of the Aurora City Council will participate in the February 23, 2026 Council Meeting.

Members of the public and media are invited to attend the Aurora City Council Meetings in person or remotely through the options listed below.

View or Listen Live

Live streamed at www.auroraTV.org

Youtube.com/TheAuroraChannel

Cable Channels 8 and 880 in Aurora

In-person Participation

Members of the public may attend in-person at the Aurora Municipal Center, Paul Tauer Aurora City Council Chamber located at 15151 E. Alameda Pkwy. Public comment is welcome for items appearing on the agenda or on any matter of city concern. Individuals must appear in person and speak from the podium. Individuals are allotted a maximum of three (3) minutes to speak.

- **Public Invited to be Heard:** One (1) hour is dedicated to public comment on items not listed on the agenda at the beginning and at the end of every regular council meeting. Individuals may register to speak in one of the following manners:
 1. Sign up online beginning at 8 AM on the Friday before the meeting through 1 PM on the day of the council meeting; or
 2. Sign up in person by handing a completed speaker slip to the city clerk in the Paul Tauer Aurora City Council Chamber on the day of the council meeting beginning at 5 PM and up until the time the last individual finishes speaking during the first Public Invited to be Heard session. Verified Aurora residents who sign up before 5:45 PM are given priority and placed before non-resident speakers.

For the last Public Invited to be Heard session, speaker slips must be returned before the item preceding the Public Invited to be Heard is finished. Order priority will be given to speakers who did not speak during the first Public Invited to be Heard session.

- **Public Comment on Agenda Item:** Individuals are invited to comment in support of or to oppose any item listed on the agenda. Those wishing to comment on an agenda item must sign up in advance using the 'Public Comment on Agenda Item' online request form beginning at 8 a.m. on the Friday before the council meeting through 1 p.m. on the day of the council meeting.

Those wishing to comment on an agenda item listed under the PUBLIC HEARING category may either register online as noted above or sign up in person with the clerk starting at 5:00 p.m. Sign up must be completed before the Public Hearing agenda item title is read.

Visit the [Addressing the City Council webpage](#) for the online sign up forms and more information.

The city of Aurora is committed to the accessibility of our services and our responsibility to provide them in a non-discriminatory manner. The city recognizes the importance of effective and accurate communication with the community and values equal access to our programs, services and activities. If you seek a physical accommodation, or require the use of an auxiliary aid or device, or if you require an interpreter to help you access this event or service, please scan here to fill out a request form:



All requests must be submitted three days in advance of any scheduled event.
For additional information, please visit AuroraGov.org/Accessibility.



City of Aurora, Colorado

Monday, February 23, 2026

STUDY SESSION

(Open to the Public via live stream in the Paul Tauer Aurora City Council Chamber)

AURORA ROOM

3:15 p.m.

EXECUTIVE SESSION

(Closed to the Public)

AURORA ROOM

4:40 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)

PAUL TAUER AURORA CITY COUNCIL CHAMBER

6:00 p.m.



AGENDA

Regular Meeting of the Aurora City Council

Monday, February 23, 2026, 6:00 p.m.

Paul Tauer Aurora City Council Chamber

15151 E Alameda Parkway

Aurora, CO 80012

Pages

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION/MOMENT OF SILENCE
4. PLEDGE OF ALLEGIANCE
5. EXECUTIVE SESSION UPDATE
6. APPROVAL OF MINUTES
 - 6.a February 9, 2026 Meeting Minutes
7. PROCLAMATIONS OR CEREMONIES
8. ADOPTION OF THE AGENDA
9. PUBLIC INVITED TO BE HEARD
(non-agenda related issues only)
10. CONSENT CALENDAR - MOTIONS
 - 10.a Motions
 - 10.b Planning Matters

5

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

10.c Appointments to Boards and Commissions

- 10.c.1 Consideration to Appoint (1) Member to the Parks, Recreation, and Open Space Advisory Board** 15

Cecilia Zapata, Deputy City Clerk / Andrea Wood, Assistant City Attorney

- 10.c.2 Consideration to Appoint One (1) Member and Reappoint One (1) Member to the Citizens' Water Advisory Commission** 22

Cecilia Zapata, Deputy City Clerk / Ian Best, Assistant City Attorney

11. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

11.a Resolutions

- 11.a.1 Water Shortage Response Plan** 33

R2026-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AURORA'S WATER SHORTAGE RESPONSE PLAN

Tim York, Manager of Water Conservation, Aurora Water / Ian Best, Assistant City Attorney

- 11.a.2 Big John Fire Engine Local Landmark Nomination** 70

R2026-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL DESIGNATING BIG JOHN FIRE ENGINE AS A LOCAL LANDMARK

Chris Geddes, Museum Program Supervisor, Library and Cultural Services / Erika Taylor, Assistant City Attorney

Outside Speaker: Mike Ackman, City of Aurora Public Safety Training Center (CAPSTC) Manager, Retired Aurora Firefighter and Historic Preservation Commissioner

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

12. PUBLIC HEARINGS

Public hearings with or without related ordinances.

12.a Urban Cottages Jewell - Zoning Map Amendment 98

2025-06 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)

Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

13. INTRODUCTION OF ORDINANCES

13.a Lead Ordinance Revisions 152

2026-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 138-229 OF THE AURORA CITY CODE PERTAINING TO LEAD AND GALVANIZED SERVICE LINES REQUIRING REPLACEMENT

Shonnie Cline, Deputy Director of Water Internal and External Relations, Aurora Water / Ian Best, Assistant City Attorney

13.b Tobacco and Age Restricted Psychoactive Product Retail Licensure 183

2026-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 6 OF THE CITY CODE TO ADD ARTICLE IV AND SECTIONS 6-501 THROUGH 6-522, TO ESTABLISH A TOBACCO, KRATOM, AND AGE-RESTRICTED HEMP LICENSE AND AMENDING SECTION 94-343 OF THE CITY CODE RELATING TO DISPENSING OF TOBACCO PRODUCTS

Sponsor: Ruben Medina, Council Member / Stephanie Hancock, Council Member

Trevor Vaughn, Manager of Licensing, Finance / Hanosky Hernandez, Senior Assistant City Attorney

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

14.a Unified Development Ordinance (UDO) Text Amendment to the Repeal City Property Sign Allowance

262

2026-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-4.10.13 AND 146-6.2.S AND REPEALING SECTION 146-4.10.16 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SIGNS

Sponsor: Mike Coffman, Mayor / Alison Coombs, Mayor Pro Tem

Jeremiah Fettig, Planner II, Planning and Business Development / Lena McClelland, Senior Assistant City Attorney

15. ANNEXATIONS

15.a Tapias LLC Annexation Substantial Compliance

282

R2026-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (TAPIAS LLC ANNEXATION) 2.496 ACRES

Justin Andrews, Development Project Manager, Development Services / Brian Rulla, Assistant City Attorney

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

18. REPORTS

18.a Mayor

18.b Council

19. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

20. ADJOURNMENT

MINUTES

Regular Meeting of the Aurora City Council

Monday, February 9, 2026

COUNCIL MEMBERS PRESENT:	Mayor Coffman	Gianina Horton
	Robert Andrews	Alli Jackson
	Françoise Bergan	Angela Lawson
	Alison Coombs	Ruben Medina
	Curtis Gardner	Amy Wiles
	Stephanie Hancock	

1. CALL TO ORDER

Mayor Coffman reconvened the regular meeting of the City Council at 6:00 p.m.

2. ROLL CALL

Public call-in instructions were provided in English and Spanish.

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer for the February 9, 2026 council meeting.

4. PLEDGE OF ALLEGIANCE

(All Standing)

Mayor Coffman read a land acknowledgement.

5. EXECUTIVE SESSION UPDATE

Mayor Coffman provided an update on the Executive Session, stating an economic development proposal and a property transaction were discussed.

6. APPROVAL OF MINUTES

6.a January 26, 2026 Meeting Minutes

Moved by: Alison Coombs

Second by: Françoise Bergan

Does Council wish to approve the minutes of the January 26, 2026 meeting?

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

Voting Aye: (10): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

Absent: (1): Robert Andrews

7. PROCLAMATIONS OR CEREMONIES

8. ADOPTION OF THE AGENDA

Moved by: Alison Coombs

Second by: Angela Lawson

Does Council wish to adopt the agenda as presented?

Voting Aye: (10): Mayor Coffman, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

Absent: (1): Robert Andrews

9. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

Council heard public comment on non-agenda related matters.

10. CONSENT CALENDAR - MOTIONS

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

Moved by: Alison Coombs

Second by: Françoise Bergan

Does Council wish to approve the Motions Consent Calendar as presented?

Voting Aye: (11): Mayor Coffman, Robert Andrews, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

10.c Appointments to Boards and Commissions

10.c.1 Consideration to Appoint One (1) Member to the Parks, Recreation and Open Space Advisory Board

Cecilia Zapata, Deputy City Clerk / Andrea Wood, Assistant City Attorney

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

10.c.2 Consideration to Reappoint Two (2) Members to the Aurora Immigrant and Refugee Commission

Cecilia Zapata, Deputy City Clerk / Andrea Wood, Assistant City Attorney

10.a Motions

10.b Planning Matters

11. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar.

Moved by: Alison Coombs

Second by: Ruben Medina

Does Council wish to approve the Resolutions and Ordinances Consent Calendar with item 11.a.1 removed?

Voting Aye: (10): Robert Andrews, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

11.a Resolutions

11.a.1 Honorary Street Naming - Dr. Barbara Shannon - Banister

R2026-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, NAMING THE RING ROAD AROUND THE AURORA MUNICIPAL CENTER DR. BARBARA SHANNON-BANISTER ROAD

Sponsor: Mike Coffman, Mayor

Carlie Campuzano, Deputy Director of Transportation and Mobility, Public Works / Andrea Wood, Assistant City Attorney

Council heard public testimony on the agenda related item.

Mayor Coffman offered a friendly amendment to include Council Member Renie Peterson’s name to the seventh whereas clause instead of just saying “council member”.

Moved by: Mayor Coffman

Second by: Françoise Bergan

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

Does City Council wish to support the approval of this resolution for the Honorary Street Naming - Dr. Barbara Shannon - Banister?

Voting Aye: (10): Robert Andrews, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

11.a.2 Rooftop Cellular Lease Agreement Extension

R2026-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE SECOND AMENDMENT TO ROOFTOP LEASE AGREEMENT BETWEEN CITY OF AURORA AND T-MOBILE WEST LLC

Hector Reynoso, Manager of Real Property Services, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.3 Unified Forensic Crime Laboratory (UFL) Intergovernmental Agreement (IGA) Amendment with the 23rd Judicial District

R2026-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE ADDENDUM TO THE INTERGOVERNMENTAL AGREEMENT REGARDING MEMORANDUM OF PARTICIPATION BETWEEN THE UNIFIED FORENSIC CRIME LABORATORY AND THE DISTRICT ATTORNEY FOR THE 23RD JUDICIAL DISTRICT

Sponsor: Robert Andrews, Council Member
Mark Hildebrand, Deputy Chief, Police / Megan Platt, Deputy City Attorney

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

11.b.1 Planning and Annexation Boundary Amendment 2026

2026-01 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO REDUCE THE PLANNING AND ANNEXATION AREA BOUNDARY (PLANNING AND ANNEXATION BOUNDARY REDUCTION COMPREHENSIVE PLAN AMENDMENT)

Daniel Krzyzanowski, Planning Supervisor, Planning and Business Development / Lena McClelland, Assistant City Attorney

11.b.2 2026 Golf Equipment Financing

2026-02 AN ORDINANCE AUTHORIZING THE USE OF LEASE-PURCHASE FINANCING TO ACQUIRE CERTAIN EQUIPMENT PURSUANT

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

TO THE TERMS OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT BY AND BETWEEN THE AURORA CAPITAL LEASING CORPORATION, AS LESSOR, AND THE CITY OF AURORA, COLORADO, AS LESSEE; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND OTHER RELATED MATTERS

Teresa Sedmak, City Treasurer, Finance / Hanosky Hernandez, Senior Assistant City Attorney

12. PUBLIC HEARINGS

Public hearings with or without related ordinances.

12.a Unified Development Ordinance (UDO) Text Amendment to the Repeal City Property Sign Allowance

2026-03 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-4.10.13 AND 146-6.2. S AND REPEALING SECTION 146-4.10.16 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SIGNS

Sponsor: Mike Coffman, Mayor / Alison Coombs, Mayor Pro Tem

Jeremiah Fettig, Planner II, Planning and Business Development / Lena McClelland, Senior Assistant City Attorney

Mayor Coffman opened the public hearing.

Staff gave a brief presentation on the item.

Mayor Coffman closed the public hearing.

CM Gardner felt what they were doing to this business was wrong. He said they approved this 12 to 18 months ago and they spent hundreds of thousands of dollars preparing to install these signs only to be told now to go back and not allow it. He expressed the statement made that they are no longer interested was not true, as they are no longer interested because staff made it incredibly challenging.

MPT Coombs stated this was the result of an unsolicited proposal that had previously been rejected by Council multiple times and then was pushed forward by a council member, so this co-change occurred as basically a cleanup to enable that proposal to go forward, which was in violation of the Comprehensive Plan.

Mayor Coffman added it was also in violation of their contracting rules.

CM Gardner asked staff if there was a digital sign at the City of Aurora Sports Park that includes advertising for the University of Colorado Hospital.

Mr. Batchelor answered they do have a small electronic sign that has the symbol of CU Anschutz that was approved through a variance to the Planning Code.

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Moved by: Alison Coombs

Second by: Françoise Bergan

Does Council wish to support the approval of the ordinance to repeal the City Property Sign allowance?

Voting Aye: (8): Robert Andrews, Françoise Bergan, Alison Coombs, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

Voting Nay: (2): Curtis Gardner, and Stephanie Hancock

13. INTRODUCTION OF ORDINANCES

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

15. ANNEXATIONS

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

17.a Consideration to Appoint One (1) Member to the Planning and Zoning Commission

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

CM Bergan nominated Stephen Elkins to the Planning and Zoning Commission.

CM Bergan expressed that she nominated Stephen Elkins because he has a planning background, demonstrated knowledge of the planning process, and was very articulated in his answers. She felt he would make a great planning commissioner.

CM Hancock concurred with CM Bergan with regard to Stephen Elkins, as he was the most articulate, knowledgeable, and thoughtful interviewee. She said he answered the questions with the most clarity and consistency, and she felt he was the best and most qualified candidate.

Moved by: Françoise Bergan

Second by: Stephanie Hancock

Does Council wish to support the nomination of Stephen Elkins to the Planning and Zoning Commission?

Voting Aye: (5): Mayor Coffman, Françoise Bergan, Curtis Gardner, Stephanie Hancock, and Angela Lawson

Voting Nay: (6): Robert Andrews, Alison Coombs, Gianina Horton, Alli Jackson, Ruben Medina, and Amy Wiles

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

CM Wiles nominated Robin Becker to the Planning and Zoning Commission.

MPT Coombs appreciated that Ms. Becker has a planning background and brought some perspectives from outside of the metro area. She thought she was also very thoughtful and articulate.

CM Jackson **noted Ms. Becker’s strength in affordable housing, which is a huge area** in the planning and zoning that they need experts in for Aurora specifically. She added she also has experience in city planning.

CM Horton thanked all three of the interviewees. She stated they were all strong candidates in their own ways, but felt Ms. Becker stood out the most.

Moved by: Amy Wiles

Second by: Gianina Horton

Does Council support the nomination of Robin Becker to the Planning and Zoning Commission?

Voting Aye: (9): Mayor Coffman, Robert Andrews, Alison Coombs, Curtis Gardner, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

Voting Nay: (2): Françoise Bergan, and Stephanie Hancock

CM Wiles moved to appoint Robin Becker to the Planning and Zoning Commission.

Moved by: Amy Wiles

Second by: Alison Coombs

Does Council wish to appoint Robin Becker to the Planning and Zoning Commission?

Voting Aye: (10): Mayor Coffman, Robert Andrews, Françoise Bergan, Alison Coombs, Curtis Gardner, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

Voting Nay: (1): Stephanie Hancock

17.b Determination of Candidates to be Interviewed for the Civil Service Commission Vacancy

Kadee Rodriguez, City Clerk / Andrea Wood, Assistant City Attorney

CM Gardner proposed that they interview the top four candidates. He explained that he typically would say three, but number 3 and 4 tied in the rankings.

Moved by: Curtis Gardner

Second by: Stephanie Hancock

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.

Does Council wish to interview the top 4 ranked candidates for the Civil Service Commission vacancy?

Voting Aye: (11): Mayor Coffman, Robert Andrews, Françoise Bergan, Alison Coombs, Curtis Gardner, Stephanie Hancock, Gianina Horton, Alli Jackson, Angela Lawson, Ruben Medina, and Amy Wiles

CM Bergan voiced that a lot of times these appointments get political and they should not be, as they should be for the best person for the position. She asked if they could redact the name of the person moving forward so they see why they are applying and their experience. She felt that would be a more fair system.

Mayor Coffman responded that would be a subject for the Rules Committee.

18. REPORTS

18.a Mayor

Mayor Coffman announced his Town Hall Meeting on Saturday, at the Central Library, 2-3:30 p.m., where they will discuss technologies in crime fighting, and he will give an update on the Aurora Regional Navigation Center.

18.b Council

MPT Coombs thanked people for attending the At-Large Town Hall regarding AI and surveillance and appreciated the community questions. She shared they will begin scheduling the Rules Committee Meetings, which consists of CM Jackson, CM Medina, MPT Coombs, and Mayor Coffman as the members. She thanked her colleagues and staff for a productive workshop. She also thanked CM Jackson, who contributed very thoughtfully to the preparation on the group norms discussion. She was honored to attend and present the city proclamation at the Grita tu Identidad Mental Health Conference. She mentioned the On Havana Street Lunar New Year Celebration is this upcoming Sunday, 12-6 p.m.

CM Jackson met with various community stakeholders and hosted an At-Large Town Hall on AI and surveillance, in which she thanked APD and ACLU for presenting and the community members who attended and shared their voice. She met with Jessica Meza and Lilly Vee (ph), of Meza & Associates, who were able to talk about recidivism rates and how to reduce recidivism rates. She toured the Navigation Center, attended the Montview Elementary Community Dinner for February, HART Court Program, and the Be Well Annual Awards. She shared she is working on a special project for an immigrant and refugee integration plan with Mayor Coffman and excited to continue putting Aurora on the map when it comes to integrating immigrants and refugees into the community. She gave a shoutout for Black History Month, and voiced that black Americans built this country for free, are owed a lot and are struggling, and she takes providing them resources and honoring their voices very seriously.

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CM Horton shared she was ill and did not get to attend the Oversight Round Table discussion, but heard it went well and there was resounding feedback for the continued need for transparency, continuous community engagement, reaching more down south, and making sure to engage diverse voices and community in that input. She attended the Be Wow Awards and Community Celebration. She highlighted upcoming plans, including continuing the conversation around independent oversight, a visit from the independent monitor from Fort Worth on February 24th, Open House on Bus Rapid Transit on February 11th, conversation for the Community Development Corporation mostly centered around engaging nonprofits who serve northwest Aurora on February 12th, at 1 p.m., at the ABC Community Hub, and Build Up Aurora engagement, in which she encouraged people to show up and make their voices heard. She thanked CM Horton for honoring Black History Month, and wished everyone a happy Lunar New Year.

CM Wiles announced her first Ward 2 Meeting would be on February 26th, at the Central Rec Center. She attended the Food Bank of the Rockies Opening, and voiced there are a lot of volunteer opportunities. She stated they have a lot of commissions and boards that need people to serve on them, including the Human Relations Commission, as well as commissions honoring immigrants and refugees. She thanked the Vista Peak Steppers, who performed at the Faith Breakfast for the Martin Luther King celebration. She expressed that Build Up Aurora is key for Ward 2 people, as they have a lot of infrastructure needs, and need their voices heard. She hoped to see people at the next police oversight meeting when they get to hear from the Fort Worth Independent Monitor.

CM Medina attended the At-Large Town Hall in Ward 3, and said his town hall is tomorrow at the Active Adult Center, 6:30-8 p.m., where they will discuss public safety and the Improvement Grants Program for communities. He shared he is a project manager with Be Well, and they do an annual celebration every year for their block captains, which is led by community and is a free event.

CM Hancock reported that she attended a press conference where Governor Polis announced Colorado as the first democratically led state in the nation to opt into a new federal tax credit program, which empowers families, strengthens the work force, and allows taxpayers the opportunity to donate \$1700 to qualified educational nonprofits and receive a dollar for dollar federal tax credit. She shared that Ward 4's Utah Park Pool is almost finished and they expect it to be open around the first of May. She announced her next town hall will be in March, where they will be having a networking half hour from 6-6:30. She invited Aurora business owners to come and exchange with other entrepreneurs. She expressed the Aurora Library Advisory Board is hoping to add new members to bring experience in fundraising and development. She announced a mini town hall at Bella Vita Senior Living, on February 12th. She appointed Nino Pepper to the CABAC, who will be replacing Sandra Garcia. She thanked Ms. Garcia for her support and service.

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CM Lawson shared tomorrow is her first town hall of the year at Mission Viejo Library, 6: 30-8, and she will be having another town hall on February 21st, at Heather Gardens, 10-12: 30 p.m. She noted she will do two town halls a month until

November. She explained that Aurora gets congressional directed spending and all of their projects were funded by the federal government, which include the Aurora Fire Rescue Fire Apparatus Project, Fire Flashover Simulator Acquisition, Havana Street Corridor Multimodal Improvement Project, Box Elder Creek Roadway Improvement Project, and the Montview Boulevard Complete Streets Project. She thanked city staff and their leaders in Congress for that getting that funding.

CM Bergan attended the Aurora Economic Development Council Executive Meeting, Planning and Economic Development Policy Committee Meeting, Visit Aurora Annual Meeting, Winter Workshop, and watched a retail trends webinar. She shared they are making progress on the Retail Strategy Stakeholder Meeting and will have a lot of experts that are going to be in attendance.

CM Andrews and CM Gardner did not have a report.

19. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

Council head public comment on non-agenda related matters.

20. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.

MIKE COFFMAN, MAYOR

ATTEST:

KADEE RODRIGUEZ, CITY CLERK

The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to Appoint (1) Member to the Parks, Recreation, and Open Space Advisory Board
Item Initiator: Cecilia Zapata, Deputy City Clerk
Staff Source/Legal Source: Cecilia Zapata, Deputy City Clerk / Andrea Wood, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Connected and Engaged: Providing programming, learning resources, and amenities that reflect the rich history and contributions of our vibrant communities.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

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)

Cecilia Zapata, Deputy City Clerk / Andrea Wood, Assistant City Attorney

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

- | | |
|--|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as Proposed at Policy Committee |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as Proposed at Study Session |
| <input type="checkbox"/> Information Only | <input type="checkbox"/> Approve Item as Proposed at Regular Meeting |
| <input type="checkbox"/> 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.)*

The purpose of the Parks, Recreation, Open Space Advisory Board shall include, but is not limited to:

- Advise the City Council on such matters as shall pertain to the planning, regulation, maintenance, repair, and operation of City-owned and controlled golf courses and the play thereon.
- Serve as advocates for open space within the City; advise the City Council on matters pertaining to open space; recommend criteria for lands appropriate for open space consideration and recommend appropriate properties; build awareness in the community for the open space concept.
- Advise the Council upon such matters as shall pertain to the planning or regulation of City-owned and controlled parks, open space, golf courses, recreational areas, and facilities and recreational programs, both within and without the corporate bounds of the City.

The Parks, Recreation, and Open Space Advisory Board consists of fifteen (15) members appointed by City Council. The term length is three (3) years and members may serve up to three (3) consecutive terms. All eligible applications received within the last year are forwarded to the Board to be considered for interviews.

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

The Parks, Recreation, and Open Space Advisory Board was active beginning January 1, 2026. The recruitment process began in September to fill the vacancies on this new board. There are currently two (2) vacancies on the board. The Board received one (1) application.

Among the applicants were:

Shandi Jarecki

After conducting the interview, the Parks, Recreation, and Open Space department staff, on behalf of the Parks, Recreation, and Open Space Advisory Board, recommend the appointment of the following candidate:

Shandi Jarecki: fill partial + full term beginning 1/1/2026 and ending 12/31/2029

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does council wish to appoint Shandi Jarecki to the Parks, Recreation, and Open Space Advisory Board?

LEGAL COMMENTS

All boards and commissions shall be appointed by City Council. (City Charter 3-11 and 9-1) The Parks, Recreation, and Open Space Advisory Board shall be composed of no more than 15 members. (City Code 98-3). All appointments shall be for a three-year period. No person may serve more than three consecutive terms. (City Code 2-772, and Resolution R2025-78) All members of the Board shall serve at the pleasure of Council and may be removed at any time, with or without cause. (City Charter 3-11 and 9-1) (Wood)



To: Mayor Coffman and Members of City Council

From: Enessa Janes, Deputy Director of Parks, Open Space & Forestry Division
Kris Ryan, Deputy Director of Recreation & Golf Division

Through: Brian Green, Director of Parks, Recreation & Open Space Department *BG*
Marcus Bond, City Clerk Analyst

Date: January 20, 2026

Subject: New Appointment to the Parks Recreation & Open Space Advisory Board

Board or Commission Name: Parks, Recreation & Open Space Advisory Board

Number of Vacancies: 2

Interview Information

Date of Interview(s): January 20, 2026

Applicant Name(s): Shandi Jarecki

Applicants Interviewed: Shandi Jarecki

Recommendation

Suggested Appointment(s):

Shandi Jarecki – Ward II – Shandi Jarecki has been an Aurora resident for three years and is enthusiastic about serving her community through her role on the PROS Advisory Board. She holds a master's degree in Supply Chain Management and a bachelor's degree in Marketing. Ms. Jarecki currently works as a Logistics Management Specialist for FEMA and serves as a Navy Reservist.

An active PROS user, she spoke highly of the department's offerings, highlighting her enjoyment of fitness classes and youth programming at Central Recreation Center, and activities at Morrison Nature Center. She views outreach to the military community as both a challenge and an important opportunity for the department.

Ms. Jarecki is passionate about the benefits of parks and recreation and advocates for removing barriers that limit access. Drawing on her professional experience with FEMA and the military - where teamwork, accountability, and clear communication are essential - she brings a valuable skill set to the board. Her positive energy and collaborative approach will be a strong asset in working with fellow board members.

The Deputy Directors of Parks, Recreation and Open Space Department respectfully recommend that Shandi Jarecki be appointed to the Parks Recreation & Open Space Advisory Board to complete the partial term beginning on 1/1/2026 ending on 12/31/2026 and be **appointed** to their first full term beginning on 1/1/2027 ending on 12/31/2029.

Parks, Recreation, And Open Space Advisory Board

Applicant Package - Ward II

Parks, Recreation, And Open Space Advisory Board - Ward II

Term 01 Jan 2026 - 31 Dec 2028

Positions Available 6

Number of applicants in this package 1

- Jarecki, Shandi

Received: 1/11/2026

Ward II Resident and Registered Voter

Arapahoe County

Vetted: 1/12/2026

Marcus Bond

Name: Jarecki, Shandi

Address: [REDACTED]

Email: [REDACTED]

Board Name: Parks, Recreation, and Open Space Advisory Board

Date of Birth:

[REDACTED]

Home Phone Number:

[REDACTED]

Work Phone Number:

[REDACTED]

How long have you lived in Aurora?:

3 years

Are you registered to vote?:

Yes

Years of Education Completed:

15+

Degree(s) Received:

BS marketing, MBA, MS Supply Chain Management

College(s) Attended:

University of Colorado, University of Maryland, Texas A&M.

Employer Name:

FEMA

Employer Address:

Denver Federal Center Lakewood, CO

Current Position:

Logistics Management Specialist

Years with Current Employer:

2.5

Work Experience:

Navy Veteran and operations leader with 15+ years of experience in logistics, supply chain, and mission support across DoD, FEMA, and private industry. Proven record leading cross-functional teams, managing budgets and assets, ensuring cybersecurity and communications compliance, and delivering operational readiness in high-tempo environments. Experienced in workforce development, project execution, and multi-agency coordination, with roles supporting the U.S. Navy, L3Harris, and Flexential. Holds an MBA, advanced education in Supply Chain Management.

Certification(s):

Navy Leadership Certificate

How are you involved in your community?:

I serve in US Navy Reserve and FEMA. I want to be involved in a more grassroots, community driven way.

List your interests and activities.:

My interests include working out, running, reading and spending time with my children.

Do you presently serve in any other appointed position on a board, commission or committee?:

No

If yes, enter the board name and position:

N/A

Are you currently a member and seeking reappointment on the board you are applying for?:

No

Why do you desire this appointment?:

I would love to be more involved in my local community and contribute to the success of Aurora.

How much time do you anticipate being able to spend on this appointment each month?:

10-20 hours or as much as needed.

Do you have any conflicts of interest that should be disclosed?:

No

If yes, please explain:

N/A

Reference 1: Full Name, Phone Number and Address:

Christopher Roettgen [REDACTED]

Reference 2: Full Name, Phone Number and Address:

Curtis Foster [REDACTED]

Reference 3: Full Name, Phone Number and Address:

Christopher Herrera [REDACTED]

How did you hear about us?:

Other

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:

Shandi Jarecki

Time of Submission: 01/11/26 1:29:41 PM



CITY OF AURORA

Council Agenda Commentary

Item Title: Consideration to Appoint One (1) Member and Reappoint One (1) Member to the Citizens’ Water Advisory Commission

Item Initiator: Cecilia Zapata, Deputy City Clerk

Staff Source/Legal Source: Cecilia Zapata, Deputy City Clerk / Ian Best, Assistant City Attorney

Outside Speaker: N/A

Strategic Outcome: Well-Managed: High performing organization, committed to great customer service, innovation, continuous improvement, fiscal stewardship, and maintaining critical infrastructure.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

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)

Cecilia Zapata, Deputy City Clerk / Ian Best, Assistant City Attorney

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
Reason for waiver is described in the Item Details field above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Water Policy

Policy Committee Date: 1/21/2026

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.)*

The purpose of the Citizens' Water Advisory Commission for the water department is to provide counsel and give suggestions and recommendations to the water department and city council on all phases of budget, departmental work plans, operational needs, strategic planning, long range capital improvements, and financial planning.

The Citizens Water Advisory Commission consists of nine (9) members appointed by the Aurora City Council. The term length is three (3) years and members may serve up to three (3) terms. All eligible applications received within the last year are forwarded to the Board to be considered for interviews.

On January 21, 2026, the Water Policy Committee approved moving the Citizen's Water Advisory Commission appointments forward to Study Session.

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

The Citizens' Water Advisory Commission currently has three (3) upcoming vacancies. The Commission received two (2) applications.

Among the applicants were:

Greg Baker

Marcus Harper

Upon review, the Citizens' Water Advisory Commission respectfully recommends the appointment of the following candidates:

Greg Baker (Residential) – 1st term beginning 2/15/2026 and ending on 2/14/2029

Marcus Harper (Commercial) – 2nd term beginning on 2/15/2026 and ending on 2/14/2029

FISCAL IMPACT

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

Revenue Impact

Budgeted Expenditure Impact

Non-Budgeted Expenditure Impact

Workload Impact

No Fiscal Impact

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does the Council wish to appoint Greg Baker and reappoint Marcus Harper to the **Citizens’ Water Advisory Commission**?

LEGAL COMMENTS

The commission shall consist of a minimum of seven and a maximum of nine voting members appointed by the city council each of whom have the necessary qualifications to review complex water resources, water law, engineering or water financing issues. Seven members must represent residential ratepayers and will be subject to the residency requirements. Two members will represent commercial ratepayers, which need not be residents of the city. No voting members shall hold any paid office or position in the city administration. No voting members shall hold any paid office or position in the city administration. (City Code Section 138-62) (Best).



To: Mayor Coffman and Members of City Council

From: Richard Eason, Chair

Through: Marshall Brown, Director, Aurora Water

Date: February 4, 2026

Subject: Consideration to Appoint and Reappoint Member(s) to the Citizens' Water Advisory Commission

Number of Vacancies: 3

Interview Information

Date of Interviews: December 6, 2025 virtual interview with Greg Baker & Marcus Harper

Applicant Names: Greg Baker, Marcus Harper

Applicants Interviewed: Greg Baker, Marcus Harper

Summary of suggested appointment(s):

Recommend the appointment of Greg Baker (residential) and reappointment of Marcus Harper (commercial)

Recommendation

The Citizens' Water Advisory Commission strongly supports the appointment of Greg Baker and reappointment of Marcus Harper as a member(s) on the Citizens' Water Advisory Commission.

Citizens' Water Advisory Commission

Applicant Package - Ward IV

Citizens' Water Advisory Commission - Ward IV

Term 01 Feb 2026 - 31 Jan 2029

Positions Available 3

Number of applicants in this package 1

- Baker, Gregory

Received: 11/5/2025

Ward IV Resident and Registered Voter

Arapahoe County

Vetted: 11/5/2025

Marcus Bond

Name: Baker, Gregory

Address: [REDACTED]

Email: [REDACTED]

Board Name: Citizens' Water Advisory Commission

Date of Birth:

[REDACTED]

Home Phone Number:

[REDACTED]

Work Phone Number:

n/a

How long have you lived in Aurora?:

24 years

Are you registered to vote?:

Yes

Years of Education Completed:

16

Degree(s) Received:

BA -Communication Arts (TV/Film/Radio)

College(s) Attended:

University of Wisconsin - Madison

Employer Name:

N/a - Retired

Employer Address:

N/A

Current Position:

Retired

Years with Current Employer:

11 months

Work Experience:

Prior to retirement: Deputy Director, Aurora Water Internal/External Affairs (2 years); Manager of Aurora Water Public Relations (14 years); Public Information Officer, Denver International Airport (8 years)

Certification(s):

n/a

How are you involved in your community?:

Past board member - Metro Water Recovery (3.5 years); Past board member - Leadership Aurora (6 years); Cub Master (3 years)

List your interests and activities.:

Community engagement, including serving as an Election Judge (Arapahoe County 2025)

Do you presently serve in any other appointed position on a board, commission or committee?:

No

If yes, enter the board name and position:

n/a

Are you currently a member and seeking reappointment on the board you are applying for?:

No

Why do you desire this appointment?:

I've been honored to be engaged in Colorado water issues through my time at Aurora Water. Water in the arid west is complicated and challenging, so to be able to continue to participate in strategic discussions and help provide advice to the city council and Mayor would be a privilege. Previous experience with Denver International Airport (Dept. of Aviation, City & County of Denver), as well as 16 years of work with the City of Aurora, means I have a great deal of experience with municipal government and large projects.

How much time do you anticipate being able to spend on this appointment each month?:

10 - 20 hours

Do you have any conflicts of interest that should be disclosed?:

No

If yes, please explain:

n/a

Reference 1: Full Name, Phone Number and Address:

Marshall P. Brown, General Manager, [REDACTED]
[REDACTED]

Reference 2: Full Name, Phone Number and Address:

Shonnie Cline, Deputy Director of Aurora Water Internal/External Relations, [REDACTED]
[REDACTED]

Reference 3: Full Name, Phone Number and Address:

Janet Marlow, Chair - Aurora Citizens' Water Advisory Commission, [REDACTED]

How did you hear about us?:

Word of Mouth

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:

Gregory T Baker

Time of Submission: 11/05/25 12:48:24 PM

Citizens' Water Advisory Commission
Applicant Package - Ward - Non Resident

Citizens' Water Advisory Commission - Ward Non Resident

Term 01 Feb 2026 - 31 Jan 2029

Positions Available 1

Number of applicants in this package 1

- Harper, Marcus

Received: 12/8/2025

Commercial Applicant - Denver Resident

Denver County

Vetted: 12/9/2025

Marcus Bond

Name: Harper, Marcus

Address: [REDACTED]

Email: [REDACTED]

Board Name: Citizens' Water Advisory Commission

Date of Birth:

[REDACTED]

Home Phone Number:

[REDACTED]

Work Phone Number:

[REDACTED]

How long have you lived in Aurora?:

Worked in Aurora for 4 years.

Are you registered to vote?:

Yes

Years of Education Completed:

5+ collegiate

Degree(s) Received:

BS Engineering - Mechanical Specialty AS Mathematics Designation

College(s) Attended:

Colorado School of Mines Red Rocks Community College Community College of Denver

Employer Name:

Aurora Public Schools

Employer Address:

[REDACTED]

Current Position:

Energy, Building Optimization, & Renewable Resources Manager

Years with Current Employer:

4

Work Experience:

Relevant Work Experience: 2021 - Present: Energy, Building Optimization, & Renewable Resources Manager - Aurora Public Schools 2014-2018: Technical Consultant, Owner - Blue Orb Labs

Certification(s):

Certified Energy Management EPA 609 Human Centered Design

How are you involved in your community?:

I am very involved in the community in regards to STEM outreach, especially astronomy outreach.

List your interests and activities.:

Motorcycles, Astronomy, Jazz, Hang Gliding, and many more cyclical fleeting interest.

Do you presently serve in any other appointed position on a board, commission or committee?:

Yes

If yes, enter the board name and position:

I serve on the board for the non profit film organization, Edwin Entertainment.

Are you currently a member and seeking reappointment on the board you are applying for?:

Yes

Why do you desire this appointment?:

To represent Aurora Public Schools, one of the City's largest water users, as we work collaboratively with Aurora Water.

How much time do you anticipate being able to spend on this appointment each month?:

As much as needed. (4-8hrs budgeted)

Do you have any conflicts of interest that should be disclosed?:

No

If yes, please explain:

N/A

Reference 1: Full Name, Phone Number and Address:

Justin Dupuch

Reference 2: Full Name, Phone Number and Address:

Nate Elliott

Reference 3: Full Name, Phone Number and Address:

Trent Barber

How did you hear about us?:

Word of Mouth

By clicking APPLY and submitting this application, I certify that the forgoing information is true and correct:

Marcus A Harper

Time of Submission: 12/08/25 11:32:53 AM

Attachments

- Marcus Harper_Resume_APS_03-2024.pdf



EDUCATION

Colorado School of Mines (CSM) – Golden, CO December 2017
Bachelor of Science in Engineering – Mechanical Specialty¹

Red Rocks Community College – Lakewood, CO July 2020
Associate of Science – Mathematics

ENGINEERING & TECHNICAL SKILLS

- SolidWorks & SolidWorks Simulation (COSMOSWorks), FreeCAD, MatLab, Java, ArcGIS, Minitab, AutoCAD & MathCad
 - Project Planning/Management, Cost analysis, Scheduling, Proposal, & Report Writing
 - Energy Systems Analysis – (Thermal, Basic Electrical, & Building Efficiencies)
 - BMS, BEMS management and IOT/BMS integration
 - Prototyping electronics utilizing Arduino
 - Rapid Prototyping utilizing 3D Printing
 - Certified in Human-Centered Design
 - Data Analysis
-

Team Project & Relevant Experience

Relevant Coursework

- **Statics, Mechanics of Materials, Dynamics**
 - **Thermodynamics I & II, Heat Transfer**
 - **Engineered Material Systems**
 - **Fluid Mechanics**
 - **Machine Design**
 - **Renewable Energy Systems**
 - **CSM Field Session – Mechanical Specialty**
 - Received Advanced CAD (SolidWorks), Machine Shop, 3D Printing, Data Acquisition (LabView), & GD&T training
-

LEADERSHIP & Professional Affiliations

- Regional Membership Chair (Region VI), National Society of Black Engineers (NSBE) (2010 – 2012)
 - Member of National Society of Black Engineers
 - Member of American Society of Mechanical Engineers (ASME)
 - Member of Association of Energy Engineers (AEE), CEM Examination Passed (April 2022)
-

RELEVANT WORK EXPERIENCE

Blue Orb Labs – Denver, CO 2014 – 2018
Technical Consultant, Owner

- *Consulted clients with various technical issues using the human-centered design methodology (e.g. building energy audit preparedness, M-HVAC design & implementation, product design, etc.)*

Aurora Public Schools – Aurora, CO 2021– Present
Energy, Building Optimization, and Renewable Resources Manager

- Manage the District's HVAC Team, Electrical Team, Utilities, and Natural/Renewable Resources

¹ Contingent upon accreditation confirmation.



CITY OF AURORA

Council Agenda Commentary

Item Title: Water Shortage Response Plan (Resolution)
Item Initiator: Tim York, Manager of Water Conservation, Aurora Water
Staff Source/Legal Source: Tim York, Manager of Water Conservation, Aurora Water / Ian Best, Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Healthy: Connecting natural and built environments with multimodal networks, ensuring access to parks and recreation, and preserving sustainable water supplies.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

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)

Tim York, Manager of Water Conservation, Aurora Water / Ian Best, Assistant City Attorney

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

- | | |
|--|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as Proposed at Policy Committee |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as Proposed at Study Session |
| <input type="checkbox"/> Information Only | <input type="checkbox"/> Approve Item as Proposed at Regular Meeting |
| <input type="checkbox"/> 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: Water Policy

Policy Committee Date: 1/21/2026

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 January 21, 2026, the Water Policy Committee supported moving a Resolution of the City Council of the City of Aurora., Colorado, approving Aurora Water’s water shortage response plan forward to the February 9, 2026 Study Session with some minor changes to the response plan.

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

Previously titled the Water Management Plan (WMP), the Water Shortage Response Plan (WSRP) provides the framework and guidance for allowed uses of water, waste of water enforcement, and drought stage declaration in response to water supply conditions. This presentation will cover the plan's history, purpose, and proposed changes in the new WSRP. The WSRP is promulgated in accordance with City Code sections 138-188 and 138-189 and will be published in accordance with City Code section 2-3.

Minor adjustments have been added to the 'turf' and 'swimming pool' categories in the definitions and Table 4 of the Plan to clarify how restrictions will apply in a Stage 1 drought restrictions.

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does the Council support moving a Resolution of the City Council of the City of Aurora, Colorado, approving **Aurora Water's water shortage response plan** forward to the February 23, 2026 Council meeting?

LEGAL COMMENTS

Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of ordinances; all other actions, except as herein provided, may be in the form of resolutions or motions. (City Charter Section 5-1). City Code directs the General Manager of Aurora Water to promulgate rules to promote the maximum utilization of water and protect the municipal system in the event of drought or other water emergency (City Code Section 138-188, 138-189). (Best)

RESOLUTION NO. R2026- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,
APPROVING AURORA’S WATER SHORTAGE RESPONSE PLAN

WHEREAS, the City of Aurora, acting by and through its Utility Enterprise (“Aurora Water”), operates and maintains a complex, highly integrated water supply system that balances reservoir storage, municipal demands and varying water supply conditions to meet the current and future long-term water needs of its customers. Water conservation and demand management, including the highest practicable utilization of reusable and reclaimable water sources, are integral elements of Aurora Water’s system; and

WHEREAS, droughts or water emergencies have the potential to impact the health, safety and welfare of all residents of the City of Aurora; and

WHEREAS, in 2026 Aurora Water has updated its comprehensive “Water Shortage Response Plan”, in accordance with Aurora City Code sections 138-188 and 138-189, to set forth the rules and regulations to be applied by Aurora Water in drought or other water emergencies; and

WHEREAS, the Water Shortage Response Plan recognizes the need to maintain an emergency reserve of stored water in Aurora Water’s reservoirs sufficient to provide an adequate level of service to Aurora Water’s customers while responding to future climatic conditions and potential system interruptions. Aurora Water promotes efficient use of water supplies through established guidelines for water use during “normal” conditions, which are detailed in the Water Shortage Response Plan. The Water Shortage Response Plan also defines “stages” of additional water use restrictions that may be required in response to reduced water supply conditions; and

WHEREAS, the General Manager of Aurora Water will make a recommendation to the City Council seeking approval (by resolution) of any change in “stage” of water use restrictions.

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

Section 1. The Water Shortage Response Plan is hereby approved.

Section 2. The General Manager of Aurora Water is hereby authorized to implement the provisions of the Water Shortage Response Plan as rules and regulations and in accordance with any City Council resolution declaring a particular water “stage”.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this ____ day of _____ 2026.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: *Ian J Best* RLA
IAN BEST, Assistant City Attorney

WATER SHORTAGE RESPONSE PLAN

Adopted March 10, 2026



AURORA
WATER

Section 1 – Introduction

The City of Aurora, acting by and through its Utility Enterprise (Aurora Water), operates and maintains a complex, highly integrated water supply system that balances reservoir storage, municipal demands and varying water supply conditions to meet the current and future long-term water needs of its customers. Water conservation and demand management, including the highest practicable utilization of reusable and reclaimable water sources, are integral elements of Aurora Water’s water resources system. This Water Shortage Response Plan (WSRP) provides a framework for Aurora Water’s water use in the event of drought or other water emergencies.

The WSRP recognizes the need to maintain an emergency reserve of stored water in Aurora Water’s reservoirs sufficient to provide an adequate level of service to Aurora Water’s customers while responding to future climatic conditions and potential system interruptions. Aurora Water promotes efficient use of water supplies through established guidelines for water use during “normal” conditions, which are detailed in this plan. This WSRP also defines “stages” of additional water use restrictions that may be required in response to reduced water supply conditions.

The WSRP is implemented in conjunction with Aurora Water’s Water Efficiency Plan (WEP). The purpose of the WEP is to define Aurora Water’s water efficiency goals and activities to meet those goals. Activities include water monitoring; conservation education and tools to evaluate water use; rebates and incentives to promote wise water use. As such, the WEP outlines actions to proactively reduce the risk of implementing additional water restrictions, while the WSRP outlines actions to be taken should additional water restrictions be required.

The General Manager is authorized to promulgate the rules and regulations¹ set forth in this WSRP and will implement and enforce this WSRP and all applicable parts of the Aurora City Code to promote and facilitate maximum utilization of water and discourage water waste.

The following defined terms are used in this WSRP:

- **Water Shortage Stage** refers to water availability conditions. For each stage, an associated suite of water demand reduction actions is identified.
- **Water Shortage Stage Trigger** refers to a specified threshold related to months of supply in Aurora’s water system.
- **Water Shortage Response Actions** refers to water use restrictions associated with a particular water shortage stage.
- **Months of Supply (MOS)** refers to the number of months of water demands that can reliably be met before use of the emergency reserve. See Section 2 for how MOS is calculated.

¹ See Sections 138-188 and 138-190 of the Aurora City Code.

- **Water Supply Watch Team** consists of the Aurora Water staff responsible for monitoring water supply and demand conditions, determining water shortage stages, and providing recommendations of stage declarations to the General Manager.
- **General Manager** refers to the General Manager of Aurora Water, delegated responsibility for developing this WSRP and is responsible for presenting recommendations to the Aurora City Council regarding adoption of water shortage stages.
- **Large Property Watering Variance Program** refers to a voluntary program for properties with 20,000 square feet or more of irrigated landscape. Enrolled properties must adhere to a vegetation cover type and weather-based efficiency benchmark to remain eligible. The program provides monthly water efficiency performance metrics.
- **Individual Water Efficiency Plan** refers to an individualized plan approved by Aurora Water’s Conservation department at a property level outlining strategies to ensure conformance with a vegetation cover type and weather-based efficiency benchmark.
- **Turf** means any cool season turf species, variety or blend with an annual irrigation water requirement greater than 15” (9.345 gallons per square foot), including but not limited to Kentucky bluegrass and Fescue.
- **Community Pool** means a swimming pool operated for public or community use.

Section 2 – Water Shortage Stage Determination

Aurora Water maintains a water supply system that includes storage and terminal reservoirs, deep aquifer wells, shallow alluvial wells, and the Prairie Waters System (PWS), which recaptures reusable return flows. Aurora Water monitors water supply and demand conditions through the process outlined in **Table 1**. As conditions warrant, the General Manager will make recommendations to the Aurora City Council regarding the need for a resolution² to modify the water shortage stage. The primary reasons for recommending a change in stage are water shortage conditions due to drought or an emergency. A change to the Water Shortage Stage may also occur due to operational constraints such as pipeline outages, or when community responses to the water shortage response actions are not adequate given the near-term water supply conditions.

Table 1 Water Shortage Stage Determination Process

Step	Description
Ongoing	Quarterly Water Supply Watch Team meetings to review current/forecasted: <ul style="list-style-type: none"> • Water demands • Snowpack/weather reports • Storage and water supply yield • Operational restrictions
1	If conditions warrant, Water Supply Watch Team meets monthly to: <ul style="list-style-type: none"> • Develop/review alternate short-term water resource opportunities
2	If conditions warrant, Water Supply Watch Team meets biweekly to: <ul style="list-style-type: none"> • Execute alternate short-term water resource opportunities • Determine Water Shortage Stage • Determine need for additional staff resources
3	When appropriate, Water Supply Watch Team provides recommendation of stage declaration to the Assistant General Manager over Water Supply & Demand and the General Manager
4	The General Manager presents Stage Declaration recommendation to Aurora City Council for adoption
5	Enforcement (if adopted and approved by the Aurora City Council)

Months of Supply Calculation

Aurora Water considers many factors when determining when to enter a Water Shortage Stage, with one of the most critical factors being the MOS available to meet

² The Aurora City Council may act by ordinance, resolution, or motion (Charter Section 5-1). Aurora Water may determine the best method for seeking Aurora City Council approval.

future demands. MOS can be calculated at any point in the year and is used by the Water Supply Watch Team to determine the Water Shortage Stage.

The MOS equation is shown below:

$$\text{Months of Supply} = \frac{(\text{System storage contents} - \text{Emergency reserve})}{(\text{Annual T\&D demand} - \text{Reliable supply})} \times 12$$

The components of the equation include:

- **System storage contents** is the active volume (excludes deadpool) of Aurora Water’s water supply stored in reservoirs that is available to meet demands.
- **Emergency reserve** is a storage volume reserved for emergency conditions. Conditions that may trigger the use of the emergency reserve include (but are not limited to):
 - Wildfires in source watersheds; and
 - Colorado River Compact call or proactive reductions in Colorado River Basin diversions; and
 - Climate change causing droughts more severe than historically experienced; and
 - Otero Conveyance System extended unplanned outage resulting in inability to access Aurora Water’s water supplies from the Arkansas River Basin and Colorado River Basin systems; and
 - Other infrastructure outages (pipelines, tunnels, canals, reservoirs, dams, pump stations, etc.).

The required emergency reserve volume increases as demands increase and is equal to 110% of the annual in-City indoor demand, plus treatment and transmission losses, plus the portion of contract demands that Aurora Water must always meet. The additional 10% of indoor demands accounts for summer indoor demands associated with evaporative cooling at residences, food storage facilities, hospitals, and military installations.

- **Annual T&D demand** is the volume of water supplies estimated to be needed in the next year to meet transmission and distribution (T&D) system demands (potable water delivered to homes and businesses).
- **Reliable supply** is the minimum amount of water expected to be available in the next year assuming next year’s hydrology is similar to the drought year of 2002 (driest single year on record) and considering the estimated reusable water that could be captured by the PWS, less water supply system losses (evaporation and transit losses). Note that the Water Supply Watch Team can use alternative hydrology assumptions if sufficient knowledge of the watershed conditions is available to make such a determination.

For example, for a given year if the system storage contents are 100,000 acre-feet (AF), the emergency reserve is 44,000 AF, the annual T&D demand is 56,000 AF, and the reliable supply is 29,000 AF, the MOS would be calculated as:

$$\text{Months of Supply} = \frac{(100,000 \text{ AF} - 44,000 \text{ AF})}{(56,000 \text{ AF} - 29,000 \text{ AF})} \times 12$$

$$\text{Months of Supply} = 25 \text{ months}$$

Water Shortage Stage Triggers

Under normal conditions, Aurora Water targets a minimum MOS of 24 months. Aurora Water’s Integrated Water Management Plan Update, completed in 2024, identified the MOS ranges that balance preserving the emergency reserve while avoiding entering any given stage too frequently, referred to as level of service goals. **Table 2** shows the recommended MOS thresholds upon which Aurora Water should consider entering various Water Shortage Stages.

Table 2 Water Shortage Stages and Associated Triggers

Water Shortage Stage	Description	Months of Supply Trigger	Level of Service Goal
Normal Restrictions	Normal supply	More than 24 months	Not applicable
Stage 1 Restrictions	Shortage	19 to 24 months	No more than 3 times in 10 years
Stage 2 Restrictions	Severe Shortage	10 to 18 months	No more than 2 times in 10 years
Stage 3 Restrictions	Emergency Conditions	9 months or less	No more than 1 time in 20 years

As described in **Table 1**, the Water Supply Watch Team regularly reviews the contents in surface water storage, expected spring runoff based on snowpack and long-term weather forecasts, and expected customer water demands. **Table 3** shows representative system storage conditions that could trigger the need to enter Water Shortage Stage 1, 2, and 3. The example in **Table 3** is based on 2025 water demand and system conditions and assumes the forthcoming spring runoff to be similar to the historical drought of record (runoff that occurred in 2002). If the Water Supply Watch Team estimates the forthcoming water supply to be greater than the drought of record, the forecasted system storage contents and MOS would be greater than the example below.

Table 3 Example Recommended Water Shortage Stages based on 2025 Conditions

Recommended Water Shortage Stage	Months of Supply	System Storage Contents (acre-feet)
Normal Restrictions	over 24	more than 100,000
Stage 1 Restrictions	18 to 24	85,000 to 100,000
Stage 2 Restrictions	9 to 18	65,000 to 85,000
Stage 3 Restrictions	less than 9	less than 65,000

Section 3 – Stage Declaration and Implementation

Stage Declaration

If, after efforts to supplement Aurora Water’s water sources, and considering watershed conditions, water supply levels remain at concerning levels, the General Manager may recommend that the Aurora City Council adopt more stringent water use restrictions by declaring a change in Water Shortage Stage. Upon recommendation from the General Manager, the Aurora City Council may pass a “Water Shortage Resolution” that will create a stage declaration and institute rules and regulations affecting the allowed uses of water and/or the frequency/timing of use of water served by the water delivery system. Periodic adjustments can be made if the General Manager determines that such changes are needed and the Aurora City Council amends the adopted stages by Water Shortage Resolution. In the event of an imminent emergency, the City Manager shall also have the authority to institute a stage declaration, which, when published, shall have full force and effect and shall be enforceable until such time as the Aurora City Council, meeting in regular session, directs the City Manager as to what revisions, if any, it might wish to make to the stage declaration. Any revisions shall take effect and shall be enforceable when published.

All such rules and regulations, and revisions thereto, shall continue to remain in effect until such time as the water shortage or delivery system constraints have ended, the Water Shortage Resolution has been removed by the Aurora City Council, or an updated Water Shortage Resolution has been passed by the Aurora City Council and notice thereof has been published. The requirements of the WSRP are mandatory and enforceable pursuant to Aurora City Code section 138-189.

Public Notification

Prior to the start of the irrigation season, information is made available to all Aurora Water customers defining the watering schedules and any changes for the upcoming year. Additional information is included in the City’s newsletter, NewsAurora, the City’s website, and social media channels.

If Aurora moves from normal water-use conditions into Water Shortage Stage 1, 2, or 3, customers will be notified of the associated watering restrictions through direct mail to each account. Additional information will be shared through the City’s digital newsletter, NewsAurora, the Aurora Water website, and media press releases outlining conditions and requested customer actions.

- The watering restrictions will be mailed first class to all account holders according to Aurora Water billing records.
- The City Clerk shall receive a copy of the watering schedule.
- The watering schedule and a general outline of the policy will be posted on the Aurora Water website (<http://www.aurorawater.org>).

Water Shortage Response Actions

Table 4 outlines the shortage response actions associated with each Water Shortage Stage. Should circumstances require further demand management, the General Manager can recommend to the Aurora City Council that additional restrictions be implemented up to and including indoor water rationing to protect public health, safety, and welfare. In addition, the General Manager may require large commercial/industrial non-recoverable water users to reduce water use during water shortage conditions.

Water Shortage Surcharges

Water shortage surcharges are a financial charge for excessive water use during water shortage conditions. Water shortage surcharges may be assessed whenever a water shortage stage beyond normal restrictions is declared. Prior to imposing any water shortage surcharges, the Aurora City Council shall determine the Water Shortage Stage by supplemental resolution and the water shortage surcharges shall be in effect until further action by the Aurora City Council.

The water shortage surcharges are in addition to the regular water rates. The applied water shortage surcharges for each customer are based on usage above the customer's average monthly winter water consumption computed from meter readings taken during the winter period (winter quarter average). Irrigation Only accounts are billed for all consumption since winter water use is expected to be zero. The current rate structures and water shortage surcharges can be found in section 138-223 of the Aurora City Code.

Table 4 Water Shortage Response Actions

Water Use	Water Shortage Stage			
	Normal Restrictions	Stage 1 Restrictions (surcharge in effect)	Stage 2 Restrictions (surcharge in effect)	Stage 3 Restrictions (surcharge in effect)
Residential outdoor turf irrigation	3 days/week	2 days/week	1 day/week	No watering
Multi-family, commercial, and other non-residential outdoor turf irrigation (including golf, parks, athletic fields, and street medians)	Same as single-family residential unless customers have a large user variance or individual water management plan. The goal is to achieve the same use percentage reductions as single-family residential customers.			No watering
Gardens/trees/shrubs/perennials	Allowed	Allowed	Hand, drip, or subsurface watering only	No watering
New turf installations (a Lawn Permit is required if the installation is 250 square feet or greater or daily establishment irrigation is needed)	Allowed with a Lawn Permit	Not allowed	Not allowed	Not allowed
New garden/tree/shrub/perennial installations	Allowed	Allowed	Not allowed	Not allowed
Car washing at home	Allowed	Allowed	Allowed only with 2.0 GPM or less pressure washer	Not allowed
Commercial car washes	Allowed	Allowed	Only certified car washes allowed	Not allowed
New commercial car wash installations	Allowed	Allowed	Not allowed	Not allowed
Power washing	Allowed	Allowed	Not allowed	Not allowed
Serving water at restaurants	No restrictions	Served only on request	Served only on request	Served only on request
Water feature operations	Allowed	Not allowed	Not allowed	Not allowed

Water Use	Water Shortage Stage			
	Normal Restrictions	Stage 1 Restrictions (surcharge in effect)	Stage 2 Restrictions (surcharge in effect)	Stage 3 Restrictions (surcharge in effect)
Outdoor swimming pool filling	Allowed	Filling community pools allowed. Topping off private pools allowed.	Not allowed	Not allowed
Fire hydrant use	Permit required			Not allowed
Construction (soil compaction, dust control, concrete mix, architectural uses)	Allowed	Allowed	Aurora Water General Manager approval required	Not allowed
Water pipeline flushing	Best management practices witnessed by City personnel. Only use to meet health and safety requirements. When practical, use tanker trucks to reclaim water.			
Pipeline pressure testing	Best management practices witnessed by City personnel. Only use to meet health and safety requirements. When practical, use tanker trucks to reclaim water.			
Transportation of water outside City	Any request to transport potable water outside of the City of Aurora must be approved by the Aurora Water General Manager. Any requests for water for oil and gas exploration must be reviewed and approved by City Council.			
Events	Water use for special events must be approved by the Aurora Water General Manager.			
Fire protection	Hose testing allowed using City ponds. All firefighting operations will be maintained under all conditions.			

Exemptions/Exclusions

Exemptions to water use restrictions may be granted if the General Manager (or designee) determines that a hardship or special circumstance exists due to irrigation equipment that cannot meet the requirements outlined above.

Section 37-96.5-103 of the Colorado Revised Statutes authorizes the installation of up to two 55-gallon rain barrels at any single-family residence or multi-family residence with four or fewer units. Water from these rain barrels may only be used for outdoor use, such as garden irrigation. The use of rain barrels is not regulated by the WSRP.

Water wells are controlled by the State of Colorado and are permitted exclusively to a specific property. Only water wells approved by the General Manager (or designee) pursuant to section 138-154 (b) of the Aurora City Code are permissible in the City of Aurora. If a complaint is received, Water Conservation personnel will verify that the water source is from a permitted well. When well water is used for irrigation purposes, Aurora Water requests that a sign be displayed in a conspicuous place indicating well water is in use for irrigation purposes.

Dry land seeding is always permitted.

Irrigation Schedules

Irrigation schedules under each water shortage stage are provided below.

Non-drip outdoor watering is prohibited between the hours of 10 am and 6 pm, from May 1 to September 30, even during Normal Restrictions, with the exception of new sod and seed installation with a permit issued by Aurora Water Conservation. These periods of irrigation apply to the time of application and not the time an irrigation zone is started. Mandatory water schedules begin at 12:00 am and end at 11:59 pm on the assigned day when restrictions are in place.

Customers enrolled in the Large Property Watering Variance Program are prohibited from watering between 10:00 am and 6:00 pm without a permit.

Properties participating in the Water Variance Program may be required to prominently display related signage during the irrigation season. Aurora Water Conservation maintains a list of enrolled properties for enforcement measures.

Operation of any irrigation system outside of its established watering schedule may be allowed for repairs or routine maintenance without incurring a violation provided the following best management practices (BMPs) are incorporated:

- **Residential Properties:** a person is on site at all times and testing is limited to verifying proper operation and identifying problems of the irrigation system.
- **Commercial and City of Aurora Properties:** a person is on site at all times and testing is limited to verifying proper operation and identifying problems of the irrigation system. A sign must be posted in plain view indicating "irrigation repairs and system checks in progress".

Normal Restrictions – Normal Supply

Watering shall be limited to a maximum of three days per week in accordance with the following procedure:

- **Residential Accounts:** Customers may choose which days they water but watering shall not exceed three days per week.
- **Multi-family, Commercial, and Irrigation Accounts:** Customers may choose which days they water but watering shall not exceed three days per week.

Stage I Restrictions – Shortage

Watering shall be limited to a maximum of two days per week in accordance with the following procedure:

- **Residential Accounts**
 - Single family and duplex, triplex, and fourplex residences with addresses ending in an even number are allowed to irrigate on Thursdays and Sundays.
 - Single family and duplex, triplex, and fourplex residences with addresses ending in an odd number are allowed to irrigate on Wednesdays and Saturdays.
- **Multi-family, Commercial, and Irrigation Accounts**
 - Multi-family, homeowners' association (HOAs) common areas, nonresidential and other large unit or multiunit properties will be allowed to irrigate on Tuesdays and Fridays. Irrigation-only accounts will have their billing and watering variance program allocations reduced by 20%.
 - Aurora Parks and Open Space and Aurora Water can use Mondays as an alternate watering day to Tuesdays and Fridays. For all other customer classes, Mondays will be enforced as a no watering day.

Stage II Restrictions – Severe Shortage

Watering shall be limited to a maximum of one day per week in accordance with the following procedure:

- **Residential Accounts**
 - Single family and duplex, triplex, and fourplex residences with addresses ending in an even number are allowed to irrigate on Sundays.
 - Single family and duplex, triplex, and fourplex residences with addresses ending in an odd number are allowed to irrigate on Saturdays.

- **Multi-family, Commercial, and Irrigation**

- Multi-family, HOAs common areas, nonresidential and other large unit or multiunit properties will be allowed to irrigate on Tuesdays. Irrigation-only accounts will have their billing and watering variance program allocations reduced by 50%.
- Mondays will be set aside for Aurora Parks and Open Space needs and Aurora Water needs. For all other customer classes, Mondays will be enforced as a no watering day.

Stage III Restrictions – Emergency Conditions

No outdoor irrigation is allowed.

Noncompliance

Noncompliance with the lawn permit ordinance and/or the irrigation schedule shall be a violation of the WSRP and thus a violation of Section 138-190, Waste of Water, of the Aurora City Code. The following are examples of noncompliance:

- Lawn installed without a lawn permit
- Lawn installed without an inspection
- Irrigation installed without plans submittal and/or approval (non-single-family detached)
- Irrigation installed without an irrigation permit
- Irrigation installed with a permit but without an inspection
- Improper irrigation equipment used
- Irrigating or attempt to irrigate without the water meter being set
- Irrigation connection to incorrect water meter

The following are also violations of Section 138-190, Waste of Water, of the Aurora City Code:

- Irrigation to any area resulting in standing water
- Water not absorbed into the ground or flowing away from the area being irrigated
- Failure to repair irrigation system leaks
- Application of water to an impervious surface such as streets, sidewalks, driveways, etc.

Violations may result in charges being issued against the responsible party as described in Section 4 of the WSRP.

Section 4 – Enforcement

The purpose of the WSRP is to promote wise water use of the City's available water resources. Any violation of the WSRP shall be a violation of Section 138-190, Waste of Water, of the Aurora City Code and are subject to warnings, charges, and potential discontinuance of service or the installation of a flow restrictor. This enforcement is conducted by water monitors employed by Aurora to protect the interests of the public and protect public health and safety.

Water Monitors

Water monitors are hired by Aurora and receive training in customer service, public education, enforcement and safety. Water monitors will make reasonable efforts to make personal contact with the responsible party to inform them of the violation and provide the opportunity to address the situation as soon as possible, as well as to provide public education, including distributing irrigation schedules and water conservation materials. Private parties may also use the Access Aurora app or website, or contact Aurora Water Conservation 303.739.7195 to notify that a violation is occurring. As staff are available, they will be dispatched to investigate the complaint and document it accordingly.

Due to the size, public exposure, and potential negative impact to the water system of water waste in large, common and/or public areas, responsible parties may be notified through phone, email, and/or text of the violation so that the violation may be immediately addressed. This is accomplished during regular business hours.

Water monitors will document the date, time and type of watering schedule or water wasting violation and typically take photographs of the violation(s). Should the violation(s) be appealed, this data will serve as evidence that the violation actually occurred and will be supplied to the owner or responsible party upon request.

Enforcement Process

As the focus of the program is to encourage compliance, first violations are issued a warning with no charges applied. Subsequent violations have charges assessed on a graduating scale. Violation notifications will be the notice of record and may be given through one of the following methods:

- Door hanger
- Phone call
- Email
- SMS/text message
- Letter mailed through the United States Postal Service (USPS)

Where possible and appropriate, water monitors will attempt to notify the water customer by telephone or in person.

1st Violation – Warning, no charge incurred

Contact is made using one of the methods listed above. Included in this notification are the specifics of the violation and information reminding the customer of the watering restrictions and their purpose.

2nd Violation – Charge

If a second violation occurs, a notice will be left at the property as well as being sent using certified mail to the responsible party and the property owner (if different from the responsible party). Included in this notification are the specifics of the violation, information reminding the customer of the watering restrictions and their purpose, and the charges assessed. Charges for violations are separate from any water shortage surcharges incurred and are applied to the appropriate water billing account within two business days of the violation. Customers may submit an appeal within 30 days of receiving notice of violation.

Subsequent Violations – Charge and possible suspension of water service or installation of flow restrictor

Notice of subsequent violations and suspension of water service will be left at the property as well as being sent via certified mail to the responsible party and the property owner (if different from the responsible party). At the discretion of the Manager of Water Conservation and approval of the Aurora Water General Manager, a flow restrictor may be installed in lieu of suspension of service. This action will be done within seven business days following the observed subsequent violation. To reinstate water service or have the flow restrictor removed, an appeal must be sent to the Aurora Water General Manager in writing identifying the steps taken to correct the violation pattern.

Violation Remedy Timeframes

Upon notice of a water waste violation, the owner or responsible party will be allowed to correct the identified issue or comply with the WSRP without incurring subsequent violations within the following timeframes:

- **Residential Class:** Residential customers shall have seven (7) calendar days from the date of violation to correct the identified problem.
- **Commercially Owned Residential Class:** Residential customers defined as “Commercially Owned” shall have three (3) days to correct the identified problem.
- **Irrigation Only Meters:** Continuous flow through irrigation only meters, as verified using advanced metering infrastructure (AMI) data, is prohibited. Irrigation Only meters showing continuous flow after two (2) notifications will be subject to shut off. High-volume continuous flow may result in shut off prior to customer notification. In these instances, contact will be made as soon as possible following shut off.

- **Multi-family, Commercial, Irrigation, and Hydrant Classes:** Customers with multi-family, commercial, irrigation or hydrant accounts shall have three (3) days from notification to correct the problem.

Appeal Process

Owners are responsible for ensuring that their properties meet the WSRP regulations. The appeal process does not apply to warnings that have been issued. A warning violation cannot be appealed. If an owner or responsible party feels that a charge has occurred by mistake or through extenuating circumstances, a completed written appeal letter must be received by the Aurora Water Conservation Manager within 30 days of the date on the certified notification letter. The letter should include the following information:

- Specific violation in question (date, time, location of violation, and Aurora Water account number)
- Grounds for appeal
- Customer contact information (name, phone, email, and address)

Any appeal received after 30 days will not be considered and the associated charges will not be removed from the account.

Aurora Water Conservation will respond to the customer within 10 business days of receipt of an appeal request or the charge will be removed from the account. If the customer's appeal is approved, the related charge will be credited to their water billing account within the subsequent billing cycle. Should the appeal be denied, a further appeal may be made to the Aurora Water General Manager for final disposition.

2026 Water Shortage Response Plan

Water Policy Committee
January 21, 2026

Tim York
Manager of Water Conservation



Background

- Aurora Water balances reservoir storage, municipal demands and varying water supply conditions to meet the current and future long-term water needs of its customers.
- WSRP provides a framework for Aurora Water's water use in the event of drought or other water emergencies.
- WSRP is implemented in conjunction with the Water Efficiency Plan, which defines water efficiency goals and activities.

Purpose

- Update Aurora Water's 2017 Water Management Plan
- Investigate additional applicable best practices
- Incorporate changes in policy/regulations
- Improve readability

WSRP Contents

- Section 1 – Introduction
 - Added definition of terms
- Section 2 – Water Shortage Stage Determination
 - Describes current process and methodology
- Section 3 – Stage Declaration and Implementation
 - Notification process and shortage response actions largely unchanged
- Section 4 – Enforcement
 - Largely unchanged

Water Shortage Stage Determination Process

Step	Description
Ongoing	<p>Quarterly Water Supply Watch Team meetings to review current/forecasted:</p> <ul style="list-style-type: none"> • Water demands • Snowpack/weather reports • Storage and water supply yield • Operational restrictions
1	<p>If conditions warrant, Water Supply Watch Team meets monthly to:</p> <ul style="list-style-type: none"> • Develop/review alternate short-term water resource opportunities
2	<p>If conditions warrant, Water Supply Watch Team meets biweekly to:</p> <ul style="list-style-type: none"> • Execute alternate short-term water resource opportunities • Determine Water Shortage Stage • Determine need for additional staff resources
3	<p>When appropriate, Water Supply Watch Team provides recommendation of stage declaration to the Assistant General Manager over Water Supply & Demand and the General Manager</p>
4	<p>The General Manager presents Stage Declaration recommendation to Aurora City Council for adoption</p>
5	<p>Enforcement (if adopted and approved by the Aurora City Council)</p>

Months of Supply (MOS) Methodology

- Previously based solely on surface reservoir storage
- Did not account for Aurora Water's renewable supplies
- Methodology was updated as part of the Integrated Water Management Plan Update in 2024

$$\text{Months of Supply} = \frac{(\text{System storage contents} - \text{Emergency reserve})}{(\text{Annual T\&D demand} - \text{Reliable supply})} \times 12 \text{ Months}$$

Water Shortage Stage Triggers

- Aurora Water targets a minimum of 24 months of supply under normal conditions
- Ranges below balance preserving the emergency reserve while avoiding entering any given stage too frequently (level of service goals)

Water Shortage Stage	Description	Months of Supply Trigger	Level of Service Goal
Normal Restrictions	Normal supply	More than 24 months	Not applicable
Stage 1 Restrictions	Shortage	19 to 24 months	No more than 3 times in 10 years
Stage 2 Restrictions	Severe Shortage	10 to 18 months	No more than 2 times in 10 years
Stage 3 Restrictions	Emergency Conditions	9 months or less	No more than 1 time in 20 years

Water Shortage Irrigation Frequency

- **Normal Restrictions – Normal Supply**
 - Watering shall be limited to a maximum of three days per week
- **Stage I Restrictions – Shortage**
 - Watering shall be limited to a maximum of two days per week
- **Stage II Restrictions – Severe Shortage**
 - Watering shall be limited to a maximum of one day per week
- **Stage III Restrictions – Emergency Conditions**
 - No outdoor irrigation allowed

Water Shortage Response Actions

Water Use	Water Shortage Stage			
	Normal Restrictions	Stage 1 Restrictions <i>(surcharge in effect)</i>	Stage 2 Restrictions <i>(surcharge in effect)</i>	Stage 3 Restrictions <i>(surcharge in effect)</i>
Residential outdoor turf irrigation	3 days/week	2 days/week	1 day/week	No watering
Multi-family, commercial, and other non-residential outdoor turf irrigation (including golf, parks, athletic fields, and street medians)	Same as single-family residential unless customers have a large user variance or individual water management plan. The goal is to achieve the same use percentage reductions as single-family residential customers.			No watering
Gardens/trees/shrubs/perennials	Allowed	Allowed	Hand, drip, or subsurface watering only	No watering
New turf installations (a Lawn Permit is required if the installation is 250 square feet or greater or daily establishment irrigation is needed)	Allowed with a Lawn Permit	Not allowed	Not allowed	Not allowed
New garden/tree/shrub/perennial installations	Allowed	Allowed	Not allowed	Not allowed
Car washing at home	Allowed	Allowed	Not allowed	Not allowed
Commercial car washes	Allowed	Allowed	Only certified car washes allowed	Not allowed
New commercial car wash installations	Allowed	Allowed	Not allowed	Not allowed
Power washing	Allowed	Allowed	Not allowed	Not allowed
Serving water at restaurants	No restrictions	Served only on request	Served only on request	Served only on request
Water feature operations	Allowed	Not allowed	Not allowed	Not allowed
Swimming pool filling	Allowed	Topping off allowed	Topping off allowed	Not allowed



Water Shortage Response Actions (con't)

Water Use	Water Shortage Stage			
	Normal Restrictions	Stage 1 Restrictions <i>(surcharge in effect)</i>	Stage 2 Restrictions <i>(surcharge in effect)</i>	Stage 3 Restrictions <i>(surcharge in effect)</i>
Fire hydrant use		Permit required		Not allowed
Construction (soil compaction, dust control, concrete mix, architectural uses)	Allowed	Allowed	Aurora Water General Manager approval required	Not allowed
Water pipeline flushing	Best management practices witnessed by City personnel. Only use to meet health and safety requirements. When practical, use tanker trucks to reclaim water.			
Pipeline pressure testing	Best management practices witnessed by City personnel. Only use to meet health and safety requirements. When practical, use tanker trucks to reclaim water.			
Transportation of water outside City	Any request to transport potable water outside of the City of Aurora must be approved by the Aurora Water General Manager. Any requests for water for oil and gas exploration must be reviewed and approved by City Council.			
Events	Water use for special events must be approved by the Aurora Water General Manager.			
Fire protection	Hose testing allowed using City ponds. All firefighting operations will be maintained under all conditions.			

Enforcement

- Water monitors document the date, time and type of watering schedule or water wasting violation and typically take photographs of the violation(s).
- Water monitors make reasonable efforts to personally inform the responsible party of the violation and provide the opportunity to address the situation, as well as to provide public education.
- Private parties may also use the Access Aurora app or website or contact Aurora Water Conservation 303.739.7195 to notify that a violation is occurring.

Enforcement (con't)

- 1st violation – warning, no charge incurred
- 2nd violation – charge
- Subsequent violations – charge and possible suspension of water service or installation of flow restrictor
- Violation remedy timeframes
 - Residential: 7 calendar days
 - Commercially owned residential class: 3 days
 - Multi-family, commercial, irrigation, and hydrant classes: 3 days
- Appeal process

Surcharges

- Water shortage surcharges are a financial charge for excessive water use during water shortage conditions.
- Water shortage surcharges are in addition to the regular water rates.
- Based on usage above the customer's average monthly winter water consumption computed from meter readings taken during the winter period (winter quarter average). Irrigation Only accounts are billed for all consumption since winter water use is expected to be zero.
- Current rate structures and water shortage surcharges can be found in section 138-223 of the Aurora City Code.

Steps for Adoption

- January 2026 – Citizens Water Advisory Commission (01.13.25)
- January 2026 – Water Policy Council (WPC) Support
- February/March 2026 – Council adoption

Questions or Discussion?





CITY OF AURORA

Council Agenda Commentary

Item Title: Big John Fire Engine Local Landmark Nomination (Resolution)
Item Initiator: Chris Geddes, Museum Program Supervisor, Library and Cultural Services
Staff Source/Legal Source: Chris Geddes, Museum Program Supervisor, Library and Cultural Services / Erika Taylor, Assistant City Attorney
Outside Speaker: Mike Ackman, Retired Aurora Firefighter, Historic Preservation Commissioner, City of Aurora Public Safety Training Center (CAPSTC) Manager
Strategic Outcome: Connected and Engaged: Providing programming, learning resources, and amenities that reflect the rich history and contributions of our vibrant communities.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

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)

Chris Geddes, Museum Program Supervisor, Library and Cultural Services / Erika Taylor, Assistant City Attorney
 Outside Speaker: Mike Ackman, City of Aurora Public Safety Training Center (CAPSTC) Manager, Retired Aurora Firefighter and Historic Preservation Commissioner
 Estimated time: 5 mins

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

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

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Public Relations, Communications, Tourism, Libraries, Boards and Commissions & Citizen Groups

Policy Committee Date: 1/13/2026

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.)

The Historic Preservation Commission reviewed this Local Landmark nomination on October 14, 2025. It received unanimous support to be forwarded to the PR+ Committee for review and recommendation to Study Session and Full Council for final approval. Minutes from that HPC meeting are attached. PR+ Policy Committee reviewed the nomination on January 13, 2026, and unanimously recommended the nomination move forward to Study Session and full City Council.

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

The 1955 Seagrave Fire Engine, affectionately known as Big John, is being recognized for its engineering significance (Local Landmark Criterion 3) as an innovative type of fire engine design with its open cab, large pump, and sizeable engine. It is also significant for its lasting contributions to the City of Aurora and fire service heritage (Local Landmark Criterion 1). Big John is a well-known fixture in the community appearing in local parades and firefighter funerals, as well as having a local beer named after it. Big John is an important tangible link to the earliest days of fire service in Aurora. It is requested that PR+ recommended the Local Landmark nomination to move forward to Study Session and full City Council for final approval.

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does City Council wish to recommend the Local Landmark nomination for the Big John Fire Engine move forward from Study Session to full City Council?

LEGAL COMMENTS

The historical preservation commission shall... review landmark nominations for buildings, structures, sites and districts and make recommendations to the city council for designation or nondesignation. (City Code Sec. 78-31(12)). A landmark is a parcel with improvements, such as a building, structure, or object, that has been designated as historically significant by the Historic Preservation Commission under the UDO. (Unified Development Ordinance Art. 146-6 Sec. 6.2). A resolution may be used for a statement of policy or other matters which are not required to be adopted by an ordinance. (City of Aurora, Rules of Order and Procedure for the Aurora, Colorado, City Council, Rule F, Paragraph 2). (Taylor)

AURORA LANDMARK PROPERTIES

NOMINATION FORM

City of Aurora
Historic Preservation Commission



SECTION A: SITE INFORMATION AND DESCRIPTION

1. *Name of Nominated Site*

Historic Name: **Big John Fire Engine**

Current Name: **Big John Fire Engine**

2. *Address of Property*

Street Address: **6500 N Lisbon Street**

County: **Adams**

Zip Code: **80019**

3. *Geographic Description*

P.M.: **6th** Township: **3S** Range: **66W**

$\frac{1}{4}$ of $\frac{1}{4}$ of **SW** $\frac{1}{4}$ of **SE** $\frac{1}{4}$ of Section: **2**

UTM: Zone **13S** UTM East: **521915.74** UTM North: **4407309.63**

Quad Map: **Denver International Airport** Year: **1995** Map Scale: **7.5 minute**

Lot(s): **1** Block: **1**

Addition: **High Point @ DIA Flg 11 amnd** Year of Addition: **2017**

Boundary Description: The nominated property includes only the Big John Fire Engine. The UTMS noted above correspond to Aurora Fire Station No. 16, where Big John is currently stored. The vehicle may leave the Fire Station for parades, funerals, and demonstrations, but will be parked and stored within the Fire Station as defined above. The engine will remain landmarked regardless of which Fire Station it is parked at/stored in. The Fire Station is not being landmarked; only the Big John Fire Engine.

4. *Legislative Information*

Aurora Ward #: **II** Colorado House District: **36** Colorado Senate District: **28**

5. *Site Owner*

Current:

Name: **International Association of Firefighters, Aurora Firefighters Local 1290**

Address: Phone:

City: **Aurora** State: **CO** Zip:

Historic:

Name(s): **City of Aurora**

Source(s) of information: **Mike Ackman, Retired Aurora Firefighter; IAFF Union Local 1290**

6. *Site Classification*

building(s) district site structure object area

7. *Site Condition*

excellent good fair deteriorated ruins

8. *Site Location*

original location moved (date of move Vehicle – moves locations)

9. *Site Use*

Historic: **Fire Engine/ Government**

Current: **Display/ Recreation**

SECTION B: DESIGN AND CONSTRUCTION INFORMATION

10. *Date of Construction:* **1955**

Source of information: **Mike Ackman, Retired Aurora Firefighter; Seagrave 70th Anniversary Series Photo Archive**

11. *Physical and Site Description:*

Original Structure: The custom-ordered red fire engine is a 1955 series 900, 1000 gallons per minute (GPM) fire pump with the largest V-12 engine available. The engine came equipped with a water tank, lights and siren, ground ladders, fire hose, nozzles, and appliances as standard equipment for the day. The open cab design afforded fire officers a wide view of the emergency upon their arrival for quick deployment of firefighters. The powerfully built engine is very hard to drive with its nominal brakes and unsynchronized gears, but it could go very fast once moving.

Other elements on the fire engine include: steel running boards on either side to step on when getting into the vehicle; a Mars warning light towards the front edge of the hood; a siren on the front of the hood, above the grille; a "Roto Ray" triple rotating light on the top center of the windshield; a red warning light on either side of the upper windshield; a hand operated spotlight on either side of the lower windshield; pump panel gauges adjacent to the driver's side door; a rolled soft suction hose in front of the driver's side door; hard suction hoses attached by hooks on the driver's side rear; large projecting side view mirrors; a bell on the passenger side front; other hose outlets adjacent to the passenger door; ladders hanging on hooks at the passenger side rear; one spotlight and one red warning light on either side of the rear; booster hose reel with 100 feet of rubber fire hose underneath the rear step; and the lettering "Number 5" on the hood as well as "Aurora FD Fire Dept." on the doors. Bench seating in the rear takes the place of the former hose bed. Big John retains integrity of setting, association, feeling, materials, workmanship, and design and clearly conveys its 1950s era manufacturing.

Additions or Alternations: Removal of the hose bed in the 1980s made room for additional passenger seating put in its place for parades.

Source of information: **Seagrave 70th Anniversary Series Photo Archive**

12. *Architect, Builder, Engineer, Artist, or Designer*

Name: **Seagrave Fire Apparatus Company** Location: **Columbus, Ohio**

Source of information: **Seagrave 70th Anniversary Series Photo Archive**

13. *Architectural Style/Engineering Type*

Type/Style: **N/A**

Source of information: **N/A**

SECTION C: SITE SIGNIFICANCE

14. *Significance of Property*

Nomination Criteria:

1. The Property (District) Exemplifies or Reflects the Broad Cultural, Political, Economic, or Social History of the Nation, State, or Community.

2. The Property (District) Is Identified With a Historic Person or Historic Group Significant To National, State, or Local History.

3. The Property (District) Embodies Distinguishing Characteristics of an Architectural Type Inherently Valuable to the Study of a Period, Style, Method of Construction, or Indigenous Materials or Craftsmanship.

4. The Property (District) Is Representative as the Work of a Master Builder or Architect.

5. The Property (District) Contains the Possibility of Important Archaeological Discoveries in Prehistory or History.

6. The District Consists of a Definite Area That, Due To Its Unique Location or Singular Characteristics, Represents Established and Familiar Visual Features of the Neighborhood, Community, or City

15. *Period of Significance*

Period of Significance: 1955; 1955-1985

Justification:

The period of significance for Criterion 1 is 1955 to 1985 as those are the dates Big John was an active operational fire engine within the City of Aurora, both in regular and reserve service. The period of significance for Criterion 3 is 1955, the year of manufacture and delivery of the Big John Fire Engine.

16. *Significance Statement*

The 1955 Seagrave Fire Engine, affectionately known as “Big John,” is being recognized for its engineering significance (**Criterion 3**) as an innovative type of fire engine design with its open cab, large pump, and sizeable engine and for its lasting contributions to the City of Aurora and fire service

heritage (**Criterion 1**). Big John is a well-known fixture in the community appearing in local parades and funerals, as well as having a local beer named after it. Big John is an important tangible link to the earliest days of fire service in Aurora.

Custom-ordered by the Aurora, Colorado, Volunteer Fire Department, Big John is a Seagrave 1955 Series 900 model equipped with a 1000 GPM pump and the largest V-12 engine available at the time. It was part of Seagrave's celebrated "70th Anniversary" line of post-war fire apparatus—a testament to mid-century fire service innovation and design. The vehicle's open cab design provided commanding officers with clear, immediate visibility upon arrival at emergency scenes, enhancing response effectiveness in an era before modern technological supports. Renowned for its power and rugged character, Big John was also known for being difficult to operate. Its limited braking capacity, unsynchronized gears, and high speed once in motion earned it a reputation among firefighters as a formidable and challenging piece of equipment. Nevertheless, it became a trusted and central part of Aurora's firefighting fleet. Originally assigned to Station 1 on East 16th Avenue, Big John served as the city's primary engine and later got reassigned to other stations, including Stations 4 and 5, where it often became the first apparatus to serve newly established locations. (**Criteria 1 and 3**)

Frederic Seagrave founded the Seagrave Fire Equipment Corporation in Detroit, Michigan, in 1881. Seagrave is known as the oldest manufacturer of fire apparatus in the United States. Moving to Columbus, Ohio in 1891, the company remained there until 1963, when the Four Wheel Drive Automobile Company (known as FWD and founded in 1909) purchased them. At the time of the purchase, all of Seagrave's operations moved to Clintonville, Wisconsin, where they remain today. Currently, FWD Seagrave produces an extensive line of custom fire apparatus, including pumpers, pumper-tankers, rescue pumpers, heavy rescue units, aerial ladders, aerial platforms, tractor-drawn aerials and aerial quints.

After being placed on reserve status in the mid-1970s, Big John continued to serve the community reliably in that role. In the 1980s, ownership transferred from the City of Aurora to the Aurora Firefighters Protective Association, Union Local 1290, which has since cared for and maintained the engine. Under their stewardship, Big John evolved into a beloved public presence, appearing in parades, funeral services, and public events as a representative of both Aurora Fire Rescue and Local 1290 at various community gatherings. Big John's legacy extends beyond its years of service. The fire engine has become a cultural icon in Aurora. Its nickname is believed to have been inspired by the early 1960s Jimmy Dean song "Big John," befitting its commanding presence. The vehicle is also honored annually through a unique community tradition: a homebrew competition hosted by Aurora's own Dry Dock Brewery and Local 1290, in which the winning firefighter's recipe is named "Big John Ale."

Today, Big John stands not only as a symbol of engineering excellence and 70 years public service but also as a bridge between generations of firefighters and the community they serve. Preserving this apparatus as an historical landmark will ensure that its story, and the stories of those who served on it, remain a proud part of Aurora's history for years to come.

17. *Bibliography*

McCall, Walter. *American Fire Engines Since 1900*. Glen Ellyn, IL: Crestline Publishing Inc., 1976.

18. *Nomination Preparer*

Name: Mike Ackman Date: 9/2/2025
Organization: Aurora Historic Preservation Commission ; Retired Aurora Firefighter
Address: 15051 E Alameda Pkwy Phone: 303/881-2304
City: Aurora State: CO Zip: 80012

Name: Chris Geddes Date: 9/2/2025
Organization: Aurora Historic Preservation Specialist, AHMHS
Address: 15051 E Alameda Pkwy Phone: 303/739-6661
City: Aurora State: CO Zip: 80012

Photos



Big John Fire Engine

Unknown Photographer/ Unknown Date

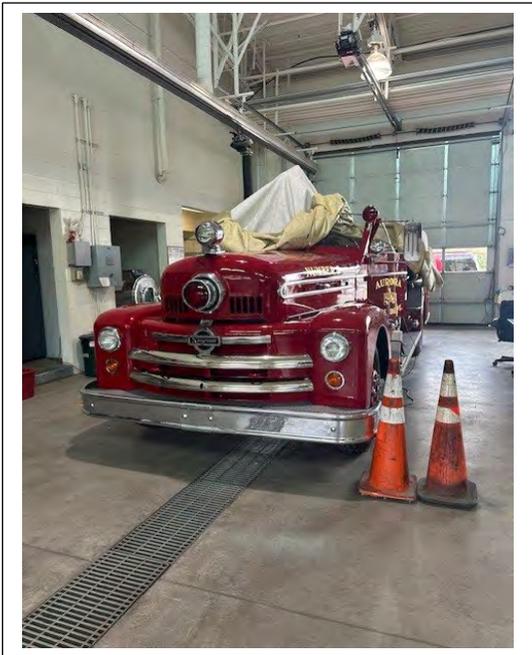


Big John Fire Engine

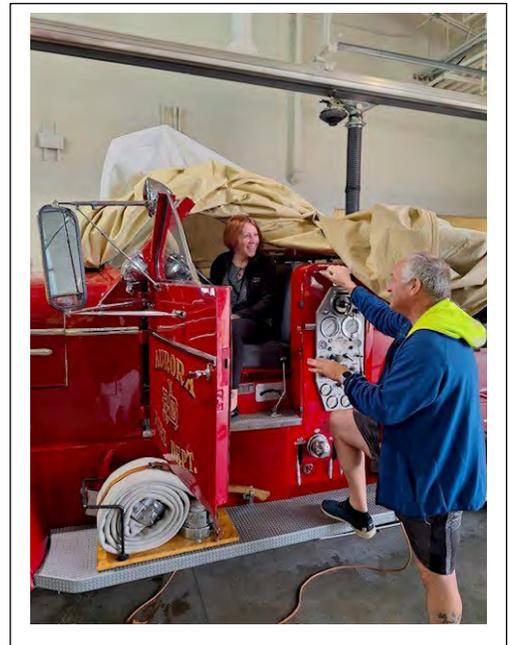
Unknown Photographer/ Unknown Date



Big John Fire Engine – original 1955 engine
Chris Geddes/ April 5, 2024



Big John Fire Engine
Chris Geddes/ April 5, 2024



Big John Fire Engine
Mike Ackman/ April 5, 2024

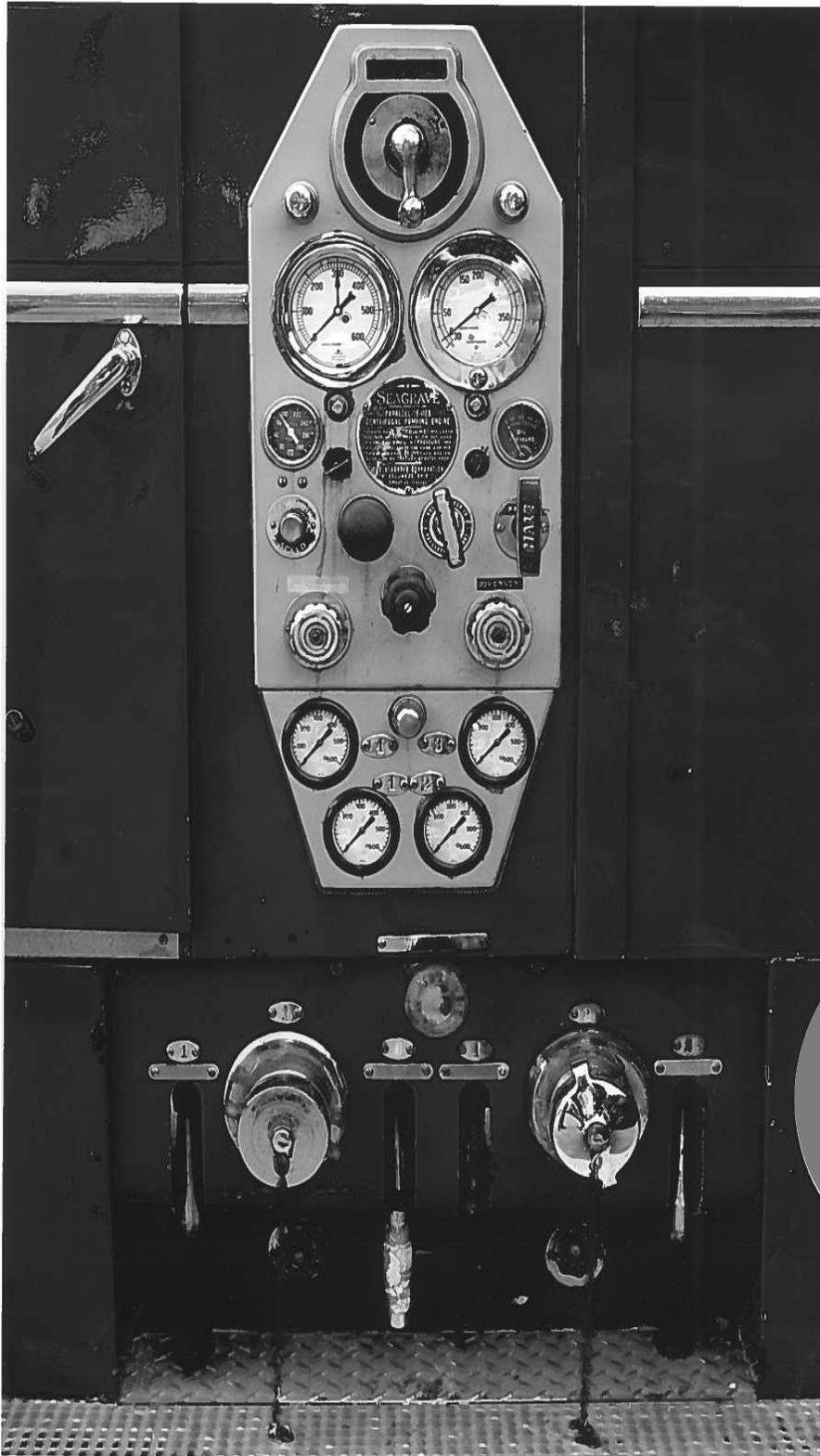
HISTORIC PHOTOS



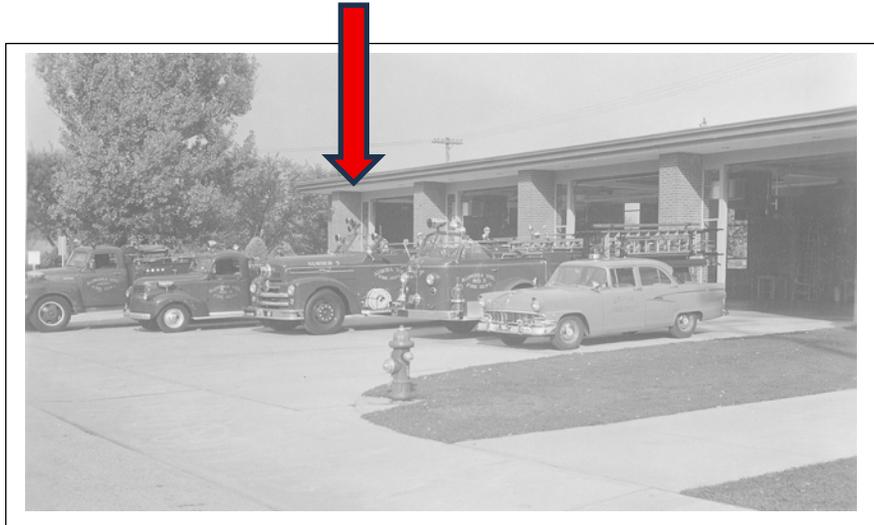
Unknown Photographer
Big John Fire Engine
Date of Delivery 1955



Unknown Photographer
Big John Fire Engine
Date of Delivery 1955



Unknown Photographer
Big John Fire Engine
Date of Delivery 1955



Big John Fire Engine

Unknown Photographer/ Unknown Date (Circa 1958-1960?)

Caption on Photo Reads: Two fire engines at Fire Station #1

Engine next to car is newest Seagrave fire engine with a splitbed with "Aurora Vol Fire Dept No 3" on it
 Second fire engine is also a Seagrave, but an older model. Truck second
 To the end is a rescue truck, - The one on the end is a fire salvage Truck.*

*Correction on information: the order from right to left is: car, 1951 LaFrance Engine, 1955 Big John, rescue truck, and fire salvage truck. Per Mike Ackman, retired Aurora firefighter.



Unknown Photographer/ March 1958
 Big John Fire Engine at Richard's
 Toys & Hobbies, 9707 E Colfax Ave



Big John Fire Engine at Unknown Location
Unknown Photographer/ September 1962
Photograph Courtesy of Aurora History Museum



L to R: Lt. G. Ackman, FF J. Chavers, Engr. J. Shovlin,
FF W. Lumpkin, and FF E. Gehman.
Unknown Photographer/ 1968
In front of Fire Station No. 2, Hoffman Boulevard, near
Del Mar Circle



Big John Fire Engine Near Fire Station No. 1
Unknown Photographer/ Circa 1970s
Reserve Pumper 1



Big John in Front of Original Station No. 5
Duane Troxel, 1974 on 5280fire.com



Big John in Front of Original Station No. 5
Duane Troxel/ 1974 on 5280fire.com



Big John at Denver's St. Patrick's Day Parade
Unknown Photographer/ Unknown Date

Site Map



October 14, 2025

City of Aurora City Council
Aurora Historical Preservation Commission
15151 E Alameda Pkwy
Aurora, CO 80012

Dear Aurora City Council and Historical Commission Members,

I would like to take this opportunity to support the efforts to give “Landmark Designation” to the 1955 Seagrave Fire Engine, fondly known as “Big John”. I have visited the Historical Museum located at the City’s Administration Complex. It is an excellent site to re-discover the people, buildings, events of the past of the City. I enjoyed it greatly.

So why place a Historical Designation on a 70-year-old fire engine? I believe there are several reasons for this designation. First, how many remember, as a child, the lights and siren of a bright red fire engine going by? For many “old timers” in Aurora, that memory might have been of this very fire engine.

The Aurora Fire Rescue Department has played a key role in the history of Aurora. Their fire equipment and stations are some of the symbols which represent the major role of firefighters in the history and growth of the City of Aurora. “Big John” is the symbol that represents that involvement. It is a symbol that is not stationary but can be taken, and has been taken, to many events in Aurora that represent the City’s past and the City’s future. It is a mobile and visible part of Aurora’s great history.

It is also a personal memory and representation of the service and dedication to Aurora’s Firefighters to their community, the City of Aurora. There are still many retired firefighters alive that, in past years, rode and drove “Big John” to fires and EMS incidents in Aurora. Big John is a historical marker to all of them.

Finally, I also rode and drove Big John. I currently serve as the President of the “Old Hire Fire Pension Board,” I talk with Aurora Retired Firefighters regularly. Big John is remembered and honored by all. It is also a representative of today’s Aurora’s Fire Rescue Department. The Fire Service has a long history of remembering the fire equipment, like Big John, that was, and is, part of our service to the citizens and visitors to Aurora. I strongly support designating Big John with a Landmark Designation. One that can be driven to, and seen, at a Historical Event in Aurora.

Respectfully,

Carl L. Smith

Carl L. Smith, Deputy Fire Chief (Retired)

AURORA HISTORIC PRESERVATION COMMISSION
PUBLIC HEARING MINUTES
Tuesday, October 14, 2025
6:00 p.m.

VFW Post 3631
18545 E Colfax Avenue
Aurora, Colorado 80011

Present: Chair Todd McMahon, Vice Chair Lynda Heckendorn, Matt Gordon, Julia Bilderback, Marpessa Allen, Charlie Peters, Mike Ackman, and Yasmin Harris.

None absent.

Staff: Chris Geddes and Kristen Steadman.

Guests: Steve Sundenberg, City Councilman Ward II; Stephanie Hancock, City Councilwoman, Ward IV; Travis Pulliam, AFR Firefighter/President, IAFF Union Local 1290; Mark Hays, AFR, Acting Deputy Fire Chief; VFW Post Members, Master Sergeant Dave Cook; Lindsey Flewelling, CLG Coordinator and Preservation Planner, State Historic Preservation Office, History Colorado.

1. Call to Order:

- A quorum being present, Chair McMahon commenced the Public Hearing at 6:25 PM. Motioned by Commissioner Ackman, seconded by Commissioner Peters to suspend regular HPC meeting. All in favor.

2. Local Landmark Nomination – Big John Fire Engine

- HPS Geddes presented on Big John Fire Engine, giving the history of the engine and showing pictures of the engine in active duty. The Engine is eligible under Local Landmark Criteria 1 and 3, and Geddes reminded the Commission that only the engine is being landmarked, not the firehouse it resides in as the engine could move.
- Travis Pulliam, AFR Firefighter and IAFF Union Local 1290 President remarked how the engine is used for parades, toy deliveries at Children’s Hospital, and holiday lightings. Typically, Santa Claus or the Mayor rides on the engine for Christmas events. The bench in the truck bed used to be a water tank and hoses, but the bench was added in for caskets in funeral processions.
- Commissioner Ackman said Big John was fully restored 5-6 years prior and runs on the original 2,000 lb. Engine. This year is Big John’s 70th Anniversary.
- Tim Joyce, Assistant City Attorney, asked where it is stationed now. Commissioner Ackman said it is at Fire Station No. 16. Joyce added that because the engine is an object

and not a structure, amendments are not needed to the nomination when and if it moves locations.

- Mark Hays, Acting Deputy Fire Chief, remarked Fire Academy graduates have had Big John at their graduation ceremonies since before he joined Aurora Fire in 1996.
- Commissioner Allen asked how Big John will be distinguished as the landmark. The plaque could go in a case or attach to the floor. Commissioner Peters suggested attaching the plaque to where license plate would rest. HPS Geddes suggested a ceremony for the plaque attachment and Councilwoman Hancock agreed.
- Motioned by Commissioner Ackman, seconded by Vice Chair Heckendorn to approve Local Landmark nomination for Big John fire engine. Attorney Joyce read the specifics of the nomination legislation, all in favor.
- HPS Geddes remarked on next steps for nomination; PR+, Study Session, then full City Council meeting.

3. Adjournment:

- Motioned by Commissioner Peters to adjourn Public Hearing, seconded by Commissioner Bilderback. All in favor, hearing adjourned at 6:41 PM.

Respectfully Submitted:

_____ Kristen Steadman _____ Date 10/21/2025 _____

_____  _____ Date 11/4/2025 _____
Chair, Historic Preservation Commission

RESOLUTION NO. R2026- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL DESIGNATING BIG JOHN FIRE ENGINE AS A LOCAL LANDMARK

WHEREAS, by definition, UDO § 146-6.2, a landmark can be an object that has been designated by the Historic Preservation Commission as historically significant; and

WHEREAS, the Big John Fire Engine is owned by the International Association of Fire Fighters ("IAFF") Local 1290; and

WHEREAS, IAFF Local 1290 consents to the Big John Fire Engine being designated as a local landmark; and

WHEREAS, the Big John Fire Engine is currently housed at Fire Station No. 16 in the City of Aurora, Colorado ("City"); and

WHEREAS, where the Big John Fire Engine is parked does not affect its designation as a local landmark; and

WHEREAS, making the Big John Fire Engine a local landmark will not deny the owner a reasonable use of the fire engine; and

WHEREAS, the Historic Preservation Commission held a public hearing on October 14, 2025, and unanimously agreed the Big John Fire Engine is an object of historical significance; and

WHEREAS, the Historic Preservation Commission determined Big John satisfies the following additional criteria to be recommended and designated as a local landmark:

- (a) The Big John Fire Engine exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, or community. The Big John Fire Engine is a well-known fixture in the community participating in local parades, funerals, and in ceremonial activities; and
- (b) The Big John Fire Engine 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 because the Big John Fire Engine was an innovative type of fire engine design with its open cab, large pump, and sizeable engine; and

WHEREAS, the Historic Preservation Commission unanimously approved a recommendation for City Council to designate the Big John Fire Engine as a local landmark; and

WHEREAS, City Council has conducted a public hearing on whether the Big John Fire Engine should be designated as a local landmark; and

WHEREAS, City Council finds and determines that the Big John Fire Engine should be designated as a local landmark.

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

Section 1. The City Council approves designating the Big John Fire Engine as a local landmark for the City of Aurora, Colorado.

Section 2 . All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this ____ day of _____, 2026.

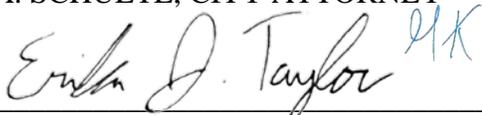
MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

By: 

ERIKA TAYLOR, Assistant City Attorney



- Built in 1955
- Used until becoming a reserve engine in 1970s
- Sold to IAFF Aurora Fire Fighters Local 1290 in 1980s
- Still used in parades, funerals, and special events

City Council Study Session
February 9, 2026

Big John Fire Engine Local
Landmark



**Aurora
History Museum
& Historic Sites**

Eligible for
its Lasting
Contributions
to the City of
Aurora and
Fire Service
Heritage

Criterion 1



**Aurora
History Museum
& Historic Sites**



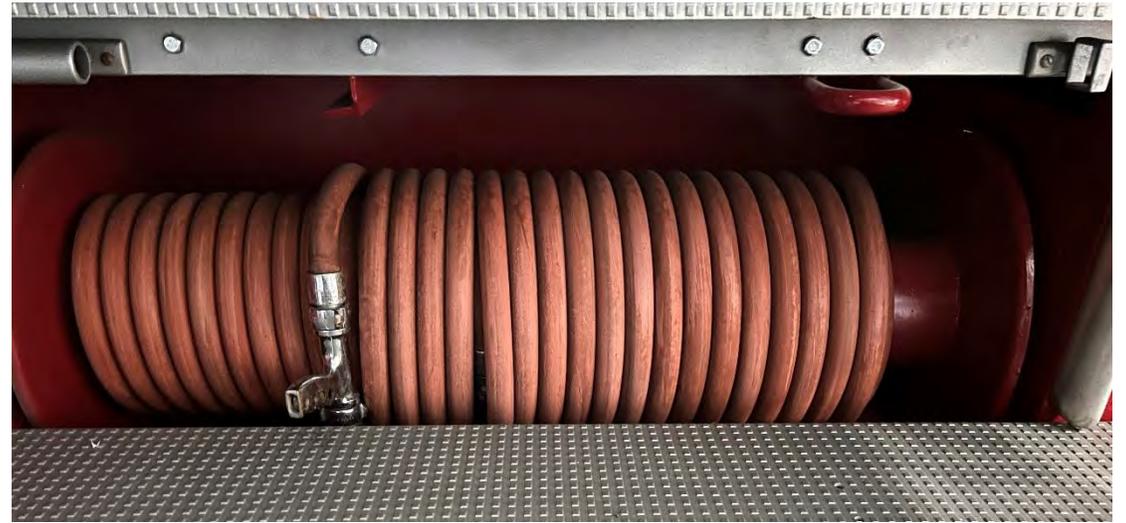
Fire at
Richard's Toys
and Hobbies on
Colfax Avenue
March 1958





Criterion
n 3

Eligible for
its
innovation
in fire
fighting
technology
in the 1950s



Criterion
n 3





Questions/
Comments

HPC Approval
PR+ Approval

- HPC reviewed and unanimously approved on October 14, 2025
- PR+ recommended the Big John Local Landmark nomination move forward to Study Session and City Council on January 13, 2026
- Requesting recommendation for the Big John Local Landmark nomination to move forward for final approval by City Council





CITY OF AURORA

Council Agenda Commentary

Item Title: Urban Cottages Jewell - Zoning Map Amendment
Item Initiator: Rachid Rabbaa, Planner III, Planning and Business Development
Staff Source/Legal Source: Rachid Rabbaa, Planner III / Lena McClelland, Assistant City Attorney
Outside Speaker: Todd Johnson, Applicant, Urban Cottages LLC / Alan Cunningham, Agent, PCS Group INC
Council Goal: 2012: 5.6--Continue to plan for high quality neighborhoods with a balanced housing stock

COUNCIL MEETING DATES:

Study Session: N/A

Regular Meeting: 3/10/2025

2nd Regular Meeting (if applicable): 3/24/2025

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)

2025-06 A PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)

Rachid Rabbaa, Planner III, Planning and Business Development / Lena McClelland, Assistant City Attorney

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

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

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: Planning and Zoning Commission

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.)

The Planning and Zoning Commission held a public hearing to review the Zoning Map Amendment and Site Plan request at a regular meeting held on January 8, 2025. Following staff's presentation, public comments were given at the hearing. The commission voted to make recommendation of approval for the Zoning Map Amendment. The commission voted to table the Site Plan request, in order for the applicant and staff to schedule a neighborhood meeting. The meeting occurred on March 3rd 2025. On September 24th 2025 the Planning and Zoning Commission approved the Site Plan. A copy of the Planning Commission Meeting Minutes are attached for reference.

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

The applicant, Urban Cottages, LCC, is requesting approval of a Zoning Map Amendment (Rezone) for 3.91 acres from the Rural Residential (R-R) to Medium-Density Residential (R-2) District. The subject property is located south of E. Jewell Avenue, a collector street, approximately 900' east of S. Havana Street. The site is bounded by single-family attached and detached residential development to the north, a park to the east, a large lot rural residential development to the west, and single-family detached residential development and vacant land to the south. The subject property lies within the Established Neighborhood placetype in the Aurora Places Comprehensive Plan and is located in direct proximity to Havana Heights, a low-density single-family neighborhood.

The purpose of the R-2 Medium Density District is to promote and preserve various types of medium density housing with adequate amounts of usable common space and amenities. This district is intended for use close to collector streets and public transit facilities. The surrounding area includes a variety of land uses with commercial on Havana and Ponderosa Elementary school to the east. Residential uses include single family detached, townhome and multifamily all nearby. Based on the approval criteria regarding the consistency with the Comprehensive Plan, purpose statement of the zoning district, scale of the proposal and compatibility with the surrounding area, the proposed Zoning Map Amendment complies with the approval criteria in the City Code.

Neighborhood comments were received during the first review cycle regarding infrastructure, parking, and traffic concerns. Based on the comments and concerns, a neighborhood meeting was held on Tuesday, May 31, 2022. The applicant addressed the concerns raised at the meeting.

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

N/A

WORKLOAD IMPACT

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

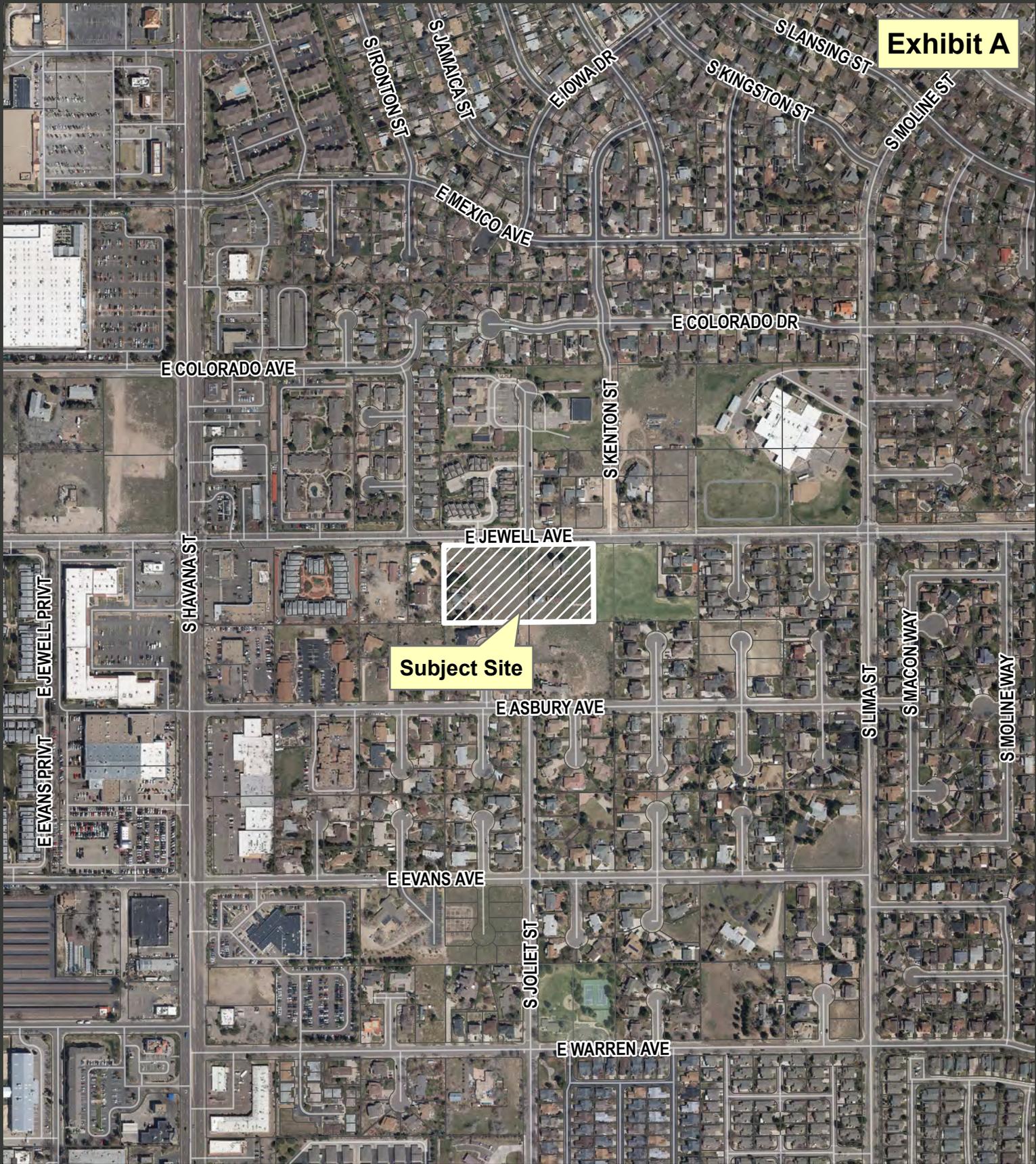
N/A

QUESTIONS FOR COUNCIL

Does the City Council wish to approve the ordinance to rezone 3.91 acres of Rural Residential (R-R) to Medium Density Residential (R-2) for the Urban Cottages Jewell Zoning Map Amendment?

LEGAL COMMENTS

The City Council is the governing body of the City and has the authority to approve the Official Zoning Map and amendments to that map. (UDO §146-5.1.1.B)
The City Council shall conduct a public hearing on the application. (UDO §146-5.4.1.C.2.c)
Changes to the Zoning Map for individual parcels shall only be approved if City Council finds that the change to the Zoning Map is required because of changed conditions or circumstances on the property or the surrounding area and (a) the applicant has demonstrated that the proposed rezoning is consistent with the spirit and intent of the Comprehensive Plan, the 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 rezoning are compatible with surrounding development or can be made compatible 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. (UDO §146-5.4.1.C.3.a.ii) (McClelland)



Planning and Business Development

15151 E. Alameda Parkway
 Aurora CO 80012 USA
 AuroraGov.org
 303.739.7250
 GIS@auroragov.org

**City of Aurora, Colorado
 Urban Cottages Jewell
 Zoning Map Amendment
 Site Plan w/ Adjustments**



Case Numbers: 1984-2057-02, 2022-4026-00
 Development Application: #2309-00

Miles 0 0.04 0.08

**ZONING MAP AMENDMENT PROPOSAL
LETTER OF JUSTIFICATION**

ZONING MAP AMENDMENT PROPOSAL

LETTER OF JUSTIFICATION

The 11000 E. Jewell Ave site sits between S. Havana St and 225 and north of S. Parker Rd. As can be seen on the attached graphics, this site currently falls within a R-R zoning map designation.

In terms of context, the character of the surrounding 11000 E. Jewell project consists mainly of R-1 zoning designated parcels to the east & south, with higher intensity uses to the west and a mix of R-1, R-2 and educational uses to the north. Along the eastern border of the site sits Havana Heights Pond Park and directly north, opposite of the 11000 E. Jewell site is a R-2 parcel designation, with existing town home development of approximately 10 du/ac . In close proximity, as you move west towards S. Havana St., there are some MU-C zoned parcels situated within a short walking distance to the 11000 E. Jewell Ave Site as well as more R-2 and R-3 zoned parcels.

With our Zoning Map Amendment proposal we are requesting to revise the zoning designation on the 11000 E. Jewell Ave property to be rezoned from R-R to R-2. 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. Our proposed change in zoning designation to R-2 with the use of Two-Family Dwellings (Duplex), will allow for an increase in the diversity of residential housing types within the context of the surrounding neighborhood, providing a mix of options and price points within this part of Aurora. Additionally, the direct adjacency to Havana Heights Pond Park assures adequate usable open space and amenities for the future residents of this infill development.

The applicant believes that this zoning map amendment request will be beneficial for the city and that it should be approved for several reasons. First, as depicted within Aurora Places, the 11000 E. Jewell site is located within an Established Neighborhood “placetype.” Accordingly, this placetype is predominantly characterized as “residential areas with a variety of unit types including single-family detached, single-family attached, and multifamily.” The 11000 E. Jewell Ave community is being designed as a well-defined and connected neighborhood that provides a paired home unit type to ensure consistency with the current surrounding residential character while also creating a transition in density between the single family detached homes to the south, and the higher density town home development across Jewell Ave.

In addition to the Comprehensive Plan compliance, the requested change to the R-2 zone district is also consistent with many of the zone districts located along Jewell Ave. For instance, in the mile long stretch of E. Jewell Ave between S. Lima St and S Daytona Street, that is bisected by Havana St, and is relevant to this site’s frontage, this is the only site that is currently zoned R-R. In fact, this site is the only property zoned R-R west of I-225 along E. Jewell Ave. Otherwise, the aforementioned stretch of Jewell Ave consists of less than 25 % of the frontage as R-1 zone district, with the remaining frontage consisting of R-2 or higher zone districts, along with a small part of the frontage being attributed to the Ponderosa Elementary School . As such, the requested zoning change on this property is in keeping with the existing development patterns along Jewell. Additionally, the majority of R-R and R-1 zoned property exists to the south and east of this site, much of which is buffered by Havana Heights Pond Park. With respect to the existing R-R zone district and homes to the south, we are addressing the relationship to the south by turning our proposed units sideways to the property, and by incorporating and additional 10’ buffer and new privacy fence along that interface.

Furthermore, as explained in the City of Aurora Housing Strategy study, it has been acknowledged that the City of Aurora is experiencing continual growth and increase in resident population and home prices each year. The 11000 E. Jewell Ave site plan with paired homes will provide more attainable housing options, and diversity of home types within this portion of the City of Aurora. The concept for Urban Cottages is to be attainable by design, meaning the site design approach focuses on creating modestly sized homes on smaller lots. These missing middle design features allow walkable, medium density, infill housing near public transportation and amenities. Missing middle housing caters to households usually overlooked in home design and planning, including seniors, singles, and young families.

Overall, when considering the mixture of the surrounding site character; the Established Neighborhood placetype in the comprehensive plan, and the City of Aurora Housing Strategy study, the Zoning Map Amendment request associated with the 11000 E. Jewell community is warranted and will ultimately benefit the City of Aurora. By providing additional variety of residential uses to support the ultimate housing demand in the area, while at the same time fitting within the general site context of the area, the 11000 E. Jewell community will ensure the creation of a cohesive and beneficial neighborhood on this infill site. In this regard, the proposed site plan for 11000 E. Jewell Ave. will fulfill the City's approval criteria by creating a residential community which will promote diversity and affordable housing for the City of Aurora. The City's approval criteria are included below.

Section 5.4.1.C.3.A - Criteria Approval.

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

As far as we know there has not been an error in the Zoning Map that needs correcting.

ii. The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

There have been changes in the surrounding area as this part of the City has continued to evolve and more multi-family developments have occurred. Additionally, circumstances and conditions have changed on the subject property as existing buildings are now sitting vacant and in a state of disrepair.

(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);

As outlined above, the rezoning of this property from R-R to R-2 is consistent with the spirit and intent of the Comprehensive Plan and the integration within the Established Neighborhoods placetype, as well as the purpose statement of the R-2 zone district. Additionally, it is consistent with several Comprehensive Plan Principles such as: the Housing for All Principle which envisions high-quality housing options that enable people across all socioeconomic levels, cultural practices and stages of life to establish and manage households, and the Easy Mobility and Active Transportation Principle with an easy to use transportation network with multiple choices for travel. In essence, the requested Zoning Map Amendment will allow this site to develop in an infill manner, filling a need within the City of Aurora for housing diversity, and attainability within the missing middle of housing product.

(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

As a neighborhood of paired residential homes, the size, scale, height, density and multi-modal traffic impacts are appropriate for an infill development site along a city thoroughfare such as Jewell Ave. The proposed residential product is similar in height to the surrounding residential uses, and given the grade difference between this property and the residential units to the south, there will be very little impact to those existing homes. The size and scale of the homes are smaller than some surrounding residences, but as outlined above, this is geared towards providing much needed housing diversity to a missing segment of the market that is in desperate need of housing options. Providing options such as this often results in increased density, but given the adjacency to E. Jewell Ave and the higher density uses located along it, the applicant believes that this proposed development is a compatible, transitioning use that will fit cohesively into the fabric of the greater neighborhood.

(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.

The change in zoning will not create significant dislocations of occupants of the property, as the buildings are currently sitting vacant and in a state of disrepair. As such, the redevelopment of this site will help progress it towards the goals of the Comprehensive Plan and advance it beyond its' current state.



Contextual Birdseye View of the Site

LEGAL DESCRIPTION
EXHIBIT A
SHEET 1 OF 2

A PARCEL OF LAND LYING SITUATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, ALSO BEING PLOT FOUR (4) AND A PORTION OF PLOT FIVE (5), MALONE SUBDIVISION, RECORDED IN BOOK 9, PAGE 48, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, ASSUMED TO BEAR NORTH 89°20'02" EAST, A DISTANCE OF 2,626.00 FEET, FROM THE NORTHWEST CORNER OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SAID SECTION 26;

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 26; THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, NORTH 89°20'02" EAST, A DISTANCE OF 984.93 FEET; THENCE SOUTH 00°11'48" EAST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID PLOT FOUR (4), ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINES OF SAID PLOTS FOUR (4) AND FIVE (5), ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF JEWELL AVENUE, AS RECORDED AT BOOK 9, PAGE 48 OF SAID COUNTY RECORDS, NORTH 89°20'02" EAST, A DISTANCE OF 578.43 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 4583 AT PAGE 506; THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND SOUTH 00°14'21" EAST, A DISTANCE OF 300.88 FEET TO THE SOUTH LINE OF SAID PLOT FIVE (5); THENCE ALONG THE SOUTH LINES OF SAID PLOTS FIVE (5) AND FOUR (4), SOUTH 89°21'07" WEST, A DISTANCE OF 578.65 FEET, TO THE SOUTHWEST CORNER OF SAID PLOT FOUR (4); THENCE ALONG THE WEST LINE OF SAID PLOT FOUR (4) NORTH 00°11'48" WEST, A DISTANCE OF 300.70 FEET, TO THE POINT OF BEGINNING;

CONTAINING 174,012 SQUARE FEET OR 3.995 ACRES, MORE OR LESS.

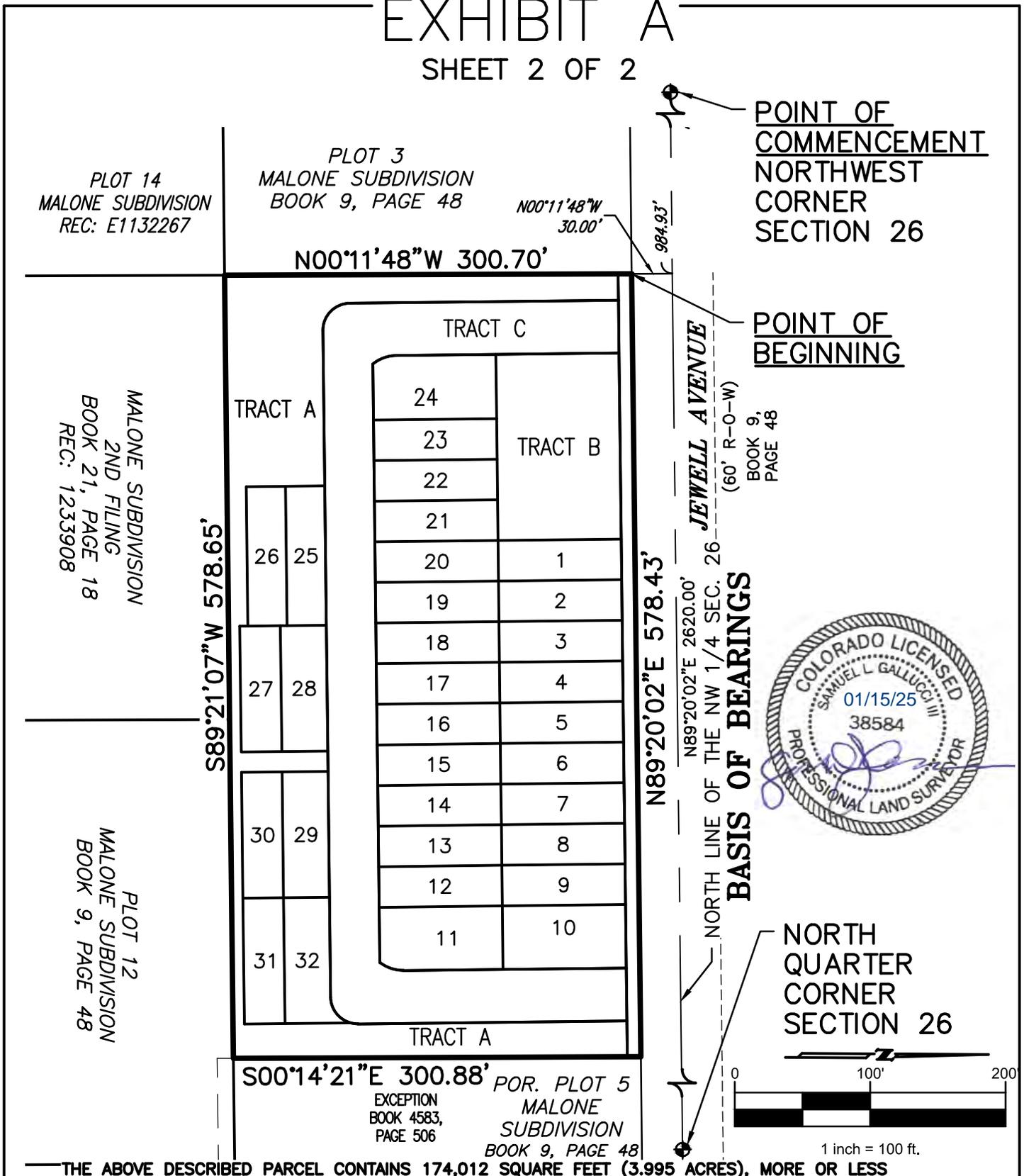
ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

SAMUEL L. GALLUCCI III, PLS 38584
FOR AND ON BEHALF OF
EMK CONSULTANTS, INC.



ILLUSTRATION FOR
EXHIBIT A
 SHEET 2 OF 2

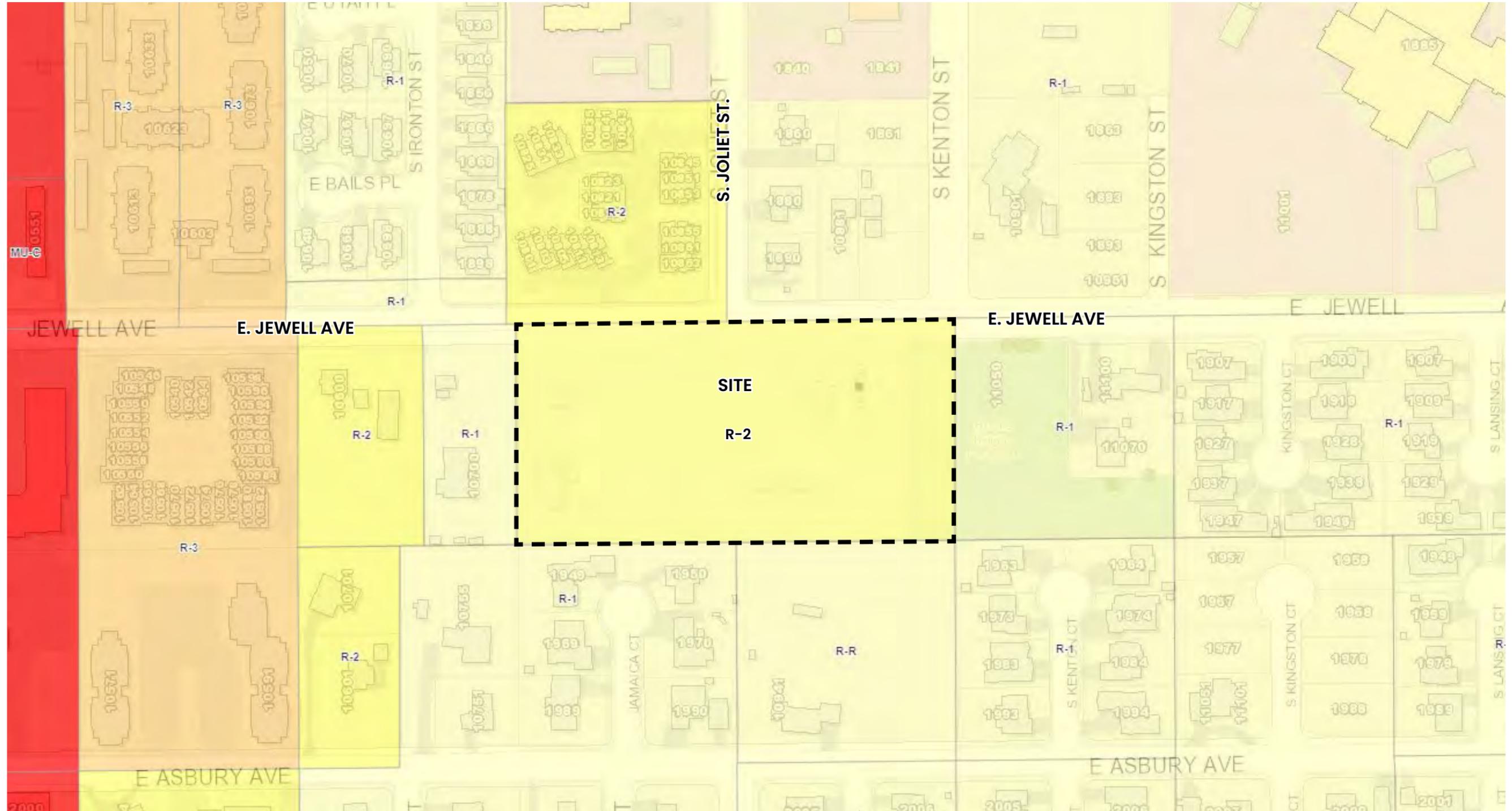


THE ABOVE DESCRIBED PARCEL CONTAINS 174,012 SQUARE FEET (3.995 ACRES), MORE OR LESS

CITY OF AURORA, COLORADO		
DRAWN BY SLG3	SCALE 1"=100'	R.O.W. FILE NO.
CHECKED BY JTH	DATE 01/15/25	JOB NO. 13298

A PARCEL OF LAND SITUATED IN THE
 NORTHWEST 1/4 OF SECTION 26, T4S, R67W, 6TH P.M.
 CITY OF AURORA, ARAPAHOE COUNTY, COLORADO

ZONING MAP: PROPOSED R-2 ZONE DISTRICT





Conceptual Site Plan:

- Site Area: 3.91 AC
- 32 Paired Home Units
- Alley Loaded Product Placing Front Architecture along Jewell Ave.
- Buffering of Adjacent Properties with Setbacks, Landscape and Side Orientation.
- 72 Parking Spaces
 - 64 Residential
 - 12 Parallel



**Planning and Zoning Commission
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8gh. URBAN COTTAGES – ZONING MAP AMENDMENT AND SITE PLAN WITH ADJUSTMENTS

The applicant, Urban Cottages, LCC, is requesting a recommendation of approval of a Zoning Map Amendment (Rezone) for 3.91 acres from the Rural Residential (R-R) to Medium-Density Residential (R-2) District; and is requesting approval of a Site Plan with 16 two-family duplexes (24 units) and green courts (eight units). The subject property is located south of the intersection of E. Jewell Avenue and S. Joliet Street, approximately 900' east of S. Havana Street. The site is bounded by single-family attached and detached residential development to the north, a park and pond to the east, a large lot rural residential development to the west, and single-family detached residential development and vacant land to the south. The subject property lies within the Established Neighborhood placetype in the *Aurora Places Comprehensive Plan* and five (5) adjustments are requested with the application.

As mentioned, the proposed Site Plan includes two-family duplexes and green courts. An internal private street, E. Jewell Place, loops through the development providing access for the duplexes and green courts. Five (5) alley-served duplexes (10 units) will have direct pedestrian access to E. Jewell Avenue. The remaining seven alley-served duplexes (14 units) will have direct access to E. Jewell Place as a private internal street. E. Jewell Place incorporates an attached sidewalk along the west and east sides. The southern and northern perimeter include a detached sidewalk with a tree lawn and street trees. The end green court units will have direct pedestrian access to the attached sidewalk along E. Jewell Place. Vehicular access to the units is provided via Alley 2 and Alley 3. The green courts face and open to a 25'- special landscape buffer on the east end and a robust tract of on-site open space to the west. Also, on-site detention is provided.

The proposed architectural design of the duplexes strives to be consistent with the surrounding neighborhood by reflecting the building massing, articulation, and varied materials that characterize the existing single-family homes in the area.

The Site Plan proposal includes five (5) adjustment requests regarding lot area. Of the five adjustments requested, two (2) concern green courts, one (1) landscape, and (1) setback. Staff support the adjustment requests as proposed.

Twenty-one (21) registered neighborhood organizations and seventeen (17) adjacent property owners were notified of the Site Plan application. Neighborhood comments were received as part of the first review regarding infrastructure, parking, and traffic concerns; and a neighborhood meeting was held on Tuesday, May 31, 2022. The applicant addressed the concerns raised at the meeting.

Testimony Given at the Hearing:

Rachid Rabbaa, Case Manager, gave a presentation on the item, including the staff recommendation.



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Commissioner Jetchick asked staff to confirm that five adjustments were requested by the applicant.

R Rabba, case manager, confirmed this understanding was correct.

Todd Johnson, Urban Cottages, 4601 DTC Boulevard Ste 525, Denver, CO 80237, applicant, gave a presentation on the item. T Johnson reviewed the intent of the intent of the proposal, to provide what they feel is a good fit for urban infill projects

Alan Cunningham, PCS Group, Inc. 200 Kalamath Street, Denver, CO 80223, agent representing the applicant, gave a presentation on the item. A Cunningham argued that the rezoning request is in keeping with the surrounding zone districts and neighborhood character. A Cunningham stressed it is also necessary to move forward with the site plan with adjustments proposed. Proposed is to develop 32 paired home units, 16 buildings total. Design, landscaping and parking information was reviewed.

Eric Pearson, CAGE Engineering, 8475 Oak Way, Arvada, CO 80005, agent representing the applicant, was available for questions.

Orly Babakhanov, 1918 S Kingston Cir, Aurora, CO 80014, citizen, gave public comment on the item. O Babakhanov spoke in opposition to the proposal stating concerns for overcrowding, safety neighborhood fit and noticing completed.

Gary Pettersen, 11070 E Jewell Avenue, Aurora, CO 80012, 720-388-5496 citizen, gave public comment on the item. G Petterson questioned the applicability of the rezoning request for this community. Concerns were raised regarding the limited information offered on the pricing of the proposed units and the time delay of the noticing for the project from the initial referral. G Petterson urged the commission to deny the project for these reasons.

Sue Miranda, 10941 E Asbury Avenue, Aurora, CO 80014, 319-621-0543 citizen, gave public comment on the item. S Miranda spoke in opposition to the proposal and stressed that the negative impact it would have on Havana Heights.

Fred Cottingham, 19526 E Basset Drive, Aurora, CO 80018, citizen, gave public comment on the item. F Cottingham noted residing the area of the proposal for 50 years. F Cottingham stated that the rezoning request goes against the original plan of zoning for Havana Heights. Concerns were voiced regarding the potential negative impacts of the rezoning and the site plan with adjustments requested. These concerns included overcrowding, traffic, and inadequate buffer from adjacent properties

Arnie Schultz, Village East Neighborhood Association, 1137 S Oakland Street, Aurora, CO 80012, 720-281-2880 citizen, submitted a speaker slip but did not provide public comment when called upon to speak. Several attempts were made to allow the citizen to provide comment.

Shayna Shabatura, 1950 S Jamaica Court, Aurora, CO 80014, 651-334-3816 citizen, gave public comment on the item. S Shabatura voice interest in the commission tabling the project to allow the applicant to conduct additional studies and provide data to



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interested parties. S Shabatura stressed concerns amongst residents that the applicant did not adequately address the impacts of the rezoning and compatibility with surrounding development. It was noted that residents have not been informed whether the proposed units will be for low income or affordable housing. S Shabatura opposed the project for these reasons but also due to drainage and design concerns.

Kyle Weber, 1950 S Jamaica Court, Aurora, CO 80014, citizen, gave public comment on the item. K Weber stressed that neighboring developments were constructed without the number of adjustments requested by this applicant. K Weber stressed the proposal was not a good fit for the area. Concerns were raised about wildlife impacts.

Gary Ravdel, 10744 E Colorado Ave, Aurora, CO 80012, citizen, gave public comment on the item. G Ravdel opposed the project due to concerns that it will significantly change the neighborhood, in a negative way.

Darryl Goodwin 10821 E Jewel, Aurora, CO 80012 citizen, gave public comment on the item. D Goodwin spoke about traffic congestion that may be caused by the development. D Goodwin opposed the project.

Alina Katanov, 1927 S Kingston Court, Aurora, CO 80014, citizen, gave public comment on the item agreed with previous concerns raised on traffic impacts due to the proposal. Safety issues for students of the adjacent Ponderosa Elementary school while walking to school were voiced. A Katanov expressed doubts that adequate noticing took place.

Alex Katanov, 1927 S Kingston Court, Aurora, CO 80014, gave public comment on the item. A Katanov noted that there are already existing traffic and safety concerns due to speeding vehicles in the area where this project is planned to be built. Collaboration with Aurora Police Departments is being made. A Katanov stressed that this project will only make matters worse.

Aharon Molokondo, 1917 S Kingston Court, Aurora, CO 80014, citizen, agreed with comments made by his neighbors. A Molokondo indicated there are concerns that the children who attend the adjacent school will not be safe due to traffic issues exacerbated by the development.

Sunny Malachi, 1947 S Kingston Court, Aurora, CO, 80014, citizen, stated that this project does not fit the neighborhood.

Alan Cunningham, PCS Group, responded to citizen commentary. A Cunningham indicated that, coordinating with city staff, it was determined that due to the number of units proposed traffic impacts were too low for the city to require a full traffic impact study. A Cunningham stressed that traffic numbers are expected to be low. A Cunningham then addressed concerns regarding the type of housing being proposed by noting it will be market rate. Information was provided on the compatibility of the rezone with surrounding zone districts and uses.

Todd Johnson, Urban Cottages, acknowledged that this project has been in the making for some time. T Johnson stated that a neighborhood meeting was conducted, and staff has been worked closely with to address any concerns. T Johnson also spoke about drainage plans, setbacks, and proposed detached sidewalks. T Johnson stated that a



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traffic study was conducted, though not required. It was stressed there are low traffic impacts projected.

Arthur Simonov, 11040 E Colorado Drive, Aurora, CO 80012, citizen, asked confirmation if a traffic report was completed.

Chair Walls indicated that the citizens' question has already been addressed by the applicant.

A Simonov stated concerns due to impacts of traffic for the community and existing safety issues.

Commissioner Hogan asked staff when the last time noticing for the project was completed.

Rachid Rabbaa stated that notices were mailed to abutting property owners and neighborhood groups in December and a Public Hearing notice was posted on the site.

Chair Walls closed public comment.

Chairman Walls indicated support for postponing the project to allow the applicant to complete additional neighborhood meetings.

Commissions Gayle and Banka agreed with Chairman Walls.

Commissioner Hogan expressed support for the rezoning but not the site plan due to the number of adjustments requested and the density of the proposed housing.

Commissioner Bush agreed with Commissioner Hogan and stated that postponing may not be the answer as this may not have a significant impact on the neighbors.

Chairman Walls also agreed with general support for the rezoning but not the site plan due to the adjustments and issues noted in public comment, noting support for postponing that decision for a future meeting. Chairman Walls also expressed concerns regarding the traffic.

Planning Commission Results

AGENDA ITEM 8g – ZONING MAP AMENDMENT TO REZONE FROM RURAL RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL

A MOTION WAS MADE BY COMMISSIONER JETCHICK AND SECONDED BY COMMISSIONER HOGAN.

MOVE TO RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL OF THE ZONING MAP AMENDMENT FROM RURAL RESIDENTIAL (R-R) TO MEDIUM-DENSITY (R-2) DISTRICT BECAUSE THE PROPOSAL COMPLIES WITH THE CRITERIA IN CODE SECTION 146-5.4.1.C.3 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE FOLLOWING REASONS:



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1. THE PROPOSED ZONING MAP AMENDMENT IS REQUESTED TO ADDRESS HOUSING TREND CHANGES IN THE SURROUNDING AREA AND CITY-WIDE, WHICH INCLUDE THE INCREASING NEED FOR AFFORDABLE HOUSING OPTIONS AND HOUSING AVAILABILITY NOT MEETING GROWTH DEMAND;
2. THE CITY OF AURORA HOUSING PLAN IDENTIFIES THESE TRENDS AND RECOMMENDS SUPPORTING MIXED-INCOME NEIGHBORHOODS THAT OFFER A VARIETY OF HOUSING OPTIONS AND BREAKING BARRIERS TO HOME OWNERSHIP, ESPECIALLY FOR LOW-INCOME HOUSEHOLDS;
3. THE APPLICATION IS CONSISTENT WITH THE SPIRIT AND INTENT OF THE AURORA PLACES PLAN BECAUSE IT IS CONSISTENT WITH THE "ESTABLISHED NEIGHBORHOOD PLACETYPE".
4. THE APPLICANT HAS DEMONSTRATED THAT THE PROPOSED SIZE, SCALE, HEIGHT, DENSITY, AND MULTI-MODAL TRAFFIC IMPACTS OF THIS PROPOSAL ARE COMPATIBLE WITH THE SURROUNDING DEVELOPMENT BY PROVIDING A SITE PLAN AND TRAFFIC ANALYSIS ILLUSTRATING DUPLEX DWELLING UNITS IN THE SAME SIZE, SCALE, HEIGHT, AND MULTI-MODAL TRAFFIC IMPACTS OF THE SURROUNDING DEVELOPMENT; AND,
5. THIS REZONING APPLICATION WILL NOT DISLOCATE TENANTS OR OCCUPANTS OF THE PROPERTY.

Further Discussion:

Chair Walls voiced concerns regarding the proposal and suggested postponing the decision to allow the applicant to respond to public concerns, noting that the applicant conducted the last neighborhood meeting some time ago. Chair Walls also indicated concerns regarding the number of adjustments requested for item 8h.

Commissioner Jetchick stated, that though she made a motion on item 8g, she was inclined to deny. Commissioner Jetchick agreed with Chair Walls comments on 8g and 8h.

Commissioner Banka also agreed that the decision should be postponed to allow additional neighborhood meetings.

Commissioner Hogan stated comfort with the rezoning application, 8g, but not the site plan, 8h, due to the number of adjustments requested. Commissioner Hogan stated that more communication on the plan would help the applicant and the neighbors.

Commissioner Bush agreed with Commissioner Hogan. Commissioner Bush then noted that postponing may not yield different comments from the neighbors regarding 8h. The preferred approach for Commissioner Bush would be to deny 8h.

Chair Walls voiced agreement with the comments provided by Commissioners Hogan and Bush's recommendation of approval for 8g for the Zoning Map Amendment but not approval of the 8h Site Plan with Adjustments. Chair Walls reiterated that additional work on the site plan may be needed, with public collaboration. Chair Walls stated that development in this area would be an asset but traffic issues due to the neighboring



**Planning and Zoning Commission
DRAFT MINUTES
January 8, 2025**

school would need to be considered. Chair Walls indicated an inclination to move forward with a vote on 8g and tabling 8h for a future undetermined date.

COMMISSIONER JETCHICK DENIED

MOTION APPROVED

AGENDA ITEM 8h – SITE PLAN WITH ADJUSTMENTS

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

MOVE TO DENY AGENDA ITEM 8h FOR THE REASONS TO BE STATE FOLLOWING A MOTION TO SECOND IF THAT MOTION IS SECONDED.

COMMISSIONER BANKA SECONDED

Commissioner Hogan asked if there would be an option to postpone the decision to a certain date rather than deny it.

Chair Walls stated that those would be options that would in order. Chair Walls stated that two options would be to postpone until a date certain or lay on the table which does not require a specific date but would require a motion to remove it from the table in the future.

Lena McClelland, City Attorney, stated that if the desire to postpone the decision to a date certain there is a presidential motion on the floor. The commission would need to have that motion withdrawn or vote on that motion, and if it fails, vote on a new motion if the commission would like to move forward with postponement.

Chair Walls asked for clarification that a motion to postpone to a certain day can apply to a main motion.

L. McClelland stated this would be applicable.

COMMISSIONER BUSH WITHDREW THE MOTION ON AGENDA ITEM 8h,
COMMISSIONER BANKA CONCEDED TO WITHDRAWING THE MOTION.

Chair Walls entertained a motion to postpone the agenda item to a date certain or to table it to a date uncertain.

L. McClelland reminded the commission that a motion to table the decision will require a motion to remove it from the table at a future undetermined date. L. McClelland advised postponing it to a certain date but deferred to the commission to decide.

Commissioner Banka stated one of the concerns is the number of units in the space. Commissioner Banka stated that time will be needed for the applicant to address the issues therefore it may be difficult to determine a future date to consider the item.



**Planning and Zoning Commission
DRAFT MINUTES
January 8, 2025**

Chair Walls commented that the commission can work with staff to determine when the applicant has addressed issues of concern. At that time, a decision to remove the item from the table can be placed on the agenda for a commission meeting.

L. McClelland concurred that this procedure would be acceptable.

CHAIR WALLS MOVED TO LAY AGENDA ITEM 8h ON THE TABLE TO BE RECONSIDERED AT A LATER DATE AND COMMISSIONER HOGAN SECONDED.

Further Discussion:

There was no further discussion

MOTION APPROVED UNANIMOUSLY TO TABLE AGENDA ITEM 8h

Project No: DA-2309-00
Public Hearing
Aurora City Council
December 15, 2025



APPLICATION

- **Request:** Zoning Map Amendment from RR- to R-2
- **Location:** The subject property is located south of the intersection of E Jewell Avenue and S Joliet Street approximately 900' east of S Havana Street
- **Applicant:** Urban Cottages, LLC. (Todd Johnson)
- **Agent:** PCS Group, INC. (Liam Hogan)
- **Current Zoning:** R-R (Rural Residential) District
- **Proposed Zoning:** R-2 (Medium Density Residential) District
- **Placetype:** Established Neighborhood

Background and Update

- **Planning and Zoning Commission** - January 8, 2025, **Site Plan** tabled, and **Zoning Map Amendment** advanced to City Council.
- **City Council** - January 27, 2025, **Zoning Map Amendment** continued to March 10, 2025.
- **Neighborhood Meeting** - March 3, 2025, Applicant held a virtual neighborhood meeting per the recommendation of the Planning & Zoning Commission and staff.
- **City Council – Zoning Map Amendment** continued to March 10, 24, May 5, and July 14, 2025.
- **City Council – Zoning Map Amendment** continued to September 22, and November 17, 2025.
- **Planning and Zoning Commission - Site Plan** approved on September 24th, 2025.
- **City Council - Zoning Map Amendment** continued to December 15, 2025.

AERIAL MAP



ZONING MAP AMENDMENT APPROVAL CRITERIA

Per Section 146-5.4.1.C.3, an application for changes to the Zoning Map shall only be recommended for approval to City Council if 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:

1)The change to the Zoning Map is needed to correct an error; or

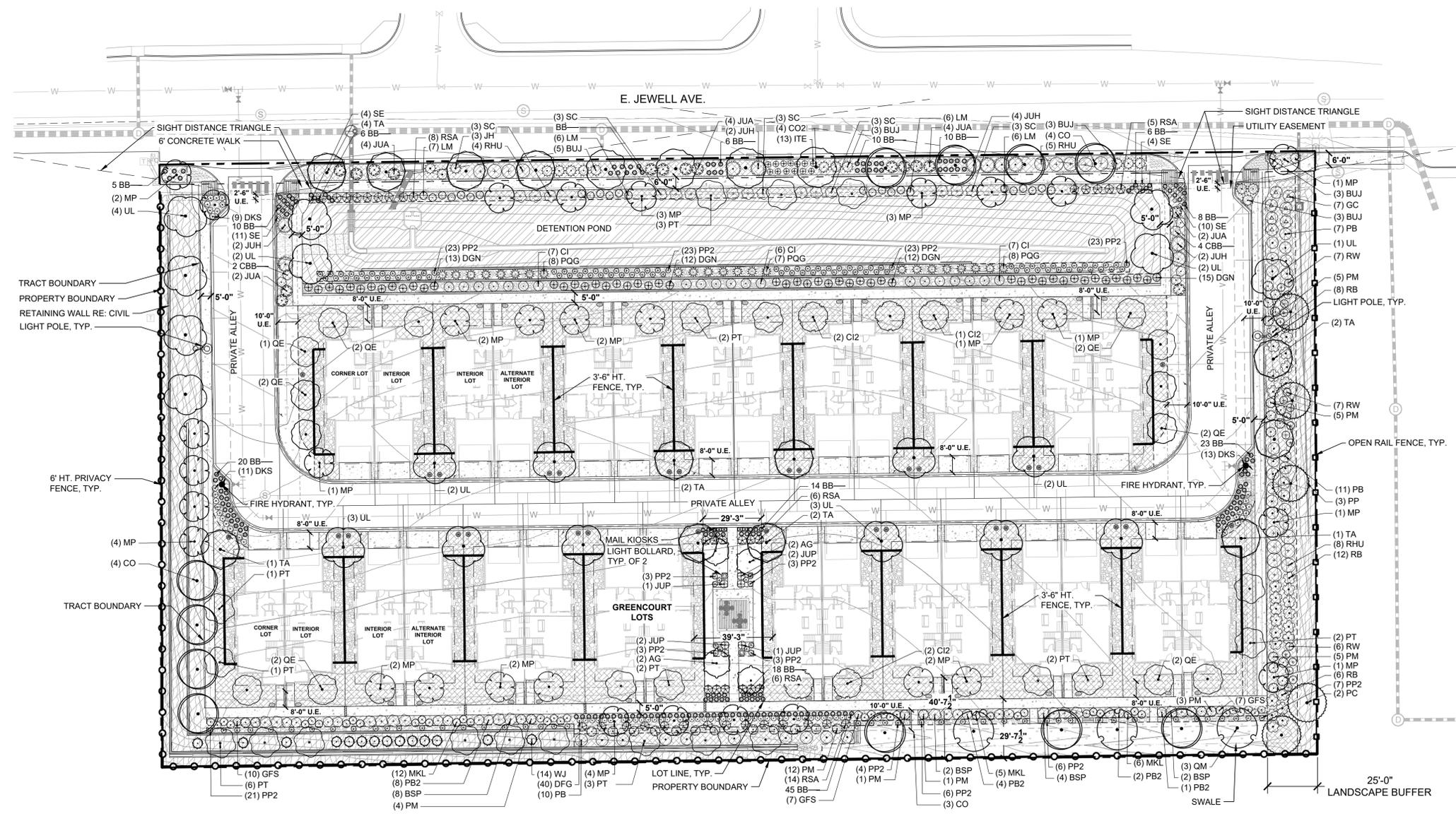
2)The change to the Zoning Map is required because of changed conditions or circumstances on the property or in the surrounding area and:

- The applicant has demonstrated that the change in zoning 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);*
- The applicant has demonstrated that the size, scale, height, density, and multi-modal traffic impacts of the change in zoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions; and,*
- The applicant 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.*

URBAN COTTAGES JEWELL

SITE PLAN WITH ADJUSTMENTS

PLOT 4 AND A PORTION OF PLOT 5, MALONE SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, 6TH PRINCIPAL MERIDIAN CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO

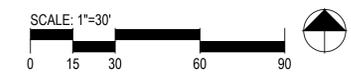


LEGEND

---	PROPERTY LINE
---	EXISTING GRADE
---	PROPOSED GRADING
---	3'-6" HT. FENCE
---	OPEN RAIL FENCE
---	6' HT. PRIVACY FENCE
---	STEEL EDGING

	DECIDUOUS TREES
	EVERGREEN TREES
	ORNAMENTAL TREES
	SHRUBS
	ORNAMENTAL GRASSES
	2"-3" ROCK MULCH
	CRUSHER FINES
	UPLAND NATIVE SEED
	WETLAND NATIVE SEED
	SHREDDED BROWN MULCH
	TALL FESCUE 80/20 BLEND
	3' BOULDER

1 LANDSCAPE PLAN
Scale: 1"= 30'-0"



LANDSCAPE CALCULATIONS

Residential Yard Landscape- Each Lot (Typ.)

Area	Requirement	Required	Provided	Type
Front Yard (Each)	(1 tree)	30	30	Trees

Street Frontage Requirement - Curbside

Streets	Calc	Unit	Requirement	Required	Provided	Type
E. Jewell Ave.	515	LF	(1 Tree per 40 LF)	13	14	Trees
	3,887	SF	(1 Shrub per 40 SF)	97	97	Shrubs

Street Tree Requirement - Internal Private Street

Area	Calc	Unit	Requirement	Required	Provided	Type
Internal Private Drive	768	LF	(1 Tree per 40 LF both sides)	38	38	Trees

Note:
* Per section 146-4.7.5 - Street trees required 1 tree/ 40 linear feet and 1 shrub per 40 s.f. of curbside landscape.

25' Special Landscape Buffer (East Edge)

Area	Length L.F.	Requirement	Required	Provided	Type
East Edge	300	(1 Tree per 30 LF) (10 Shrubs per 30 LF)	10 100	10 100	Trees Shrubs

Private Open Common Space/ Tract Landscaping

Area	Square Footage	Requirement	Required	Provided	Type
Southwest	22,285	(1 tree per 4,000 SF) (10 Shrubs per 4,000 SF)	6 56	33 166	Trees Shrubs

Note: * Private open space required by section 146-4.7.5.1.
* Ornamental grasses were provided at 3 grasses for 1 shrub plant

Detention, Retention, Water Quality Ponds Landscaping

Area	Square Footage	Requirement	Required	Provided	Type
Detention Pond	21,925	(1 tree per 4,000 SF) (10 Shrubs per 4,000 SF)	5 55	9 217	Trees Shrubs

Note: * Area is calculated from 100-Year floodplain to top of detention basin per the city of Aurora UDO

- NOTE:**
- ALL TREE COUNTS ARE INCLUDED IN THE OVERALL PLANT SCHEDULE.
 - CONTRACTOR TO USE THE TYPICAL PLAN DRAWINGS/ TYPICAL PLANT SCHEDULES TO DETERMINE QUANTITIES FOR THE REST OF THE ON-SITE LOTS ON SHEETS 14 AND 15.
 - CONTRACTOR TO MEET ALL LANDSCAPE REQUIREMENTS PER CITY OF AURORA UDO.



DATE	DESCRIPTION
08/02/24	2ND SUBMITTAL
06/12/24	3RD SUBMITTAL
08/27/24	4TH SUBMITTAL
11/11/24	5TH SUBMITTAL
12/11/24	6TH SUBMITTAL - UPDATED
04/11/25	7TH SUBMITTAL
07/17/25	

URBAN COTTAGES, LLC
URBAN COTTAGES - JEWELL
LANDSCAPE PLAN
E. JEWELL AVE
AURORA, CO

PROJ NO: 210204
ENG : AG, MLH
DATE : 06/12/2024

SHEET NUMBER
13

ORDINANCE NO. 2025- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 3.91 ACRES OF LAND TO MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED SOUTH OF THE INTERSECTION OF EAST JEWELL AVENUE AND SOUTH JOLIET STREET (URBAN COTTAGES ON JEWELL REZONE)

WHEREAS, the applicant has requested that approximately 3.91 acres of land located south of the intersection of East Jewell Avenue and South Joliet Street, County of Arapahoe, State of Colorado (the “Property”), be rezoned from Rural Residential District (R-R) to Medium-Density Residential District (R-2); and

WHEREAS, Section 146-5.4.1.C.3 of the Uniform Development Ordinance provides that all applications for the rezoning of property within the City of Aurora, Colorado (the “City”), shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to City Council for final decision; and

WHEREAS, on January 8, 2025, following a public hearing, the Planning and Zoning Commission voted to recommend the rezoning of the Property.

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

Section 1. Based on the evidence presented at tonight’s public hearing, City Council finds and determines that: the rezoning is consistent with the spirit and intent of the Comprehensive Plan, is compatible with surrounding development, and would not result in a significant dislocation of tenants or occupants of the Property.

Section 2. The Property, as more particularly described in “Exhibit A” attached hereto and incorporated herein, is zoned Medium-Density Residential District (R-2) and the zoning map is hereby amended in accordance with said zoning.

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 _____, 2025.

PASSED AND ORDERED PUBLISHED this _____ day of _____, 2025.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SCHULTE:

BY: *Lena McClelland* ^{RLA}
LENA MCCLELLAND, Assistant City Attorney

LEGAL DESCRIPTION
EXHIBIT A
SHEET 1 OF 2

A PARCEL OF LAND LYING SITUATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, ALSO BEING PLOT FOUR (4) AND A PORTION OF PLOT FIVE (5), MALONE SUBDIVISION, RECORDED IN BOOK 9, PAGE 48, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED UPON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, ASSUMED TO BEAR NORTH 89°20'02" EAST, A DISTANCE OF 2,626.00 FEET, FROM THE NORTHWEST CORNER OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SAID SECTION 26;

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 26; THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, NORTH 89°20'02" EAST, A DISTANCE OF 984.93 FEET; THENCE SOUTH 00°11'48" EAST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID PLOT FOUR (4), ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINES OF SAID PLOTS FOUR (4) AND FIVE (5), ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF JEWELL AVENUE, AS RECORDED AT BOOK 9, PAGE 48 OF SAID COUNTY RECORDS, NORTH 89°20'02" EAST, A DISTANCE OF 578.43 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 4583 AT PAGE 506; THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND SOUTH 00°14'21" EAST, A DISTANCE OF 300.88 FEET TO THE SOUTH LINE OF SAID PLOT FIVE (5); THENCE ALONG THE SOUTH LINES OF SAID PLOTS FIVE (5) AND FOUR (4), SOUTH 89°21'07" WEST, A DISTANCE OF 578.65 FEET, TO THE SOUTHWEST CORNER OF SAID PLOT FOUR (4); THENCE ALONG THE WEST LINE OF SAID PLOT FOUR (4) NORTH 00°11'48" WEST, A DISTANCE OF 300.70 FEET, TO THE POINT OF BEGINNING;

CONTAINING 174,012 SQUARE FEET OR 3.995 ACRES, MORE OR LESS.

ALL LINEAL UNITS ARE REPRESENTED IN U.S. SURVEY FEET.
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

SAMUEL L. GALLUCCI III, PLS 38584
FOR AND ON BEHALF OF
EMK CONSULTANTS, INC.



From: [Zapata, Cecilia](#)
To: [CouncilAgenda](#)
Subject: FW: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave
Date: Tuesday, March 25, 2025 8:00:57 AM
Attachments: [A Neighborhood Presentation Opposing UCJ.pdf](#)
[image001.png](#)

Hello,

Here's another email for Urban Cottages. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787



From: Rabbaa, Rachid [REDACTED]
Sent: Monday, March 24, 2025 11:11 AM
To: Rodriguez, Kadee [REDACTED]; Zapata, Cecilia [REDACTED]
Cc: Rodriguez, Stephen E [REDACTED]
Subject: FW: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave

Urban Cottages - This one too. Please

From: Shayna Shabatura [REDACTED]
Sent: Friday, March 21, 2025 9:11 AM
To: Coffman, Michael [REDACTED]; Batchelor, Jason [REDACTED]
Murillo, Crystal [REDACTED]; Sundberg, Steve [REDACTED]
Medina, Ruben [REDACTED] Hancock, Stephanie [REDACTED]
Lawson, Angela [REDACTED] Bergan, Francoise [REDACTED] Coombs,
Alison [REDACTED]; Gardner, Curtis [REDACTED]; Jurinsky, Danielle
[REDACTED] Kassaw, Amsalu [REDACTED]
Subject: A neighborhood presentation regarding Case # 1984-2057-02 for Zoning Map Amendment from R-R to R-2 on E Jewell Ave

This Message Is From an External Sender [Report Suspicious](#) ⓘ
This message came from outside your organization.

Dear Mayor Coffman and Aurora City Council members,

My name is Shayna Shabatura and I spoke at the most recent City Council meeting, opposing the rezoning request by Urban Cottages, LLC to upzone from R-R to R-2 on a small site on E Jewell Ave for Item 11a on the agenda for the 3/24 City Council Meeting.

As I mentioned in my previous email with the petition (sent moments ago), attached is a detailed presentation regarding the opposition to the rezoning. Please give the appropriate weight to these arguments.

Thank you,
Shayna Shabatura

From: [Zapata, Cecilia](#)
To: [CouncilAgenda](#)
Subject: FW: Documents for City Council
Date: Tuesday, March 25, 2025 8:02:42 AM
Attachments: [image001.png](#)
[A Neighborhood Presentation Opposing UCJ.pdf](#)
[A Neighborhood Presentation Opposing UCJ.pdf](#)
[image001.png](#)

Third email. The attachments may be the same. If so, you can just attach them once. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787



From: Rabbaa, Rachid [REDACTED]
Sent: Monday, March 24, 2025 11:14 AM
To: Rodriguez, Kadee [REDACTED] Zapata, Cecilia [REDACTED]
Cc: Rodriguez, Stephen E [REDACTED]
Subject: FW: Documents for City Council

Urban Cottages - And this one too. I am requesting all the three emails with the attachments to be entered into the record.

Thank you so much!
Rachid Rabbaa

From: Shayna Shabatura [REDACTED]
Sent: Friday, March 21, 2025 2:57 PM
To: Rabbaa, Rachid [REDACTED]
Cc: AOL.MAIL [REDACTED] Rodriguez, Stephen E [REDACTED]
McClelland, Lena [REDACTED] Rustad, Jeannine [REDACTED]
Subject: Re: Documents for City Council

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Hey there Rachid,
Welcome to the end of the week, and happy Friday.
Earlier today, you were copied on 2 emails from me to City Council Committee Members

with visual attachments - both PDFS are attached here as well.

Councilwoman Bergan replied, "Our City Attorney has reminded me that it is not appropriate for a council member to receive information or other evidence outside of the Public Hearing process when the City Council is acting in its quasi-judicial function. As such, I invite you to attend the City Council meeting and present the information and testimony you would like Council to consider when making its decision."

I am in Minnesota next week, so I need an alternative option. My husband Kyle will be in attendance, but I need an alternative option to submit my visuals. If I sign up to speak, can another individual play a video of me presenting this information? Could you play the video? If you were in my shoes, what would you do?

My end goal - my ultimate hope - is for the City Council members to review these PDF documents during their rigorous assessment of the site and the Case(s). Please let me know of any alternatives to a physical presence at the City Council meeting and I would appreciate confirmation once these documents/images have been uploaded to the Case files.

Hope your weekend ahead is lovely.

Anyone on the internet with the link can safely view the PDF document link to the Petition here:

https://drive.google.com/file/d/1Jc_lxFIEDy012m61z-L0nXOT5OkRw-T/view?usp=sharing

Shayna

On Mon, Mar 17, 2025 at 8:29 PM Rabbaa, Rachid [REDACTED] wrote:

Happy St. Patrick's Day to you too!

I haven't received any information from Urban Cottages yet.

Best,
Rachid

From: Shayna Shabatura [REDACTED]
Sent: Monday, March 17, 2025 12:33 PM
To: Rabbaa, Rachid [REDACTED]
Cc: AOL.MAIL [REDACTED] Rodriguez, Stephen E [REDACTED]

McClelland, Lena [REDACTED]; Rustad, Jeannine [REDACTED]

Subject: Re: Documents for City Council

Happy St. Patrick's Day Rachid,

At this time, we do not have any updates. Has Urban Cottages shared with you their 4th revised site plan or any of the engineering studies/plans/reviews?

Thank you,
Shayna

On Mon, Mar 17, 2025 at 10:21 AM Rabbaa, Rachid [REDACTED] wrote:

Good morning Shayna and Gary,

Do you have any updates on the documentation you plan to provide to staff before the upcoming City Council hearing ?

Thank you,

Rachid Rabbaa

Planner III

Planning and Business Development | City of Aurora

office 303-739-7541 email [REDACTED]



[Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#) | [AuroraTV.org](#)

From: [Zapata, Cecilia](#)
To: [CouncilAgenda](#)
Subject: FW: Petition Opposing Urban Cottages Jewell
Date: Tuesday, March 25, 2025 8:00:05 AM
Attachments: [image001.png](#)

Hi Jocelyn,

Can you make sure the attached map and the email below are added as back up to the Urban Cottages item that was continued to May. You may already know, but anytime emails are added as backup, we must redact the email addresses.

I'll be sending over a couple more emails over for the same item. Thank you.

Cecilia Zapata, CMC
Deputy City Clerk
City Clerk's Office | City of Aurora
office 303-739-7787



From: Rabbaa, Rachid [REDACTED]
Sent: Monday, March 24, 2025 11:10 AM
To: Rodriguez, Kadee [REDACTED]; Zapata, Cecilia [REDACTED]
Cc: Rodriguez, Stephen E [REDACTED]
Subject: FW: Petition Opposing Urban Cottages Jewell

Good morning Kadee,

Regarding the Urban Cottage project, please ensure this information is entered into the record. I will be asking for it to be recorded during my update this evening.

Thank you,
Rachid

From: Shayna Shabatura [REDACTED]
Sent: Friday, March 21, 2025 9:10 AM
To: Coffman, Michael [REDACTED]; Batchelor, Jason [REDACTED]
Murillo, Crystal [REDACTED]; Sundberg, Steve [REDACTED]
Medina, Ruben [REDACTED]; Hancock, Stephanie [REDACTED]
Lawson, Angela [REDACTED]; Bergan, Francoise [REDACTED]; Coombs,
Alison [REDACTED]; Gardner, Curtis [REDACTED]; Jurinsky, Danielle
[REDACTED]; Kassaw, Amsalu [REDACTED]
Subject: Petition Opposing Urban Cottages Jewell

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Dear Aurora City Council members,

My name is Shayna Shabatura and I spoke at the most recent City Council meeting, opposing the rezoning request by Urban Cottages, LLC to upzone from R-R to R-2 on a small site on E Jewell Ave, across from 3 educational facilities and next to Havana Heights Retention Pond Park. More specifically, Case # 1984-2057-02 and subsequent Case # 2022-4026-00 (site plan).

I am following up on my email from January 27, with the subject, "Time Sensitive PETITION for 1/27 City Council Meeting."

Anyone on the internet with the link can view the PDF document via Google Drive:

https://drive.google.com/file/d/1GSivZZ-PO2ZHhSADx5HuL1VZ6GhZY_1P/view?usp=drive_link

Attached is a visual representation of the neighborhood households who signed the petition. n=96 homes. *A modified version of this slide will appear in a presentation, which will be emailed separately.*

Please give appropriate weight to the opinion of the neighborhood. Thank you and hope your weekend ahead is the one you deserve.

Sincerely,
Shayna Shabatura

A neighborhood presentation to
the Aurora City Council Members
regarding
Case # 1984-2057-02
Zoning Map Amendment
from R-R to R-2 on E Jewell Ave

March 2025

OVERVIEW

- Parcel information
- Reason #1: Rezoning this parcel to R-2 will NOT match the neighborhood
- Reason #2: Our Petition
- Reason #3: Site and Perimeter Constraints
- Reason #4: More information is needed
- R-2 is a terrible fit; Support R-1 instead

Parcel information

- South of the intersection of E Jewell Ave and S Joliet St
- 10800 E Jewell Ave → Parcel ID 1973-26-2-01-014 -AND- 11000 E Jewell Ave → Parcel ID 1973-26-2-01-037
- The parcel is at the northern perimeter of the Havana Heights neighborhood, opposite the Village East neighborhood and 3 youth educational facilities (next slides)



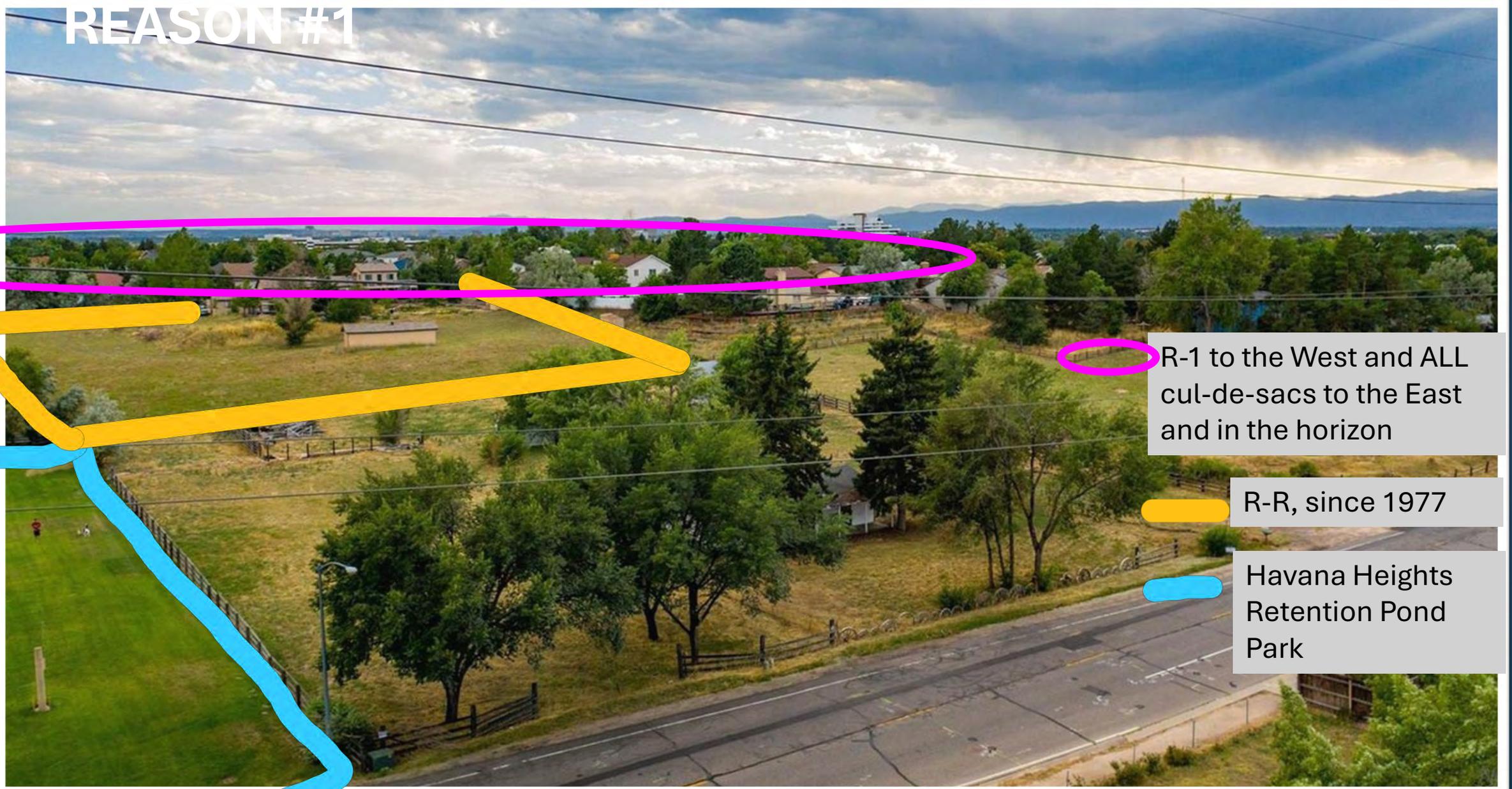
REASON #1

Rezoning this parcel to R-2 will NOT match the neighborhood

The Havana Heights neighborhood is primarily R-R or R-1 with a cul-de-sac neighborhood, including the Habitat for Humanity Mountain View Community that's still under construction (pictured right)



REASON #1

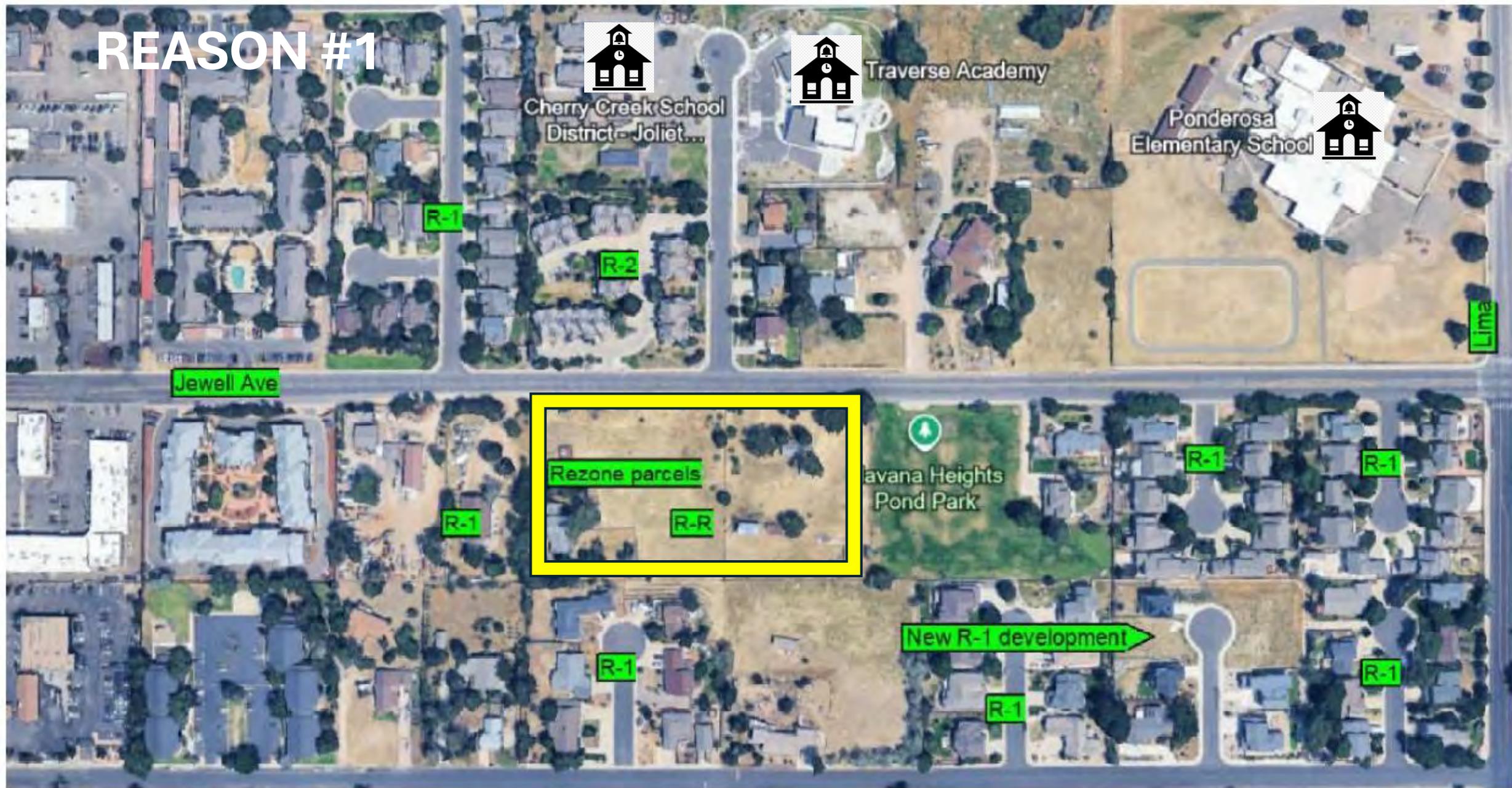


R-1 to the West and ALL cul-de-sacs to the East and in the horizon

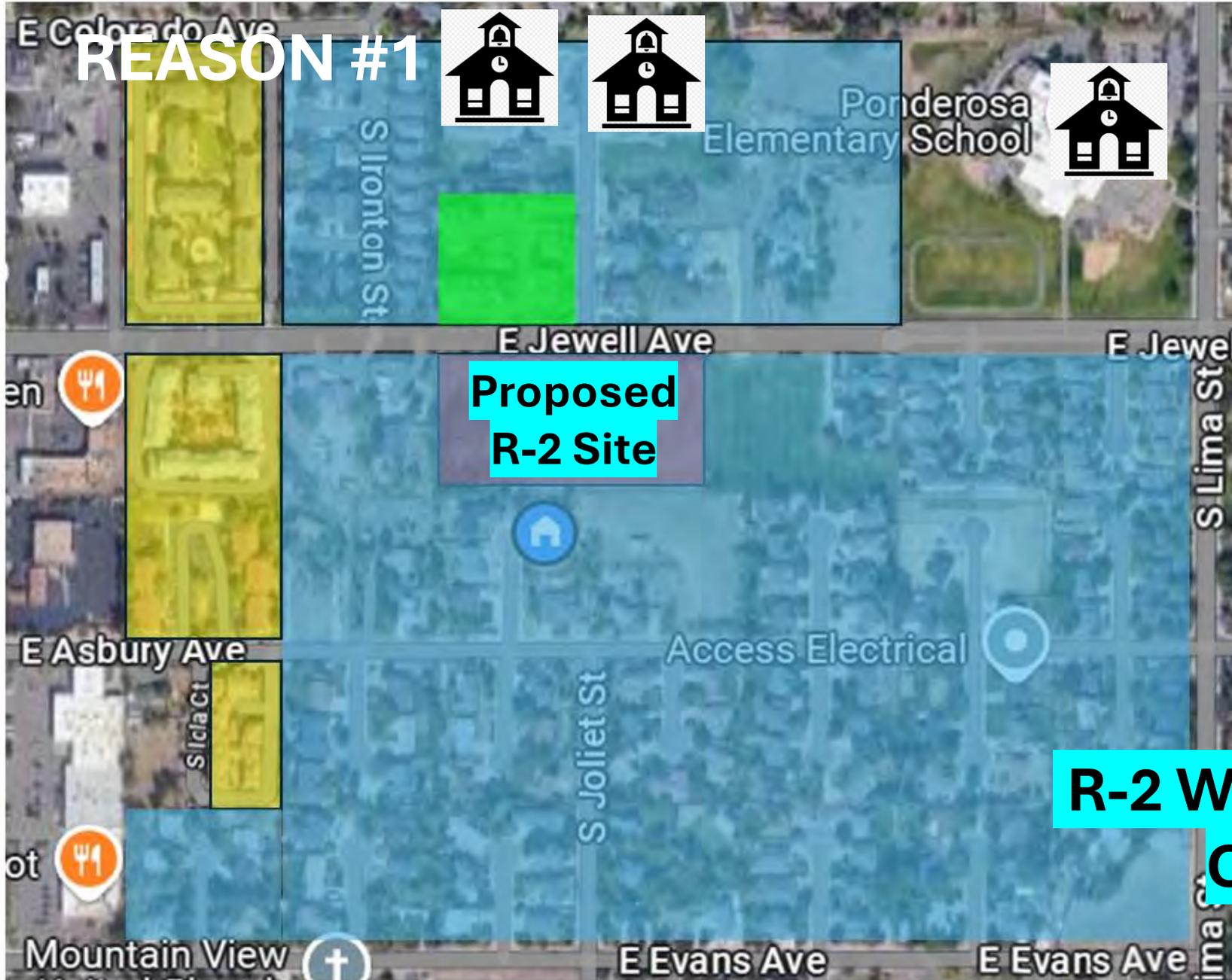
R-R, since 1977

Havana Heights Retention Pond Park

REASON #1



REASON #1



Cul de Sac
and/or R-1

Apartment

Multi story townhomes



Youth Educational Facility

**R-2 WOULD BE GROSSLY
OUT OF PLACE**

REASON #1 SUMMARY

Rezoning this parcel to R-2 will NOT match the neighborhood

- Urban Cottages has admitted that their vision is not a match, using “transition” as the key word
- In addition to cul-de-sac design, there are 3 immediate youth educational facilities and a retention pond park which would contrast with R-2
- Urban Cottages has excused themselves from providing any add-ons, or “microelements”, using their in-fill status and constraints of the site as reasons
- The area is already under traffic stress with no effective traffic calming measures or policing of speeding violations because E Jewell is a hospital and school route

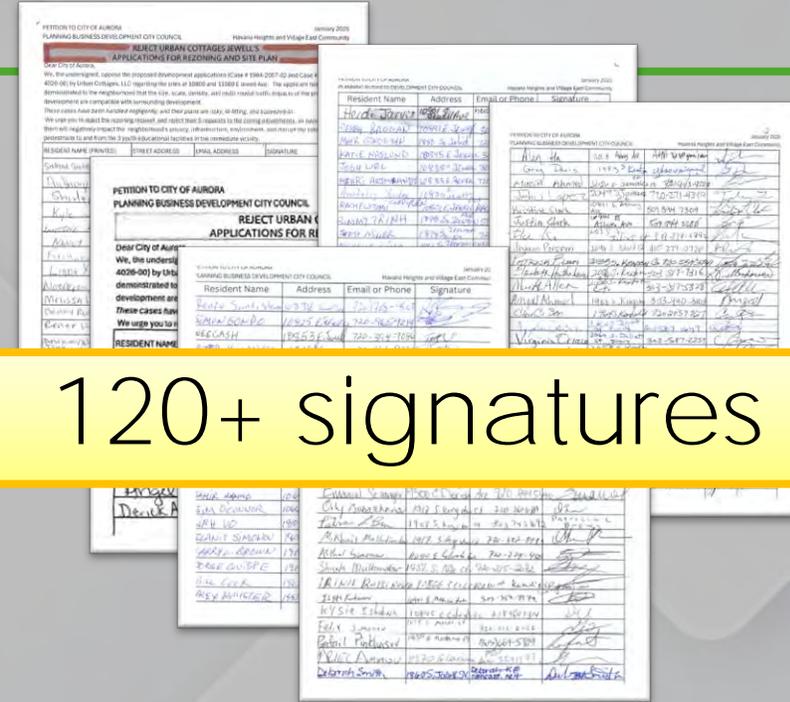
REASON #2

Our Petition

“We, the undersigned, oppose the proposed development applications (Case # 1984-2057-02 and Case # 2022-4026-00) by Urban Cottages, LLC regarding the sites at 10800 and 11000 E Jewell Ave. The applicant has NOT demonstrated to the neighborhood that the size, scale, density, and multi-modal traffic impacts of the proposed development are compatible with surrounding development.

These cases have been handled negligently, and their plans are risky, ill-fitting, and squeezed-in.

We urge you to reject the rezoning request.”



Anyone on the internet with the link can view the PDF document:

https://drive.google.com/file/d/1Jc_lxFIEDy012m61z-L0nXOT5OkRw-T/view?usp=sharing

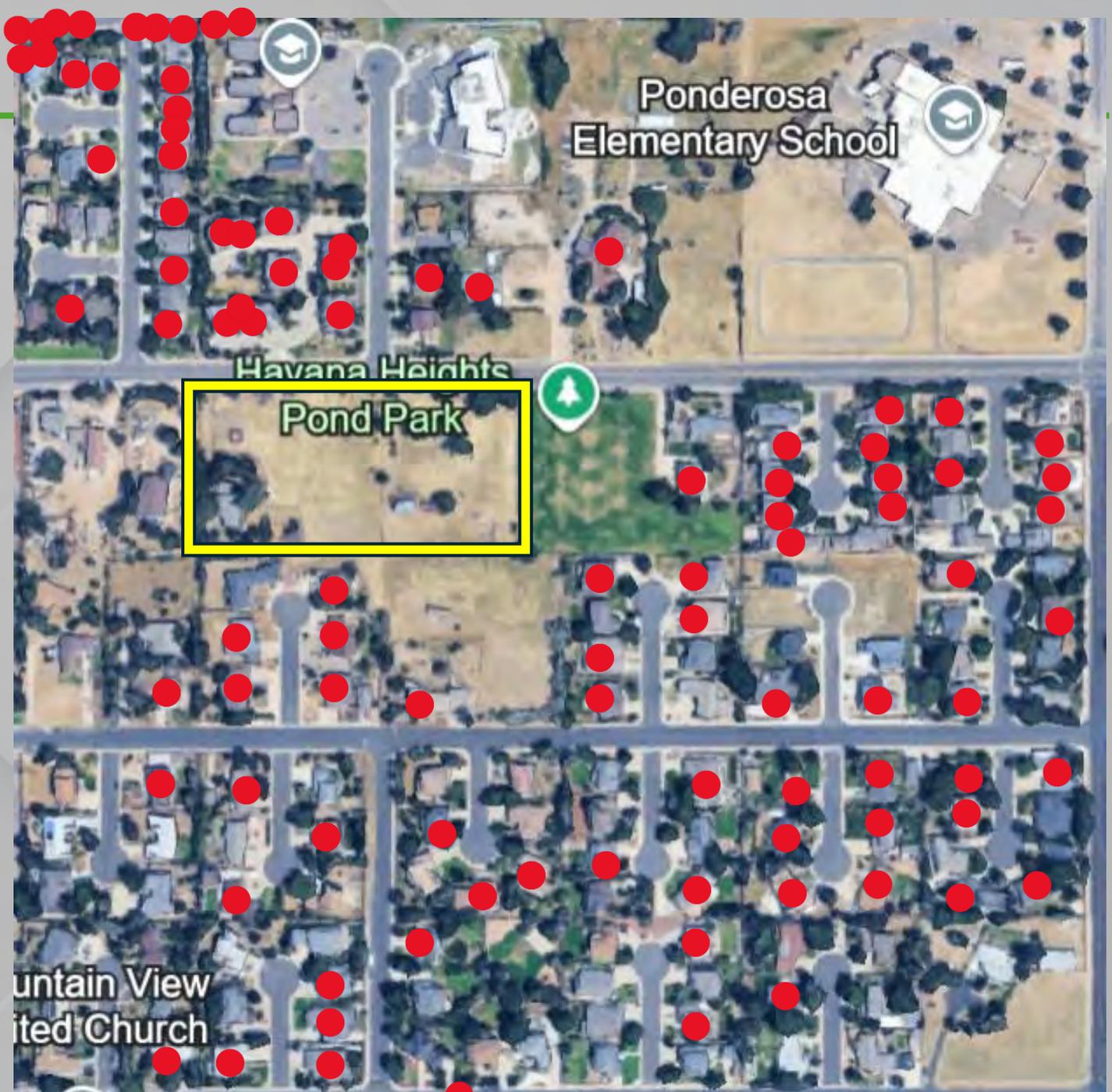
REASON #2

Our Petition

Visual representation of the neighborhood Petition signatures against R-2 zoning surrounding the parcel (yellow box)

Each **red dot** represents one household signed

● n= 96



REASON #3

Site and Perimeter Constraints

- Perimeter property #1 of 3 (pictured right):
1950 S Jamaica Ct
 - 16-20 ft. drop
 - Significant investment in retaining walls
- Non-migratory red-tailed hawk habitat
- Unique and complex topography
- Too small for R-2 / in-fill project
- *Key words used by the Urban Cottages team during Q&As include, “squeezed-in”, “atypical”, “drainage at nauseam”, and “limited”*
 - Upwards of a 40% grade and 20% slope (source: Preliminary Drainage Report)
 - Part of Havana Heights Drainage Basin



REASON #4

More information is needed

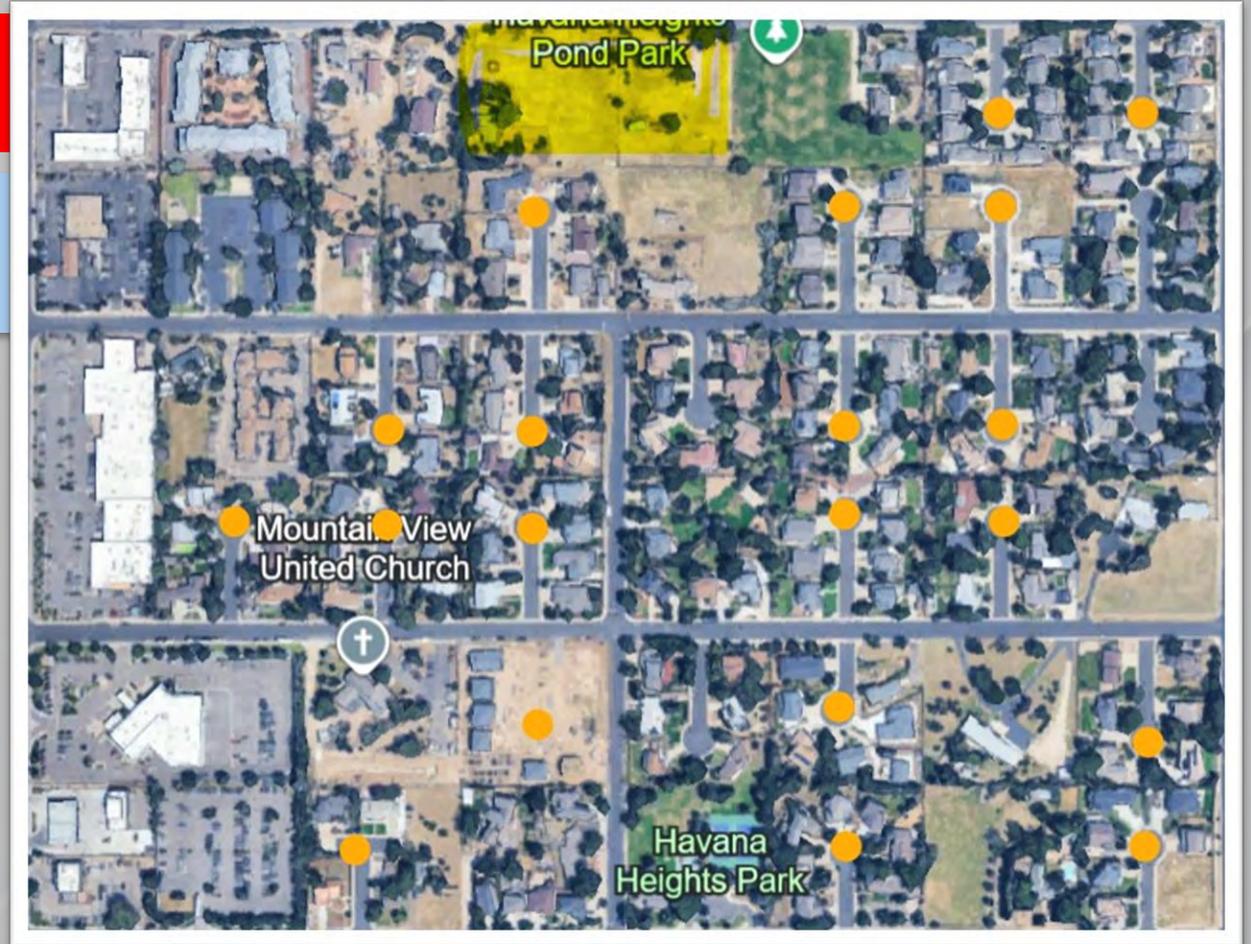
- The expectation is for City Staff to provide ethical due diligence – to thoroughly review, carefully examine, and provide rigorous assessment before deciding, but these cases are seriously flawed enough to plant the idea seed that this separated and out-of-touch project is smoke-and-mirrors, *just* to approve the R-2 rezoning
- Improve the opportunity for success on this wonderfully unique and challenging parcel
 - It really is in an ideal neighborhood, with the local church referencing their property as **God's Backyard** (Source: <https://sentinelcolorado.com/metro/aurora-church-turns-vacant-gods-backyard-land-into-affordable-housing/>)
 - Reduce the chances of this project going South – Urban Cottages is not ready!
 - Urban Cottages has been neglecting vital information that was provided to them about the area at the beginning of the project
- A great deal about their project is **undecided** and **unspecified**
 - *How can a decision be made when City Staff and the neighborhood have incomplete or missing information?*
 - No builder or engineer is under contract
 - Not able to commit to a site plan
 - Original proposal was for 38 units with 5 zoning adjustment requests
 - City staff expressed concern and confusion about definitions of zoning, density, and visiting the parcel

R-2 IS A TERRIBLE FIT

Support R-1 instead

Please, at minimum, discuss bumping it back to the Planning and Business Development Board to pair this rezoning request with Urban Cottage's 3rd revised site plan.

This would allow the Urban Cottages team time to assemble and produce up-to-date paperwork, to be reviewed with their site plan and zoning adjustment requests.



Pictured above is the Havana Heights neighborhood with each gold dot representing one cul de sac

● n = TWENTY CUL-DE-SACS

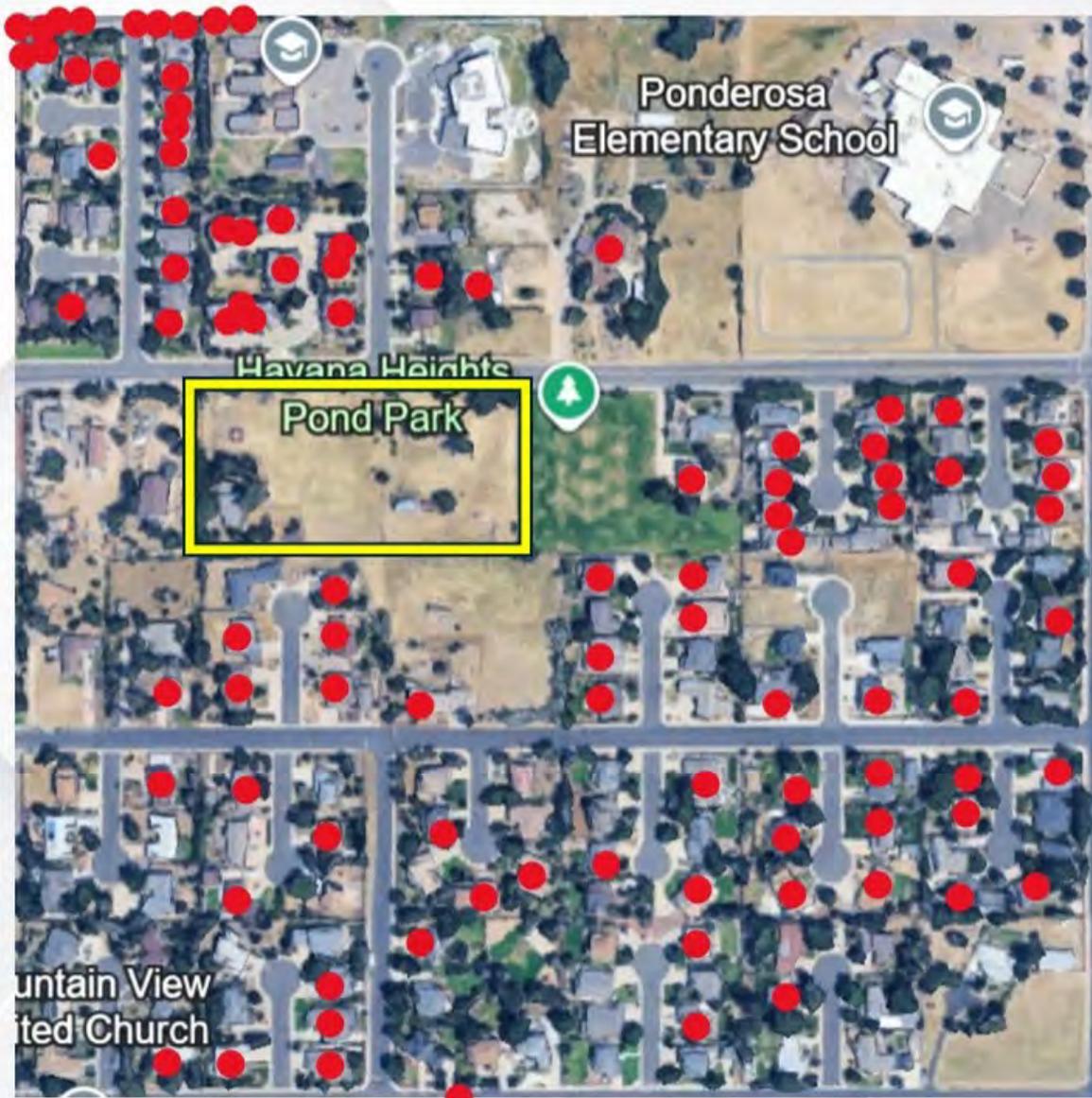
PETITION

Visual representation of the neighborhood petition signatures opposing the rezoning request by Urban Cottages LLC to upzone from R-R to R-2 for the parcels at 10800 and 11000 E Jewell Ave in the Havana Heights neighborhood

Case # 1984-2057-02

Each **red dot** represents one household signed

● n= 96





CITY OF AURORA

Council Agenda Commentary

Item Title: Revision to Lead (Ordinance)
Item Initiator: Shonnie Cline, Deputy Director of Water Internal and External Relations, Aurora Water
Staff Source/Legal Source: Shonnie Cline, Deputy Director of Water Internal and External Relations, Aurora Water / Ian Best, Senior Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Healthy: Connecting natural and built environments with multimodal networks, ensuring access to parks and recreation, and preserving sustainable water supplies.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

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)

Shonnie Cline, Deputy Director of Water Internal and External Relations, Aurora Water / Ian Best, Assistant City Attorney

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

- | | |
|--|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as Proposed at Policy Committee |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as Proposed at Study Session |
| <input type="checkbox"/> Information Only | <input type="checkbox"/> Approve Item as Proposed at Regular Meeting |
| <input type="checkbox"/> 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: Water Policy

Policy Committee Date: 1/21/2026

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Recommends Approval | <input type="checkbox"/> Does Not Recommend Approval |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Minutes Not Available |
| <input checked="" type="checkbox"/> 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 October 18, 2023, the Water Policy Committee supported moving an Ordinance adding section 138-229 of the Aurora City Code pertaining to lead and galvanized service line replacement forward to the January 8, 2024 Council meeting.

On January 8, 2024, Council approved an Ordinance adding section 138-229 of the Aurora City Code pertaining to lead and galvanized service line replacement as item 11b.

On January 21, 2026, the Water Policy Committee supported moving an Ordinance amending section 138-229 of the Aurora City Code pertaining to lead and galvanized service lines requiring replacement forward to the February 9, 2026 Study Session.

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

Aurora Water is required to comply with the federal Lead and Copper Rule Improvement (LCRI) and related state regulations, which include identifying and replacing lead service lines and certain galvanized service lines. Under current regulations, only galvanized service lines that are known or suspected to have been downstream of lead service lines are classified as "galvanized requiring replacement" (GRR).

Aurora's existing ordinance language broadly requires replacement of all galvanized service lines, regardless of whether those lines meet the regulatory definition of galvanized requiring replacement. As service line investigations continue, additional records and information have been identified helping establish that many galvanized service lines in Aurora were never downstream of lead and therefore do not present a public health risk.

Proposed Ordinance Change

Aurora Water proposes revising the ordinance to:

- Require replacement only of service lines that are lead or galvanized requiring replacement, as defined by state and federal regulations.
- Remove the blanket requirement to replace all galvanized service lines, regardless of their regulatory classification.
- **Preserve Aurora Water's authority to require replacement where a public health benefit is demonstrated.**

This change would **not reduce Aurora Water's commitment to public health protection, but rather ensure that** replacement efforts are targeted, data-driven, and consistent with regulatory intent.

Rationale for the Change

1. **Public Health Focus** -The primary goal of service line replacement programs is to reduce lead exposure. Replacing galvanized service lines that are known to never have been downstream of lead does not provide a public health benefit. Focusing resources on lead and galvanized requiring replacement lines ensures that investments directly support health protection.
2. **Cost Effectiveness and Ratepayer Protection** – Replacing all galvanized service lines, regardless of risk, significantly increases program costs (currently estimated at over \$3 million dollars). Targeting only those lines that meet the regulatory definition of galvanized requiring replacement:
 - Reduces unnecessary expenditures,
 - Helps control overall program costs,
 - Avoids shifting unnecessary replacement costs from private property owners to ratepayers,
 - Protects ratepayers from funding replacements that do not improve water quality or public health.

3. **Reduced Burden on Property Owners** – Mandatory replacement of galvanized service lines can impose financial and logistical burdens on property owners. By narrowing the ordinance to only those lines that require replacement under the regulation, Aurora Water can:
 - Avoid forcing property owners to replace service lines that do not pose a health risk,
 - Reduce confusion and frustration among customers,
 - Maintain public trust in the replacement program.

4. **Regulatory Alignment and Flexibility** – The proposed update aligns Aurora’s ordinance with:
 - The federal Lead and Copper Rule Improvements
 - Colorado’s Primary Drinking Water Regulations,
 - Best practices.

Importantly, this change provides flexibility for Aurora Water to:

- Prioritize replacements based on verified risk,
- Determine when utility-funded replacement is appropriate,
- Adapt as regulatory and service line data continue to evolve.

What This Change Does Not Do

- It does not eliminate lead service line replacement requirements.
- **It does not reduce Aurora Water’s obligation to protect public health.**
- It does not prevent replacement of galvanized lines where lead exposure risk exists.

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

Potential savings of approximately \$3 million dollars in capital expenditures.

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does the Council support moving an amendment to section 138-229 of the Aurora City Code pertaining to lead and galvanized service line replacement forward to the February 23, 2026 Council meeting?

LEGAL COMMENTS

Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of an ordinance. (City Charter Section 5-1). (Best)

ORDINANCE NO. 2026- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 138-229 OF THE AURORA CITY CODE PERTAINING TO LEAD AND GALVANIZED SERVICE LINES REQUIRING REPLACEMENT

WHEREAS, the City of Aurora, acting by and through its Utility Enterprise (“Aurora Water”) owns and operates its water system to provide Aurora’s residents with a safe, reliable, and clean source of water; and

WHEREAS, within the City of Aurora there are private properties currently serviced by lead and galvanized service lines that may be subject to replacement requirements owned by the property owner and connected to Aurora Water’s system; and

WHEREAS, the exposure to lead in drinking water is a public health issue of paramount importance and its adverse effects on children and the general population are serious and well known and lead service lines are the primary source of lead in drinking water; and

WHEREAS, the United States Environmental Protection Agency has promulgated the Lead and Copper Rule and subsequently finalized the Lead and Copper Rule Revisions (“LCRR”) to strengthen its protections against lead in drinking water (40 C.F.R. §§ 140 and 141); and

WHEREAS, the LCRR now requires public water systems such as Aurora Water to develop a service line inventory, identify lead service lines and galvanized service lines that are “galvanized requiring replacement,” and replace such service lines in accordance with federal regulations (40 C.F.R. § 141.84); and

WHEREAS, the Colorado Department of Public Health and the Environment has updated the Colorado Primary Drinking Water Regulation to require water systems such as Aurora Water to develop a service line inventory, identify lead service lines and galvanized requiring replacement service lines, and implement a lead service line replacement plan consistent with federal requirements (5 C.C.R. 1002-11); and

WHEREAS, Aurora Water’s primary purpose is to provide clean, safe drinking water to its residents, which is an essential public benefit to the City as a whole, and any benefit to private landowners in accomplishing this purpose is incidental and subordinate to the primary public and governmental purpose; and

WHEREAS, in furtherance of this essential public purpose to protect Aurora residents

from the potential dangers of lead and to comply with both the LCRR and the Colorado Primary Drinking Water Regulation, Aurora Water has created a program to replace lead and galvanized requiring replacement service lines on private property at no charge to the property owner (“Lead Service Line Replacement Program”); and

WHEREAS, C.R.S. §§ 31-15-103, 31-15-401(b) and Aurora City Code § 2-32 grant municipalities and the Aurora City Council the power to make and establish ordinances not inconsistent with the laws of the state of Colorado which the Council shall deem necessary and proper to provide for the safety, preserve the health, and promote the prosperity of its inhabitants; and

WHEREAS, for the health, safety, and welfare of all Aurora residents, Aurora Water seeks to require all property owners serviced by a lead service lines or galvanized requiring replacement service lines to replace such service lines through either the Lead Service Line Replacement Program established by Aurora Water (at no cost to the property owner), or replace the lead or galvanized requiring replacement service line at their own expense; and due to the hazard that lead poses to the health and safety of all residents seeks access to Aurora properties for the purpose of inspecting and replacing lead and galvanized requiring replacement service lines; and

WHEREAS, this amendment to section 138-229 clarifies the definition of “galvanized requiring replacement service lines” to be consistent with federal and state rules, regulations and guidance.

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

Section 1. That section 138-229 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 138-229 – Mandatory replacement of lead and galvanized **requiring replacement** service lines.

(a) *Definitions.* As used in this section the following words and phrases shall have the meanings ascribed to them below:

Building shall mean 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.

Contractor shall mean a qualified, licensed, bonded, and insured vendor that contracts with Aurora Water to replace service lines; or as context requires, a qualified, licensed, bonded, and insured plumber that contracts with an owner to replace a lead or galvanized **requiring replacement** service line.

Dwelling shall mean a building or structure or part thereof containing one or more dwelling units. This section shall also apply to buildings and structures that are not used for residential purposes.

Dwelling unit shall mean any room or group of rooms, or any part thereof located within a building and forming a single habitable unit with facilities which are used or designed to be used for living, sleeping, cooking, eating, or bathing.

*Galvanized **requiring replacement** service line* shall mean an (a) iron or steel service line that has been dipped in zinc to prevent corrosion and rusting **and (b) has been used to provide water service downstream of a lead service line. This definition may be updated in Aurora Water rules and regulations, as necessary, to remain consistent with federal and state regulations and guidance.**

Lead service line shall mean a service line known to consist of lead or any portion of lead.

Lead status unknown means a service line consisting of at least a portion of unknown material that may contain lead or galvanized **requiring replacement** materials. Aurora Water will treat lead status unknown service lines as lead service lines for purposes of this section.

Occupant or tenant shall mean a person or persons in actual possession of and living in the building or dwelling unit.

Owner shall mean any person who has legal title to any dwelling, building or structure, with or without accompanying actual possession thereof; or, who has equitable title and is either in actual possession or collects rents therefrom or who is executor, executrix, trustee, guardian, or receiver of the estate of the owner, or as mortgagee or as vendee in possession either by virtue of a court order or by agreement or voluntary surrender of the premises by the person holding the legal title, or as collector of rents has charge, care or control of any dwelling, building, structure, or rooming house.

Property shall mean any dwelling, dwelling unit, building, or structure receiving water service from Aurora Water.

Service line shall mean the water line that connects to the dwelling, structure or building that is connected to the main Aurora Water line. The service line is comprised of two parts: (1) the portion owned by Aurora Water from the main to and including the meter pit; and (2) the portion owned by the private property owner from the meter pit to the connection with the inlet of the dwelling, building or structure.

Structure shall mean anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground.

(b) *Prohibition.* Lead and galvanized **requiring replacement** service lines serving any property within the city of Aurora are prohibited and any existing lead or galvanized **requiring replacement** service line must be replaced in accordance with this section.

(c) *Exclusion.* A property owner may be excluded from the mandatory replacement of any lead or galvanized **requiring replacement** service line by providing Aurora Water with written proof from a contractor that a lead or galvanized **requiring replacement** service line does not serve the property and/or that any lead or galvanized **requiring replacement** service line was previously removed and replaced. Aurora Water shall retain the ability to access the property as set forth in subsection (d) of this section to verify that no lead or galvanized **requiring replacement** service line serves the property.

(d) *Service line testing.*

(1) Aurora Water is authorized to access property in such areas as it deems necessary and appropriate to identify lead and/or galvanized **requiring replacement** service lines through pot-holing or other appropriate testing techniques. Aurora Water (or its contractor) must provide notice to owners and occupants no less than 72 hours before accessing property to perform such tests. Aurora Water (and its contractors) must utilize commercially reasonable efforts to return the property to its prior condition after completing such tests. Aurora Water will notify owners of the status of the service line after completion of such tests.

(e) *Service line replacement.* The owner of any property connected to Aurora Water's system through a lead or galvanized **requiring replacement** service line, as may be identified by Aurora Water's records, service line testing, or any other reliable method, must replace such lead or galvanized **requiring replacement** service line through either of the following two methods:

(1) Agreeing to participate in Aurora Water's "lead service line replacement program" by the later of: 180 days after the effective date of the ordinance codified in this section; or within 90 days of receiving written notice from Aurora Water of the existence of a lead or galvanized **requiring replacement** service line. Participation in the lead service line program will allow Aurora Water to replace the lead or galvanized **requiring replacement** service line at no cost to the owner. Owners and occupants must allow Aurora Water (or its contractor) reasonable access to the property to conduct lead or galvanized **requiring replacement** service line replacement. Owners and occupants of properties participating in the lead service line replacement program shall be contacted in writing by Aurora Water regarding the lead service line replacement program. The owner shall retain full ownership and responsibility for the service line and will be responsible for all service line repair outside of the scope of the lead or galvanized **requiring replacement** service line replacement including any applicable warranty period; or

(2) Hiring a contractor to replace the lead or galvanized **requiring replacement** service line at the owner's own expense. If an owner selects this option, the lead or galvanized **requiring replacement** service line must be replaced by the later of: 365 days after the effective date of the ordinance codified in this section; or within 90 days of receiving written notice from Aurora Water of the existence of a lead or galvanized **requiring replacement** service line. Lead and galvanized **requiring replacement** service lines must be replaced in accordance with all applicable laws and city rules and regulations. An extension to remove the lead or galvanized **requiring replacement** service line may be granted only as set forth in subsection (e)(2)(a) of this section. To comply with this subsection (e)(2) an owner must

provide Aurora Water with written proof that the lead service line **or galvanized requiring replacement service line** has been replaced. Proof must include at a minimum: (a) a permit issued by the city of Aurora to a licensed contractor authorized to do the work; (b) documentation that the work was completed; and (c) a City of Aurora inspection report verifying removal of the lead or galvanized **requiring replacement** service line.

a. *Extension.* An extension may be granted for compliance with subsection (e)(2) of this section only when the owner can demonstrate to Aurora Water's satisfaction that the owner has made a good faith effort to comply with subsection (e)(2) of this section.

(3) Failure to provide proof of either enrollment in the lead service line replacement program, in accordance with subsection (e)(1) of this section, or replacement of any lead or galvanized **requiring replacement** service line at the owner's own expense, in accordance with subsection (e)(2) of this section, shall constitute a violation of City Code.

(f) *Authorization to access property.*

(1) If an owner does not comply with subsection (e) of this section within 365 days of the effective date of the ordinance codified in this section (or within the time frame provided by a properly approved extension) or is inaccessible or otherwise denies access to the property to enable the replacement of a lead or galvanized **requiring replacement** service line, then the following procedures shall be followed:

a. Aurora Water shall secure entrance to the property from the owner or current occupant of the dwelling, building or structure, and Aurora Water shall incur no liability from the owner. Aurora Water (or its contractor) will provide the owner or current occupant with a consent form prior to entry. The consent form will provide Aurora Water (or its contractor) with access to the property to verify, and replace, if necessary, any lead or galvanized **requiring replacement** service line. Aurora Water (or its contractor) shall use commercially reasonable efforts to restore the property to its prior condition after completing lead or galvanized **requiring replacement** service line replacement; and

b. If access is provided by an occupant of the dwelling, then the occupant shall be held harmless and no liability shall incur to Aurora Water or occupant due to the inspection or replacement of the lead or galvanized **requiring replacement** service line; and

c. If access is denied by the current occupant or owner, Aurora Water may commence procedures, including filing a court action in a court of competent jurisdiction, to conduct inspection and/or replacement of any lead or galvanized **requiring replacement** service line. Each day access is denied shall constitute a violation of City Code.

(g) *Proof of lead or galvanized requiring replacement service line replacement upon creation of new water account.*

(1) If Aurora Water's records indicate any property is serviced by a lead or galvanized **requiring replacement** service line, Aurora Water may require proof that the lead or galvanized **requiring replacement** service line has been replaced or the property is enrolled

in the Lead Service Line Replacement Program before creating or modifying any account for the property.

(h) *Proof of lead or galvanized **requiring replacement** service line replacement upon transfer of ownership.*

(1) Upon the sale or transfer of ownership of any dwelling, building or structure, and prior to the creation of any new Aurora Water account related to the property, the owner must provide proof to Aurora Water that any lead or galvanized **requiring replacement** service line has been replaced or the property is enrolled in the lead service line replacement program.

a. *Rules and regulations.* The general manager is empowered to promulgate such rules and regulations regarding the lead service line replacement program consistent with this section as may be reasonably necessary to aid in the administration and enforcement of this section.

(i) Noncompliance with this section **138-229** shall constitute a violation of City Code.

(j) *Penalty.* The penalty for violations of this section by any owner, person, or corporation shall be in accordance with the fines set forth in section 1-13. The potential jail sentence shall not be applicable for violations of this section. Each day a violation continues shall constitute a separate violation.

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:

PETER A. SCHULTE, CITY ATTORNEY

By: *Ian J Best* RLA
IAN BEST, Assistant City Attorney

Proposed Amendments to Service Line Replacement Ordinance

**Water Policy Committee
January 21, 2026**



Why This is Coming Forward

Why we are revisiting the ordinance

- Ongoing service line investigations have clarified actual risk
- Current ordinance requires replacement of all galvanized service lines
- State and federal regulations only require replacement of galvanized requiring replacement (GRR)
- Opportunity to better align policy with public health benefit

Regulatory Context

What the regulations actually require

- Lead service lines must be replaced
- Galvanized requiring replacement (GRR) = galvanized lines known or suspected to have been downstream of lead
- Galvanized lines not historically downstream of lead are not considered a lead exposure risk
- Replacement requirements are intended to focus on health benefit

What is Changing

Proposed ordinance update

- Replace will still be required for:
 - Lead service lines
 - Galvanized service lines that meet the definition of requiring replacement
- Remove blanket requirement to replace ***all*** galvanized service lines
- Maintain Aurora Water's authority to require replacement where risk is identified

Why This Is the Right Approach

Benefits of the proposed change

- Focuses resources on actual public health risk
- Reduces unnecessary costs to:
 - The utility
 - Ratepayers
 - Property owners
- Provides flexibility to:
 - Prioritize highest-risk lines
 - Determine when utility funding is appropriate
- Reduces pressure on homeowners to replace lines with no health benefit
- Will potentially save the ratepayers approximately \$3 million



What This Does *Not* Change

What this update does NOT do

- Does not weaken lead service line replacement requirements
- Does not reduce public health protections
- Does not impact replacement of galvanized lines where lead exposure risk exists
- Does not slow ongoing service line investigations

Questions?



Water Policy Committee (WPC) Meeting

October 18, 2023

Members Present: Council Member Steve Sundberg (Chair), Council Member Alison Coombs (Vice Chair), Council Member François Bergan

Absent:

Others Present: Rachel Allen, Greg Baker, Ian Best, Todd Brewer, Natalie Brower-Kirton, Marshall Brown, Steve Cann, Alexandra Davis, James DeHerrera, Rory Franklin, Alex Gagliardi, Marena Lertch, John Murphy, Swirvine Nyirenda, Cat Olukotun, Casey Rossman, Earl Wilkinson, Sherry Scaggiari, Richard Vidmar, Earl Wilkinson, Sarah Young

1. Approval of Minutes

The August 10, 2023, meeting minutes were approved as presented.

2. Consent Items

- A. Construction Change Order Report
- B. Monthly Water Supply Update

Summary of Issue and Discussion: CM Bergan asked if our water storage was at 50% or less this time last year? J. Murphy responded that we currently have 30,000 acre feet more storage compared to this time last year. CM Bergan asked if we will be good next year if we have a normal winter? M. Brown stated, yes, there is more water stored this year than over the past five years.

Outcome: The consent items were supported as presented.

Follow-Up Action: None.

3. Fourteenth Amendment to an Intergovernmental Agreement (IGA) Regarding the Design and Construction of Drainage Flood Control Improvements for First Creek Detention Upstream of I-70.

Summary of Issue and Discussion: S. Young gave a brief history of the First Creek Detention Pond as well as a presentation regarding an amendment to an IGA between the City of Aurora and the Mile High Flood District to develop a final design of the First Creek Detention Pond including land acquisition, mapping, compilation of existing data, necessary field work,

development of final design, and services during construction. S. Young also discussed that although the pond has decreased in size during the reevaluation, the construction costs have significantly increased. The monies set aside for the project this year will remain the same (\$400,000.00 per jurisdiction) but there are anticipated additional costs that will come in future amendments.

CM Bergan asked, while Mile High Flood District is contributing, do you they also increase their contribution based on the cost of construction increasing? S. Young responded that Mile High Flood District allocates monies to areas within Arapahoe and Adams County for projects based in Aurora however, instead of Mile High Flood District contributing to several smaller projects, they will focus more of their contributions on this project.

Outcome: The Committee supports the Fourteenth Amendment to an IGA Regarding the Design and Construction of Drainage Flood Control Improvements for First Creek Detention Upstream of I-70 and forwarded to the next Council Meeting for consideration.

Follow-Up Action: The Committee supported the Fourteenth Amendment to an IGA Regarding the Design and Construction of Drainage Flood Control Improvements for First Creek Detention Upstream of I-70 and will forward to the next Council Meeting for consideration

4. Argenta Stormwater Reimbursement Agreement

Summary of Issue and Discussion: S. Young gave a presentation on the reimbursement agreement with Argenta. The reimbursement is based on rerouting the current stormwater channel around the Argenta site due to the redevelopment of that area.

CM Bergan asked if this site was in a TIFF area? M. Brown stated that they were not sure but would check and get back to her. CM Bergan asked if the city was responsible for paying the full \$750,000.00. S. Young replied yes, that was part of the original commitment that the city would pay for rerouting the regional stormwater around that site.

Outcome: The Committee supports the Argenta Stormwater Reimbursement Agreement and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supported the Argenta Stormwater Reimbursement Agreement and will forward to the next Study Session for consideration.

5. United States Forest Service Collection Agreement for the Tennessee Creek and Twin Lakes Forest Treatment

Summary of Issue and Discussion: R. Vidmar gave a presentation discussing the United States Forest Service's completion of the permitting process to treat approximately 800 acres of forest above the Turquoise Lake in Lake County. Aurora stores 20,000 acres feet of water in Turquoise

Lake where we take in the majority of our Colorado River water. This is a five-year project that will treat the area through mechanical and hand thinning as well as prescribed burns to improve forest health and reduce the risk of fires and decrease the impact of damage if there were a fire.

Outcome: The Committee supports the United States Forest Service Collection Agreement for the Tennessee Creek and Twin Lakes Forest Treatment and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supported the United States Forest Service Collection Agreement for the Tennessee Creek and Twin Lakes Forest Treatment and will forward to the next Study Session for consideration.

6. Stewardship West Memorandum of Understanding (MOU)

Summary of Issue and Discussion: R. Vidmar gave a presentation regarding an MOU with Stewardship West to treat forest service lands in the Miller Gulch area outside of Bailey. Stewardship West has completed 548 acres with 973 acres left to be treated. Stewardship West is also working with the United States Forest Service on the Tarryall Creek area un the upper South Platte Basin where Aurora owns water rights. The planned treatment will include mechanical and hand thinning to increase forest health, reduce the risk of fires and minimize the impact if there were a fire.

Outcome: The Committee supports the Stewardship West Memorandum of Understanding and forwarded it to the next Study Session for consideration.

Follow-Up Action: The Committee supported the Stewardship West Memorandum of Understanding and will forward it to the next Study Session for consideration.

7. Eagle River Watershed Council Memorandum of Understanding (MOU)

Summary of Issue and Discussion: R. Vidmar gave a presentation regarding an MOU with the Eagle River Watershed Council to replace aging culverts in the Homestake Reservoir area with Aquatic Organism Passages. These passages are designed to mimic the historic natural stream bed which promotes the movement of aquatic species upstream.

Outcome: The Committee supports the Eagle River Watershed Council Memorandum of Understanding and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supported the Eagle River Watershed Council Memorandum of Understanding and will forward it to the next Study Session for consideration.

8. United States Forest Service Box Creek Land Exchange Agreement

Summary of Issue and Discussion: R. Vidmar gave a presentation regarding the United States Forest Service Box Creek Land Exchange Agreement. This will include the exchange of three Forest Service parcels adjacent to Box Creek Reservoir and three Aurora owned parcels known as Columbine Mine and the Mount Elbert parcels.

CM Bergan asked if the exchange would only benefit the city. R. Vidmar stated, the exchange is mutually beneficial. Aurora needs the Federally owned lands to develop Box Creek Reservoir and the United States Forest Service would like the privately held lands that are in the middle of the National Forest so they can better manage those areas.

CM Bergan asked, why is the United States Forest Service not paying half of the \$52,000.00 if the agreement is mutually beneficial? A. Davis responded, we acquired those lands specifically to exchange with the federally owned land abutting our property at Box Creek. Therefore, while it does benefit the Forest Service, the benefits to the city are far greater.

Outcome: The Committee supports the United States Forest Service Box Creek Land Exchange and forwarded to the next Study Session for consideration.

Follow-Up Action: The Committee supported the United States Forest Service Box Creek Land Exchange and will forward to the next Study Session for consideration.

9. Lead Service Line Presentation

Summary of Issue and Discussion: T. Brewer gave a presentation and update on the progress of the lead service line replacement.

CM Bergan asked, what are the chances of lead actually getting into our drinking water? T. Brewer responded, all of our treatment plants function at the highest level utilizing optimized corrosion control treatment. This manages the water chemistry to minimize any lead corrosion, so the chances are very low. CM Bergan asked, weren't we already taking steps to mitigate lead? T. Brewer responded, yes, that is part of the corrosion control treatment. The regulatory community determined to remove lead pipes to further reduce any potential of lead entering the water system. CM Bergan asked, is there still a potential for lead to enter the water system if the city is only replacing the outside service line and not the lines within the home. T. Brewer stated, yes, the plumbing inside is the responsibility of the private homeowner and the city is only responsible for replacing the water line where it enters the house. The ordinance is for the service lines only, not the premise plumbing.

CM Sundberg asked, what are the costs in replacing the service lines? T. Brewer responded, replacing the service lines from the main to the house is in the range of \$8,000.00 to \$10,000.00. CM Sundberg asked if there was a government subsidy available to assist in the replacements of the homeowner's lines? T. Brewer stated that there is a bipartisan infrastructure law which allotted 15 billion dollars for lead service line replacement around the country. Our goal is to present an application package to the state regulatory authority in the first part of 2024 to obtain grant funding from funding from that program. M. Brown added, there is \$10 million in our

budget that Council has already approved to begin replacing the service lines, we are pursuing grant opportunities to match the \$10 million. Within the grant, the lead service lines would be declared a public health issue and would allow the city to go onto private property to replace the lead lines without the customer bearing any of the costs.

CM Bergan asked, even though we budgeted the \$10 million, we do not want to spend that if the grant is going to provide the funding? M. Brown responded, we are responsible for matching 50% of the cost but the total number of lead service lines we have shouldn't exceed \$12 million so we will hopefully not have to spend the entire budgeted amount.

Outcome: The Committee supports the Lead Service Line Presentation and forwarded to the next Study Session as an informational item only.

Follow-Up Action: The Committee support Lead Service Line Presentation and will forward to the next Study Session as an informational item only.

10. Education and Outreach Program Overview and Update

Summary of Issue and Discussion: N. Brower-Kirton gave a presentation on the Education and Outreach programs.

CM Coombs asked, what is the educational pipeline for young people looking into careers in water? N. Brower-Kirton responded, the first step is for students to be aware of water and getting them excited about career opportunities in water. We are currently working with Pickens Technical College on a pilot program where students could learn the technical skills at the school and work at Aurora Water as a paid apprentice.

Outcome: Informational only.

Follow-Up Action: None.

11. Miscellaneous Matters for Consideration

Summary of Issue and Discussion: M. Brown stated the ribbon cutting will take place on October 19th for the new Southeast Area Maintenance Facility.

CM Sundberg stated he had the opportunity to tour Scienturfic on October 17th and learned about the Bermuda grass and how it requires 60% less water usage. M. Brown stated, we have the Bermuda grass out at the Southeast Area Maintenance Facility and PROS has begun using it as well in at least one park.

Outcome: Informational only.

Follow-Up Action: Informational only.

12. Confirm Next Meeting

The next meeting is scheduled for November 15, 2023, 10:30 a.m. via WebEx.

X 
Steve Sundberg (Nov 16, 2023 21:13 MST)

Steve Sundberg
Chair, Water Policy Committee

MINUTES

Regular Meeting of the Aurora City Council

Monday, January 8, 2024

1. **RECONVENE REGULAR MEETING OF JANUARY 8, 2024, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for January 8, 2024, at 6:30 p.m.

2. **ROLL CALL**– Kadee Rodriguez, City Clerk

COUNCIL MEMBERS PRESENT: Mayor Coffman, Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Murillo, Sundberg, Zvonek

COUNCIL MEMBERS ABSENT: Coombs

Public call-in instructions were provided in both English and Spanish.

3. **INVOCATION/MOMENT OF SILENCE**– Mike Coffman, Mayor

Mayor Coffman led the prayer for the January 8, 2024 Council Meeting.

4. **PLEDGE OF ALLEGIANCE** (all standing)

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman provided an update on the Executive Session, where they discussed litigation and security considerations.

6. **APPROVAL OF MINUTES**

6.a. **December 18, 2023 Meeting Minutes**

Motion by Sundberg, second by Hancock, to approve the minutes of the December 18, 2023 meeting.

Voting Aye: Mayor Coffman, Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Sundberg, Zvonek

Abstain: Murillo

◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Swearing-in Ceremony of Relief Judges to the Aurora Municipal Bench**

Presiding Judge, Shawn Day

7.b. **Dr. Martin Luther King, Jr. Day**

Mayor Coffman proclaimed January 15, 2024 as Dr. Martin Luther King, Jr. Day.

7.c. **Human Trafficking Awareness and Prevention Month**

Mayor Coffman proclaimed the month of January 2024 as Human Trafficking Awareness and Prevention month.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

Council heard public testimony on non-agenda-related items

Mayor Coffman responded to the issue raised about motor vehicle theft and abandoned vehicles. He stated he had been out with the parking enforcement and they were fairly aggressive about moving abandoned vehicles and motor vehicle theft had declined by 23.5% year to date. He credited that in part to Mayor Pro Tem Zvonek with the passing of his proposal to have a mandatory minimum sentence of motor vehicle theft and the passing of the law to make all motor vehicle thefts a felony.

9. **ADOPTION OF AGENDA**

Motion by Sundberg, second by Bergan, to adopt the agenda.

Voting Aye: Mayor Coffman, Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Murillo, Sundberg, Zvonek

10. **CONSENT CALENDAR – MOTIONS**

Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

10.a. **Motions**

10.b. **Planning Matters**

10.c. **Appointments to Boards and Commissions**

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11. **CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES**

Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

11.a. **Resolutions**

11.b. **Finalizing of Ordinances**

11.b.1 **Green Valley Ranch Comprehensive Plan Amendment**

2023-66 CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO CHANGE THE PLACETYPE FROM CITY CORRIDOR TO EMERGING NEIGHBORHOOD FOR THE AREA LOCATED SOUTH OF 56TH AVENUE, BETWEEN PICADILLY ROAD AND E-470 (GREEN VALLEY RANCH COMPREHENSIVE PLAN AMENDMENT EMERGING NEIGHBORHOOD)

Deborah Bickmire, Senior Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

11.b.2 **Green Valley Ranch Zoning Map Amendment - MU-A to R-2**

2023-67 CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE 78.8 ACRES OF LAND TO MEDIUM DENSITY RESIDENTIAL DISTRICT, LOCATED WEST OF TIBET ROAD, BETWEEN E 54TH AVENUE AND E 52ND AVENUE

Deborah Bickmire, Senior Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

11.b.3 **Green Valley Ranch Zoning Map Amendment - MU-R to MU-A**

2023-68 CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE 28.3 ACRES OF LAND TO MIXED USE AIRPORT, LOCATED EAST OF TIBET ROAD

Deborah Bickmire, Senior Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

11.b.4 **Lead Service Line Ordinance**

2023-70 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 138-229 OF THE AURORA CITY CODE PERTAINING TO LEAD AND GALVANIZED SERVICE LINE REPLACEMENT

3

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Earl Wilkinson, Assistant General Manager of Operations, Aurora Water / Ian Best, Assistant City Attorney

Motion by Gardner, second by Sundberg, to approve Items 11.b.1 through 11.b.4.

Voting Aye: Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Murillo, Sundberg, Zvonek

12. PUBLIC HEARINGS

12.a Sable Boulevard Townhomes Zoning Map Amendment

2023-69 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE 5.0244 ACRES OF LAND TO MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2), LOCATED AT THE NORTHEAST CORNER OF SABLE BOULEVARD AND EAST MONTVIEW BOULEVARD

Aja Tibbs, Planning Supervisor, Planning and Development Services / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Aja Tibbs, Planning Supervisor, presented a summary of the item.

The Council heard public testimony on non-agenda related item.

CM Bergan asked if other traffic studies could be done in the future based on population growth, for example, if it exceeded the city percentage. Carlie Campuzano, traffic manager in the Public Works Department, answered yes, they could restudy the intersection in the future.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Murillo, to approve Item 12.a.

CM Murillo asked if they could make a preemptive request at a certain point to have the traffic study re-evaluated. C. Campuzano said they could re-evaluate the traffic study in the future, but no criteria was close to being met for a traffic signal yet.

CM Murillo stated she wanted to open a council request to recollect data and look at it. She discussed the vacant parcel next to it was recently rezoned for increased density.

Motion by Gardner, second by Murillo, to approve Item 12.a.

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Voting Aye: Bergan, Gardner, Hancock, Lawson, Medina, Murillo, Sundberg, Zvonek

Voting Nay: Jurinsky

12.b 15800 E 40th Avenue - Zoning Map Amendment

2024-02 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE 10.244 ACRES OF LAND TO BUSINESS/TECH DISTRICT (I-1), LOCATED WEST OF THE INTERSECTION OF EAST 40TH AVENUE AND EAST 40TH CIRCLE

Sarah Wile, Senior Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

Mayor Coffman opened the public hearing.

Sarah Wile, Senior Planner, presented a summary of the item.

The Council heard public testimony on the item.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Sundberg, to approve Item 12.b.

Voting Aye: Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Murillo, Sundberg, Zvonek

12.c 3550 Chambers Road - Zoning Map Amendment

2024-03 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 4.2 ACRES OF LAND TO MIXED- USE CORRIDOR DISTRICT (MU-C), LOCATED AT THE NORTHEAST CORNER OF EAST 33RD PLACE AND NORTH CHAMBERS ROAD

Stephen Gubrud, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

Stephen Gubrud, planner, presented a summary of the item.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Gardner, to approve Item 12.c.

Voting Aye: Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Murillo, Sundberg, Zvonek

- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

- 13. **INTRODUCTION OF ORDINANCES**
- 14. **FINALIZING OF ORDINANCES**
- 15. **ANNEXATIONS**
- 16. **RECONSIDERATION AND CALL UPS**
- 17. **GENERAL BUSINESS**
- 18. **REPORTS**

18.a. Report by the Mayor

Mayor Coffman discussed the mayors of the three largest cities meeting they had last year where they talked about reducing crime in their cities and across the state. He said they came to an agreement on five issues, the governor supported it, and the majority passed into law. He stated they had the meeting again this year with the two new mayors and they agreed to bring forward a request for funding for more inpatient mental health beds in Colorado. Mayor Coffman said the Denver Post and Denver Gazette published the op-ed they did on the issue. Mayor Coffman announced his town hall on January 27th, at Aurora History Museum, at 1:00pm.

18.b. Reports by the Council

CM Gardner stated he would like to reappoint Danielle Lammon and JulieMarie Shepherd-Macklin to the Citizen’s Advisory Budget Committee.

CM Jurinsky said she and Mayor Coffman met Santa at Cherry Creek State Park to discuss new announcements and programs, including archery, boating, a bald eagle show, and opening roads. She stated there were three upcoming town halls for Ward 4, Ward 2, and Ward 5 she would be cohosting and welcomed Aurora residents to attend.

CM Murillo stated she was having her first town hall at the MLK Library Thursday, on January 25th, from 6 to 7 p.m. She wished everyone happy holidays and happy new year.

CM Sundberg expressed his town hall will be on January 18th, at Central Rec Center, at 6 p.m., cohosted by CM Jurinsky. He said the new city manager and APD superintendent would be there to answer questions.

CM Medina stated his town hall will be on Tuesday, January 9th, at 6:30pm at the Active Adult Center, where they would be discussing updates on Ward 3.

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CM Hancock said she would be having her first town hall on January 11th, at 6:30, at the Colorado Early Colleges, co-hosted by CM Jurinsky. She encouraged everyone to attend to talk about what was happening Ward 4 and what they could do to be stakeholders in their own lives.

CM Lawson appointed Bob Roth for her second appointee for the CABC. She discussed the eight new Colorado laws went into effect starting January 1st and said the 2024 Colorado Legislative Session would begin in January 10th. CM Lawson said the House and Senate reached a deal for the fiscal year 2024 Appropriations Bill with \$886.3 billion for defense and \$772.7 billion for non-defense programs. She said if the FY24 budget did not pass, they would see a partial government shutdown on January 19th. She announced the first FSIR Committee meeting will be on Friday, January 19th, and her town hall will be on January 13th, at the Heather Garden Auditorium from 10 to 11:30 a.m., where they would be talking about crime statistics in Ward 5 and the homeless encampment issue on Parker Road and I-22 corridor. CM Lawson noted she would be cohosting a town hall on January 25th with CM Jurinsky from 6:30 to 8 p.m., at the Central Rec Center.

CM Bergan said her town hall would be Wednesday, January 17th, at the Southeast Recreation Center to discuss snow removal and giving a presentation on city government and general updates, from 6 to 8pm.

MPT Zvonek did not have a report.

19. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR

ATTEST:



KADEE RODRIGUEZ, CITY CLERK



- ◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*



CITY OF AURORA

Council Agenda Commentary

Item Title: Tobacco and Age Restricted Psychoactive Product Retail Licensure (Ordinance)
Item Initiator: Trevor Vaughn, Manager of Licensing, Finance
Staff Source/Legal Source: Trevor Vaughn, Manager of Licensing, Finance / Hanosky Hernandez, Senior Assistant City Attorney
Outside Speaker: N/A
Strategic Outcome: Safe: Promoting safety in our built environment through effective administration of city codes and ordinances and responding to emergencies appropriately to preserve and enhance the community's sense of security and well-being.

COUNCIL MEETING DATES:

Study Session: 2/9/2026

Regular Meeting: 2/23/2026

2nd Regular Meeting (if applicable): 3/9/2026

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)

Sponsors: Ruben Medina, Council Member / Stephanie Hancock, Council Member
Trevor Vaughn, Manager of Licensing, Finance / Hanosky Hernandez, Senior Assistant City Attorney
Estimated time: 25 mins

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

- | | |
|--|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as Proposed at Policy Committee |
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as Proposed at Study Session |
| <input type="checkbox"/> Information Only | <input type="checkbox"/> Approve Item as Proposed at Regular Meeting |
| <input type="checkbox"/> 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: Management & Finance

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.)

A number of changes were made to the ordinance after the Management and Finance Committee Meeting and as a result of industry feedback. Methods of receiving feedback include an October 10th business regulatory newsletter; the Business Advisory Board held a retailer outreach session on January 9th. Staff also had communications with industry lobbyists and small businesses directly. Aurora Partners for Thriving Youth conducted numerous meetings with businesses to educate about the ordinance and obtain feedback. These are the changes that were made as a result of those meetings and outreach:

- Removal of allowance for mobile cigar lounges as the State had determined these operations are not legal and declined to renew the license of the one that was operating in the city.
- Deletion of section 6-518 that prohibited samples, promotions, rewards programs and discounts.
- Changes to consideration of good cause for nonrenewal or denial of the license to clarify that it should have a substantial basis.
- Changes to good moral character to clarify the considerations need to relate to operation of the business.
- Elimination of distance restriction exemptions for large format grocery stores and premium cigar lounges as businesses felt this exemption was discriminatory against small business.
- Clarification that grandfathering is not eliminated with the sale of a business.
- Changes to the signage requirement to ensure no conflict with state law.
- Addition of a section to require annual reporting on the program to city council.

A number of provisions requested struck or modified by industry were not changed as they substantially altered the effectiveness of the ordinance. Most notable items of contention that were not modified include:

- Section 6-509(c) prohibits products in any manner prohibited by federal law. The prohibition of items prohibited by federal law is a concern regarding products that do not have FDA authorization.
- Section 6-510 prohibits individuals under the age of 21 from participating in the sale of age restricted products without exception.

This item was presented at the November 4th Management and Finance Committee which recommended forwarding the item to Study Session with members Bergan and Coombs in support and Chair Gardner in opposition.

The item was presented at the November 17th Business Advisory Board. At least one member expressed concern regarding the distance restrictions for hookah lounges. Comments were also made that the ordinance did a lot of things and if it should be in more than one ordinance. This was a theme from industry lobbyists as well. In discussion with proponents and the sponsors, the current structure is comprehensive and provides additional policy benefits to address not just sales to youth of tobacco products but also kratom, age restricted hemp and paraphernalia as well as addressing related public safety concerns. The proposal seeks to be more comprehensive rather than a copy of the state law and separate the proposals could be additional burden on small businesses. Changes to the ordinance were presented at the January 26th Business Advisory Board meeting. The board did not take an official position on the ordinance.

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

This proposal establishes a Tobacco, Kratom, and Age-Restricted Hemp Product License. The primary purpose of the license is to prevent youth access to tobacco and other psychoactive substances by requiring local licensure and compliance checks for retail establishments selling these products. This item does NOT propose a ban on flavors and existing businesses will be grandfathered from distance restrictions.

A secondary purpose is to impose operational requirements on retailers, including compliance with local, state, and federal laws governing psychoactive products, and ensuring that hookah lounges operate legally and do not

over-concentrate. Several Colorado jurisdictions already require local licensure in addition to the state program, including Denver, Thornton, Boulder, Pueblo, Golden, Northglenn, and Lake County. The cost for the license is a \$500 annual fee, supporting twice-annual local compliance checks and program administration.

Research by *Aurora Partners for Thriving Youth* indicates:

- Broad availability of products to minors.
- Retailers are located near schools and youth-oriented facilities.
- Ongoing youth access to products at retail despite State restrictions and twice-annual State compliance checks.

The proposed penalty schedule is more stringent than the **State's**:

- **First violation: Minimum \$1,000 fine (vs. state's \$250).**
- Second violation within 36 months: \$2,000 fine and 7-day suspension.
- Third violation within 36 months: \$2,650 fine and 21-day suspension.
- Fourth violation within 36 months: Revocation of license.

While the state focuses primarily on sales to minors and advertising, this proposed city program goes further to address public health, safety, and neighborhood impacts by including:

- License regulation of Kratom and age-restricted hemp products (21+ only), with proactive retail enforcement.
- **Compliance with the city's nonscheduled psychoactive substances and drug paraphernalia ordinance**, prohibiting high 7-OH or THC products and illicit paraphernalia.
- Restriction of marijuana and tobacco paraphernalia sales to licensed retailers;
- Prohibition of youth-targeted paraphernalia using cartoon or copyrighted characters (e.g., Pokémon, Star Wars, video game characters).
- Limiting marijuana paraphernalia sales to customers 21+.
- Operational standards prohibiting loitering for drug or prostitution purposes.
- Prohibition of SNAP/EBT fraud.
- Authority to inspect books and records.
- Ability to source illegal psychoactive products.
- **Licensee "good moral character" requirements.**

Spacing and location restrictions to prevent over-concentration of outlets:

- **1,500 feet** from schools.
- **500 feet** between any retailer.
- **2,000 feet** between vape stores.
- **2 miles** between hookah lounges.
- Does not apply to existing retailers including the ability to transfer ownership.

Hookah lounges must also:

- Close no later than 2:00 a.m. (none impacted)
- Prohibit alcohol and illicit drugs.
- Maintain clear sightline into the interior at night.
- Avoid nuisance activity.
- Be spaced at least 2 miles apart.

Aurora currently has approximately 340 tobacco retailers. At \$500 per license, the program will generate about \$170,000 annually, with an additional \$30,000 expected from fines.

Revenues will fund compliance checks, administration including the addition of a Licensing Supervisor position.

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.)

\$500 license fee for approximately 340 licensees equals \$170,000 in revenue, and an additional revenue of \$30,000 projected from fines.

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.)

\$200,000 budget expenditure impact including a licensing supervisor position and compensation for minor compliance agents, hearing costs and miscellaneous other costs.

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.)

Additional workload for existing staff, legal and Manager.

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.)

Additional workload to manage the program.

QUESTIONS FOR COUNCIL

Does the committee wish to forward the item to study session with any recommendations?

LEGAL COMMENTS

City Council has all the legislative powers of the City and all other powers of a home rule city not specifically limited by the Constitution of the State of Colorado and not specifically limited or conferred upon others by the Charter. City Council has the power to enact and provide for the enforcement of all ordinances to protect life, health and property. (City Charter, art. III, sec. 3-9) Every act making an appropriation, creating an indebtedness, authorizing borrowing of money, levying a tax, establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance. (City Charter, art. V, sec. 5-3) Every ordinance requires the affirmative vote of a majority of the entire membership of Council for final passage. (City Charter, art. V, sec. 5-2) City Council has the authority to do what is deemed necessary and proper to promote the prosperity, improve the order, comfort and convenience of the City and its inhabitants. (City Code sec. 2-32) (Hernandez)

Proposed Retail Licensing Ordinance: Tobacco, Kratom & Age-Restricted Hemp

Trevor Vaughn, Manager of Licensing

Proposal

- **Primary Purpose : Reduce Youth Access**
 - 2023 Healthy Kids Colorado High School survey found 85% of Aurora students were not refused due to age. cdphe.colorado.gov/hkcs
 - 1 out of 4 Aurora students obtain tobacco from retailers.
 - 80-90% of smokers begin at or before age 18.
 - Creates license and resource for twice annual compliance checks

Proposal

- Secondary Purpose
 - Address safety, crime and social disorder issues
 - Density of smoke shops: paraphernalia & psychoactive products
 - Hookah lounge problems: drugs, alcohol, fights, after-hours activity
 - Targeting of low-income areas, EBT Fraud
 - These are often the locations selling to youth

Proposal

- **KEY NOTES:**
 1. **NO FLAVOR BAN**
 2. **NO KRATOM BAN**
 3. **EXISTING BUSINESSES GRANDFATHERED FROM DISTANCE RESTRICTIONS**

Current Framework

- State law: 21+ for tobacco, kratom, and hemp products
- State license compliance checks (tobacco only) very siloed approach
- State does not license kratom/hemp retail sales or paraphernalia
- Other cities (Denver, Broomfield, Northglenn, Boulder, Golden, Lone Tree) license tobacco retailers
- Aurora's proposed license is unique

Differences From State

- More aggressive penalty schedule for failed compliance checks
- Combined license for all age restricted products
Tobacco, Kratom, Hemp, Paraphernalia
- Compliance with psychoactive / paraphernalia ordinance – Civil Enforcement
- Enforcement of MJ paraphernalia to 21+ and address copyrighted products

Proposed Prohibition: youth targeted and trade / copyright infringing paraphernalia

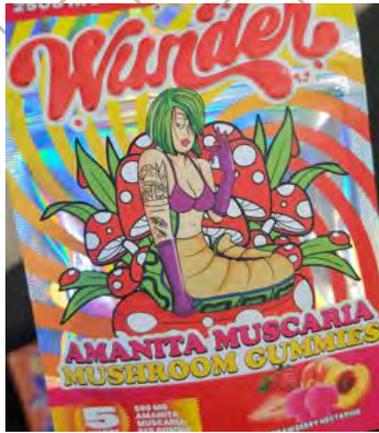


Additional Operational Standards

- Similar to liquor, no neighborhood impacts, drug or prostitution loitering
- Inspection of books and records
- No bypassing state taxes through unlicensed wholesalers – equal playing field
- Prohibition of SNAP / EBT Fraud
- “Good Moral Character”
- Prohibition of delivery services
- Cleaner enforcement of Proposed Socioeconomic Impact Permit and spacing – Tentative April 2026

Inspection of Books Records

- Substantial illicit products found – THC, Mushrooms, 7-oh, chemical psychoactives
- Pattern refusal to source the products



Spacing Requirements

- 1,500 ft from schools (vs 500 state)
- 500 ft between incidental product sellers
- 2,000 ft between vape / smoke shops
- 2 miles between hookah lounges
- Grandfather existing with allowance to transfer ownership

Hookah Lounges

- 6 licensed, 1 pending; 3 closed since September 2024 due to violations
- National issue: clustering → illegal alcohol, after-hours ops, drug use
- **Proposed Standards:**
 - 2 a.m. closing (Denver: Midnight; Cincinnati: 10 p.m.)
 - Prohibit alcohol & drug possession
 - Clear line of sight at night
 - Premise Conduct standards
 - “Good moral character” requirement



Premium Cigar Lounges

- Mobile deemed illegal under state law – ordinance updated
- 2 permanent
- Not liquor licensed



Aggressive Penalty Structure - Compliance Checks

Violation	Penalty (City) 36 months	State (24 months)
1 st	\$1,000	\$250
2 nd	\$2,000 + 7 days	\$500 + 7 days
3 rd	\$2,650 + 21 days	\$750 + 30 days
4 th	Revocation	Revocation

Notable Elements Not In the Ordinance

- No flavor ban
- No distance restrictions from youth-oriented facilities, day cares, preschools
- Does not include the State's ban on exterior vape product advertising

Implementation

- Approx. 335 retailers
- 272 incidental product (grocery and convenience), 55 Smoke Shops, 6 hookah, 2 Premium Cigar
- \$500 license fee
- Addition of supervisor FTE in Licensing

Changes from M&F Version

- Removal of discount/rewards program prohibition
- Clarification on elements of good cause for nonrenewal
- Additional specifics on good moral character considerations as it relates to business operation
- Removal of distance exemptions for grocery outlets and premium cigar lounges
- Clarification that transfer of ownership does not invalidate grandfathering
- Adjustments to required signage
- Adding a section regarding reporting annual on the program (taken from Denver's ordinance)

Key Issues Raised By Business Community

- Changes not incorporated
 - Anything that render a section unenforceable
 - A request for a very specific analysis of the program and how that analysis would be done
 - Removal of the provision that vendors cannot sell products in a form not federally legal
 - Request to remove restriction that persons involved with product sales must be at least 21 years of age

Proposed Ordinance

- Does the council approve forwarding the item for formal consideration?

September 19, 2025

Dear Aurora City Council Members:

Thank you for your tireless commitment to the health, safety, and well-being of Aurora residents. Aurora is a vibrant, diverse city with a bright future – a future that is reflected in the brilliance and potential of its youth. Yet that future is being threatened by the growing presence of tobacco and nicotine products that are specifically designed to appeal to young people.

As community-based organizations, public health leaders, educators, and residents, we are urging you to adopt a local Tobacco Retail Licensing (TRL) ordinance. This critical policy will create a robust, local enforcement protocol that holds retailers accountable and helps keep harmful, highly addictive tobacco products out of the hands of Aurora's youth.

The facts are clear:

- Tobacco products kill nearly 500,000 people in the United States each year,¹ and 80% of life-long dependence on nicotine begins before age 18.²
- E-cigarettes and disposable vapes are the most commonly used tobacco products among youth today.³
- These products contain extremely high levels of nicotine, fueling addiction and negatively affecting adolescent brain development.
- In Aurora, there are twice as many tobacco retailers as grocery stores.⁴
- Retailers located within 1,500 feet of a school are twice as likely to sell to youth under 21,⁵ and 1 in 4 Aurora youth report getting vapes directly from a retailer.⁶
- Studies show that an overconcentration of tobacco retailers correlates with higher rates of crime and increased youth access to these products.⁷

We believe the City of Aurora must act, and that a local TRL policy is the right tool to do so. Importantly, ***TRL does not restrict adult access to legal tobacco or nicotine products.*** Instead, it ensures that retailers operate responsibly and within the bounds of the law.

A local TRL ordinance would:

- **Build on existing state law to strengthen enforcement and close critical gaps.** While Colorado requires two compliance checks per year, local TRL would *add* an additional layer of accountability by allowing Aurora to conduct its own compliance inspections, enforce local penalties, and ensure retailers follow Aurora-specific protections. The draft ordinance also includes requirements not covered by state law, such as proximity restrictions to youth-serving locations, limits on license transfers, and regulation on other potentially harmful products like kratom and age-restricted hemp.
- **Promote accountability and education.** By requiring all retailers to be licensed and trained on tobacco laws, Aurora can ensure that businesses understand and follow local and state regulations—and that enforcement is both consistent and educational.

¹ Campaign for Tobacco-Free Kids. (2025). *The Toll of Tobacco in the United States*. Campaign for Tobacco-Free Kids. <https://www.tobaccofreekids.org/problem/toll-us>

² Campaign for Tobacco-Free Kids. (2024). *The path to tobacco addiction starts at very young ages*. <https://assets.tobaccofreekids.org/factsheets/0127.pdf>

³ Center for Disease Control and Prevention. (2024). *E-Cigarette use among youth*. Smoking and Tobacco Use; CDC. <https://www.cdc.gov/tobacco/e-cigarettes/youth.html>

⁴ Adams and Arapahoe County Retail Food License Data (2025)

⁵ Colorado Department of Revenue, Tobacco Compliance Check (2023)

⁶ Colorado Department of Public Health & Environment (2023). *Healthy Kids Colorado Survey*. [online] <https://cdphe.colorado.gov/hkcs>.

⁷ Subica, A.M. et al. (2018) 'The geography of crime and violence surrounding tobacco shops, medical marijuana dispensaries, and off-sale alcohol outlets in a large, urban low-income community of color', *Preventive Medicine*, 108, pp. 8–16. doi:10.1016/j.ypmed.2017.12.020.

- **Ensure fair competition.** A licensing system creates a level playing field by holding all retailers to the same standards, discouraging illegal or unregulated sales that undercut compliant businesses.
- **Protect youth health and safety.** Local TRL helps prevent those under the age of 21 from accessing highly addictive nicotine products by enforcing age restrictions and reducing the presence of retailers near schools and youth-serving areas.

Tobacco retail licensing is a policy that has worked to protect youth and young adults and promote an accountable and responsible business environment in other communities across Colorado, and it can work in Aurora as well. We urge you to take this meaningful step forward and support the development and passage of a local Tobacco Retail Licensing ordinance in Aurora.

Together, we can create a healthier future for all Aurora residents and a brighter future for our youth.

Sincerely,

The Undersigned Organizations and Community Partners





Concerned About Youth Tobacco and Nicotine Use? We Are, Too.

Help us prevent sales to minors. Nearly **84%** of Aurora youth who tried to buy tobacco or vaping products in a store were NOT turned away, according to the Colorado Department of Public Health and Environment's 2023 Healthy Kids Colorado survey. Tobacco retail licensing can help!

Did You Know?

Aurora has 354 licensed tobacco retailers

- 101 tobacco retailers are within 1,000 feet of schools and recreation centers
- 30 stores are within 500 feet of a school
- 8% have violations for selling to minors
- 162 retailers are located in the area of high-poverty schools
- 23 schools in the district have three or more stores selling tobacco and vaping products within a half mile
- The 80010 zip code HAS MORE VAPE SHOPS THAN GROCERY STORES

Why Tobacco Retail Licensing Is Important

Easy access to vape products increases youth nicotine addiction, harms brain development, and normalizes unhealthy behaviors. It also increases the risk of using alcohol, cannabis, and other drugs. Licensing is a proven approach that restricts illegal sales to youth.

- Licensing requires retailers to obtain a license to sell tobacco products and follow all tobacco laws
- Retailers who do not follow the laws will pay fines and lose the ability to sell tobacco products

Licensing also:

- Helps enforce where and how tobacco and nicotine products can be sold
- Provides an accurate list of tobacco retailers for inspections.
- Funds retailer education, administration of licenses, and enforcement



Making A Bigger Impact

Additional policy options for retail licensing could include:

- Reducing the number of licenses near youth-serving organizations
- Prohibiting licenses within 1,000 feet of youth-serving organizations
- Capping the number of retail licenses preventing market over saturation and ensuring balanced competition for current tobacco retailers.
- Preventing youth from obtaining Kratom and cannabis products
- Removing illicit drug paraphernalia
- Preventing the sale of psychoactive products like nitrous oxide, amanita muscaria, mad honey, and poppers in tobacco retailers and vape shops

What Can You Do to Help?

You can play an important role in reducing youth tobacco and nicotine sales and use by scanning the QR code below to sign up and help in any of the following ways:

- Educate students and families at community and school events
- Write letters to the editor
- Attend town hall or public meetings in your city council ward
- E-mail your city council members
- Make public comment at city council meetings

“New nicotine products need stricter regulation to protect youth from addiction, as these products are often marketed with appealing flavors and misleading safety claims that target teens. Without stronger oversight, they pose serious risks to adolescent brain development and can lead to long-term nicotine dependence.”

—Aretha Savaloja, Dean of Students 4th–8th grade,
Edna and John W. Wiley P8



AURORA PARTNERS

FOR THRIVING YOUTH

APTY is a coalition dedicated to reducing substance misuse among youth in the Aurora community. Our coalition convenes monthly meetings to address community needs, develop prevention strategies, and implement interventions at the community level.

Our Approach:

- **Community Needs Assessment:** APTY regularly conducts assessments to identify the specific needs of our community related to substance misuse prevention.
- **Youth and Community Engagement:** We actively seek input from young people and community members to inform the development and implementation of programs, initiatives, and opportunities aimed at building protective factors within the community.
- **Program Development and Implementation:** Based on the needs identified and the input gathered from student, families and the community, APTY develops and implements evidence-based programs and initiatives to reduce the effects of substance misuse.
- **Building Protective Factors:** Our focus is on building protective factors within the community to mitigate the impact of substance misuse. This includes programs and initiatives that promote social, emotional, and physical wellness among youth and community members.

Please contact Haley Foster at Hfoster@aurorak12.org or visit our website aurorapartnersforthrivingyouth.org for more information.

Partnering with youth and the Aurora community to create opportunities that empower youth to be leaders and to thrive by embracing social, emotional, and physical wellness.

APTY's Substance Prevention Program

APTY uses the Substance Abuse and Mental Health Services Administration's (SAMHSA) Strategic Prevention Framework to address substance misuse and related behavioral health issues. Recently, we transitioned our fiscal agency to the Aurora Public Schools District (APS), prompting a renewed focus on substance prevention.

Our coalition identified three key areas to develop interventions and address substance misuse:

- **Access and Prevention of Nicotine Vaping and Other Drugs:**
 - Partner with local law enforcement and health agencies to monitor and reduce the availability of nicotine vaping products and other drugs.
 - Enforce laws and regulations to limit access to these substances.
- **School Prevention and Intervention Programming:**
 - Collaborate with APS to integrate comprehensive substance prevention education into the school curriculum, including lessons, workshops, and after-school programs.
 - Review and strengthen school policies related to substance use.
- **Parent and Caregiver Education and Awareness:**
 - Launch communication campaigns via social media, newsletters, and local media to raise awareness about safe use.
 - Provide resources and tips to help parents and caregivers prevent substance misuse

Through these initiatives, APTY aims to create a healthier and safer community in Aurora.

2023 HIGH SCHOOL HKCS

VAPING DATA



KNOW THE NUMBERS FOR AURORA

	ARAPAHOE CO	AURORA PUBLIC SCHOOLS	ADAMS CO
EASY TO GET VAPE	49.3	45.4	46.8
EVER USED	30.1	30.3	27.5
USED BEFORE AGE 13	7.9	7.9	6
THINK IT IS WRONG	78.8	79.5	80.3
RISK OF HARM	83.6	81.2	80.6
NOT REFUSED BECAUSE OF AGE	83.7	84.3	87.4
BOUGHT FROM TOBACCO RETAIL	26.1	22.4	32.7
TRIED TO QUIT	60.9	63.6	52.3
USED IN LAST 30 DAYS	8	7.3	7.1



101 tobacco retailers are within 1,000 feet of schools and recreation centers



30 stores are within 500 feet of a school



8% have violations for selling to minors



162 retailers are located in the area of high-poverty schools



23 schools in the district have three or more stores selling tobacco and vaping products within a half mile



THE 80010 ZIP CODE HAS MORE VAPE SHOPS THAN GROCERY STORES



BOARD OF HEALTH

RESOLUTION IN SUPPORT OF CITY OF AURORA TOBACCO RETAIL LICENSURE ORDINANCE

Resolution No. 2025-011

WHEREAS, tobacco is the number one cause of preventable and premature death in Colorado, and it is estimated that 90,000 youth under 18 in Colorado will die prematurely from smoking; and

WHEREAS, the decrease in youth tobacco usage has been supplanted by the advent of flavored nicotine products like vapes which have become the most commonly used nicotine products among youth today; and

WHEREAS, these products contain extremely high levels of nicotine, fueling addiction and negatively affecting adolescent brain development; and

WHEREAS, research indicates that nearly eighty percent (80%) of lifelong nicotine addiction begins before the age of 18; and

WHEREAS, tobacco use in Colorado accounts for \$2.19 billion in annual health care costs, \$4.4 billion in lost productivity, and \$775 in tax burden per individual household;

WHEREAS, 85% of Aurora students were not refused due to age when they attempted to buy tobacco or nicotine products from a retailer; and

WHEREAS, retailers located within 1,500 feet of a school are twice as likely to sell to youth under 21, and there are twice as many tobacco retailers than grocery stores in Aurora; and

WHEREAS, Tobacco Retail License (TRL) ordinances have been shown to be an effective local tool to strengthen enforcement, increase accountability, and reduce youth tobacco and nicotine consumption; and

WHEREAS, TRL ordinances ensure that enforcement is consistent and educational, while ensuring fair competition by creating a level playing field by holding all retailers to the same standards, discouraging illegal or unregulated sales that undercut compliant businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Adams County Board of Health firmly supports the City of Aurora's efforts to implement a tobacco retail licensing program to keep dangerous and harmful tobacco and nicotine products out of the hands of Aurora's youth, ensuring a healthier and happier future for the next generation.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Gilliam	_____	Aye
Keiling	_____	Aye
Lindemann	_____	Aye
Mahnke	_____	Absent
Winkler	_____	Absent

Board of Health Members

ADOPTED, this 18th day of September 2025.


Dee Dee Gilliam (Sep 19, 2025 08:48:13 MDT)

Dr. Dierdre Gilliam, DNP, RN, PHN, President
Adams County Board of Health

August 26, 2025

Aurora City Council
City of Aurora
15151 E. Alameda Parkway
Aurora, CO 80012

Dear Members of the Aurora City Council,

Tobacco retail licensing (TRL) is a proven public health strategy that strengthens the enforcement of local laws designed to protect youth from the harmful effects of tobacco. Requiring a license to sell tobacco products aligns these addictive substances with other regulated items such as alcohol and firearms. Kaiser Permanente strongly supports comprehensive tobacco control policies, including TRL.

Tobacco use remains the leading cause of preventable disease, premature death, and disability in the United States. It is also the single largest contributor to avoidable health care costs. Tobacco-related chronic diseases are among the most prevalent and costly health issues facing our communities.

For many years, Kaiser Permanente has actively supported the adoption of local ordinances that restrict the sale of flavored tobacco products—items specifically designed to be more addictive, harder to quit, and proven to be gateway products for youth. We have also been a strong advocate for “Tobacco 21” laws at the federal, state, and local levels, which are now in effect nationwide.

TRL laws are essential to the effective enforcement of Tobacco 21, flavored tobacco bans, and other youth access regulations by establishing a structured and accountable framework for regulating tobacco sales. Key benefits include:

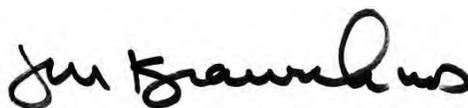
- **Enhanced Compliance Monitoring:** TRL laws require retailers to obtain and renew licenses, enabling governments to maintain accurate records of tobacco vendors. This supports regular compliance checks to ensure retailers are not selling to individuals under the age of 21.
- **Civil Penalties for Violations:** Licensing laws allow for graduated penalties—including fines, license suspension, and revocation—for retailers who violate age restrictions. This shifts accountability from individual clerks to business owners.
- **Support for Federal Enforcement:** TRL systems complement federal enforcement efforts (e.g., FDA compliance checks) and help states meet federal requirements, such as maintaining a retailer violation rate below 20% to secure SAMHSA block grants.

As Colorado’s largest nonprofit health care provider, Kaiser Permanente has proudly served the state’s residents for more than 55 years. We offer our full support to the City of Aurora in taking this important step toward passing a comprehensive tobacco control ordinance that includes the establishment of a TRL system.

Respectfully,



Michael S. Ramseier
President, Kaiser Foundation Health Plan of Colorado
Kaiser Permanente



Dr. Jeff Krawcek
President, Executive Medical Director,
KP Medical Foundation



Reducing Youth Access:

**The Case for Tobacco, Kratom, and
Hemp Retail Licensing (TRL+) in Aurora**



AURORA PARTNERS FOR THRIVING YOUTH

Our mission is to partner with young people and the Aurora community to create meaningful opportunities that support youth in reaching their full potential.

We focus on nurturing social, emotional, and physical wellness—and on building the protective factors that keep young people safe, supported, and inspired.





THE PROBLEM

Youth are using and have access to tobacco and nicotine products.

- Tobacco products kill half a million people in the US each year.¹
- 80% of all regular smokers begin smoking at or before the age of 18.²
- E-cigarettes and disposable vapes are the most used tobacco products among youth.³
- Nicotine products such as vapes have high amounts of nicotine in them, driving youth addiction and dependence on these products.



CIGS IN AN E-CIG

1 Pack of Cigarettes
= -22mg of Nicotine

1 JUUL Pod
= -41.3mg of Nicotine

1 Flum Float
= -400mg of Nicotine

1 Elf Bar
= -650mg of Nicotine



~20
CIGARETTES

~37
CIGARETTES

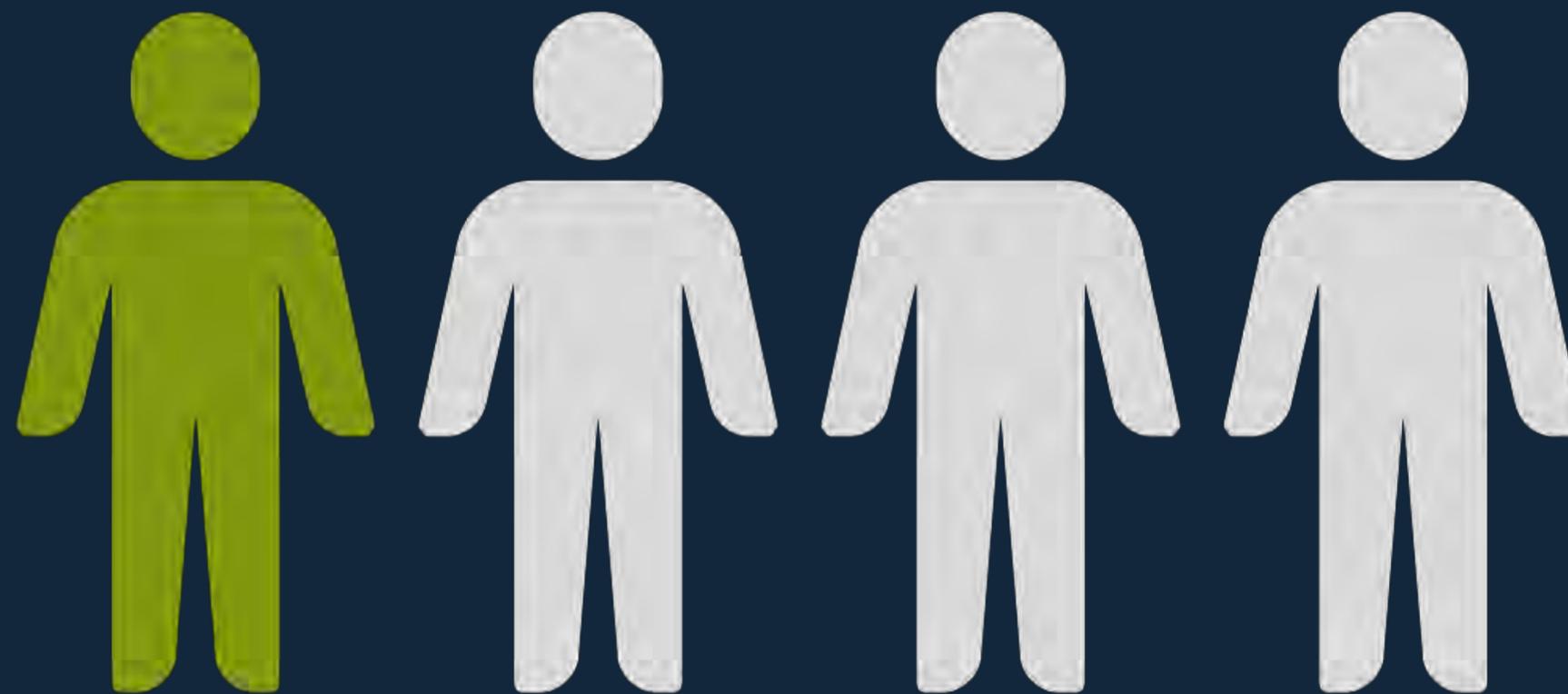
~363
CIGARETTES

~590
CIGARETTES



85%

of Aurora students were NOT refused due to age when they attempted to buy tobacco or nicotine products from a retailer.⁴



1 out of 4

Aurora students report getting tobacco products through a retailer.⁴



TOBACCO RETAILER DENSITY

- In Aurora, there are twice as many tobacco retailers as there are grocery stores.⁵
- Tobacco retailers within 1500 feet of a school are twice as likely to sell to youth.⁶
- Overconcentration of tobacco retailers has been correlated with increased crime rates and youth access to tobacco products.⁷



Tobacco products displayed at an Aurora retailer located within half a mile of an elementary school. Photo courtesy of Trevor Vaughn.



A wall of vape products and nitrous oxide products at a retailer in Aurora. Photos courtesy of Trevor Vaughn.



E-cigarettes were confiscated during the school year from students at an Aurora high school.



THE SOLUTION: **LOCAL TOBACCO RETAIL LICENSE (TRL+)**

- Colorado currently has a statewide TRL program that requires tobacco retailers to obtain a license to sell cigarettes, tobacco, and nicotine products.
- However, the data shows that the State's efforts are not enough to prevent youth access to tobacco products.

Aurora has the opportunity to enact a local tobacco retail licensing ordinance that is responsive to community needs and addresses gaps in the state's existing law.



WHY A LOCAL TRL+ FOR AURORA?

TRL+ will NOT restrict adult access to these products, but it will hold retailers responsible for selling these addictive products to youth under 21.

- **TRL+ supports fair competition**
 - Regulates tobacco and other products the same way marijuana and liquor is regulated
 - Creates a level playing field by ensuring that all retailers follow the same rules
 - Discourages illegal sales
- **TRL+ contributes to youth health and safety**
 - A local TRL+ ensures retailers follow key rules—like only selling to those of legal age—helping prevent youth tobacco use and addiction.
 - Communities with TRLs see lower youth smoking and vaping rates.



KRATOM & OTHER PRODUCTS

Considering the recent ban on psychoactive products, TRL+ allows for expanded enforcement for other harmful, unregulated products

- **Kratom**

- Herbal substance that produces opioid and stimulant-like effects
- Sometimes called gas station heroin
- Legal in pure form in Colorado to 21+

- **Age-Restricted Hemp**

- Hemp products with 1.25g to 1.75g of THC per serving
- No agency conducting compliance checks
- No regulation on smokable hemp sales
- Illegal products from out of state



Photo courtesy of Trevor Vaughn.



Photos courtesy of Trevor Vaughn.



ORDINANCE OVERVIEW

- Two (2) annual compliance checks of all licensees. Reinspection within 45 days after initial violation occurs.
- Includes provisions for other harmful substances, such as kratom and age-restricted hemp.
- Annual license fee of **\$500**. This covers the cost of the program.
- Includes distance and proximity restrictions between tobacco retailer location and schools, hospitals, marijuana retailers, and other tobacco retailers.
- Raises minimum legal sales age to 21 to align with federal requirements.
- Develops a penalty schedule that includes suspension and revocation of license.



PROPOSED PENTALY STRUCTURE

Violations within 36 months	Penalty
1st violation	Fine + education
2nd violation	Increased fine + 7-day license suspension
3rd violation	Increased fine + 21-day license suspension OR revocation
4th violation	Permanent license revocation



SUMMARY OF TRL+ BENEFITS

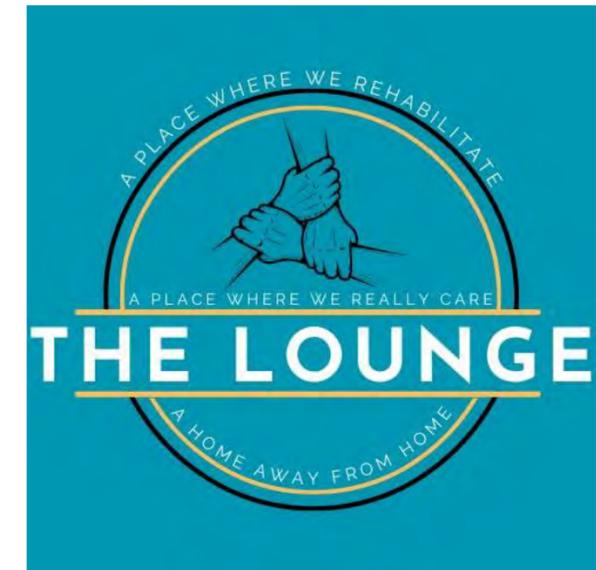
- Supports fair competition – creates equal playing field for tobacco, marijuana, and alcohol retailers
- Doesn't impact adult access and protects youth
- Gives local control, fills in state gaps
- Self-funding program that doesn't impact the city budget
- Creates a healthier, safer community by reducing illegal sales



Thank you!



STREET FRAT



Questions?



REFERENCES

- 1 Campaign for Tobacco-Free Kids. (2025). The Toll of Tobacco in the United States. Campaign for Tobacco-Free Kids. <https://www.tobaccofreekids.org/problem/toll-us>
- 2 Campaign for Tobacco-Free Kids. (2024). The path to tobacco addiction starts at very young ages. <https://assets.tobaccofreekids.org/factsheets/0127.pdf>
- 3 Center for Disease Control and Prevention. (2024). E-Cigarette use among youth. Smoking and Tobacco Use; CDC. <https://www.cdc.gov/tobacco/e-cigarettes/youth.html>
- 4 Colorado Department of Public Health & Environment (2023). Healthy Kids Colorado Survey. [online] <https://cdphe.colorado.gov/hkcs>.
- 5 Adams and Arapahoe County Retail Food License Data (2025)
- 6 Colorado Department of Revenue, Tobacco Compliance Check (2023)
- 7 Subica, A.M. *et al.* (2018) 'The geography of crime and violence surrounding tobacco shops, medical marijuana dispensaries, and off-sale alcohol outlets in a large, urban low-income community of color', *Preventive Medicine*, 108, pp. 8–16. doi:10.1016/j.ypmed.2017.12.020.

Support Tobacco Retail Licensing in Aurora!

Sponsors: Councilor Ruben Medina (Ward 3) & Stephanie Hancock (Ward 4)

For questions, please contact aurorapartnersforthrivingyouth@gmail.com.

What is Tobacco Retail Licensing (TRL+)?

Licensing is a common policy tool that state and local governments use to regulate businesses like alcohol retailers, pharmacists, and restaurants. With passage of this ordinance, Aurora would create a local license for retailers that sell tobacco, nicotine, kratom, and hemp-derived THC products within the City. This ordinance builds on existing Colorado law and [local Ordinance 2025-64](#) to improve enforcement, fund retailer education, and keep harmful products out of the hands of kids who are underage.

Why Aurora Needs a TRL+

- 84% of Aurora youth who tried to buy tobacco or vaping products in a store were **not** turned away
- 101 tobacco retailers are within 1,000 feet of schools and recreation centers
- 30 stores are within 500 feet of a school
- 8% have violations for selling to minors, likely an undercount
- 162 retailers are located around high-poverty schools

What TRL+ does:

- Require all tobacco and vape retailers in Aurora to have an annual license
- Covers all program costs with annual license fee
- Allow two annual compliance check to ensure licensees don't sell products to youth under the age of 21
- Establish a clear penalty system for violators, including license suspension or revocation
- Regulates emerging products like kratom and age-restricted hemp

What TRL+ does NOT do:

- Ban, or curtail, access to flavored tobacco or nicotine products
- Ban, or curtail, access to any tobacco product for adults over the age of 21

Supporting TRL+ Would Help Aurora By:

- **Ensuring fair competition among retailers:** A licensing system creates a level playing field by holding all retailers to the same standards, discouraging illegal sales that undercut compliant businesses. Existing tobacco retailers will be “grandfathered” into proximity requirements.
- **Preventing youth access to tobacco products:** A TRL+ will NOT restrict adult access to these products, but it will hold retailers responsible for selling these addictive products to youth.
- **Strengthening local control over tobacco and other harmful products.** A TRL+ gives Aurora more authority over tobacco and harmful products.

TRL+ is Supported by Community!





Aurora Business Advisory Board

January 28, 2026

Mayor & City Council

Subject: Tobacco and Age Restricted Psychoactive Products Retail License Ordinance

Dear Mayor Coffman & Members of City Council:

The Business Advisory Board first reviewed the proposed Tobacco and Age-Restricted Psychoactive Products Retail License Ordinance during our November 17, 2025 meeting. At that time, Board members shared concerns regarding the level of detail contained in the ordinance and the challenge of fully evaluating its implications within the limited meeting timeframe. One early concern centered on the proposed two-mile distance requirement for new hookah lounges. Board members noted that this provision could unintentionally disadvantage Aurora's globally diverse communities, particularly those for whom hookah use is a longstanding cultural practice. Restricting new lounges in areas where cultural communities are concentrated may produce inequitable outcomes and reduce opportunities for culturally relevant businesses to operate and grow.

In addition, the Board questioned whether adequate outreach had been conducted prior to initial consideration of the ordinance. To help address this, the Board hosted a dedicated retailer outreach meeting on January 9, 2026, offering business owners and industry representatives a more direct opportunity to engage. The meeting was well attended, with 67 participants representing both small businesses and industry lobbyists. City staff were present to listen and respond to feedback.

During that meeting, retailers and industry representatives raised several concerns:

- **Federal legality requirement:** Many questioned the provision prohibiting sales of products not federally legal, expressing uncertainty about how this standard would be interpreted and enforced, particularly in an environment where state and federal rules may differ.
- **Equity concerns related to grocery store exemptions:** Some participants felt that exempting grocery stores from certain distance restrictions created an uneven playing field, potentially disadvantaging smaller, independently owned retailers.
- **Questions about the statistical basis for the ordinance:** Multiple attendees expressed disagreement with the data or conclusions used to justify the licensing program, suggesting that the evidence presented did not align with their on-the-ground experience, nor did it align with actual crime/violation statistics, but rather "survey results". Actual violation data suggests small retailers might not be majority source of bad actors suggesting a possible disproportionate impact of this proposed ordinance.
- **Requests to separate product types:** Several retailers recommended splitting tobacco and psychoactive-product regulations into separate ordinances, believing this would provide greater clarity and allow for more tailored approaches.



Aurora Business Advisory Board

- **Enforcement structure and responsibility:** Many small retailers questioned why violations would be directed solely toward the owner/licensee rather than the employee who committed the offense, particularly when this differs from existing State enforcement practices. Retailers expressed that if the goal is preventing sales to underage individuals, penalties should target the party responsible for the violation rather than placing the entire burden on the business owner.
- **Concerns about fees and financial burden:** Small business owners emphasized that new fees, combined with the risk of fines, could pose a significant hardship, especially for independent, long-operating, low-margin retailers.

In addition to the concerns reflected above, the outreach meeting also surfaced broader themes from retailers:

- **Desire for clearer guidance and plain-language expectations.** Many retailers reported confusion about how the ordinance would apply to them and asked for more straightforward explanations, training opportunities, and examples of compliant vs. non-compliant scenarios.
- **Concerns that the ordinance may disproportionately affect immigrant-owned and family-run stores.** Several business owners shared that language barriers or limited administrative capacity could make compliance more difficult, even when they are committed to following the law.
- **Requests for stronger partnership rather than punitive measures.** Retailers expressed that they would prefer a collaborative approach—one that emphasizes education, support, and clear communication over penalties and enforcement actions.

Following the January 9 outreach meeting, City staff continued conversations with engaged small retailers and met with industry representatives to review potential ordinance revisions. These proposed adjustments were presented to the Board during its January 26, 2026 meeting. While Board members asked follow-up questions, the Board did not propose additional changes nor take a formal position on the ordinance.

The Business Advisory Board appreciates the efforts of City staff and Council in seeking community input on this matter. Given the breadth of feedback received, especially from small, locally owned retailers, we hope this memo provides helpful context as you continue deliberations.

Respectfully submitted,

Garrett Walls

Chairperson, Business Advisory Board

ORDINANCE NO. 2026- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 6 OF THE CITY CODE TO ADD ARTICLE IV AND SECTIONS 6-501 THROUGH 6-522, TO ESTABLISH A TOBACCO, KRATOM, AND AGE-RESTRICTED HEMP LICENSE AND AMENDING SECTION 94-343 OF THE CITY CODE RELATING TO DISPENSING OF TOBACCO PRODUCTS

WHEREAS, the City of Aurora, Colorado, (the “City”), is a home rule municipality, organized and existing under and by virtue of Article XX, Section 6 of the Colorado Constitution, and it has the power to regulate matters of local concern; and

WHEREAS, the City Council finds that the retail sale of tobacco products, kratom, and hemp-derived THC products restricted to individuals aged 21 and older is associated with increased health risks, especially among youth and young adults; and

WHEREAS, 2023 Healthy Kids Colorado (“HKCS”) survey data demonstrates that among underage students who tried to buy tobacco or vaping products at a store, 84% of Aurora youth were not refused service because of age; and

WHEREAS, unregulated sales of such products can contribute to youth initiation of substance use, nicotine addiction, and exposure to psychoactive or potentially harmful substances; and

WHEREAS, kratom, while not scheduled federally, has been subject to public health advisories by the U.S. Food and Drug Administration due to concerns over its addictive potential, lack of regulation, and association with adverse health events; and

WHEREAS, Colorado state law Sec. 6-1-740(2)(a)(II) C.R.S., prohibits any person from distributing, selling, or offering for sale a Kratom product to an individual who is under twenty-one years of age; and

WHEREAS, Sec. 25-5-427(8)(e) C.R.S., makes it unlawful to sell certain hemp products to an individual who is under twenty-one years of age; and

WHEREAS, there is a lack of enforcement by the state at retail outlets to ensure that Kratom and age-restricted hemp Tetrahydrocannabinol (“THC”) products are not sold to youth; and

WHEREAS, outlets selling such items are frequently located in areas of poverty, are often correlated with the location of drug markets and criminal activity, and their concentration is detrimental to the economic vitality and health of the community, particularly for the youth; and

WHEREAS, a local licensing system will allow the City to identify, monitor, and regulate businesses that sell these products to ensure compliance with state and federal age restrictions and labeling requirements; and

WHEREAS, the City seeks to prevent the overconcentration of age-restricted product retailers in vulnerable neighborhoods, which research has shown to exacerbate public health disparities and reduce neighborhood livability; and

WHEREAS, local licensing requirements will support the enforcement of existing laws prohibiting the sale of these products to individuals under the legal age, as well as enhance compliance inspections and nuisance abatement efforts; and

WHEREAS, requiring a Tobacco, Kratom, and Age-Restricted Hemp Retail License is a reasonable and necessary exercise of the City's home rule and police powers to protect the public health, safety, and welfare of its residents; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City to adopt reasonable regulations that promote community health, well-being, reduce crime, and support the economic vitality of the City.

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

Section 1. The City Code of the City of Aurora, Colorado is hereby amended to add Article IV and sections 6-501 through 6-522 to Chapter 6 of the City Code which article and sections shall read as follows:

Article IV. TOBACCO AND AGE-RESTRICTED PSYCHOACTIVE PRODUCT RETAIL ESTABLISHMENTS

Sec. 6-501. Definitions.

Except as otherwise indicated by the context, the following words and phrases shall have the following meanings:

***Age-Restricted Hemp Product* means any hemp product prohibited to be sold to an individual under twenty-one years of age by Sec. 25-5-427(8)(e) C.R.S., as amended.**

***Age-Restricted psychoactive product* means any tobacco product, age-restricted hemp product, or kratom product that cannot be legally sold to an individual who is under twenty-one years of age pursuant to federal or state law.**

***Applicant* means any person who has submitted an application for a license or renewal of license pursuant to this article.**

Accessory means any product that is intended or reasonably expected to be used with or for the human consumption of a tobacco or an age-restricted psychoactive product; does not contain tobacco or an age-restricted psychoactive product and is not made or derived from tobacco or an age-restricted psychoactive product; and meets either of the following: (1) is not intended or reasonably expected to affect or alter the performance, composition, constituents, or characteristics of a tobacco or an age-restricted psychoactive product; or (2) is intended or reasonably expected to affect or maintain the performance, composition, constituents, or characteristics of a tobacco or an age-restricted psychoactive product, but: (a) solely controls moisture and/or temperature of a stored tobacco or an age-restricted psychoactive product; or (b) solely provides an external heat source to initiate but not maintain, combustion of a tobacco or an age-restricted psychoactive product. Accessory includes, but is not limited to, carrying cases, lanyards, and holsters.

Cigar means any roll of tobacco, other than a cigarette, that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece.

Cigarette means any product that contains tobacco or nicotine that is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

- (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco;
- (2) tobacco in any form that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging or labeling, is likely to be offered to, or purchased by consumers as a cigarette; or
- (3) any roll of tobacco wrapped in any substance containing tobacco that, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (1)(a) above.
- (4) the term includes all “roll-your-own,” i.e., any tobacco that, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to or purchased by consumers as tobacco for making cigarettes.

City or the city means the City of Aurora, Colorado.

City Code means the Aurora, Colo. Code or the Unified Development Code of the City.

Commercial tobacco means tobacco that is manufactured and sold for profit for use in cigarettes, smokeless tobacco, pipe tobacco, cigars, hookah and other products. Commercial tobacco is regulated by the Food and Drug Administration (FDA) under the Family Smoking and Prevention Act which gives the FDA the authority to regulate the manufacture, distribution and advertising of commercial tobacco. The word “tobacco” when referenced in this article, unless indicated otherwise, refers to commercial tobacco.

Component or part means any software or assembly of materials intended or reasonably expected:

- (1) To alter or affect the tobacco or an age-restricted psychoactive product's performance, composition, or characteristics; or
- (2) To be used with or for the human consumption of a tobacco or an age-restricted psychoactive product or electronic smoking device. Component or part excludes anything that is an accessory, and includes, but is not limited to e-liquids, cartridges, certain batteries, heating coils, programmable software and flavorings for electronic smoking devices.

Coupon means any voucher, rebate, card, paper, note, form, statement, ticket, image, or other issue or similar item, whether in paper, digital, or other form, used for commercial purposes to obtain an article, product, service, or accommodation without charge or at a discounted price.

Crime Prevention Through Environmental Design (CPTED) means architectural design, site design, operational, and landscape design principles and standards intended to reduce the fear and incidence of crime, and to improve the quality of life.

Delivery sale means the sale of any tobacco product to any person for personal consumption and not for resale when the sale is conducted by any means other than an in-person, over-the-counter sales transaction in a tobacco retail establishment. Delivery sale includes delivery by licensees or third parties, by any means, including curbside pick-up.

Drug paraphernalia shall include any products meeting the definition of drug paraphernalia in section 94-220 of the Aurora Colo. Code and any products meeting the definition of marijuana paraphernalia in Sec. 18-13-122 C.R.S., as amended.

Electronic Benefit Transfer (EBT) means a method of accessing EBT benefits issued to a household member or authorized representative through the federal or state EBT system by a benefit issuer. This method may include an on-line magnetic stripe card, an off-line smart card, a chip card, a contactless digital wallet with a stored card, or any other similar benefit access technology approved by United States Department of Agriculture's Food and Nutrition Service.

Electronic delivery device means any device that may be used to deliver any aerosolized or vaporized substance, whether natural or synthetic, to the person inhaling from the device, including, but not limited to, devices manufactured, marketed or sold as an e-cigarette, e-cigar, e-pipe, electronic smoking device, vape pen, or e-hookah. Electronic delivery device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic delivery device does not include medical marijuana as defined in Sec. 44-10-103(34) C.R.S., as amended, or section 14 of article

XVIII of the Colorado Constitution, or retail marijuana as defined in Sec. 44-10-103(57) C.R.S., as amended, or Section 16(2)(f) of Article XVIII of the Colorado Constitution; or any product that is a drug, device, or combination of products specifically authorized for smoking cessation purposes by the United States Food and Drug Administration, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

***Finance Director* means the Director of Finance of the City or designee.**

***Full retail price* means the price listed for a tobacco product on its packaging or on any related shelving, advertising, or display where the tobacco product is sold or offered for sale, plus all applicable taxes and fees, if such taxes and fees are not included in the listed price.**

***Good cause* for purposes of approving, refusing or denying the issuance or renewal of a license means:**

- (1) The licensee or applicant has violated, does not meet, or has failed to comply with any of the provisions of the Colorado State Statutes or the Colorado Regulations governing the sale and consumption of tobacco or age-restricted psychoactive products including the Colorado Clean Indoor Air Act, C.R.S. § 25-14-201 *et seq.*, the Aurora Colo. Code, any rule and regulation adopted pursuant thereto, any supplemental relevant state or local law, rule or regulation related to the sale of such products.**
- (2) The licensee or applicant has failed to comply with any term or condition placed on the license by order of the state licensing authority or local licensing authority;**
- (3) The licensed premises are not in compliance with any city zoning, building code or other city code or state statute.**

- (4) Operating the licensed premises in a manner that adversely affects the public health, safety, or general welfare of the City or the immediate neighborhood in which the business is located, including failing to take reasonable, good faith, proactive measures to prevent a pattern of criminal activity on or about the licensed premises, including but not limited to prostitution, unlawful drug or alcohol consumption, underage access to age-restricted products through third parties, drug dealing, and associated loitering behaviors. Such measures may include, but are not limited to, the following;:**
 - (a) posting no loitering or no trespassing signage and reporting violations promptly to the Aurora Police Department;**
 - (b) implementing Crime Prevention Through Environmental Design measures such as lighting, natural surveillance, transparent windows, and property maintenance;**
 - (c) reporting any disturbances and criminal behavior promptly to the Aurora Police Department;**
 - (d) installation of video surveillance and other mechanical security measures; or**
 - (e) other effective alternatives.**

- (5) **Nothing in this ordinance shall be construed to require a licensee or its employees to physically intervene in, enforce, or remediate unlawful conduct beyond reasonable cooperation with law enforcement as permitted by law. This ordinance does not impose a duty of physical enforcement or use of force by retail employees.**
- (6) **In the case of a new license, the previous licensee at the proposed location violated this section within the last 24 months resulting in revocation, nonrenewal or a surrender for cause. In such case the license may be issued if the new applicant has no association with the prior operation and demonstrates through written compliance policies, employee training programs, documented operation controls and other substantial changes to the operation and character of the licensed premises that violations are unlikely to continue under the new licensee.**
- (7) **In consideration of good cause for nonrenewal or denial of license application, the authority shall consider the nature, severity and pattern of violations and good faith actions taken by the licensee in mitigation of such violations.**

***Good moral character* means an individual who has a personal history demonstrating honesty, fairness, and respect for the rights of others. In evaluating good moral character the licensing authority may consider, as relevant to the licensed activity, whether the individual has:**

- (1) **Ever had a professional license denied, suspended, or revoked;**
- (2) **Ever had a business license denied, suspended, or revoked;**
- (3) **Ever surrendered, been denied, or had any type of tobacco related business license placed on an administrative hold, suspended or revoked;**
- (4) **Ever had a business temporarily or permanently closed for failure to comply with any tax, health, building, fire, zoning or safety law;**
- (5) **Ever had an administrative, civil or criminal finding of delinquency for failure to file or failure to pay sales or use taxes or any other taxes;**
- (6) **Been convicted of a crime of moral turpitude in the last (10) years; or**
- (7) **Been convicted of a felony in the three years immediately preceding his or her application date or who is currently subject to a sentence for a felony conviction;**

In making a determination under this section, the licensing authority shall also consider evidence of rehabilitation, including the factors set forth in § 24-5-101(2), C.R.S., as amended, and the nature, severity, recency, and relevance of any conduct to the licensed activity.

***Hemp and hemp products* mean any hemp or hemp product as defined by Sec. 25-5-427(2) C.R.S., as amended.**

***Hookah Lounge* means a business establishment, facility, or portion thereof whether indoors or outdoors that is engaged in the on-site sale and consumption of tobacco, herbal shisha, or other substances (whether or not containing nicotine) through a communal hookah, waterpipe, or similar smoking apparatus.**

Incidental Product Dealer means a Tobacco and Age-Restricted Psychoactive Product retailer where the sale of tobacco or age-restricted psychoactive products are secondary to the business and make up less than fifteen percent (15%) of the retailer's floor space and less than fifty (50%) of the retailer's gross sales.

Indoor Age-Restricted Tobacco and Psychoactive Product Retailer mean a retailer that sells cigarettes, tobacco products, or nicotine products for consumers to use at the retail location and that must comply with the requirements in Sec. 25-14-204(3) C.R.S., as amended, including, but not limited to premium cigar lounges, and hookah bars and lounges.

Inspections means the systems of the state licensing authority(s) or the local licensing authority ("licensing authority") uses to investigate and ensure that tobacco and age-restricted psychoactive product retailers are complying with the requirements of this article. Compliance checks may involve the use of persons under twenty-one (21) years of age who purchase or attempt to purchase tobacco products. Compliance checks may also be conducted by other units of government or designees of a licensing authority for educational, research, and training purposes or for investigating or enforcing state, or local laws related to tobacco and age-restricted psychoactive products.

Kratom product means any kratom product as defined by Sec. 6-1-740 C.R.S., as amended.

Large format grocery store means a retail establishment primarily engaged in the sale of a wide variety of food products for off-site consumption, including but not limited to fresh produce, meats, dairy, packaged goods, frozen foods, and household necessities, and which occupies a total floor area of 10,000 square feet or more.

License means to grant a revocable privilege to lawfully operate a tobacco and age-restricted psychoactive product retail business authorized pursuant to Sec. 44-7-104.5 C.R.S., as amended, and this article.

Licensed premises means the premises specified in an application at a specific address for a license authorized pursuant to this article, which are owned or in the possession of the licensee.

Licensee means the owner or holder of a Tobacco and Age-Restricted Psychoactive Product Retail License.

Local licensing authority means the Director of Finance, or any person(s) designated by the Director of Finance with the responsibilities to enforce or administer the provisions of this article.

Little cigar means any roll of tobacco other than a cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing no more than 4.5 pounds per thousand. Little cigar includes, but is not limited to, tobacco products known or labeled as small cigar, little cigar, or cigarillo.

Loosies is the common term used to refer to single cigarettes, cigars, and any other licensed products that have been removed from their original retail packaging and offered for sale. Loosies does not include premium cigars that are hand-constructed, have a wrapper made entirely from whole tobacco leaf, and have a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor.

Manufacturer means any person, including any re-packer or re-labeler, who manufactures, fabricates, assembles, processes, or labels a tobacco or an age-restricted psychoactive product; or imports a finished product for sale or distribution into the United States.

Minimum legal sales age means twenty-one (21) years of age.

Mobile vending means any sale other than at a fixed location, including but not limited to, mobile vendors operating out of vehicles or non-permanent vending machines.

Moveable place of business means any form of business that is operated out of a kiosk, truck, van, automobile or any other type of vehicle or transportable shelter or any other temporary location including, but not limited to, any festival or event intended to occur at any location that is not a fixed storefront which has been authorized as a tobacco and age-restricted psychoactive product retailer with an approved tobacco and age-restricted psychoactive product license issued by the City.

Nicotine delivery product means any product containing or delivering nicotine, including any salt or complex of nicotine whether natural or synthetic, intended for human consumption, or any part of such a product, that is not tobacco, or an electronic delivery device as defined in this section. Nicotine delivery product does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as “drugs,” “devices,” or “combination products,” as defined in the Federal Food, Drug, and Cosmetic Act.

Person means any natural person, a joint venture, joint stock company, partnership, association, firm, club, company corporation, business, trust or organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Premium cigar means a cigar that meets all of the following characteristics:

- (1) is handmade or hand rolled;
- (2) is not mass produced through the use of mechanization;
- (3) has a wrapper that is made entirely from whole tobacco leaf;

- (4) has a filler composed of at least fifty (50) percent natural, long-leaf filler tobacco;
- (5) does not have a filter, tip or non-tobacco mouthpiece;
- (6) is capped by hand;
- (7) weighs more than six (6) pounds per thousand units.

Premium Cigar Lounge means a retail tobacco business that exclusively sells and permits consumption of premium cigars and retails no other tobacco or nicotine products and sales of all other products and services are merely incidental to tobacco.

Proprietor means a person with an ownership or managerial interest in a business. An ownership interest shall be deemed to exist when a person has a ten (10) percent or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt. A managerial interest shall be deemed to exist when a person has or shares ultimate control over the day-to-day operations of a business.

Prohibited kratom product means any kratom product not permitted to be sold in the State of Colorado according to Sec. 6-1-740(2) C.R.S., as amended.

Prohibited hemp product means any hemp product not permitted to be sold in the State of Colorado according to Sec. 25-5-427 C.R.S., as amended.

Psychoactive product means any tobacco product, age-restricted hemp product, or any kratom product as defined in this article.

Public nuisance shall have the same meaning as that defined in Sec. 62-26 of the Aurora City Code as amended

Retailing means the selling of any tobacco product, age-restricted hemp product, or any kratom product to consumers and end users.

Sale or sell means any transfer, exchange, barter, gift, offer for sale, or distribution for a commercial purpose, in any manner or by any means whatsoever.

School means a public, parochial, charter, or any other nonpublic school that provides basic academic education in compliance with school attendance laws for students in grades one through twelve.

Self-service display means the open display or storage of tobacco or age-restricted psychoactive products in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct face-to-face transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

Smoking means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived

from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an electronic delivery device.

Tobacco festival means an age-restricted off-site tobacco event pursuant to Sec. 44-7-105.5 C.R.S., as amended.

Tobacco paraphernalia means any item designed for or reasonably expected to be used for the consumption, use or preparation of tobacco products.

Tobacco product means:

- (1) Any product containing, made of, or derived from tobacco, nicotine or synthetic nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, shisha, snuff, snus, or pouch;
- (2) Any electronic delivery device as defined in this section;
- (3) Any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, mouthpieces, and pipes;
- (4) Rolling papers, wraps, pipes, or other devices intentionally designed or intended to be used with tobacco products; or
- (5) Tobacco product does not include medical marijuana as defined in Sec. 44-10-103(34) C.R.S., as amended, or Section 14 of Article XVIII of the Colorado Constitution, or retail marijuana as defined in Sec. 44-10-103(57) C.R.S., as amended, or Section 16(2)(f) of Article XVIII of the Colorado Constitution; or any product that is a drug, device, or combination of products specifically authorized for smoking cessation purposes by the United States Food and Drug Administration, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

Tobacco and Age-Restricted Psychoactive Product Retailer mean any person who sells, offers for sale, or exchanges or offers to exchange for any form of consideration, tobacco products, kratom and/or kratom products, or age-restricted hemp products.

Tobacco and Age-Restricted Psychoactive Product Retail Establishment means any place of business where tobacco and/or age-restricted psychoactive products and other drug paraphernalia are available for sale to the general public. Retail establishment includes, but are not limited to, grocery stores, tobacco product shops, convenience stores, liquor stores, vape shops, smoke shops, head shops, and gasoline service stations but does not include licensed retail marijuana establishments.

Vape Store, Smoke Shop or Head Shop means a retailer business or any person that sells, offers for sale, or offers to exchange for any form of consideration, tobacco, nicotine,

age-restricted hemp products, kratom products, tobacco paraphernalia, vaping devices or other drug paraphernalia; and has fifteen percent (15%) or more of the square feet in the establishment used for the sale or display of those products or generates fifty (50%) or more from the sale of those products.

***Vending machine* means any mechanical, electric or electronic, or other type of device that dispenses tobacco or age-restricted psychoactive products upon payment by any form by the person seeking to purchase product(s).**

Sec. 6-502. Local licensing authority.

- (a) The local licensing authority has the power and authority to grant a license authorized by this article. The local licensing authority has the authority to deny a license or refuse to renew a license for good cause.**
- (b) The local licensing authority may promulgate such rules and regulations deemed necessary for the proper administration and enforcement of this article and may exercise all other powers and duties as are set forth in the Colorado Revised Statutes, the City Code, and any rule or regulation adopted pursuant thereto.**

Sec. 6-503. Tobacco and Age-Restricted Psychoactive Product Retail License.

The local licensing authority may issue a tobacco and age-restricted psychoactive product retail license for the sale of tobacco or age-restricted psychoactive products after a determination that the applicant complies with the requirements of the City Code and any rule or regulation adopted pursuant thereto.

- (a) It shall be unlawful for any person to sell tobacco or age-restricted psychoactive products within the city, without first obtaining and maintaining a tobacco and age-restricted psychoactive product retail license issued pursuant to this article.**
- (b) The license requirement set forth in this article shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or local law, pertaining to the marketing and sale of tobacco and age-restricted psychoactive products.**
- (c) No vested rights. Notwithstanding anything contained in this article, an applicant issued a license authorized by this article has no vested right to the license or the renewal of a license, and no property right in the license or the renewal of a license.**
- (d) Notwithstanding Sec. 6-503(c), when a license has been issued to a spouse or limited partners, the death of a spouse or partner shall not require the surviving spouse or partner to obtain a new license for the remainder of the term of that license. All rights and privileges granted under the original license shall continue**

in full force and effect as to such survivors for the balance of the term of the license, so long as the survivors meet all other conditions under this ordinance.

Sec. 6-504. General Licensing Requirements.

- (a) *Applications.* All applications for any license authorized by this article shall be submitted to the local licensing authority upon forms provided by the local licensing authority.
- (b) *Complete applications.* An application for a license shall not be considered complete until the local licensing authority has (1) determined that all requirements of the application have been provided to the city, (2) received the licensing fee, and (3) obtained all other information, including that the business location complies with local zoning requirements.
- (c) *Separate licenses.* A separate license shall be required for each geographic location as established by a different street address, different unit or suite number for the geographical location.
- (d) *Issuance of a license.* The local licensing authority shall issue the license upon investigation and a finding that all the following conditions are met:
 - (1) The applicant is at least twenty-one years of age;
 - (2) the applicant has met all the terms, conditions, conditions, conditions, provisions, and requirements imposed upon the applicant or the licensee by the City Code and all the rules and regulations adopted pursuant thereto, and all applicable building, fire, health or zoning statutes, codes, ordinances, rules, or regulations adopted pursuant thereto related to such a business application;
 - (3) the license application is complete, and all requested supplemental documentation has been provided;
 - (4) the license application contains no falsified information, no false statements or misrepresented material or relevant facts;
 - (5) all fees and late charges, if any, have been paid;
 - (6) the applicant has timely filed all tax returns as required by law in relation to the business for which the license is sought;
 - (7) the applicant is not overdue on any payment to the City of any taxes, fines, interest, penalties or collections costs assessed against or imposed upon such applicant in relation to the business for which the license is sought; and
 - (8) the applicant and any persons with 10 percent or more financial interest in the license are of good moral character.
- (e) *Denial of application.* Each of the following, in and of itself, constitutes full and adequate grounds for denying an application:

- (1) The applicant has not paid all applicable fees required by this article;
 - (2) The applicant is under the age of twenty-one (21);
 - (3) The applicant has violated, does not meet, or has failed to comply with any provision of the City Code or any rule or regulation adopted pursuant thereto, or any other applicable building, fire, health rule or regulation adopted pursuant thereto or any zoning statute, code, or ordinance;
 - (4) The application contains falsified information, false statements, misleading or incomplete information;
 - (5) The applicant or anyone stated in the application is not of good moral character;
 - (6) The applicant is overdue on payment to the City of any taxes, interest, penalties, and collection costs assessed against or imposed upon such applicant or licensee in relation to the business for which the license is sought;
 - (7) For good cause;
 - (8) A certificate of occupancy has not been issued by the City's building division for the use desired in the application; or
 - (9) The applicant is a sheriff, deputy, police officer, prosecuting officer, or an officer or employee of the state, a licensing authority, or the City.
- (f) *Notice of denial.* If after investigation the local licensing authority determines that the application will be denied, then the local licensing authority shall:
- (1) Deny the application based upon the information presented in the license application; and
 - (2) Notify the applicant of the local licensing authority's decision of denial and the reasons for the denial.
- (g) *Appeal.* All decisions of the local licensing authority are final, subject only to an appeal and public hearing before the Finance Director if a petition for an appeal is received by the Finance Director within 20 days of the date on the notice of denial. Every petition for appeal must set forth in writing the legal and factual support for the appeal. The Finance Director shall only consider those issues specifically addressed in the petition for appeal.
- (h) *Duty to supplement.* If, at any time before or after a license is issued pursuant to this article, any information required by this article, the City Code, or any rule or regulation adopted pursuant thereto changes from that which is stated in the application, the applicant or licensee shall supplement their application with the updated information within 10 days from the date upon which such change occurs.
- (i) *Notices by e-mail.* All notices, orders and other communications required to be given to an applicant or a licensee under this article shall be sent via e-mail to the applicant or licensee at the e-mail address shown in the application on file with

the local licensing authority of the City. The applicant or licensee has a duty to inform the local licensing authority of a current e-mail address and has an ongoing duty to notify the local licensing authority of any change in the e-mail address within 24 hours of any change. The local licensing authority shall maintain a record of applicant's or licensee's e-mail address and shall store a copy of all e-mail communications with the applicant or licensee for a period of approximately two years. This storage record creates a presumption and is prima facie evidence that any notice, order, or other communications was sent by the City and received by the applicant or licensee

Sec. 6-505. License Term and Renewal.

Each license issued pursuant to this article shall be valid for a period of one year from the date of issuance. All licenses issued pursuant to this article must be renewed on an annual basis. Any license not renewed on or before the expiration date will terminate on the expiration date.

Sec. 6-506. License Fees.

- (a) An applicant for a new license authorized by this article shall pay the city a licensing fee when the application is filed. The purpose of the fee is to cover the direct and indirect costs to the city of the administration, regulation, and implementation of this article. The City shall also collect license renewal fees. Such fees shall be established by the city manager in accordance with the provisions of section 2-587 of the City Code.**
- (b) At least annually, the amount of fees charged pursuant to this section shall be reviewed and, if necessary, adjusted to reflect the direct and indirect costs incurred by the City in connection with the administration, regulation, and enforcement of this article, including costs of random inspections.**

Sec. 6-507. Tobacco and Age-Restricted Psychoactive Product Retail Establishment Location, Modification, and License Limits.

- (a) Each tobacco and age-restricted psychoactive product retail establishment shall have a permanent location. No tobacco or age-restricted psychoactive product retailing shall be permitted to operate from a moveable, mobile, or transitory location or for any temporary duration in the form of a sponsored event, festival, or otherwise.**
- (b) A tobacco and age-restricted psychoactive product retail establishment may be located only on property as allowed in the table of uses as defined by the City Code or the Unified Development Code of the City. No establishment shall be permitted as a home occupation.**

- (c) Distance from schools. No tobacco and age-restricted psychoactive product retail establishment shall be located within one-thousand five hundred (1,500) feet of any public or parochial school, college, university, or seminary.**
- (d) No tobacco and age-restricted psychoactive product retail establishment shall be located within 500 feet of any existing tobacco retail establishment.**
- (e) No Vape Store, Smoke Shop or Head Shop shall be within 2000 feet of another Vape Store, Smoke Shop or Head Shop.**
- (f) No hookah lounge shall be permitted within two (2) miles of another hookah lounge.**
- (g) No indoor hookah lounge shall be located in the same building adjacent to a business licensed for on premise alcohol consumption when both businesses share common financial interests.**
- (h) Computing of distances. The distances set forth in this section are to be computed as measured by a straight line from the nearest portion of the building or unit used by the applicant to the nearest portion of the building or unit used by the existing licensee or applicant. For purposes of distances from schools, the distance shall be measured from the nearest portion of the building or unit used by the applicant to the nearest point of the property line of the land used for school purposes.**
- (i) An exception for the issuance of a tobacco and age-restricted psychoactive product retail license is available for an existing tobacco and age-restricted psychoactive product retail establishment operating and selling tobacco and age-restricted psychoactive products prior to the effective date of this ordinance that would otherwise be in violation of the location requirements provided herein. The sale of a continuously operated licensed business shall not invalidate this exception as long as all other elements are met. All other licensing requirements pursuant to this article shall apply and must be met in order for this exception to apply, including the following:**

 - (1) the tobacco and age-restricted psychoactive product retail establishment is not closed for business or otherwise suspends tobacco and age-restricted psychoactive product sales, whether voluntarily or due to license suspension for more than sixty (60) consecutive days;**
 - (2) the tobacco and age-restricted psychoactive product retailer does not substantially change the business premises or business operation. A substantial change to the business operation includes, but is not limited to, expansion of the physical premises or the transferring or sale of a location for which a significant purpose is avoiding the effect of violations of this ordinance; and**

- (3) if the City determines that a tobacco and age-restricted psychoactive product retailer has substantially changed the business premises or operation and the tobacco retailer disputes this determination, the tobacco retailer bears the burden of proving by a preponderance of evidence that such change(s) do not constitute a substantial change.
- (j) A Vape Store, Smoke Shop or Head Shop shall not exceed two thousand five hundred (2,500) square feet of gross floor area in size.
- (k) Hookah Lounges shall maintain a clear line of sight into the business during nighttime operation so as the activity of the patrons of the business are visible from the exterior.
- (l) Modification of licensed premises. After obtaining a license, a licensee shall not make physical changes, alterations, or modifications to the licensed premises that materially or substantially alters the licensed premises or the usage of the licensed premises from the plans originally approved by the local licensing authority without submitting an application for such change, alteration, or modification, and obtaining the prior written approval of the local licensing authority to make such proposed modifications.

Sec. 6-508. Tobacco and Age-Restricted Psychoactive Product Retailer License Classes

- (a) Classes of Licenses
 - (1) Incidental Product Dealer
 - (2) Hookah Lounge
 - (3) Vape Store, Smoke Shop or Head Shop
 - (4) Premium Cigar Lounge

Sec. 6-509. Minimum Legal Sales Age and Access to Tobacco Age-Restricted Psychoactive Products.

- (a) It shall be unlawful for any person to sell, give, deliver or furnish any tobacco or age-restricted psychoactive product or other drug paraphernalia to anyone under twenty-one (21) years of age. It shall be an affirmative defense to a prosecution under this subsection that the person furnishing the product was presented with and reasonably relied upon a document to include any verified digital identification which identified the person receiving the product as being twenty-one (21) years of age or older.
- (b) Age verification. A tobacco retailer must verify by means of government-issued photographic identification containing the bearer's date of birth that the purchaser of any tobacco or age-restricted psychoactive product is at least 21 years of age.

- (c) No tobacco and age-restricted psychoactive product retailer shall sell or offer to sell any licensed product in any manner or form prohibited by state, or other local law or regulation.
- (d) Every tobacco and age-restricted psychoactive product retailer shall display the signage required by Sec. 44-7-103(3) C.R.S., as amended and shall additionally display the following warning signage. Such signage shall be prominently displayed, directly adjacent to the state required signage in a font size and style that is visually similar to the signage required by Sec. 44-7-103(3) C.R.S., as amended.

WARNING

IT IS ILLEGAL TO SELL CIGARETTES, TOBACCO PRODUCTS, TOBACCO OR MARIJUANA PARAPHERNALIA, KRATOM, AGE-RESTRICTED HEMP, OR NICOTINE PRODUCTS TO ANY PERSON UNDER TWENTY-ONE YEARS OF AGE.

AURORA COLO. CODE SEC 6-509(b).

**THE COLORADO TOBACCO AND NICOTINE QUITLINE
IS AVAILABLE IN ENGLISH AND SPANISH.**

CALL 1-800-QUIT-NOW (1-800-784-8669) OR VISIT <https://www.coquitline.org>.

- (e) It shall be unlawful for any retail tobacco and age-restricted psychoactive product store to sell or display or permit to be sold or displayed any tobacco or age-restricted psychoactive product in such a manner that it can be reached or purchased by customers without it being requested from, and provided by, an employee of the establishment unless in a controlled area only accessible by persons 21 years of age or older and verified by the licensee.
- (f) *A Hookah Lounge, Premium Cigar Lounge, and Vape Store, Smoke Shop or Head Shop* that permits indoor smoking must comply with the requirements in Sec. 25-14-204(3) C.R.S., as amended, including, but not limited to:
 - (1) Prohibiting entry by any person under twenty-one years of age;
 - (2) Displaying signage in at least one conspicuous place and at least four inches by six inches in size stating either;
 - (i) “Smoking allowed. Persons under twenty-one years of age may not enter.”; or
 - (ii) In the case of a retailer that desires to allow the use of electronic smoking devices but no other forms of smoking on the premises, “Vaping allowed. Persons under twenty-one years of age may not enter.”

- (g) A licensee shall not sell tobacco or age-restricted psychoactive products, accessories, or paraphernalia that have cartoon characters or trade infringing products targeted to children.

Sec. 6-510. Employee Tobacco and Age-Restricted Psychoactive Product Sales.

A retailer shall not permit a person under twenty-one (21) years of age to sell or participate in the sale of tobacco and age-restricted psychoactive products.

Sec. 6-511. Sale of Tobacco Products from Vending Machines Prohibited.

It shall be unlawful for any person to sell or offer for sale any tobacco or age-restricted psychoactive products by use of a vending machine or other self-service display.

Sec. 6-512. Hookah Lounges

- (a) It shall be unlawful for an indoor hookah lounge:
 - (1) To knowingly permit possession of any alcoholic beverage on or around the licensed premises at any time;
 - (2) To knowingly permit possession or use of any illicit drug on or around the licensed premises at any time;
 - (3) To operate between the hours of 2:00 a.m. and 7:00 a.m. daily unless more restricted by zoning or license conditions; or
 - (4) To conduct the establishment in a manner resulting in noise or incidents of disorderly conduct, intoxication or other activities offensive to the citizens of the neighborhood whether such incidents occur on or in the immediate vicinity of the hookah lounge.
- (b) Subsection (a)(1) does not apply to a hookah lounge that is operated on an outdoor patio directly as part of the operation of a business licensed for the sale and consumption of alcoholic beverages.

Sec. 6-513. Onsite Delivery of Tobacco or Age-Restricted Psychoactive Products Prohibited.

- (a) The delivery of tobacco or age-restricted psychoactive products from a licensed retail establishment to a person who is not another licensed retailer is prohibited.
- (b) This section does not apply to the direct shipment of cigars or pipe tobacco that is not restricted pursuant to Sec. 44-7-104.7 C.R.S., as amended.

Sec 6-514. Minimum Package Size for Little Cigars and Cigars. No licensee shall sell:

- (a) Any little cigar unless it is sold in a package of at least twenty (20) little cigars; or

- (b) Any cigar unless it is sold in a package of at least six (6) cigars; provided, however, that this subsection shall not apply to a premium cigar as defined in this article.**

Sec. 6-515. Prohibition of Sale of Marijuana, Nonscheduled Psychoactive Ingredients and Drug Paraphernalia Implements.

- (a) It shall be unlawful for retailers licensed under this article to violate Article IX of Chapter 26.**
- (b) It shall be unlawful for any person to sell any prohibited kratom product.**
- (c) It shall be unlawful for any person to sell any prohibited hemp product.**
- (d) It shall be unlawful for retailers licensed under this article to sell marijuana.**
- (e) It shall be an aggravating factor in any violation proceedings for this section for a licensed retailer found selling items in violation of this section to fail to provide the local licensing authority with records of its purchase of such items in a timely manner when requested by the local licensing authority, and such license may be suspended until licensee discloses the source of such items.**

Sec. 6-516. Reserved.

Sec. 6-517. Product Packaging.

- (a) It shall be unlawful for any retail tobacco and age-restricted psychoactive retailer to sell tobacco or age-restricted psychoactive products in any form or condition other than in the packaging provided by the manufacturer.**
- (b) This section shall not apply to premium cigars or pipe tobacco sold by a person who primarily engages in the business of selling cigars, pipe tobacco, cigar related accessories, and pipe tobacco related accessories, or the rental of on-premises humidors or other cigar storage units.**

Sec. 6-518. Reserved.

Sec. 6-519. Tobacco Product Marketing

- (a) A tobacco and age-restricted psychoactive product retailer without a valid current tobacco and age-restricted psychoactive product retail license including a retail license that is under administrative review, or one that has been suspended or revoked:
 - (1) Shall keep all tobacco and age-restricted psychoactive products and paraphernalia out of public view. The public display of any tobacco or****

age-restricted psychoactive products in violation of this provision shall constitute retailing without a license under this article; and

- (2) Shall not display any advertisement relating to any tobacco or age-restricted psychoactive products that promotes the sale or distribution of such products from the retail establishment or that could lead a reasonable consumer to believe that such products can be obtained at that location.

Sec. 6-520. Tobacco and Age-Restricted Psychoactive Product Retail Compliance Inspections.

- (a) Every applicant, licensee, employee, or agent of a licensee shall permit a licensing authority, its agents, or any other person authorized to inspect the premises and the location for compliance with the City Code and any of the rules and regulations adopted pursuant thereto. Licensee shall also provide access to all security footage upon request.
- (b) Every licensee shall also provide upon request a copy of all records required to be maintained by this article or records required to be maintained by any state or federal regulatory agency. Such records shall include all records kept in the normal course of business including but not limited to invoices, sales, inventory, bills of lading, financial statements, payroll, purchase orders, contracts, and agreements.
- (c) All licensed premises must be open to inspection by law enforcement or other authorized officials of a licensing authority during regular business hours.
- (d) The City shall conduct a minimum of two (2) compliance inspections per year by engaging persons under the age of twenty-one (21) at each licensed retail location.
- (e) If the compliance inspection results in a violation pursuant to this article, the City shall conduct an additional compliance check of the retail location where the violation occurred within forty-five (45) days.
- (f) Under-aged individuals participating in compliance checks will be supervised by law enforcement or other designated personnel and will not be guilty of illegal possession or illegal procurement when those items are obtained as a part of the inspection protocol. The City shall not enforce any law establishing a minimum age for tobacco and age-restricted psychoactive product purchases or possession against an individual who otherwise might be in violation of such law because of the individual's age (hereinafter "underage inspector") if the potential violation occurs when:
 - (1) The underage inspector is participating in an inspection supervised by a peace officer, code enforcement official, or licensing authority personnel designated to monitor compliance with this article;

- (2) The underage inspector is acting as an agent of the local licensing authority or an entity designated by the City to monitor compliance with this article; or
- (3) The underage inspector is participating in an inspection funded in part, either directly or indirectly through subcontracting with the City, the Colorado Department of Public Health and Environment, or the Colorado Department of Revenue.

Sec. 6-521. Penalties, License Suspension and Revocation.

- (a) The Finance Director has the power and authority to impose disciplinary actions, sanctions, penalties upon a licensee that may include a fine, a suspension or a revocation of a license issued by the City's local licensing authority for any violation by the licensee or by any of the agents or employees of the licensee of any provision of the City Code, state statute, any rule or regulation adopted pursuant thereto, any building, fire, health rule or regulation, in addition to any other penalties prescribed by the City Code.
- (b) The Finance Director also has the authority to impose disciplinary actions, sanctions, penalties on the licensee if the Finance Director finds that:
 - (1) The licensee has failed to pay all required fines, costs and fees.
 - (2) The licensee has failed to file tax returns when due as required by the City Code, or the licensee is overdue on payment to the City of taxes, fines, interest, or penalties assessed against or imposed upon such licensee in relation to the licensed business.
 - (3) The licensee has made a false statement, falsified any information, or misrepresented any material fact submitted in the license or renewal application.
 - (4) The licensee has failed to operate in accordance with any special term or condition placed upon a license by the local licensing authority.
 - (5) The licensee has failed to operate in accordance with the City Code and any of the provisions of this article.
 - (6) The licensee has knowingly or unreasonably permitted, facilitated, encouraged, or failed to prevent a public nuisance from occurring in or about the licensed premises.
 - (7) The licensee acquired tobacco products from wholesalers not licensed for collection of Colorado tobacco and nicotine taxes with the intent of evading state taxation.
 - (8) Committed any unlawful act as prescribed by this article.
 - (9) Any fact or condition exists which, if it had been known to exist at the time of the application for such license, would have warranted the refusal to issue such license.
- (c) Penalties imposed for a violation.
 - (1) Any fine imposed by the Finance Director shall not be less than \$500.00.

- (2) **If the Finance Director finds that the license should be suspended or revoked or a fine imposed, the licensee shall be provided with written notice of such fine, suspension or revocation and the reasons therefore within 20 days following the date of the hearing.**
 - (3) **If the Finance Director suspends or revokes a license or imposes a fine the licensee may appeal the fine, suspension or revocation to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The licensee's failure to timely appeal the decision is a waiver of the licensee's right to contest the fine imposed, the suspension or the revocation of the license.**
 - (4) **The Finance Director has the authority to impose the costs to conduct a public hearing upon a licensee who has violated any of the provisions prescribed by this article.**
 - (5) **No fee previously paid by a licensee in connection with a tobacco and age-restricted psychoactive product retail license shall be refunded if the licensee's license is suspended or revoked.**
- (d) **For compliance checks the following penalty structure shall apply:**
 - (1) **For a first violation, the licensing authority shall issue a fine in the amount of \$1,000;**
 - (2) **For a second violation within 36 months, the licensing authority shall issue a fine in the amount of \$2,000 and suspend the license for 7 days;**
 - (3) **For a third violation within 36 months, the licensing authority shall issue a fine in the amount of \$2,650 and suspend the license for 21 days OR revocation of the license; and**
 - (4) **For a fourth violation within 36 months, the licensing authority shall permanently revoke the license.**
- (e) **Suspension order compliance.**
 - (1) **In accordance with Sec 6-521(b), the local licensing authority may take any actions necessary to ensure compliance with a suspension of the privilege to sell tobacco and age-restricted psychoactive products, including, but not limited to, requiring removal of all tobacco and age-restricted psychoactive products from the sales area of the location where products are sold for the duration of the suspension, and inspecting any and all documentation relevant to the suspension. The retailer shall post, in a prominent place at the premises of the location where tobacco and age-restricted psychoactive product sales have been suspended, a notice that tobacco and age-restricted psychoactive product sales have been suspended for the duration of the suspension.**
 - (2) **It shall be a violation of this Section if a tobacco and age-restricted psychoactive product retailer violates or fails to comply with the terms and conditions of a suspension order. If the local licensing authority determines that an order issued pursuant to this article has been violated,**

or that the licensee has failed to comply with a suspension order, the local licensing authority may reimpose the original suspension up to the full term. Any reimposed suspension shall be in addition to any penalty ordered for a new violation.

- (f) **The Finance Director may also summarily suspend a tobacco and age restricted psychoactive product retailer license with a hearing to be scheduled within 15 days when the director finds that:**
- (1) **The licensee willfully violated provisions of this article, or the continued operation of the licensed establishment presents a risk to public health and safety.**

Sec. 6-522. Liability.

A tobacco and age-restricted psychoactive product retailer shall be liable for the actions of its officers, agents, representatives or employees regarding the sale of tobacco and age-restricted psychoactive products on the licensed premises.

Sec. 6-523. Reporting

***Report to city council.* The director shall report in writing to the city council at least annually regarding the implementation and effectiveness of this article.**

Section 2. That section 94-343 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows;

Sec. 94-343. Dispensing of tobacco **and age-restricted psychoactive** products.

- (a) For the purpose of this section, the term "tobacco products" **has the meaning as prescribed in Sec. 6-501 of the City Code pertaining tobacco retail licensure.** ~~means cigars, cigarettes, cheroots, stogies, periques, granulated, plus cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, cavendish, plus and twist tobacco, fine cut and other chewing tobaccos, and other kinds and forms of tobacco, prepared in such a manner as to be suitable for chewing, to be placed in the oral cavity or nasal passage, or for smoking in a pipe or otherwise or both for chewing and smoking.~~
- (b) **For the purposes of this section the terms kratom product, age-restricted psychoactive product, psychoactive product, and age-restricted hemp products shall have the same definition as defined in Sec. 6-501 of the City Code.**
- (c) ~~(b)~~ It shall be unlawful for any person to knowingly furnish to any person who is under ~~18~~ **21** years of age, by gift, sale, or any other means, any tobacco or **age-restricted psychoactive** product. It shall be an affirmative defense to a prosecution under this subsection that the person furnishing the tobacco or **age-restricted psychoactive** product was presented with and reasonably relied upon a document which identified the person receiving the tobacco product as being ~~18~~ **21** years of age or older.

~~(d) — It shall be unlawful for any person who is under 18 years of age to purchase any tobacco product.~~

~~(e) — Except as otherwise stated in this subsection, it shall be unlawful for any person to sell or offer to sell any tobacco products by use of a vending machine or other coin-operated machine. Cigarettes may be sold at retail through vending machines only in:~~

~~(1) — Factories, businesses, offices, or other places not open to the general public;~~

~~(2) — Places to which persons under the age of 18 years are not permitted access; or~~

~~(3) — Places where the vending machine is under the direct supervision of the owner of the establishment or any adult employee of the owner including, but not limited to establishments holding a valid liquor license.~~

~~As used in this subsection, the term "under direct supervision" means the vending machine shall be in plain vision of the employee or owner during regular business hours. It shall be an affirmative defense to a prosecution under this subsection that the person selling or offering to sell the tobacco product was presented with and reasonably relied upon a document which identified the person purchasing the tobacco product as being 18 years of age or older.~~

~~(f) — Any person who sells or offers to sell any tobacco products shall display a warning sign in a prominent place in the building and on such machine at all times and in accordance with C.R.S. § 18-13-121(b).~~

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

Section 5. 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:
PETER SCHULTE, CITY ATTORNEY

Hanosky Hernandez *PK*

By: HANOSKY HERNANDEZ, Sr. Assistant City Attorney



CITY OF AURORA

Council Agenda Commentary

Item Title: Unified Development Ordinance (UDO) Text Amendment to the Repeal City Property Sign Allowance
Item Initiator: Brandon Cammarata, Manager, Planning and Business Development
Staff Source/Legal Source: Jeremiah Fettig, Planner II, 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: N/A

Regular Meeting: 2/9/2026

2nd Regular Meeting (if applicable): 2/23/2026

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)

2026- A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-4.10.13 AND 146-6.2.S AND REPEALING SECTION 1464.10.16 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SIGNS

Sponsor: Mike Coffman, Mayor / Alison Coombs, Council Member

Jeremiah Fettig, Planner II, Planning and Business Development / Lena McClelland, Senior Assistant City Attorney

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

- | | |
|--|---|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session | <input type="checkbox"/> Approve Item as Proposed at Policy Committee |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting | <input type="checkbox"/> Approve Item as Proposed at Study Session |
| <input type="checkbox"/> Information Only | <input checked="" type="checkbox"/> Approve Item as Proposed at Regular Meeting |
| <input type="checkbox"/> 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: Planning and Zoning Commission

Policy Committee Date: 1/28/2026

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.)*

The Planning and Business Development Department recommends amending the Unified Development Ordinance (UDO) to remove the "City Property Signs" allowance. The proposal would repeal UDO Subsection 146-4.10.16, which enables city property signs. Sections 146-4.10.13 (Off-Premises Signs) and 146.6.2 (Definitions) are also proposed for amendment to support the repeal.

The City of Aurora Planning and Zoning Commission held a public hearing on January 28, 2026 and voted to recommend the City Council approve the proposed UDO Text Amendment.

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

Project Summary:

City property signs are in addition to the general sign allowances. City property signs are large electronic signs located on city-owned property intended for off-premises advertising. Large off-premises signs are often called billboards. Outside of the city property sign allowance, the UDO limits off-premises signage to Industrial zone districts within 1,000 feet of a highway.

As the name suggests, the city property sign allowance applies to city-owned property, such as the Aurora Municipal Center, Fire Stations, Parks, Natural Areas, maintenance facilities, and more.

This proposal only impacts signs on city-owned property and does not impact sign allowances on private property. **This proposal removes the category "city property signs."** Should the Council adopt this ordinance, city properties will still be able to pursue signage through the city's general sign allowances as they have for many years. These general sign allowances apply to both private property and city-owned property. No signs were approved under the city property sign allowance.

History/Background:

The City property sign concept was brought to the city by the Lamar sign company. The Planning and Economic Development Committee (PED) met on February 8, 2023, and the Committee agreed to move the concept forward to the March 20, 2023, Study Session, where the full Council also moved it forward. On August 1, 2024, the Council approved Resolution 2024-112, which directed the city manager to review, amongst other codes, the Unified Development Ordinance for amendments needed to allow digital signs at five locations proposed by Lamar Advertising Company (Lamar). The city property sign ordinance was adopted in March of 2025.

City Property Sign Details:

This proposal removes the allowance for city property signs. The following are additional details regarding the city property sign allowance.

City property signs have limited application. The signs are (1) restricted to city property, (2) subject to the city's discretion, (3) not all locations will be suitable for a sign company to invest in this type of sign, and (4) the signs must be spaced at least 600 feet apart.

City property signs are in addition to general sign allowances. General sign allowances for ground signs allow for a maximum of 100 square feet per sign face and heights of up to 12 feet. While some variations are permitted under specific circumstances, most signs adhere to these parameters. City property signs are permitted up to 25 feet tall and 280 square feet and can be 100% electronic.

Compliance with Comprehensive Plan:

The "Authentic Aurora" section of the Aurora Places document identifies numerous goals relating to creating distinctive destinations, protecting the character and quality of existing neighborhoods, and using quality design. This section of Aurora Places also specifically recommends limiting the number of signs on major streets to avoid a cluttered appearance. The repeal of the city property sign allowance is consistent with limiting sign clutter.

Recommend approval to the Aurora City Council of the Text Amendment to the UDO to repeal the City Property Sign allowance for off-premises advertising on city property, because the proposal complies with the requirements of Section 146-5.4.1.C.3.b of the Unified Development Ordinance, for the following reasons:

- The proposal to remove the city property sign option is consistent with limiting the number of signs on major streets to avoid a cluttered appearance (ref. Aurora Places, Authentic Aurora, page 97)
- It reduces large electronic signs in proximity to homes, which can support public health, safety, and welfare

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 the ordinance to repeal the City Property Sign allowance?

LEGAL COMMENTS

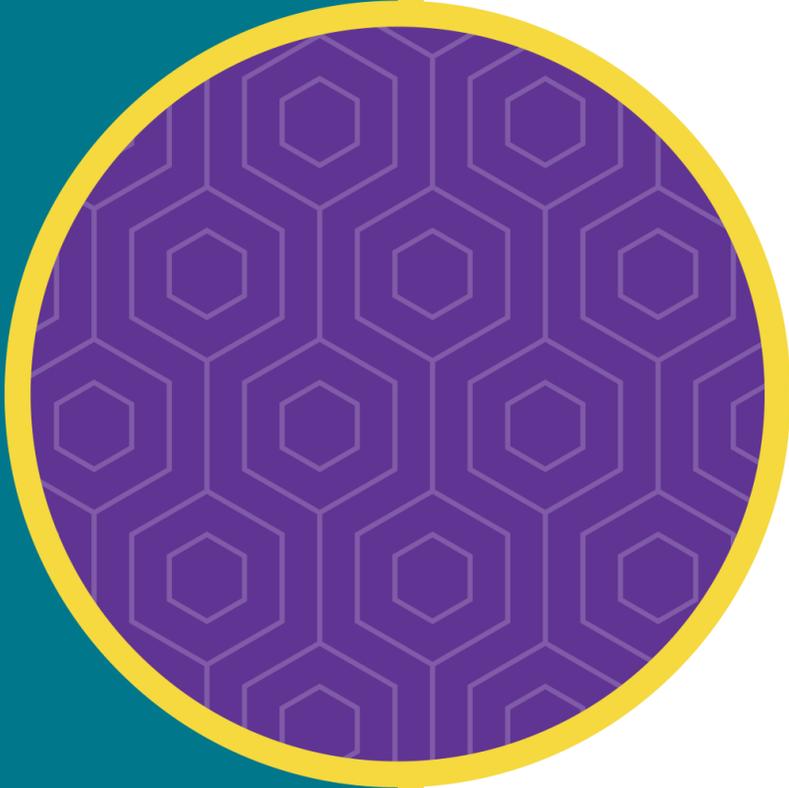
The City Council is the governing body of the City and has the authority to approve amendments to the text of the UDO. (UDO §146-5.1.1.A)

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)

City Council

Planning and Business
Development Department



Unified Development Ordinance Amendment - Text Change Repeal City Property Sign Allowance

Project No: DA-2163-26
Public Hearing

Aurora City Council
February 9, 2026





Request

- Approval of Unified Development Ordinance (UDO) to Repeal City Property Sign Allowance
- In accordance with the City of Aurora Zoning Ordinance, Sec. 146-5.4.1.3.b, Ordinance Text Amendments:
- Applicant: City Staff.
- Project Location: Citywide



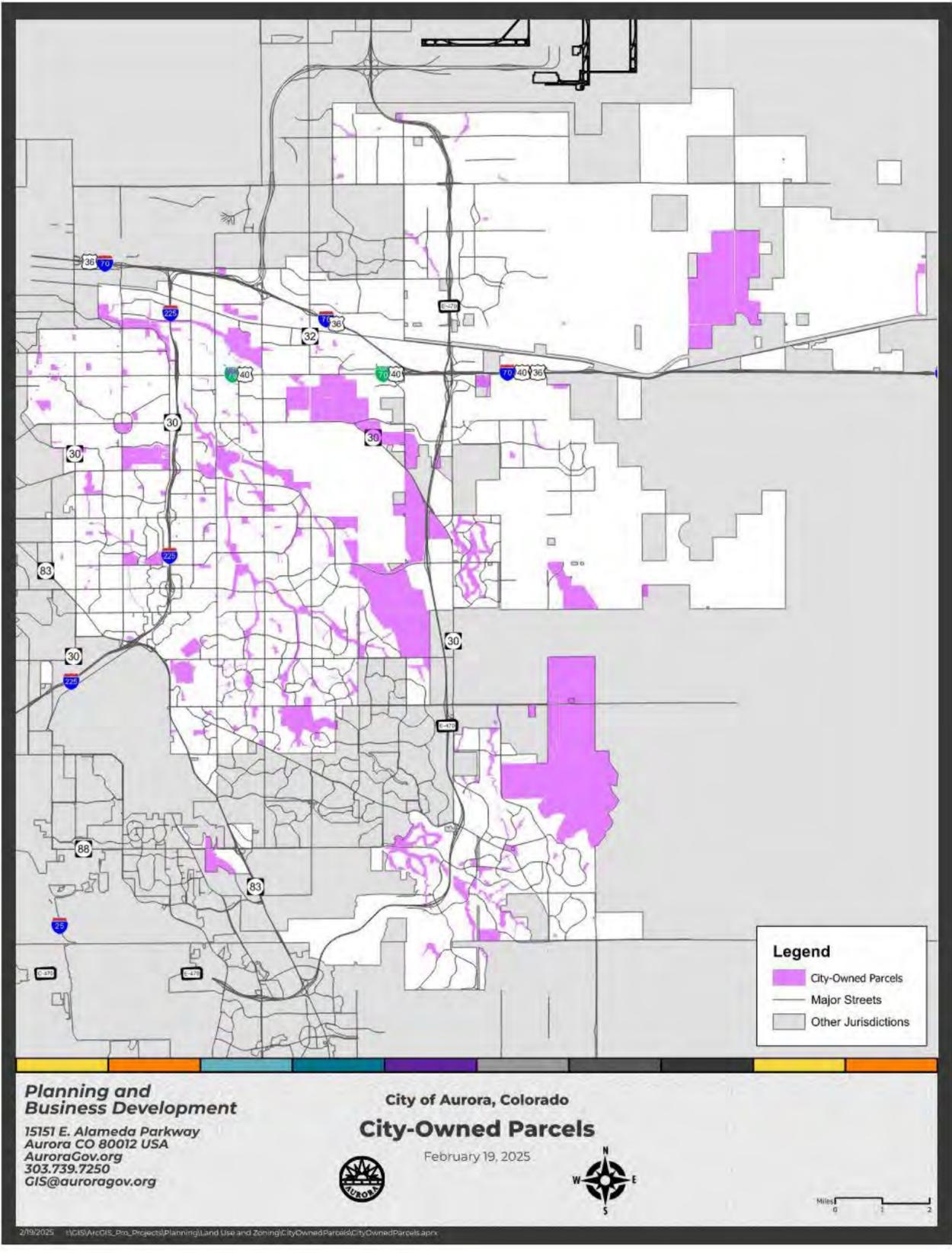


City Property signs – Proposed for Repeal

- Adopted in March of 2025
- Allows large, electronic signs for off-premises advertising (aka billboards)
- On City Property only
- None of these signs has been approved since adoption.



City Owned Property





General sign Allowances

If the City Property Sign allowance is repealed.

- City properties will use general sign allowances
- Same rules that apply to private property





Approval Criteria

- In compliance with the City of Aurora Zoning Ordinance, Sec. 146-5.4.1.c.3, Ordinance Text Amendments:
 - 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*
 - The change to the Ordinance text is required because of changed conditions or circumstances in all or a portion of the city; or*
 - The change to the Ordinance text is required to address a new or unforeseen threat to the public health, safety, and welfare; or*
 - 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.*

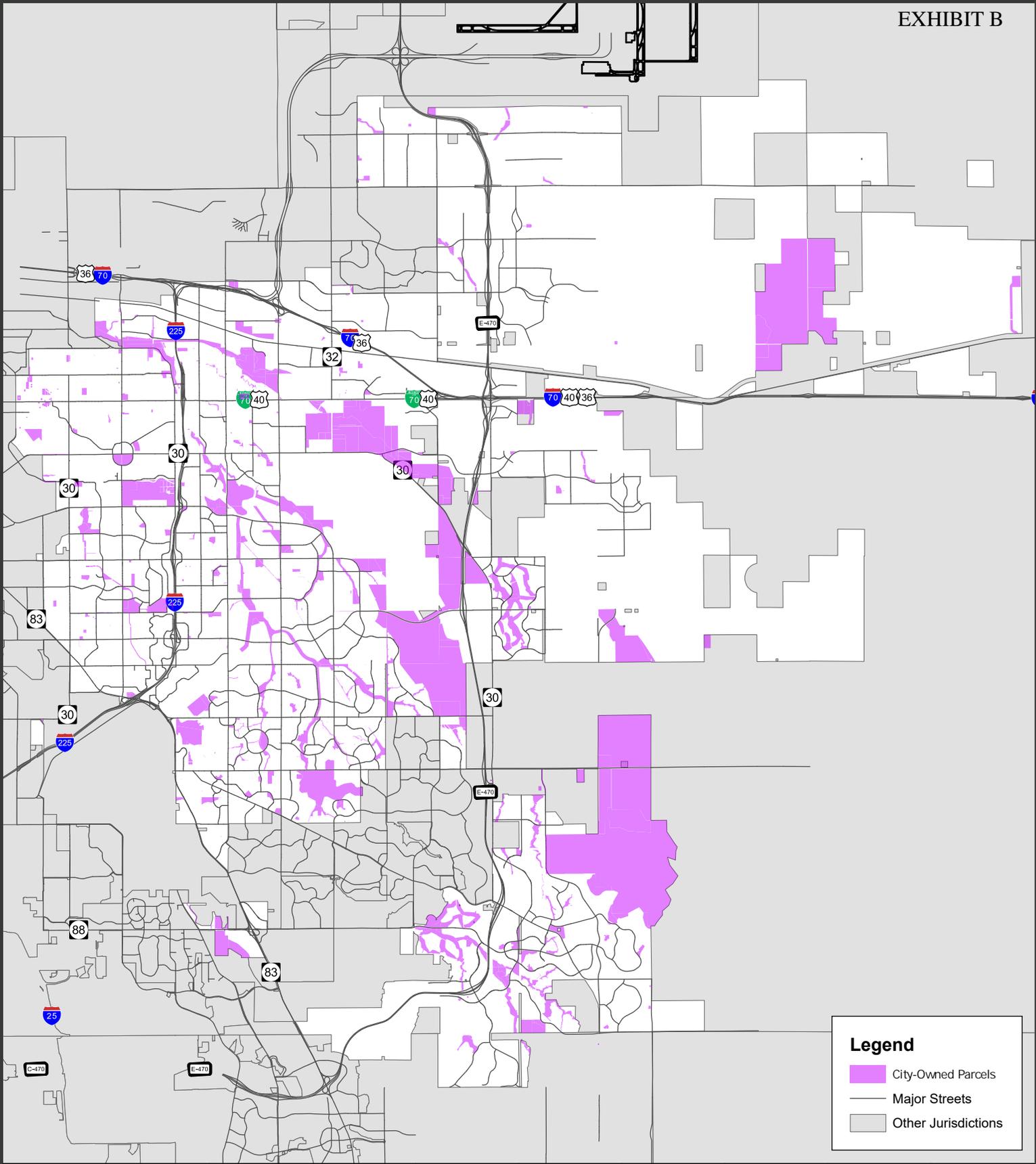




Staff Findings

- The proposal to remove the city property sign option is consistent with limiting the number of signs on major streets to avoid a cluttered appearance (ref. Aurora Places, Authentic Aurora, page 97)
- It reduces large electronic signs in proximity to homes, which can support public health, safety, and welfare





Legend

- City-Owned Parcels
- Major Streets
- Other Jurisdictions

Planning and Business Development

15151 E. Alameda Parkway
 Aurora CO 80012 USA
 AuroraGov.org
 303.739.7250
 GIS@auroragov.org

City of Aurora, Colorado
City-Owned Parcels

February 19, 2025



ORDINANCE NO. 2026- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 146-4.10.13 AND 146-6.2.S AND REPEALING SECTION 146-4.10.16 OF THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SIGNS

WHEREAS, Section 146-5.4.1.C.3 of the Uniform 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 146-4.10.13 of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

4.10.13 OFF-PREMISE 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, provided that 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 no 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, approved by the property owner, showing the property boundary, and the size, height, location, and orientation of the proposed sign shall be submitted to the Planning Director.
- F. Reserved.
- 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 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.

~~J. *Exemption for City Property Signs.* No provision of this Section shall apply to Section 146-4.10.16 (City Property Signs).~~

Section 2. Section 146-4.10.16 of the Uniform Development Ordinance of the City of Aurora, Colorado, is hereby repealed in its entirety.

~~4.10.16 — CITY PROPERTY SIGNS.~~

~~City property signs shall be permitted in all zone districts; provided, that they comply with the standards in this Section 146-4.10.16.~~

~~A. *Signs Permitted.* City property signs are permitted if they comply with the following standards:~~

- ~~1. Maximum sign area shall not exceed 280 square feet.~~
- ~~2. Maximum height shall not exceed 25 feet.~~
- ~~3. No City property sign shall be located within 600 feet of another City property sign.~~
- ~~4. If the sign includes an electronic message display, it must comply with the following standards:
 - ~~a. The electronic message display may occupy up to 100 percent of each sign face;~~
 - ~~b. 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, 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 or 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;~~
 - ~~c. The message display must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and varying daytime lighting conditions; and~~
 - ~~d. The sign shall not obstruct the view of other signs or uses.~~~~

~~5. If abutting a residential use or district, and oriented so that light from the sign is visible from a window of a residential building, the intensity of the light shall not exceed 0.01 footcandles above ambient, measured vertically, at the property line at a point nearest to the window between the hours of 11:00 p.m. and 6:00 a.m.~~

~~B. *Authorization.* Permission, in a form acceptable to the City, such as but not limited to a revocable license, must accompany an application, except when the City is the applicant.~~

~~C. *Review.* The Planning Director shall review and shall approve the sign permit in accordance with the following criteria:~~

- ~~1. The sign shall conform with all applicable requirements of this Section 146-4.10 and the Aurora City Code;~~
- ~~2. The sign complies with any conditions as set forth in the approved revocable license, (see Subsection B above), if a revocable license is required, including, but not limited to, location of the sign.~~

Section 3. Section 146-6.2.S of the United Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

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.



Figure 6.2-9: Awning Sign

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 aluminum 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.



Figure 6.2-10: Canopy Sign

- ~~6. *Sign, City Property.* A sign located on property owned or controlled by the City, with permission by the City and that advertises or directs attention to a business, profession, commodity, entertainment, service, religious, charitable or non-profit organization, or an activity, product, good, or service that is not located upon or available upon the premises where the sign is located.~~
7. *Sign, Fabric.* Any sign, banner, valance or advertising display constructed of cloth, canvas, fabric, or other light material, with or without frames.
8. *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.
9. *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.
10. *Sign, Multi-Tenant Development.* An on-site sign for a development containing two or more tenants on the premises where the sign is located.

11. *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.

12. *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 non-profit organization, or an activity, product, good, or service that is not located upon or available upon the premises where the sign is located. ~~This does not include City-Property Signs.~~

13. *Sign, On-Premises.* A sign that does not meet the definition of an Off-Premises Sign.

14. *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.



Figure 6.2-11: Projecting Sign and Grand Projecting Sign

15. *Sign, Roof.* A sign erected upon or that projects above any portion of the roof or parapet of the building or structure.

16. *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.

17. *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.

18. *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.

Section 4. Resolution No. R2024-112 is hereby repealed and rescinded.

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

Section 6. The codifier is instructed to maintain the legislative history in the published version of each code section, including those that are repealed and replaced.

Section 7. 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 8. 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, Assistant City Attorney)



CITY OF AURORA

Council Agenda Commentary

Item Title: Tapias LLC Annexation Substantial Compliance
Item Initiator: Cesarina Dancy, Manager of Office of Development Assistance, Development Services
Staff Source/Legal Source: Justin Andrews, Development Project Manager, Development Services / Brian Rulla, 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: N/A

Regular Meeting: 2/23/2026

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)

R2026- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (TAPIAS LLC ANNEXATION) 2.496 ACRES

Justin Andrews, Development Project Manager, Development Services / Brian Rulla, Assistant City Attorney

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

- | | |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session

<input type="checkbox"/> Approve Item and Move Forward to Regular Meeting

<input type="checkbox"/> Information Only

<input type="checkbox"/> Approve Item with Waiver of Reconsideration | <input type="checkbox"/> Approve Item as Proposed at Policy Committee

<input type="checkbox"/> Approve Item as Proposed at Study Session

<input checked="" type="checkbox"/> Approve Item as Proposed at Regular Meeting |
|---|--|

Reason for waiver is described in the Item Details field above.

PREVIOUS ACTIONS OR REVIEWS:

Policy Committee Name: N/A

Policy Committee Date: N/A

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

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

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

The City Council has adopted the Aurora Places Comprehensive Plan to guide future growth and development within the city. This plan has established the City's Annexation Area which is the boundary within which the City will consider annexation requests. This property is located within the City's Annexation Area.

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

A petition for annexation was filed with the City Clerk for annexation of a 2.496 acre parcel owned by Tapias LLC. This parcel is located at the NEC of E 26th Avenue and Picadilly Road (see attached vicinity map).

The parcel falls within the City's Annexation Boundary and meets contiguity requirements. There will be a site plan submitted for the property following annexation, indicating commercial land uses.

The Initial Zoning Ordinance will be presented to City Council concurrently with the Annexation Ordinance. The initial zoning shall follow the City's Comprehensive Plan.

The annexation process follows state law, and this annexation will be considered over three City Council meetings. Consideration of this resolution is item #1 listed below:

- 1) City Council considers approval of a Resolution making a finding that the Petition is in substantial compliance with statutory requirements and sets the Public Hearing date.
- 2) City Council conducts the Public Hearing, considers approval of a Resolution making a finding that the land is eligible for annexation, and considers Introduction of the Annexation Ordinance.
- 3) City Council considers the Annexation Ordinance on final reading and the Annexation Agreement will be presented for Council consideration.

FISCAL IMPACT

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

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

REVENUE IMPACT

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

N/A

BUDGETED EXPENDITURE IMPACT

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

N/A

NON-BUDGETED EXPENDITURE IMPACT

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

Public Fiscal Impact: Annexation obligates the City to provide municipal services and utilities upon development. The fiscal impact of this development will be offset by various development fees paid at time of development, as well as future taxes generated by the expected development of commercial/industrial uses on this property.

WORKLOAD IMPACT

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

N/A

QUESTIONS FOR COUNCIL

Does City Council wish to approve the resolution as proposed and set the date for a public hearing on the proposed annexation?

LEGAL COMMENTS

According to the Colorado Municipal Annexation Act, a resolution is necessary to make a finding that the petition is compliance with Section 31-12-107(1). The resolution also establishes a date for a public hearing on the proposed annexation. The hearing is scheduled for April 6,2026.

A petition is in substantial compliance if it is filed with the City Clerk and contains the following:

- 1) an allegation that it is desirable and necessary that the area be annexed
- 2) an allegation that the required contiguity exists
- 3) an allegation that the signers of the petition comprise more than 50 percent of the owners owning more than 50 percent of the property
- 4) a request that the City approve the annexation of the area proposed
- 5) a signature and address of the landowner
- 6) a legal description of the land owned
- 7) date of signature
- 8) an affidavit of the circulator of the petition
- 9) four copies of the annexation map.

This petition complies with the statutory requirements. (Rulla)

RESOLUTION NO. R2026____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (Tapias Annexation) 2.496 ACRES

WHEREAS, a petition for annexation of a certain parcels of land, described herein in Exhibit A attached hereto, has been filed with the City Clerk of the City of Aurora, Colorado (the “City”); and

WHEREAS, the petition has been referred to the City Council of the City for a determination of substantial compliance with requirements of Section 31-12-107(1), C.R.S.; and

WHEREAS, the City Council has been advised by staff, and has taken official notice of all maps, records, and other information and materials on file with the City regarding said petition.

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

Section 1. The petition for annexation of certain land more particularly described in Exhibit A, attached hereto and incorporated herein, is hereby determined to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council shall hold a public hearing on the proposed annexation on April 6, 2026, at 6:00 p.m., in the City Council Chambers, Aurora Municipal Center, 15151 East Alameda Parkway, Aurora, Colorado, or, if the hearing is not held in person, then by such telephonic or electronic means accessed as described on the City’s website Auroragov.org, to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility for annexation.

Section 3. The City Clerk is hereby directed to publish this Resolution and a Notice of Public Hearing once each week for four consecutive weeks in a newspaper of general circulation in the area proposed to be annexed.

RESOLVED AND PASSED this _____ day of _____ 2026.

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

PETER A. SCHULTE, CITY ATTORNEY

APPROVED AS TO FORM:



RLA

BRIAN J. RULLA, Sr. Assistant City Attorney

Exhibit A

(Legal description of property to be annexed)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 30 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 3, SOUTH RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 1,566.5 FEET TO THE TRUE **POINT OF BEGINNING**;

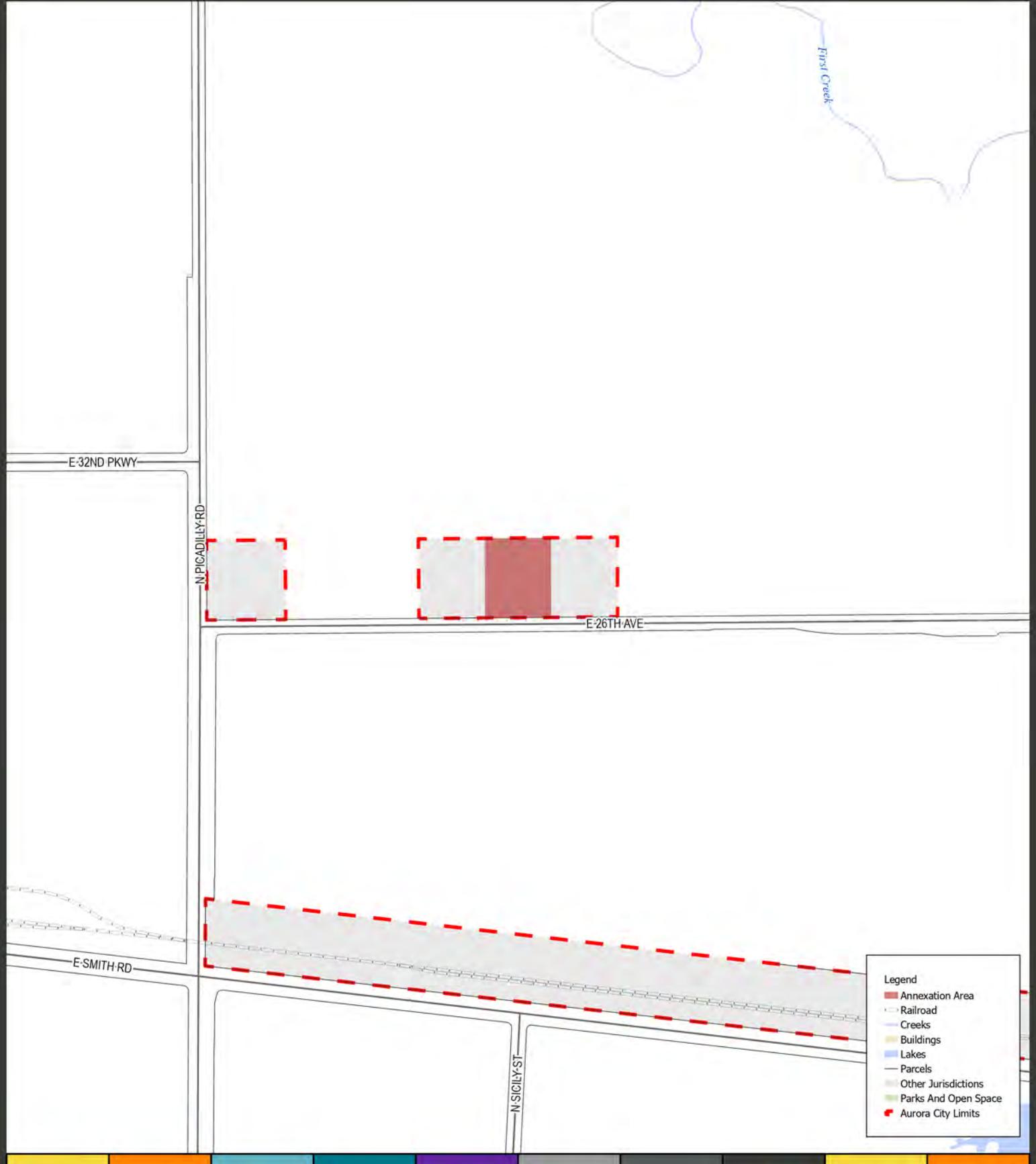
THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID SECTION 25, 361.5 FEET;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 301.2 FEET;

THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID SECTION 25, 361.5 FEET;

THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 301.2 FEET TO THE TRUE **POINT OF BEGINNING**, COUNTY OF ADAMS, STATE OF COLORADO.

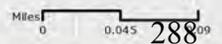
CONTAINING: 108,748 SQUARE FEET OR 2.496 ACRES.



**Planning and
Business Development**

15151 E. Alameda Parkway
Aurora CO 80012 USA
AuroraGov.org
303.739.7250
GIS@auroragov.org

**City of Aurora, Colorado
22201 E 26th Ave
Annexation**



ANNEXATION MAP

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 1 OF 2

PROPERTY DESCRIPTION (REC. NO. 2017000066407)

A TRACT OF LAND IN THE SW 1/4 SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 30 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 3, SOUTH RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 1,566.5 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID SECTION 25, 361.5 FEET;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 301.2 FEET;

THENCE SOUTH AND PARALLEL TO THE WEST LINE OF SAID SECTION 25, 361.5 FEET;

THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, 301.2 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

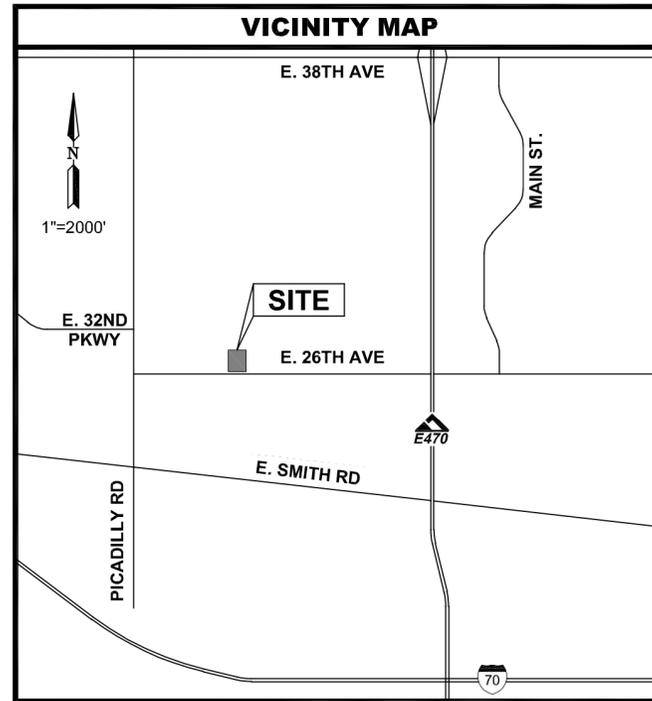
CONTAINING: 108,748 SQUARE FEET OR 2.496 ACRES.

GENERAL NOTES

1. CONSIDERING THE SOUTH LINE TO HAVE AN ASSUMED BEARING OF S89°29'52"W AND MONUMENTED AS SHOWN HEREON.

UNITS OF MEASUREMENT ARE US SURVEY FEET REFERENCED TO GROUND.

2. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY 2N CIVIL, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. A TITLE COVERING THIS PROPERTY WAS NOT PROVIDED BY THE CLIENT.



CONTIGUITY INFORMATION

1,325.4 FEET	--	TOTAL PERIMETER TO PRESENT AURORA CITY LIMITS
963.9 FEET	--	CONTIGUOUS PERIMETER TO PRESENT AURORA CITY LIMITS
108,748 SQ FT ±	--	TOTAL AREA
72.7%	--	PERCENT CONTIGUOUS (STATE LAW REQUIRES A MINIMUM OF 1/6 (16.66%) CONTIGUITY WITH EXISTING CITY BOUNDARY)

SURVEYOR'S CERTIFICATE

I, ELIJAH FRANE, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT NOT LESS THAN ONE-SIXTH (1/6) OF THE PERIMETER OF THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF AURORA, COLORADO, IS CONTIGUOUS WITH THE BOUNDARIES OF THE ANNEXING MUNICIPALITY, AND THAT THIS ANNEXATION PLAT SUBSTANTIALLY COMPLIES WITH THE COLORADO REVISED STATUTES AND THE CITY OF AURORA, COLORADO CODES APPERTAINING THERETO.

ELIJAH FRANE, COLORADO PLS 38376
 FOR AND ON BEHALF OF
 ENCOMPASS SERVICES, LLC

CITY OF AURORA APPROVALS

MAYOR _____ DATE _____

CITY CLERK _____ DATE _____

CITY ENGINEER _____ DATE _____

CITY ATTORNEY _____ DATE _____

CITY COUNCIL ORDINANCE NO. _____ EFFECTIVE DATE _____

RECORDER'S CERTIFICATE

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO AT ____ O'CLOCK ____ M., THIS ____ DAY OF _____, 20 ____ A.D.

INSTRUMENT NO. _____

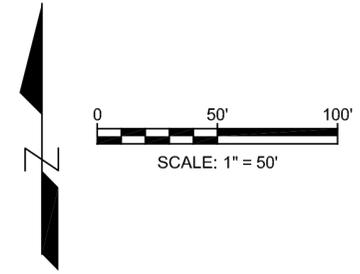
CLERK AND RECORDER _____

DEPUTY _____

 6 Inverness Ct. E. Suite, 125 Englewood, CO 80112 303.925.0544 T 303.925.0547 F www.2ncivil.com	PREPARED FOR: Tapias LLC 49652 E 6th Ave Bennett, Colorado 80102	REVISED: 6/12/2025
		ISSUED DATE: 5/15/2024
		PROJECT NUMBER: 23010
		SHEET 1 OF 2

ANNEXATION MAP

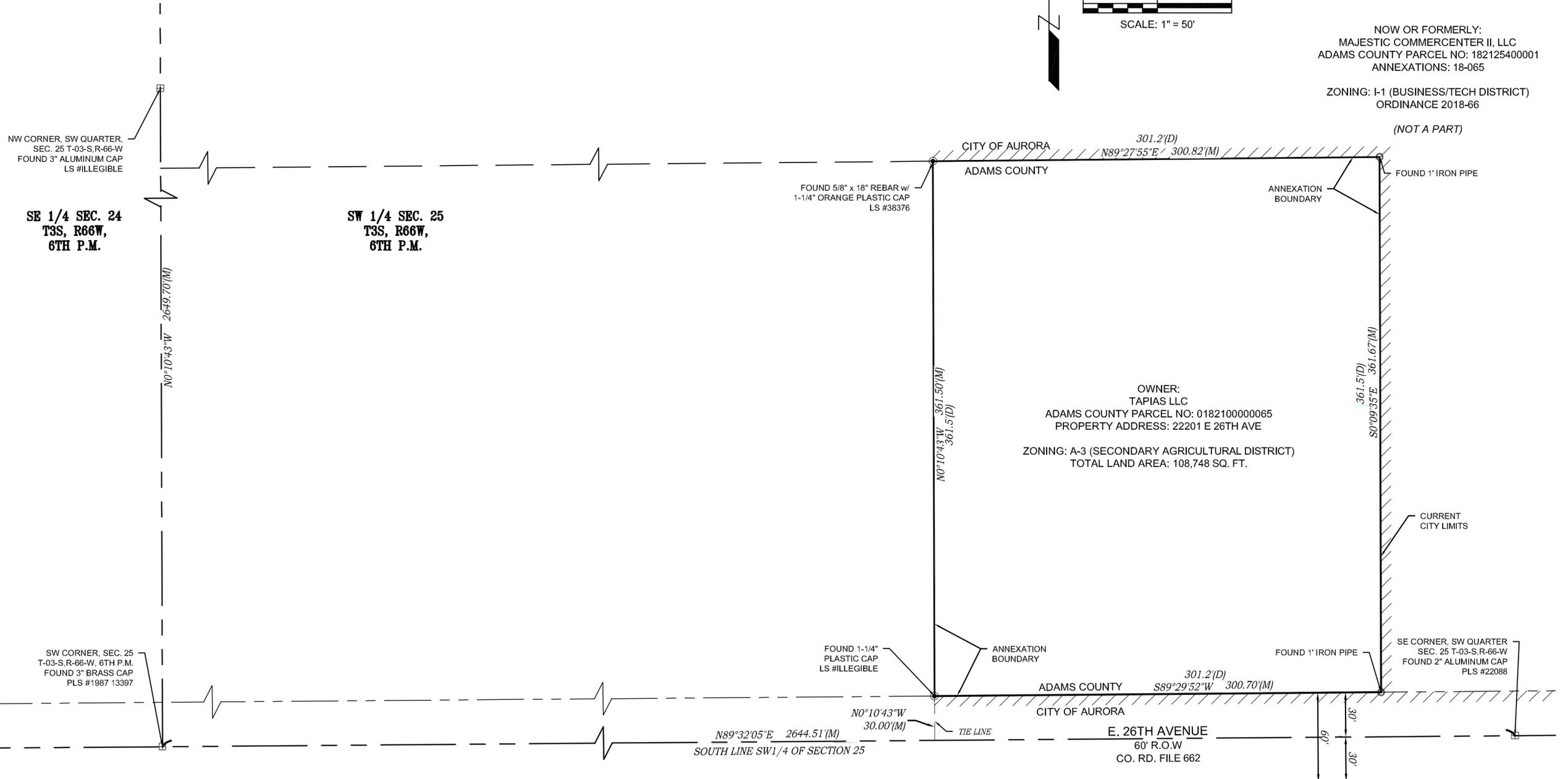
A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 2



NOW OR FORMERLY:
 MAJESTIC COMMERCCENTER II, LLC
 ADAMS COUNTY PARCEL NO: 182125400001
 ANNEXATIONS: 18-065

ZONING: I-1 (BUSINESS/TECH DISTRICT)
 ORDINANCE 2018-66

(NOT A PART)



NW CORNER, SW QUARTER,
 SEC. 25 T-03-S-R-66-W
 FOUND 3" ALUMINUM CAP
 LS #ILLEGIBLE

SE 1/4 SEC. 24
T3S, R66W,
6TH P.M.

SW 1/4 SEC. 25
T3S, R66W,
6TH P.M.

FOUND 5/8" x 18" REBAR w/
 1-1/4" ORANGE PLASTIC CAP
 LS #38376

CITY OF AURORA
 ADAMS COUNTY
 301.2'(D)
 N89°27'55"E / 300.82'(M)

ANNEXATION
 BOUNDARY

FOUND 1" IRON PIPE

OWNER:
 TAPIAS LLC
 ADAMS COUNTY PARCEL NO: 0182100000065
 PROPERTY ADDRESS: 22201 E 26TH AVE
 ZONING: A-3 (SECONDARY AGRICULTURAL DISTRICT)
 TOTAL LAND AREA: 108,748 SQ. FT.

361.5'(D)
 50°09'35"E / 361.67'(M)

CURRENT
 CITY LIMITS

SW CORNER, SEC. 25
 T-03-S-R-66-W, 6TH P.M.
 FOUND 3" BRASS CAP
 PLS #1987 13397

FOUND 1-1/4"
 PLASTIC CAP
 LS #ILLEGIBLE

ANNEXATION
 BOUNDARY

FOUND 1" IRON PIPE

SE CORNER, SW QUARTER
 SEC. 25 T-03-S-R-66-W
 FOUND 2" ALUMINUM CAP
 PLS #22088

N89°32'05"E 2644.51'(M)
 SOUTH LINE SW 1/4 OF SECTION 25
 N0°10'43"W 30.00'(M)
 TIE LINE
 CITY OF AURORA
 ADAMS COUNTY
 301.2'(D)
 S89°29'52"W 300.70'(M)
E. 26TH AVENUE
 60' R.O.W.
 CO. RD. FILE 662

NW 1/4 SEC. 36
T3S, R66W,
6TH P.M.

CITY OF AURORA ORDINANCE: 90-129
 ZONING: I-1 (BUSINESS/TECH DISTRICT)

(NOT A PART)

LEGEND

- SUBJECT PROPERTY
- ADJOINER PROPERTY
- CITY OF AURORA LIMITS
- SECTION LINE
- ROAD RIGHT-OF-WAY
- FOUND REBAR AS STATED
- FOUND IRON PIPE
- FOUND SECTION MONUMENT
- DEEDED
- MEASURE

2N CIVIL
 6 Inverness Ct. E. Suite, 125
 Englewood, CO 80112
 303.925.0544 T
 303.925.0547 F
 www.2ncivil.com

PREPARED FOR:
 Tapias LLC
 49652 E 6th Ave
 Bennett, Colorado 80102

REVISED:	6/12/2025
ISSUED DATE:	5/15/2024
PROJECT NUMBER:	23010

SHEET 2 OF 2

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

The undersigned (the "Petitioners"), being the owners of more than fifty percent (50%) of the property proposed to be annexed, exclusive of public streets and alleys, which property is described in Exhibit A attached hereto and incorporated herein by this reference (the "Property"), hereby petitions the City Council (the "Council") of the City of Aurora, Colorado (the "City"), for annexation of the Property in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., as amended.

In support of this petition, the Petitioners state the following:

1. It is desirable and necessary that the Property be annexed to the City.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., exist or have been met:
 - a. Not less than one sixth (1/6) of the perimeter of the Property is contiguous with the existing boundaries of the City.
 - b. Contiguity with the City is not established by: (i) use of any boundary of an area: previously annexed to the City that, at the time of its annexation, was not contiguous at any point with the boundary of the City, was not otherwise in compliance with Section 31-12-104(1)(a), C.R.S., and was located more than three miles from the nearest boundary of the City ("Non-Contiguous Area"); or (ii) use of any boundary of territory subsequently annexed directly to, or indirectly connected through subsequent annexations to, a Non-Contiguous Area.
 - c. A community of interest exists between the Property and the City.
 - d. The Property is urban or will be urbanized in the near future.
 - e. The Property is integrated or is capable of being integrated with the City.
 - f. In establishing the boundaries of the Property, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner unless separated by a dedicated street, road, or other public way.
 - g. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of \$200,000 for the preceding tax year has been included in the Property without the written consent of the landowner.
 - h. No annexation proceedings have been commenced for the annexation of all or any portion of the Property to another municipality.
 - i. The annexation of the Property shall not result in the detachment of area from any school district or the attachment of area to another school district.

- j. No portion of the Property is more than three miles in any direction from any point of the City boundary as such was established more than one year before this annexation will become effective.
- k. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the boundaries of the Property.
- l. The Property is not presently a part of any incorporated town, city and county, or city.

3. The petitioners comprise more than fifty percent (50%) of the landowners owning more than fifty percent (50%) of the territory included in the area proposed to be annexed, exclusive of streets and alleys. A legal description of the land owned by each Petitioner is set forth in Exhibit B attached hereto and incorporated herein by this reference.

4. Accompanying this Petition are four copies of an annexation map showing the seal of a registered engineer or land surveyor, containing the following information:

- a. A written legal description of the boundaries of the Property;
- b. A showing of the boundary of the Property;
- c. A showing of the location of each ownership tract in unplatted land and, if part or all of the Property is platted, the boundaries and the plat numbers of plots or of lots and blocks;
- d. Next to the boundary of the Property, a drawing of the contiguous boundary of the City and any other municipality abutting the Property.

5. Accompanying this Petition is a copy of the Special Warranty Deed(s) for the non-tributary and not nontributary water within the Dawson-Arkose, Denver, Arapahoe, and Laramie-Fox Hills aquifers that lie beneath the Property. It is not required that the deed(s) be executed at the time of the Petition, but to the extent that the Petitioners do not deliver original executed Special Warranty Deeds for any said ground water underlying the Property, accompanying this Petition is an affidavit(s) stating that original executed deed(s) can and will be delivered to Aurora prior to approval of the annexation. An original executed Special Warranty Deed(s) for any and all said ground water underlying the Property will be delivered to Aurora prior to scheduling of the final reading and annexation approval before the City Council. To the extent Petitioners cannot deliver the original executed Special Warranty Deed(s) for the non-tributary and not non-tributary water within the Dawson-Arkose, Denver, Arapahoe, and Laramie-Fox Hills aquifers that lie beneath the Property, accompanying this Petition is an affidavit by Petitioners stating Petitioners' current knowledge of the ownership of said water. Prior to scheduling of the final reading and annexation approval before the City Council, Petitioners shall pay to the City the monetary value of that portion of said water beneath the Property not to be deeded to the City. Said deed(s) and monies paid to the City will be held in escrow to be returned to the Petitioners in the event the annexation is not approved by City Council.

6. Prior to the hearing before the City Council on whether to annex the Property, the Petitioners and the City shall have entered into an annexation agreement, which shall govern and control the development of the Property within the City (the "Annexation Agreement"). Annexation of the Property shall be conditioned upon the City Council's approval of the Annexation Agreement. Upon the effective date of the ordinance annexing the Property and approving the Annexation Agreement ("Annexation Ordinance"), the Property shall be subject to all of the terms and provisions of the Annexation Agreement.

7. In the event that an Annexation Agreement satisfactory to both the Petitioners and the City is not agreed to on or before the date of the second reading of the Annexation Ordinance, the Petitioners shall have the right to withdraw this Petition at their option and this Petition shall be deemed to be null and void as of the date of this Petition and of no force and effect as if it had never been executed and filed with the City. In such event, no filing fees shall be refunded to the Petitioners by the City.

8. No vested rights to use or develop the Property in any particular way, as defined in Section 24-68-101, et seq., C.R.S., have been requested by the Petitioners from any governmental entity, other than those requested and included in the Annexation Agreement.

9. The Petitioners signed this Petition no more than one hundred eighty (180) days prior to the date of filing.

10. The Petitioners shall pay all fees and costs incurred by the City in processing this Petition through the annexation hearing before the City Council.

11. Except as modified by the terms and provisions of the Annexation Agreement, upon the effective date of the Annexation Ordinance, the Property shall become subject to the Charter and all ordinances, resolutions, rules, and regulations of the City, except for general property taxes of the City, which shall become effective on January 1 of the next succeeding year following the effective date of the Annexation Ordinance.

12. The Petitioners acknowledge that, upon the effective date of the Annexation Ordinance and subject to the terms and provisions of the Annexation Agreement, the Property, the owners thereof, and the uses thereon shall be subject to all taxes and fees imposed by the City. The Property, the owners thereof, and the uses thereon are also bound by any taxes imposed and voter authorization obtained pursuant to Article X, Section 20 of the Colorado Constitution prior to the annexation of the Property. The Petitioners hereby waive any claims they may have under Article X, Section 20 of the Colorado Constitution related to such taxes and voter authorization.

WHEREFORE, the Petitioners respectfully request that the City Council approve the annexation of the Property.

Petitioners:

Tapias LLC
a Colorado limited liability company

By: JUAN TAPIA RAMOS
Juan Tapia-Ramos, Manager

Date of Signature: 8-18-25

By: Julian Tapia Ramos
Julian Tapia Ramos, Manager

Mailing Address:

22201 E. 26th Avenue
Aurora, Colorado 80019

Date of Signature: 8-18-25-

Exhibit A
(Legal description of property to be annexed)

A Tract of land in the SW 1/4 Section 25, Township 3 South, Range 66 West of the 6th Principal Meridian, described as follows:

Commencing at a point 30 feet North and 30 feet East of the Southwest corner of Section 25, Township 3, South Range 66 west of the 6th Principal Meridian;

thence east and parallel to the south line of said Section 25, 1,566.5 feet to the true point of beginning; thence north and parallel to the west line of said Section 25, 361.5 feet;

thence east and parallel to the south line of said section 25, 301.2 feet; thence south and parallel to the west line of said

section 25, 361.5 feet;

thence west and parallel to the south line of said Section 25, 301.2 feet to the true point of beginning, County of Adams, State of Colorado.

Exhibit B
(Legal description of land owned by each landowner)

Name of owners: Tapias LLC, a Colorado limited liability company

Address of owner: 22201 E. 26th Avenue
Aurora, Colorado 80019

Legal description of land owned by owners:

The Land referred to herein below is situated in the County of Adams, State of Colorado, and is described as follows:

A Tract of land in the SW 1/4 Section 25, Township 3 South, Range 66 West of the 6th Principal Meridian, described as follows:

Commencing at a point 30 feet North and 30 feet East of the Southwest corner of Section 25, Township 3, South Range 66 west of the 6th Principal Meridian;

thence east and parallel to the south line of said Section 25, 1,566.5 feet to the true point of beginning; thence north and parallel to the west line of said Section 25, 361.5 feet;

thence east and parallel to the south line of said section 25,

301.2 feet; thence south and parallel to the west line of said section 25, 361.5 feet;

thence west and parallel to the south line of said Section 25, 301.2 feet to the true point of beginning, County of Adams, State of Colorado.